

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 1.
GOVERNMENT ORGANIZATION.

CHAPTER 15.
REORGANIZATION OF THE DISTRICT SINCE THE
ESTABLISHMENT OF HOME RULE.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 15. REORGANIZATION OF THE DISTRICT
SINCE THE ESTABLISHMENT OF HOME RULE.

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CHAPTER 15. REORGANIZATION OF THE DISTRICT SINCE THE ESTABLISHMENT OF HOME RULE.

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SUBCHAPTER I. 1975.

Refs & Annos

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Miscellaneous Notes

Pursuant to section 3 of D.C. Law 18-115, the name of the Office of Property Management was changed to the Department of Real Estate Services.

PART A. REORGANIZATION PLAN NO 2.

(21 DCR 3198; 22 DCR 961; Effective July 25, 1975)

Prepared by the Mayor and transmitted to the Council of the District of Columbia April 29, 1975, pursuant to the provisions of Section 422(12) of the District Charter.

DEPARTMENT OF TRANSPORTATION

I. ESTABLISHMENT

There is established, under the direction and control of the Mayor, a Department of Transportation headed by a Director. The Director shall have full authority over such Department and all functions and personnel assigned thereto, including the power to redelegate to other employees and officials of the Department such powers as in the Director's judgment are warranted in the interest of efficiency and good administration. All authority vested in the Director shall be exercised in accordance with applicable laws, rules and regulations.

II. PURPOSE

The Department of Transportation is charged with assisting the Mayor to assure the provision of a safe and adequate transportation system for residents and visitors to the District of Columbia.

III. FUNCTIONS

The Director of the Department of Transportation shall:

A. Plan, program, construct, operate and maintain public transportation facilities and systems to meet transportation needs within the District of Columbia.

B. Identify financial resources to be applied to transportation programs, and develop a plan for allocation of those resources among those programs.

C. Develop policies relating to transportation facilities not owned by the District of Columbia, e.g., mass transit, taxicab, aviation, transportation terminals; and coordinate those policies with agencies, public and private, which operate and regulate those facilities.

D. Analyze transportation programs for their impact on the social and physical environment, including land use and development; develop ways and means to mitigate undesirable impact and implement environmental programs.

E. Promulgate safety standards relating to the licensing and inspection of vehicles, including aircraft and watercraft, and licensing, testing and training of vehicle operators, to the extent those matters fall within the

jurisdiction of the District of Columbia; and the operation of programs for the administration of those standards.

F. Develop highway safety standards, including those relating to bicyclists and pedestrians, and implement safety standards in the District of Columbia streets and highways program.

G. Cooperatively with the Municipal Planning Office, coordinate District of Columbia transportation plans and programs and maintain liaison with metropolitan area governments, the Council of Government, the Washington Metropolitan Area Transit Authority, Federal agencies, and appropriate public and private groups involved in transportation.

H. Cooperatively with the Municipal Planning Office, coordinate transportation plans and programs with the programs of other District of Columbia departments and agencies to assure consistency with all appropriate goals and objectives of the government.

I. Develop parking policies and the operation of parking programs assigned to the department.

V. TRANSFER OF FUNCTIONS

The following are hereby transferred to the Department of Transportation:

A. The functions related to the Department of Motor Vehicles as set forth in C.O. 73-238, Replacement of Organizational Order No. 105, dated October 12, 1973.

B. The functions related to the Department of Motor Vehicles as set forth in C.O. 73-144, Delegation of Authority Regarding Regulation Providing Special Parking Privileges for Handicapped Drivers, dated June 15, 1973.

C. The functions related to the Department of Motor Vehicles as set forth in C.O. 74-77, Delegation of Authority Regarding Development of a Plan to Implement the Provisions of Highway Safety Standard 316, Debris Hazard Control and Cleanup, dated May 10, 1974.

D. The functions related to the Department of Motor Vehicles as set forth in C.O. 74-172, Delegation of Authority Regarding the Regulation of Slow-Moving Vehicles, dated August 1, 1974.

E. The functions related to the Department of Highways and Traffic as set forth in Order No. 59-33, Department of Highways and Traffic Organization Order No. 122 (Reorganization), dated January 8, 1959, as Amended.

F. The functions related to the Department of Highways and Traffic as set forth in Order of the Commissioner 68-236, Delegation of Authority to Establish Flat Rate Charges for Street Repairs, dated March 20, 1968.

G. The functions related to the Department of Highways and Traffic as set forth in Order of the Commissioner 68-554, Delegation of Authority to Establish and Administer Traffic Rules and Regulations, dated August 16, 1968.

H. The functions related to the Department of Highways and Traffic as set forth in Order of the Commissioner 69-615, Organization Order No. 9, as Amended, Contracting Officer, dated November 4, 1969.

I. The functions related to the Department of Highways and Traffic as set forth in C.O. 70-151, Delegation of Authority for Final Approval of License Bonds, dated April 22, 1970.

J. The functions related to the Department of Highways and Traffic as set forth in C.O. 71-75, Annual Hauling Permit Fee for a Self-Unloading, Single Unit Motor Vehicle by Weight Class with three or more Axles, dated March 18, 1971.

K. The functions related to the Department of Highways and Traffic as set forth in C.O. 71-354, Delegation of Authority to Administer City Council Regulation 71-25 Prohibiting Left Turns into Parking Lots and Garages, dated September 10, 1971.

L. The functions related to the Department of Highways and Traffic as set forth in C.O. 72-11, General Purpose Transportation, dated January 13, 1972.

M. The functions related to the Department of Highways and Traffic as set forth in C.O. 72-107, Implementation of City Council Regulation 71-26 Governing Bicycles, dated May 4, 1972.

N. The functions related to the Department of Highways and Traffic as set forth in C.O. 72-182, Delegation of Authority to Enter into Interstate Agreement with the State of Maryland and the Commonwealth of Virginia, dated July 17, 1972.

O. The functions related to the Department of Highways and Traffic as set forth in C.O. 73-76, Delegation of Authority to Execute Downtown Bus Service Capital Grant Project No. DC-VTG-2, dated March 28, 1973.

P. The functions related to the Department of Highways and Traffic as set forth in C.O. 72-79, Delegation of Authority to Execute Downtown Bus Service Demonstration Grant Project No. DC-06-0069, as Amended and dated March 28, 1973.

Q. The functions related to the Department of Highways and Traffic as set forth in C.O. 73-168, Delegation of Authority Under the District of Columbia Public Space Utilization Act, dated July 13, 1973.

R. The functions related to the Department of Highways and Traffic as set forth in C.O. 74-207, Delegation of

Authority to Apply for and Execute an Urban Mass Transportation Capital Improvement Grant for the National Visitors Center, dated September 30, 1974.

S. The functions related to the Department of Highways and Traffic as set forth in C.O. 74-54, Designation of Department of Highways and Traffic as the District Agency Responsible for Administration of Programs Under Sec. 230 Safe Roads Program -- Highway Safety Act of 1973, dated March 29, 1974.

T. The functions related to the Department of Motor Vehicles as set forth in Organization Order No. 21, Order of the Commissioner 69-235, Traffic Coordinating Committee, dated May 26, 1969.

U. The functions related to the Department of Highways and Traffic as set forth in Organization Order No. 23, Order of the Commissioner 69-502, D.C. Public Space Committee, as Amended and dated September 3, 1969.

V. The functions related to the Director of the Department of Motor Vehicles in C.O. 69-234, Highway Safety Program Coordinator, dated May 26, 1969.

W. Any other functions not specifically mentioned above which are now delegated to, or vested in, the Director of the Department of Highways and Traffic and the Director of the Department of Motor Vehicles and the Transportation Systems Coordinator.

V. DELEGATIONS AND REDELEGATIONS OF AUTHORITY

A. The Director of the Department of Transportation is the successor to all authority delegated to the Director of the Department of Motor Vehicles, the Director of the Department of Highways and Traffic, and the Transportation Systems Coordinator, and is authorized to act, either personally or through a designated representative, as a member of whatever committees, commissions, boards, or other bodies which presently include as a member the Director of the Department of Motor Vehicles, the Director of the Department of Highways and Traffic, and the Transportation Systems Coordinator.

B. The Director of the Department of Transportation is designated as the Governor's Highway Safety Representative and the Department of Transportation is designated State agency for administration of the Highway Safety Program in the District of Columbia.

VI. OTHER TRANSFERS

All positions, personnel, property, records and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the above functions, other than those resources and functions to be transferred to the Public Service Commission, are hereby transferred to the Director of the Department of Transportation.

VII. ORGANIZATION

The Director of the Department of Transportation, in the performance of his duties and functions, is authorized to establish such organizational components thereunder with such specified functions, as he deems appropriate.

VIII. RESCISSION

A. All Orders and parts of Orders in conflict with any of the provisions of this plan are, to the extent of such conflict, hereby repealed except that any municipal regulation adopted or promulgated by virtue of the authority granted by such orders shall remain in force until otherwise amended or repealed.

B. The positions of Director, Department of Motor Vehicles, Director, Department of Highways and Traffic and the Transportation Systems Coordinator are hereby abolished.

IX. EFFECTIVE DATE

The provisions of this plan shall become effective pursuant to the requirements of Section 422(12) of Public Law 93-198.

MAYOR'S STATEMENT

PRESENT PROBLEMS

District of Columbia activities and functions relating to transportation are presently fragmented among several District agencies and departments.

The Department of Highways and Traffic is responsible for planning, constructing and maintaining the District's highway system as well as for planning and controlling traffic flow. In addition, this Department maintains the District's public and metered parking facilities.

The Department of Motor Vehicles is responsible for testing and licensing operators of all powered wheeled vehicles, as well as for inspecting and registering these vehicles.

The Transportation Systems Coordinator, lodged in the Executive office of the Mayor, provides liaison to the Metro operations, evaluates transportation proposals, and advises the Mayor on transportation policy.

Each of the above entities provides specific services to the District based on valid and appropriate objectives. Taken collectively, however, these goals are not sufficiently broad to encompass the entire spectrum of District transportation needs. No single authority now exists which can perform an overview of city

transportation needs and costs, balancing one mode against another or relating those needs and costs to non-transportation factors such as environmental impact and the broad economic situation.

PLAN TO ESTABLISH A DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

In order to deal more effectively with the broader issues relating to the overall transportation needs of District citizens and visitors, it is planned to combine into one organizational entity all related activities and functions now dispersed among the several offices cited above.

The reorganization presented in Reorganization Plan 2, with associated charts and tables, has been prepared with three objectives in mind:

Objective One: Capability for Broad Over-View: A Department of Transportation will be the key mechanism for addressing issues, needs and programs that extend to all transportation modes. The new department will identify rail service needs; perform analyses of the adequacy of the bus system and develop ways to improve it; develop plans and programs to integrate various methods of transportation to expedite passenger movement; promote the development of aviation facilities and their safe use; determine the need for new and perhaps larger transportation terminal facilities; develop the means for a more efficient distribution of goods; and develop a system of bikeways and pedestrianways. In summary, it will broaden the transportation objectives of the city.

Objective Two: More Rational Allocation of Resources: The new realignment of facilities and services should reflect a more balanced approach to the transportation system. At the same time, the realignment should permit the department to obtain a better assessment of the resources needed to operate a total system.

Objective Three: Active Coordination with Independent Transportation Modes and with other Jurisdictions: While the city does not operate the METRO system or taxi companies, the city does have a responsibility to require that these transportation services be adequate, safe and economical. A Department of Transportation will provide the focal point for the city to interact with the Washington Metropolitan Area Transit Authority (WMATA), the Civil Aeronautics Board (CAB), the National Transportation Safety Board (NTSB), the taxi industry, and other owners and regulators of transportation services.

STRUCTURE AND FUNCTIONS OF THE NEW DEPARTMENT

The Functional Chart of the planned Department carries out these objectives in structural form. Eight subunits are planned; three at the staff level, four at the operating level, and an Office of the Director. Notes on each of the eight units follow:

Office of the Director: In addition to a Director and Deputy Director, a staff for community relations is being established. The great importance of two-way communication with the community (both residents and visitors to the Nation's Capital) has led to the decision to give this function direct access to the Head of the agency by placing it in his immediate Office.

Office of Administration: The Administrative functions of the two existing departments are consolidated in this Unit. In addition to the present functions, financial resources management and regulations/legislation have been added here. The goal of financial resources management is to inventory and control all department resources within the context of one overall plan and budget. In order to permit analysis of departmental regulations, Federal requirements, and staff-level review of departmental hearing processes, a unit of regulations and legislation is also proposed.

Office of Transportation Policy and Plans: Overall program priorities will be developed here for recommendation to the Director and, through the Director, to the Mayor and Council. The economic impact of transportation decisions has long been neglected, but will find a home in this Office. Systems planning for all modes of transportation will be established to reflect general policy objectives. Traditional project oriented planning such as is now performed in the Highways and Traffic Department will take its cue and direction from the systems planning staff. Finally, establishment of a social program analytical capability will provide a planning link to community transportation needs.

Office of Safety and Environment: The existing highway safety coordination and safety education functions currently in the DMV form the nucleus for this new Office. This organization will allow for a new emphasis on safety standards for additional transport modes and for expansion of the environmental programs, including social impact and interagency cooperation.

The four operating bureaus, now identified as the Bureaus of Design, Engineering and Research, Construction and Maintenance, Traffic Engineering and Operations, and Motor Vehicle Services, are based on the present operating responsibilities of the Highways and Traffic and Motor Vehicle Departments. A side benefit to be gained, however, is that better resource utilization can be made possible through implementation of intermodal transportation projects at the operating level.

EXPECTED BENEFITS OF THE CREATION OF THE DEPARTMENT OF TRANSPORTATION

Short-range:

1. Provides a central focal point within the District to deal with issues affecting overall municipal, area, and regional transportation planning.
2. Provides unified direction over all related activities in setting and achieving District-wide transportation

goals, through closer coordination of the various facets of operations and programs.

3. Permits the expansion of technical and professional planning capability at the operating level without added expense to the District.

4. Permits greater flexibility for applying available resources appropriately to meet program and project priority needs.

5. Creates a more effective use of available professional, technical, and administrative staff skills through the expanded planning and resource flexibility capability.

Long-range:

1. Permits acquisition of additional and more suitable skills needed, through the normal process of employee turnover, for dealing with present day long-range transportation issues.

2. Permits anticipated administrative efficiencies and economies, particularly in the areas of personnel, budget, office services, procurement, and administrative management, through the consolidation of existing administrative staffs and elimination of hierarchical structures now necessary for each of the existing independent agencies.

PART B. REORGANIZATION PLAN NO 3.

(21 DCR 2793; Effective July 3, 1975)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on April 8, 1975, pursuant to the provisions of Section 422(12) of the District Charter.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

1. *Establishment.* There is established, in the Executive Branch of the Government of the District of Columbia, the Department of Housing and Community Development headed by a Director who shall perform the functions herein transferred, delegated, or otherwise assigned to him, and who shall have the authority to redelegate such functions as he deems necessary.

2. *Purpose.* The Department of Housing and Community Development is established to formulate, develop and recommend housing and community development policy, plans and programs, and to accomplish the promotion, coordination and execution of policy, plans and programs, and the administration of laws, pertaining to housing and community development.

3. *Functions.* The Director of the Department of Housing and Community Development shall:

(a) Provide the Mayor information and advice on matters pertaining to public and private housing and community development plans, programs and activities in the District of Columbia.

(b) Identify the District's housing and community development needs, formulate and recommend housing and community development policy, and accomplish the planning, promotion, coordination and execution of plans, projects and activities to meet the needs.

(c) Develop annual and longer-term housing and community development priorities, goals and objectives for the District.

(d) Prepare in collaboration with the Municipal Planning Office that portion of the Comprehensive Plan that pertains to housing and community development, and recommend changes in that plan when essential to the accomplishment of housing and community development goals and objectives.

(e) Prepare for submission to the Office of Budget and Management Systems that portion of the Capital Improvement Plan and the Multi-Year Program and Financial Plan, developed by the Department, that pertains to housing and community development; and recommend changes in that plan when essential to the accomplishment of housing and community development goals and objectives.

(f) Prepare an annual housing and community development work program and budget.

(g) Ensure that housing and community development plans and plan execution are coordinated with appropriate Federal and local agencies and departments.

(h) Develop with appropriate Federal and local agencies and departments, and with private organizations, plans and programs to create and sustain private developer interest and activity in the District of Columbia.

(i) Develop policies, standards and procedures for conducting housing and community development activities, such as inspection, relocation, land acquisition and disposition, citizen participation, minority contracting, data collection and management.

(j) Evaluate the effectiveness and efficiency with which housing and community development programs, projects and activities meet specified goals and objectives.

(k) Establish and maintain a City-wide data collection and data management system pertaining to housing and community development.

(l) Conduct research, field surveys and neighborhood planning and management studies relating to land use

and housing conditions, and develop and test new program concepts as demonstration or special projects.

(m) Administer and enforce to the extent authorized by this Plan the statutes, codes and regulations governing housing, and the construction, erection, maintenance, repair, alteration, inspection, zoning, occupancy, use and removal of buildings and their appurtenances and electrical and mechanical equipment.

(n) Promote the preservation and improvement of residential neighborhoods, the development of underdeveloped or inappropriately developed land, and the provision of supportive community services and economic opportunities in or near residential areas.

(o) Manage the affairs of the National Capital Housing Authority and the Model Cities Program.

(p) Provide staff support, administrative, fiscal, and housekeeping services for the Redevelopment Land Agency, National Capital Housing Authority, Board for the Condemnation of Insanitary Buildings, Condemnation Review Board, Relocation Advisory Committee (CO 73-151), Urban Renewal Operations Committee (CO 55-998), Building Code Advisory Committee (CO 72-173), and the Mayor's Advisory Committee on Fort Lincoln (CO 72-223).

(q) Review applications filed with the Board of Zoning Adjustment pursuant to Section 3105.42 of the District of Columbia Zoning Regulations and make comments and recommendations thereon to the Board.

(r) Manage the affairs of the Redevelopment Land Agency to the extent authorized by this Plan.

(s) Serve as Model Cities Administrator, State Historic Preservation Officer for the District of Columbia, Administrator of Section 109.10, D.C. Building Code, providing for delay in alteration and demolition of architecturally or historically significant properties, the Mayor's second alternate on the NCPC, the Mayor's first alternate on the NCPC's Housing and Urban Renewal Committee, member of the National Capital Planning Commission's (NCPC) Coordinating Committee, Chairman of the Relocation Advisory Committee, the Urban Renewal Operations Committee and the Building Code Advisory Committee, and Coordinator of the Fort Lincoln New Town Urban Renewal Project (CO 72-223).

(t) Present, at the direction of the Mayor, plans, budgets and proposed programs of the District pertaining to housing and community development to the Council of the District of Columbia, Congressional Committees, Federal agencies, the Metropolitan Washington Council of Governments, and other entities.

4. Transfer of functions and delegated authorities respecting the District of Columbia Redevelopment Land Agency. The powers, duties and functions of the District of Columbia Redevelopment Land Agency, as set forth in D.C. Code 5- 701 through 5-737, are transferred to the Director of the Department of Housing and Community Development, except as herein provided.

The Board of Directors of the Agency established pursuant to D.C. Code 5-703 shall continue to have full powers and duties with respect to the selection of any lessee or purchaser of real property acquired or to be acquired by the Agency. The Board shall also continue to have full powers and duties with respect to the adoption of resolutions and the execution of financial documents on behalf of the Agency in connection with the issuance or redemption of any bonds or notes issued or to be issued on behalf of the Agency. All proposed issuances shall be approved by the Mayor, or his designee.

The functions of adopting, prescribing, amending and repealing bylaws, rules and regulations for the exercise of the powers of the Board or governing the manner in which the Agency's business may be conducted, which have been transferred under Reorganization Plan No. 4 of 1968, are transferred to the Director of the Department of Housing and Community Development.

During the absence or disability of the Director, or in the event of a vacancy in the Office of the Director, such Acting Director as may be designated by the Mayor or such subordinate officer of the Department as may be designated by the Director, shall exercise the powers, duties and functions of the District of Columbia Redevelopment Land Agency that are transferred to the Director by this plan.

5. Transfer of functions and delegated authorities respecting the National Capital Housing Authority. The powers, duties and functions of the National Capital Housing Authority, as set forth in the District of Columbia Alley Dwelling Act, as amended (D.C. Code 5-103 through 5-117), are transferred to the Director of the Department of Housing and Community Development, who shall serve as the Authority. In carrying out his functions as such Authority, the Director shall be known as the "National Capital Housing Authority." Such Authority shall be deemed a continuation of the Authority designated under Presidential Executive Order 6868 of October 9, 1934, as amended. During the absence or disability of the Director, or in the event of a vacancy in the Office of the Director, such Acting Director as may be designated by the Mayor or such subordinate officer of the Department as may be designated by the Director, shall act as the Authority.

6. Transfer of functions and delegated authorities relating to the Office of Housing and Community Development. The powers, duties and functions of the Director of the Office of Housing and Community Development, as set forth in Commissioner's Orders No. 74-143 of June 29, 1974, No. 74-182 of August 21, 1974, No. 74-189 of September 6, 1974, No. 74-201 of September 25, 1974, and No. 74-233 of November 12, 1974, are transferred to the Director of the Department of Housing and Community Development. The Office of Housing and Community Development is abolished.

7. Transfer of functions and delegated authorities relating to the Department of Economic Development. The powers, duties and functions of the Director of the Department of Economic Development, as set forth in

Commissioner's Order No. 69-96 of March 7, 1969, as amended, relating to the administration and enforcement of the building and housing codes and the zoning laws and regulations are transferred to the Director of the Department of Housing and Community Development, except as herein provided. The functions relating to the issuance of licenses, permits and certificates in connection with the administration of such codes, laws and regulations shall remain vested in the Director of the Department of Economic Development.

In addition, the powers, duties, and functions of the Director of the Department of Economic Development relating to the provision of administrative staff for the Board for the Condemnation of Insanitary Buildings and the Condemnation Review Board, the administration and enforcement of laws and regulations governing the abatement of nuisances under D.C. Code Sections 5-313 through 5-315 (relating to unlawful conditions); Sections 5-501 through 5-508 (relating to unsafe structures); and Section 6-902 (relating to removal of weeds on residential properties in accordance with Commissioner's Order No. 73-80) are transferred to the Director of the Department of Housing and Community Development. The powers, duties, and functions of the Director of the Department of Economic Development, as set forth in Commissioner's Order No. 70-301 of August 11, 1970; No. 72-174 of July 7, 1972; No. 73-73 of March 28, 1973; No. 73-168 of July 13, 1973; and No. 73-286 of December 14, 1973, are transferred to the Director of the Department of Housing and Community Development.

8. *Services to be provided by other agencies.* The Director of the Department of Economic Development shall provide automated data processing services to the Department of Housing and Community Development for the conduct of its building and housing code enforcement activities. The Corporation Counsel shall perform the functions of general counsel for the Redevelopment Land Agency and the National Capital Housing Authority, which functions are transferred to the Corporation Counsel.

9. *Organization.* The Director of the Department of Housing and Community Development, in the performance of the functions assigned to him, is authorized to establish such organizational components with such specified functions as he deems appropriate.

10. *Repeal of previous Orders.* (a) Commissioner's Order No. 68-376 of May 22, 1968, is hereby repealed and those other Orders; or parts of Orders, in conflict with the provisions of this Plan, are to the extent of such conflict, hereby repealed.

(b) Organization Order No. 102, establishing the Board for the Condemnation of Insanitary Buildings (Commissioner's Order No. 54-2034), as amended, is further amended (i) by striking paragraph B in Part I and inserting in lieu thereof the following new paragraph B:

"B. The Board for the Condemnation of Insanitary Buildings shall consist of six members, each of whom shall serve at the pleasure of the Mayor; one representative of the Department of Housing and Community Development, who shall serve as Chairman; a representative of the Department of Economic Development; a representative of the Department of General Services; and three representatives of the Department of Environmental Services."; and,

(ii) by striking the term "Department of Licenses and Inspections" wherever it appears and inserting in lieu thereof the term "Department of Housing and Community Development".

(c) Organization Order No. 9, appointing Contracting Officers (Commissioner's Order No. 68-399), as amended, is further amended by striking clause (4) in paragraph A in Part I and inserting in lieu thereof "(4) Director, Department of Housing and Community Development;".

11. *Transfer of funds and other resources.* All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the above functions, other than the functions transferred to the Corporation Counsel, are transferred to the Director of the Department of Housing and Community Development, except that real property titled in the name of the District of Columbia Redevelopment Land Agency shall remain so vested. All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be available relating to the functions of the General Counsel and legal staffs of the Redevelopment Land Agency and the National Capital Housing Authority are transferred to the Corporation Counsel, who is authorized to establish such organizational components within that Office with such specified functions as may be deemed appropriate. Pursuant to the provisions of Public Law 93-198, section 713, all positions and personnel transferred herein which are in the competitive service shall retain such status and continue to be subject to all rules and regulations governing the competitive service until such time as the D.C. Government merit system is established in accordance with section 422 of Public Law 93-198.

12. *Effective Date.* The provisions of this Plan shall become effective pursuant to the requirements of Section 422(12) of Public Law 93-198.

MAYOR'S STATEMENT

PRESENT PROBLEM

The need for more effective coordination of the District's housing and community development functions, as well as the associated reduction in administrative costs, has long been recognized. These problems were identified by the Commission on the Organization of the Government of the District Government (the Nelsen Commission) as well as by the Special Citizens Advisory Commission on Urban Renewal.

The Redevelopment Land Agency (RLA) is responsible for executing Urban Renewal Plans that have been adopted by the National Capital Planning Commission and approval by the District of Columbia Council after public hearings in accordance with the D.C. Redevelopment Act, as amended.

The Office of Housing and Community Development is charged with:

- identifying the current and future housing and community development needs of the District of Columbia;
- developing a strategy for best meeting those needs; and
- ensuring the planning and coordination of programs, projects and other activities necessary to carry out that strategy.

The National Capital Housing Authority is responsible for the management of the more than 11,800 dwelling units which comprise the District of Columbia's public housing stock and, in addition, is responsible for the development and identification of new housing resources.

The D.C. Model Cities Program carries out a combined program of housing and economic development and related social support services in a selected area (Service Area Six) of the District, as authorized and funded by the Demonstration Cities and Metropolitan Development Act of 1966.

The Housing, Zoning and Building Code Enforcement Bureau of the Department of Economic Development is responsible for providing community protection through an extensive program of examining buildings -- structures, equipment, and plans for compliance with applicable D.C. codes.

PLAN TO ESTABLISH A DISTRICT OF COLUMBIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

This plan consolidates the activities of a number of offices and agencies: the Office of Housing and Community Development, the D.C. Redevelopment Land Agency, the National Capital Housing Authority, the Model Cities Commission, and the Housing, Building, and Zoning Divisions of the Department of Economic Development. These functions are placed in a single Department under a Director who, in addition, is designated as the National Capital Housing Authority and who is also delegated authority to prescribe the by-laws, rules, and regulations which govern the exercise of the powers of the Redevelopment Land Agency. Staff support services for the Board for the Condemnation of Insanitary Buildings, the Condemnation Review Board, the Relocation Advisory Committee, the Urban Renewal Operations Committee, the Building Code Advisory Committee, and the Mayor's Advisory Committee on Fort Lincoln are also to be provided by the Department.

The need for more effective coordination and less administrative complexity is expected to be achieved by the unification of the above functions.

A) *Objective One: A consolidated housing and community development effort:* The Department of Housing and Community Development will provide the central focus for directing programs that encompass all housing and community development within the District.

B) *Objective Two: A more efficient utilization of Resources:* By consolidating presently fragmented functions, economies could be achieved by reducing overlap and duplication of effort, newly-formed functions can be funded by a redirection of present resources.

C) *Anticipated Benefits to be accrued by Reorganization Plan No. 3:*

Near-term:

1. A central entity within the District to address issues affecting overall city-wide community development.
2. Closer coordination and planning of priorities.
3. Expansion of technical and professional staff within existing resources.
4. Greater flexibility for applying available resources to program needs.
5. A more efficient utilization of available professional, technical and administrative staff skills.

Long-term:

1. Program expansion through redirection of existing resources and through normal employee turnover.
2. Cost savings by consolidating administrative functions such as personnel, finance, procurement and computer services.

ELEMENTS OF REORGANIZATION PACKAGE

The supplements of this Reorganization Plan No. 3 of 1975 are attached as follows:

A. *Organization Chart:* This chart outlines the structure of the new Department.

B. *Functional Statement:* A list, keyed to the chart, of the functions of the principal units.

C. *Schedule of Existing Positions:* The first purpose of this printout is to indicate the tentative arrangement of positions along functional lines within the Department. This is not a proposed realignment. The second

purpose is to list every position, filled or not, the grade, salary, job title, and the source of funding.

D. *Reorganization Process Timetable*: The timetable for full implementation of the desired reorganization.

CONCLUSION

It is my belief that this Reorganization Plan will substantially improve the capability of the District Government to plan, coordinate, and carry out its housing and community development program.

HISTORICAL AND STATUTORY NOTES

Editor's Notes

The references to sections of the D.C. Code, contained throughout this Plan, are to the edition of the Code in existence at the time the Plan was approved.

Miscellaneous Notes

Realignment within the Department of Housing and Community Development; Establishment of the Land Disposition and Asset Management Division, see Mayor's Order 2001-15, January 29, 2001 (48 DCR 1355).

Commission on Public Health Services Abolished: Section 117 of D.C. Law 14-56, eff. December 18, 2001, provided that the Commission on Mental Health Services, established by Mayor's reorganization Plan No. 3 of 1986, effective January 3, 1987, and Mayor's Order No. 88-168, effective July 13, 1988, is abolished.

Section 17 of D.C. Law 14-51, eff. November 3, 2001, provided that the Commission on Mental Health Services, established by Mayor's reorganization Plan No. 3 of 1986, effective January 3, 1987, and Mayor's Order No. 88-168, effective July 13, 1988, is abolished.

Section 19(b) of D.C. Law 14-51 provides that the act shall expire after 225 days of its having taken effect.

Emergency Act Amendments

For temporary (90) day abolishment of the Commission on Mental Health Services, see § 17 of the "Department of Mental Health Establishment Emergency Amendment Act of 2001" (D.C. Law 14-55, April 19, 2001, 48 DCR 4390), § 17 of the "Department of Mental Health Establishment Congressional Review Emergency Amendment Act of 2001" (D.C. Law 14-100, July 16, 2001, 48 DCR 7123), and § 117 of the "Mental Health Service Delivery Reform Congressional Review Emergency Act of 2001" (D.C. Act 14-144, October 23, 2001, 48 DCR 9947).

SUBCHAPTER II. 1978.

PART A. REORGANIZATION PLAN NO 1.

(Effective June 27, 1978)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on March 20, 1978, pursuant to the provisions of Section 422 (12) of the District Charter.

D.C. DEPARTMENT OF LABOR

I. ESTABLISHMENT

There is established in the Executive Branch of the Government of the District of Columbia, the Department of Labor headed by a Director who shall perform the functions herein transferred, delegated, or otherwise assigned to him and who shall have the authority to redelegate such functions as he deems necessary.

II. PURPOSE

The Department of Labor is established to provide opportunities for citizens and other eligible individuals to prepare for, find, and maintain employment; to provide training and supportive services to the unemployed, under employed and disadvantaged; to provide income maintenance to mitigate the effects of unemployment; and to promote the working conditions of wage earners by protecting their health, safety, wages, rights, and benefits.

III. FUNCTIONS

The Director shall:

- (a) Provide the Mayor information and advice on matters pertaining to labor and manpower in the District of Columbia.
- (b) Identify the District's labor and manpower needs, formulate and recommend labor and manpower policies, establish priorities, and accomplish the planning, promotion, coordination and execution of plans, projects and activities to meet the needs.
- (c) Improve the capability of the workforce to participate in the labor market by providing employment counselling, training, referral, placement services, including development and administration of apprenticeship and youth employment and training programs.

- (d) Develop a manpower planning system which shall include development of an annual comprehensive plan for the administration and operation of a coordinated program for employment and training opportunities.
- (e) Protect the income of wage earners by developing, establishing and enforcing minimum wage and overtime compensation standards and requiring the payment of earned wages to workers.
- (f) Mitigate the effects of unemployment by providing income maintenance for eligible recipients.
- (g) Protect the health and safety of wage earners of the District of Columbia at their places of work by enforcing occupational safety and health regulations and offering safety and health consultation services.
- (h) Develop and analyze policies relating to labor and manpower programs in the District of Columbia and coordinate such policies with appropriate public and private agencies, including the Federal Government.
- (i) Hear appeals brought by claimants for unemployment compensation.
- (j) Provide staff support and administrative, fiscal, and housekeeping services for the Manpower Services Planning Advisory Committee, Apprenticeship Council, Wage-Hour Board and Occupational Safety and Health Board and Employment Security Board hereinafter established.
- (k) Administer other labor-related programs as the Mayor deems appropriate to carry out the purposes of the Department.

IV. TRANSFER OF FUNCTIONS

The following powers, duties and functions are hereby transferred to the Director:

- (a) Those of the D.C. Department of Manpower, set forth in Reorganization Order No. 46, Mayor's Order No. 76-234, November 10, 1976, as amended, and in D.C. Law 1-93, Section 4.(d), D.C. Youth Services Act of 1977, approved March 25, 1977.
- (b) Those of the Minimum Wage and Industrial Safety Board set forth in Reorganization Order No. 36, June 16, 1953, as amended, except as hereinafter provided, including the authority to administer and enforce:
 - (1) The minimum wage and overtime standards established by the Act approved September 18, 1918, (Title 36, Chapter 14, D.C. Code), as amended, and wage orders issued by the Minimum Wage and Industrial Safety Board;
 - (2) The provisions of the Act to provide for the payment and collection of wages in the District of Columbia (Title 36, Chapter 3, D.C. Code);
 - (3) The provisions of Section 16-584 of the D.C. Code prohibiting the discharge from employment of an employee because of garnishment proceedings; advise employees of their rights and responsibilities under the garnishment laws of the District of Columbia; issue regulations pursuant to Section 16- 572(2) of the D.C. Code establishing the maximum amounts of disposable wages of employees which may be subjected to garnishment proceedings for other than weekly pay periods; and,
 - (4) The provisions of Section 32-1510 and 32-1511 of the D.C. Code.
- (c) Those of the Minimum Wage and Industrial Safety Board relating to occupational safety and health set forth in Reorganization Order No. 36, June 16, 1953, as amended; Commissioner's Order No. 70-384, September 3, 1970; and Commissioner's Order No. 71-118, April 28, 1971, except as hereinafter provided, including the authority to:
 - (1) require employers to furnish a safe place of (1) employment, report employees injury, death, and disease, and maintain records of employees.
 - (2) administer and enforce the District of Columbia occupational safety and health laws, standards and regulations.
 - (3) administer and enforce the regulations relating to eye protection devices for students.
- (d) Those of the District Unemployment Compensation Board, set forth in Reorganization Order No. 37, and in Commissioner's Order 71-125, dated April 2, 1971.

V. ESTABLISHMENTS

The following Boards are hereby established in the Department of Labor:

- (a) **THE EMPLOYMENT SECURITY BOARD.** There is established in the Department of Labor an Employment Security Board which shall have a standing committee for employment services and a standing committee for unemployment compensation.

The Board shall advise the Director concerning development of broad based programs to alleviate unemployment and resolve problems in the District; means of obtaining cooperation among District agencies and organizations concerned with employment and unemployment problems; efforts to gain public understanding of employment service and unemployment compensation program objectives and policies; and methods of improvement of operational interrelationships between employment service and unemployment compensation agencies. The Board shall also serve as the District's advisory council for purposes of Section 11 of the Wagner-Peyser Act (29 U.S.C. 49J), as amended.

The Board's standing committee for employment services shall advise the Director with respect to policies for the operation of the Department's employment services programs and assist the Director in promoting full use of such programs by management, labor and the general public.

The Board's standing committee for unemployment compensation shall advise the Director with respect to development of legislative programs and policies for administration of unemployment compensation programs.

The Employment Security Board shall consist of its chairman and the combined membership of its two standing committees. The Mayor shall appoint the chairman of the Board and six members to each standing committee. Each committee shall include men and women and have equal representation of employees, employers, and the general public. The terms of the members shall be for three years from the date of appointment or until a successor is named, except that any appointment to fill a vacancy occurring prior to the expiration of the term shall be only for the remainder of such term. Members shall serve without compensation.

The chairman shall adopt rules of procedures for the Board and its standing committees and shall appoint a chairman of each standing committee.

(b) THE WAGE-HOUR BOARD. There is established in the Department of Labor a Wage-Hour Board which shall have authority to promulgate wage orders; revise wage orders; and set minimum wage and overtime compensation standards, in accordance with procedures set forth in the Act approved September 19, 1918, as amended (Title 36, Chapter 14, D.C. Code). The Board shall have authority to appoint the ad hoc advisory committee provided for in Section 1-202.04, D.C. Code, and designate the chairman of such ad hoc committee. The Board shall have authority to administer oaths and require by subpoena the attendance and testimony of witnesses, the production of all papers, books, accounts, records, payrolls, registers, and other evidence, and to take depositions and affidavits in any proceeding before it. With respect to wage orders, those made by the Minimum Wage and Industrial Safety Board prior to the effective date of this Reorganization Plan shall continue in full force and effect until such time as any such wage order is revised by the Wage-Hour Board established herein.

The Board shall advise the Director on matters relating to minimum wages, overtime compensation, wage payment, and wage garnishment.

The Wage-Hour Board shall consist of three members appointed by the Mayor. As far as practicable members shall be so chosen that one will be representative of employers, one will be representative of employees and one representing the public. The public member shall be chairman. A quorum shall consist of any two members.

The term of office for each member of the Board shall be three years. Every vacancy shall be filled only for the unexpired portion of the term, but after the expiration of his term each member shall continue to serve until his successor is appointed and has qualified. No person who has served six years or more consecutively as a member shall be reappointed as a member until after the expiration of one year from the end of such service.

Members shall be compensated in accordance with the provisions of the Act entitled "An Act to authorize certain administrative expenses in the Government service, and for other purposes," approved August 2, 1946 (60 Stat. 806), as amended, or other applicable laws.

The Board shall adopt its own rules of procedure.

(c) THE OCCUPATIONAL SAFETY AND HEALTH BOARD. There is hereby established in the Department of Labor and Occupational Safety and Health Board which shall have authority to develop and recommend to the Mayor standards pertaining to Occupational Safety and Health issues.

The Board shall have authority to hold hearings and make decisions on temporary and permanent variances, abatement periods, penalties, and license revocations in accordance with Title 36, Chapter 14, D.C. Code.

The Board shall advise the Director on matters relating to the occupational safety and health of workers in the District of Columbia.

The Occupational Safety and Health Board shall be composed of seven members appointed by the Mayor, from among those residents of the District of Columbia who, by reason of training, education, or experience are qualified to carry out the functions of the Board. Each member shall be appointed for a term of three years, and shall be compensated in accordance with the provisions of the Act entitled "an Act to authorize certain administrative expenses in the Government service, and for other purposes," approved August 2, 1946 (60 Stat. 806), as amended, or other applicable laws. The Mayor shall designate a public member to serve as chairman. Other members shall represent management and labor interests in the private and public sector on an equal basis.

The Board shall adopt its own rules of procedure.

VI. DELEGATIONS OF AUTHORITY

(a) The Manpower Services Planning Advisory Committee, established by Commissioner's Order 74-84, dated May 24, 1974, shall serve as an advisory board to the Director on all matters pertaining to

comprehensive employment and training activities in the District.

(b) The Apprenticeship Council, established under the provisions of D.C. Code 36-122, shall serve as an advisory board to the Director on matters pertaining to apprenticeship programs in the District. The Apprenticeship Council shall retain its powers, duties, and functions under the Act approved May 20, 1946 (D.C. Code, Sections 36-121--36-133), as amended.

VII. REPEAL OF PREVIOUS ORDERS AND ABOLISHMENTS

(a) Commissioner's Order 74-81, dated May 24, 1974, relating to the establishment of the Cooperative Area Manpower Planning System (CAMPS) Staff, is hereby repealed.

(b) Commissioner's Order 75-41, dated February 26, 1975, relating to the functions of the Office of Budget Management Systems is hereby amended by striking paragraph L in Part III and redesignating the remaining last paragraph as paragraph L.

(c) The D.C. Department of Manpower, the Minimum Wage and Industrial Safety Board and the District of Columbia Unemployment Compensation Board are hereby abolished.

VIII. ORGANIZATION

The Director, in the performance of the duties and functions assigned to him, is authorized to establish such organizational components with such specified functions as he deems appropriate.

IX. TRANSFER OF FUNCTIONS, FUNDS AND OTHER RESOURCES

All positions, property, records and unexpended balances of appropriations, allocations and other funds available or to be made available relating to the functions assigned to the Director are hereby transferred to the Department of Labor. Pursuant to the provisions of Public Law 93-198, Section 713, all positions and personnel transferred herein which are in the competitive service shall retain such status and continue to be subject to all rules and regulations governing the competitive service until such time as the D.C. Government merit system is established in accordance with Section 422 of Public Law 93-198.

X. EFFECTIVE DATE

The provisions of this Plan shall become effective pursuant to the requirements of Section 422(12) of Public Law 93-198.

MAYOR'S STATEMENT

This Administration has for some time recognized that the labor-related programs and services in the District of Columbia have been organizationally scattered and fragmented. In the past, several administrative initiatives were undertaken to unite major labor elements but these efforts were frustrated principally because a major organizational component was by law a Federal agency. This impediment was eliminated with the passage of "The Self-Government and Governmental Reorganization Act" which specifically provided for the transfer of the D.C. Manpower Administration from the United States Department of Labor to the District of Columbia Government. As a result of this new opportunity, I appointed a select executive Task Force on Labor, chaired by the City Administrator, to recommend to me a design for a District of Columbia Department of Labor with the objective of consolidating in this new Department the responsibilities for the major labor-related programs and services provided by this Government.

The enclosed Reorganization Plan embodies the results of the Task Force's extensive review of the District's labor-related services, and, thus, represents a practical and measured judgement concerning those activities to be housed in the new Department. It is our strong conviction that this new Department has a unique potential for delivering coordinated labor related services which will enhance our citizens economic security, physical well-being, and productivity as workers as well as the potential for future expansion to include other labor related activities.

Further, the combination of programs centralized in this new Department will provide a concentration of specialized resources which can be tapped to support and strengthen other major policy initiatives of our Government, such as those in economic development and housing.

A. SUMMARY OF THE PLAN:

The Plan consolidates in the proposed Department of Labor the following organizations and/or programs:

The Department of Manpower -- all its current services, programs, and responsibilities.

The District Unemployment Compensation Board -- all its current services, programs, and responsibilities.

From the Minimum Wage and Industrial Safety Board, the Minimum Wage and Industrial Safety Divisions -- all of their current programs and responsibilities.

From the Office of Budget and Management Systems, the Comprehensive Employment and Training Act Staff and all its services, programs, and responsibilities under Titles II and VI of the Federal Comprehensive Employment and Training Act (CETA).

There are five boards affected by this reorganization: The District Unemployment Compensation Board, the Employment Security Board, the Minimum Wage and Industrial Safety Board, the Apprenticeship Council, and the Manpower Services Planning Advisory Council. Under the proposed Department, an Employment Security

Board has been created to replace the District Unemployment Compensation Board and the Employment Security Board. Also in anticipation of an approved D.C. Occupational Safety and Health State Plan, the Minimum Wage and Industrial Safety Board has been abolished and two separate Boards established: the Wage-Hour Board and the Occupational Safety and Health Board.

At some date subsequent to this reorganization plan, we plan to develop proposed legislation for a locally administered workmens' compensation law. Currently this worker protection is provided through the United States Department of Labor under provisions of the Federal Longshoreman's and Harbor Workers' Compensation Act, as well as, under the Federal Employees' Compensation Act. Upon passage of a local compensation act, we would expect that its provisions would be administered by the Department proposed by this Plan.

Organizationally, the Plan presents a Department with three major line operations and two major staff offices. The line elements are:

- a. *A Bureau of Employment Security* -- comprised of the employment services from the Department of Manpower and the unemployment benefit program from the District Unemployment Compensation Board.
- b. *An Office of Labor Standards* -- comprised of the enforcement activities of the Industrial Safety and Minimum Wage Divisions of the Minimum Wage and Industrial Safety Board. This Office will also have the broad responsibility for developing services and programs to serve workers at their place of work, and will initiate the preliminary activities to establish and operate a District workmens' compensation program.
- c. *An Office of Employability Development* -- comprised of the Comprehensive Employment and Training Act responsibilities now administered by the Department of Manpower and the Office of Budget and Management Services, plus the District's Apprenticeship and Training Staff.

The Staff offices would consist of:

- a. *An Office of Administration and Management* -- which would centralize from each of the previously independent agencies such functions as budgeting, accounting, personnel, management analysis, logistical and contractual services, and statistical research.
- b. *An Office of Information Systems and Data Processing* -- which would plan, design, implement, and prepare output for all departmental management information and data systems, both manual and automated, including electronic processing of payments to recipients of unemployment insurance and other manpower related monetary benefits.

B. EXPECTED BENEFITS

In the short run, we would expect to discern the following benefits:

An improvement in labor-related planning, policy development, budget formulation, accountability, management control, coordination and responsiveness in the Executive Branch of the District Government through a reduction in the executive span of control.

An improvement of service delivery through the organizational linking of the District's State Employment Service with its Unemployment Insurance program to form a traditional Employment Security System with services delivered in approximately seven community job centers.

Improved coordination of both employment service and unemployment insurance services with all programs administered by the Department under the District's Comprehensive Employment and Training Act program (CETA).

Improved coordination in planning and administration of programs under the different Titles of the Federal Comprehensive Employment and Training Act through the consolidation of all responsibility in the new Department.

Improved relationship with the Federal Government by establishing a single point of contact and accountability in the District Government for all major programs funded through and by the U.S. Department of Labor.

Improved understanding of the functions and trends in the local labor market through the organizational consolidation of units collecting and analyzing various sources of labor information.

Improved inter-departmental coordination of policy development, planning, and program implementation, especially for manpower/labor and economic development plans of the executive branch.

Over a longer period of time, we would expect that benefits would accrue through:

An improved organizational posture to respond to changes in the economy which impacts on employment and/or unemployment, as well as changes in program delivery strategies resulting from either national or local policy initiatives.

The development of a more highly integrated service delivery system, especially for the various manpower programs, resulting in more efficient resource utilization and effective service delivery.

The development of a District managed workmens' compensation program which when operated by the Department in tandem with the occupational safety and health, and unemployment compensation program

will provide a significant program for protecting the welfare and economic security of District workers.

C. ELEMENTS OF REORGANIZATION PACKAGE:

I. THE REORGANIZATION PLAN NO. 1 OF 1978

- a. Establishment Statement
- b. Purpose
- c. Functions
- d. Transfer of Functions
- e. Establishment of Employment Security Board
- f. Delegation of Authority
- g. Repeal of Previous Orders and Abolishments
- h. Organization
- i. Transfer of Functions, Funds and Other Resources
- j. Effective Date

II. PROPOSED ORGANIZATIONAL CHART OF THE DEPARTMENT OF LABOR AND ORGANIZATION CHARTS OF AMALGAMATED AGENCIES UNDER THEIR PREVIOUS STRUCTURE

III. FUNCTIONAL STATEMENTS TO THE DIVISION LEVEL IN THE PROPOSED LABOR DEPARTMENT

IV. PROPOSED FY '78 BUDGET FOR THE DEPARTMENT OF LABOR

V. PROPOSED STAFFING PATTERN FOR THE DEPARTMENT OF LABOR

HISTORICAL AND STATUTORY NOTES

Editor's Notes

The references to sections of the D.C. Code, contained throughout this Plan, are to the edition of the Code in existence at the time the Plan was approved.

SUBCHAPTER III. 1979.

PART A. REORGANIZATION PLAN NO 2.

(Effective February 21, 1980)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on November 20, 1979, pursuant to the provisions of Section 422(12) of the District Charter.

D.C. DEPARTMENT OF HUMAN SERVICES

I. ESTABLISHMENT

There is established, in the Executive Branch of the Government of the District of Columbia, the Department of Human Services headed by a Director of Human Services, who shall coordinate and direct the operations of the department through the Commissioners of Public Health and Social Services and subordinate organizational components established herein.

II. PURPOSE

The Department of Human Services is established to assure that public health and social service policy is developed and implemented in response to the needs of individuals and families in the District of Columbia, and to promote the health, mental health and well-being of District residents through the delivery of high quality and equitably distributed services and income assistance programs.

III. ORGANIZATION

There are hereby established in the Department of Human Services: (1) the Office of the Director, with such subordinate staff offices as are required to carry out overall management responsibility for the Department, planning and policy review, and assurance of compliance with statutes and regulations affecting the department; the state responsibility for education and veterans programs shall also be placed in the Director's office; (2) the Office of Public Health, headed by a Commissioner of Public Health who shall be delegated responsibility for developing and implementing health programs through subordinate staff offices and administrations; and (3) the Office of Social Services, headed by a Commissioner of Social Services who shall be delegated responsibility for developing and implementing social service programs through subordinate staff offices and administrations.

IV. FUNCTIONS

The functions of the major organizational components of the Department shall be as follows:

A. OFFICE OF THE DIRECTOR OF HUMAN SERVICES

Oversees operations of a large, complex health and social services agency.

Provides policy leadership to evaluate and improve human services in the District of Columbia, coordinating public programs with private services to achieve equitable, high quality health care and social services for all citizens. Coordinates human services at the delivery and at the policy level, both within the Department and with other District agencies. Analyzes needs of District residents in health, social services, and related areas, and evaluates response of public programs to those needs.

Advises the Mayor and the City Administrator on all aspects of human resource programs, implementing Mayoral policy priorities and recommending specific actions to assure effective utilization of resources.

Assures effective management throughout the Department by means of supervision of key officials, and final approval of major policies and decisions (resource allocation, state plans and grant proposals, legislative or organizational recommendations, personnel actions, contracts and procurement). Assures compliance of health and social services facilities with federal and state regulations standards. Exercises quality control to minimize waste or abuse in large scale transfer payment programs. Assures the efficient and effective use of resources, including both dollars and personnel. Develops and makes operational policies, procedures and systems to assure coordination and integration at all levels within the Department, and with related programs.

Carries out responsibilities through delegation of major functions to a Commissioner of Public Health and a Commissioner of Social Services. Also supervises nine staff offices as follows:

(1) STATE EDUCATION AFFAIRS

Develops and administers state plans and programs for State Student Incentive Grants, postsecondary student loan programs, and programs authorized by the Higher Education Act of 1965.

(2) VETERANS AFFAIRS

Provides counseling, representation, technical assistance, and support services to veterans, their dependents and beneficiaries. Obtains for its clients the rights, benefits and privileges for which they are eligible.

(3) ADMINISTRATION

Responsible for administrative support systems: procurement, contracting, property and supply management, forms management, operation of facilities, audio-visual services, printing, mail, messengers, transportation.

(4) CONTROLLER

Coordinates the formulation, justification and presentation of DHS's annual budget submission. Exercises control over DHS expenditures; administers Financial Management System and cost analysis programs. Issues periodic reports to program officials. Maintains control over authorized personnel ceiling.

(5) LICENSING AND CERTIFICATION

Consolidates legislative and administrative regulations for health and social services facilities and services. Establishes and implements licensing procedures. Certifies providers for Medicaid reimbursement. Provides nursing and nutrition consultation services.

(6) POLICY AND PLANNING

Develops and assures the implementation of the comprehensive state health plan, the state mental health plan, and the medical facilities plan, performing the functions of the State Health Planning and Development Agency, as required by P.L. 93-641 and P.L. 93-64, within the overall framework of District of Columbia comprehensive planning. Assures compliance of District health facilities and providers with state planning goals by implementing the Certificate of Need and federal grant review functions defined by P.L. 93-641. Keeps the Director and the Commissioner of Public Health advised of laws, regulations and policies affecting health services planning. Provides technical and staff support to the State Health Coordinating Committee (SHCC). Reviews and provides for SHCC review of the state health and mental health plan, alcoholism prevention plan, substance abuse plan, and categorical grant requests in compliance with local, state and federal guidelines and District policy goals.

Develops and assures the implementation of the comprehensive state social services plan required by Title XX of the Social Security Act. Keeps the Director and the Commissioner of Social Services advised of laws, regulations and policies affecting social services planning and delivery. Reviews all state and categorical social service plans for compliance with local, state and federal guidelines and District policy goals.

Collects and publishes data and statistics in regard to health care and social services utilization, and selected health and social status indices.

(7) FAIR HEARINGS

Assures a hearing to an applicant for or recipient of any type of assistance or service provided by the

Department of Human Services, to an applicant for or recipient of a license granted by the Department of Human Services, or to the provider of any service pursuant to a contract with the Department of Human Services, whose claim or application has been denied or who is aggrieved by any other action or inaction of the Department of Human Services which affects the receipt, suspension, reduction, or termination of his assistance.

(8) INSPECTION AND COMPLIANCE

Assures compliance with statutes and regulations governing the Department by clients, vendors and employees; conducts quality control audits and investigations; maintains security within the Department.

(9) INFORMATION SYSTEMS

Develops, coordinates and operates all automatic data processing systems throughout the Department.

B. OFFICE OF THE COMMISSIONER OF PUBLIC HEALTH

Oversees planning, financing and delivery of city-wide health care programs and services.

Provides policy leadership and advocacy for assuring equitable access to high quality health and mental health care services; for encouraging the development of high quality health care and hospital services; promoting restraint of health care costs; for assuring the participation of consumers and providers in health and mental health care policy making; and for the overall promotion of health advocacy in the District of Columbia.

Develops and implements management systems, organizational structures, and procedures to assure (1) cost-effective use of public resources to accomplish program goals; (2) full compliance with legislation and regulations affecting health care delivery which are delegated to the Department; and (3) coordination of programs with D.C. General Hospital, with the Office on Aging, and with private sector institutions and health professionals.

Provides policy and program guidance for special initiatives such as health promotion, deinstitutionalization, improved maternal and child health, and improved dental care.

Programs are carried out in four staff offices and five line administrations:

(1) OFFICE OF HEALTH PLANNING AND DEVELOPMENT

Has delegated responsibility to develop preparatory material for comprehensive state health and mental health plans. Assists appropriate administrations in program planning and the preparation of federally required state plans, categorical plans, and grant proposals in accordance with the provisions of applicable federal legislation and within the overall framework of District of Columbia comprehensive planning.

Provides technical guidance and assures compliance with federal and state regulations and guidelines governing the submission and implementation of state plans. Keeps the Commissioner advised of pending or proposed legislation and national programs affecting health policies and service delivery.

(2) OFFICE OF CHIEF MEDICAL EXAMINER

Administers technical programs and services for the medical investigation of all except clearly natural deaths in the District of Columbia, in accordance with the provisions of Section III of P.L. 91-358 and Commissioner's Order 71-16 as amended.

(3) OFFICE OF HEALTH CARE FINANCING

Administers the Medicaid program in respect to policy, scope of service, utilization and compliance with federal guidelines, delegating eligibility determination to the Payments Assistance Administration, and billing and payments to the Office of the Controller. Administers the Medical Charities programs, delegating eligibility determination and payments as above. Provides the Commissioner of Public Health with policy analysis of the impact of Medicare, Medicaid, and Medical Charities programs on the access of low-income and elderly citizens to equitable and high quality health care. Analyzes and recommends rate setting and other mechanisms for appropriate public actions to contain rising medical care costs.

(4) OFFICE OF EMERGENCY MEDICAL SERVICES

Assures an effective level of emergency medical services for District residents, workers and visitors, through the establishment and enforcement of state regulations and the designation of cost-effective and well equipped trauma centers. In collaboration with the Fire Department maintains adequate ambulance and paramedic services.

(5) PREVENTIVE HEALTH SERVICES ADMINISTRATION

Provides policy leadership to assure the promotion of District residents' health through the development of sound preventive and educational programs which focus on community-based environmental health. Implements state plans for tuberculosis and venereal disease control, lead poisoning control, and maternal and child nutrition programs. Directs programs for prevention and control of communicable and chronic diseases, childhood diseases and cancer. Manages community education programs to promote the health of District residents in relation to smoking, hypertension, accident prevention, and like problems.

Operates the Central Laboratory. Analyzes data on morbidity and mortality rates and causes, and recommends program priorities to the Commissioner of Public Health.

(6) AMBULATORY HEALTH CARE ADMINISTRATION

Develops, recommends and implements a program of outpatient health care, including needs assessment, resource allocation, scope of services, work force needs, service priorities and strategies for cooperation with private providers. Administers a network of clinic-based services which are preventive, diagnostic, therapeutic and restorative for persons neither hospitalized nor institutionalized. Promotes a high-quality and cost-effective system which emphasizes coordinated and comprehensive care to the patient, while maintaining expertise in identifiable categorical units.

(7) LONG TERM CARE ADMINISTRATION

Develops, recommends and implements a program of long term health care, including needs assessment, resource allocation, scope of services, comparative analysis of direct operation and contractual services, work force needs, service priorities and strategies for cooperation with private providers and the Office on Aging. Administers facilities for patients in need of skilled or intermediate nursing care or long-term treatment and rehabilitation (D.C. Village, Glenn Dale Hospital and J.B. Johnson Extended Care Facility). Promotes deinstitutionalization of such patients and the development of sufficient nursing home capacity to accommodate the need. Administers home care, and nursing services to assist eligible aged and disabled patients who do not require inpatient care or supervision.

(8) MENTAL HEALTH CARE ADMINISTRATION

Assists in the development of a mental health care plan which meets the requirements of P.L. 93-64 and the needs of District residents, as well as making maximum use of cooperative services developed with Saint Elizabeths Hospital. Provides policy and program leadership for community support programs for patients on convalescent leave or discharged status from Saint Elizabeths Hospital. Emphasizes priority problems including the needs of alienated or disturbed youth. Administers a network of Community Mental Health Centers, consultation services, preventive education, suicide prevention and forensic psychiatry services. Works closely with Ambulatory Health Care Administration and Alcohol and Drug Abuse Administration to make maximum cost-effective use of clinical and preventive resources for related programs.

(9) ALCOHOLISM AND DRUG ABUSE ADMINISTRATION

Develops, recommends and implements state alcoholism and drug abuse plans which meet the requirements of P.L. 92-225 and the needs of District residents. Works closely with Ambulatory Health Care Administration and Mental Health Services Administration as well as the courts and the Corrections Department to make maximum cost-effective use of clinical and preventive resources for related programs. Provides policy leadership for community-based prevention, education and treatment programs. Administers detoxification and rehabilitation centers, residential treatment centers and outpatient clinics for the treatment of alcoholics and substance abusers.

C. OFFICE OF THE COMMISSIONER OF SOCIAL SERVICES

Oversees planning, financing and delivery of city-wide social services programs.

Provides policy leadership and advocacy for assuring equitable access to high quality day care, child welfare, rehabilitation and family services; developing and implementing strategies to promote cooperation with voluntary associations and private providers; assuring the participation of consumers and providers in policy making; and the promotion of family stability and economic independence for District residents.

Develops and implements management systems, organizational structures, and procedures to assure (1) accurate assessment of economic and social status and needs of District residents; (2) cost-effective use of public resources to accomplish program goals; (3) full compliance with legislation and regulations affecting social services delivery which are delegated to the Department; (4) coordination of programs with the Office on Aging, the Departments of Corrections, Recreation, Housing and Community Development and Labor, the Court system and Corporation Counsel, and with private sector institutions and professionals; and (5) prevention of fraud and abuse in payments assistance programs.

Provides policy and program guidance for special initiatives such as the deinstitutionalization of mentally retarded and developmentally disabled persons from Forest Haven; response to the growing need for help for abused and neglected children and their families; coordination of city-wide programs to serve youth; and the development of high quality day care services.

Programs are carried out in one office and five line administrations:

(1) OFFICE OF SOCIAL SERVICES PLANNING AND DEVELOPMENT

Has delegated responsibility to develop preparatory material for comprehensive social services planning. Assists appropriate program administrations in the development of the annual and long range state plans for Food Stamps, cash assistance, child welfare, and the Mentally Retarded and Developmentally Disabled, categorical plans and grant proposals in accordance with the provisions of applicable federal legislation and within the overall framework of District of Columbia comprehensive planning. Provides technical guidance on compliance with federal and state regulations and guidelines governing the

submission and implementation of state plans. Keeps the Commissioner advised of pending or proposed legislation and national programs affecting social services policies and service delivery.

(2) MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES SERVICES ADMINISTRATION

Develops, recommends and implements a program of services to the mentally retarded and developmentally disabled, including needs assessment, resource allocation, and program priorities. Implements the Constitutional Rights of the Mentally Retarded Act of 1979. Operates Forest Haven facility, and assures appropriate outplacement of residents. Administers diagnostic, educational, therapeutic, and home-based services. Coordinates programs with Vocational Rehabilitation Administration.

(3) VOCATIONAL REHABILITATION ADMINISTRATION

In cooperation with the Office of Social Services Planning and Development, provides for needs assessment, and develops state plan for resource allocation, program priorities and rehabilitation services to physically, mentally and emotionally disabled residents. Determines eligibility for federal social security disability programs. Administers state plan and individual rehabilitation plans for District residents eligible under provisions of the Vocational Rehabilitation Act.

(4) YOUTH SERVICES ADMINISTRATION

Provides institutional and after care services to youth who are adjudicated delinquents, or are in pre-hearing and pre-trial status. Operates the Receiving Home for pre-hearing detention, and the Cedar Knoll School and the Oak Hill Youth Center for adjudicated detention. Administers alternative group homes for status offenders and pre-trial detention. Works closely with the public schools, the Department of Labor, the Department of Recreation and the juvenile justice system to assure city-wide education, training, employment and recreation opportunities for youth.

(5) CHILD AND FAMILY SERVICES ADMINISTRATION

Assists in the development of needs assessment and state plan priorities for Title XX services. Develops cooperative and contractual arrangements for Title XX services administered in other organizational units. Develops, recommends and implements a program of child welfare services. Implements the Prevention of Child Abuse and Neglect Act of 1977 (P.L. 2-22). Administers adult protective and emergency shelter services.

(6) INCOME MAINTENANCE ADMINISTRATION

Provides financial, medical and food stamp assistance to eligible residents of the District. Determines eligibility for programs. Maintains case files and performs regular recertifications to prevent fraud and abuse. Works closely with the Child and Family Services Administration to integrate client intake at service sites. Issues manuals and trains workers for eligibility determinations. Assures compliance with federal regulations and guidelines governing transfer payment programs.

V. TRANSFERS

There is hereby transferred to the Director of Human Services all powers, duties, and functions assigned or delegated to the Director of the Department of Human Resources as of the date immediately prior to the effective date of this Reorganization Plan. All positions, property, allocations, and other funds, available or to be made available relating to the powers, duties and functions assigned herein are hereby transferred to the Department of Human Services.

VI. REALIGNMENT

The Director of Human Services, in the performance of assigned duties and functions, is authorized to complete the realignment of the organizational components of the Department herein established by means of redelegations of functions among organizational units and reassignment of departmental positions among control and responsibility centers, or by the elimination or establishment of alternative responsibility centers, in order to accomplish the following specific objectives:

1. To strengthen management capacity at the supervisory level of individual programs, and to clarify the missions of program chiefs.
2. To consolidate functions as appropriate to reduce duplication, and improve cost-effectiveness.
3. To consolidate the resources necessary to improve response to legal challenges and implementation of court orders which affect service delivery, and to implement new legislation.
4. To restructure the facilities management and operations functions so that directors of facilities have full responsibility for cost-effective management, for certification of facilities in order to gain federal reimbursement, and for compliance with existing codes and regulations.
5. To restructure the materiel support and procurement functions so that program managers have full responsibility for the development, oversight and evaluation of negotiated services contracts and for compliance with regulations governing the terms of contracts, and so that the procurement of goods and services is accomplished as efficiently and cost-effectively as possible.
6. To restructure the audio-visual and printing services and the consumer information and volunteer coordination functions to make maximum use of these resources throughout the Department.

7. To restructure the Office of the Controller so that the Commissioner of Public Health and the Commissioner of Social Services have adequate fiscal management and budget office resources to perform the high level of budget development and control expected of them.
8. To restructure all data processing, collecting and management information systems offices throughout the Department, in order to improve the accuracy, timeliness, and utility of all such systems.
9. To restructure the licensing and certification functions to assure high level professional participation in state regulation of services, and to avoid potential conflicts of interest between program expansion and strict adherence to high standards.
10. To restructure the state planning functions within the agency to create an appropriate division of responsibility and coordination among the program levels of the department.
11. To restructure the immediate offices of the Commissioners of Public Health and Social Services to assure the most effective staffing patterns to achieve management oversight and leadership on major policy initiatives.
12. To develop greater emphasis on health education, promotion, advocacy and prevention programs.
13. To improve coordination of mental health care services with St. Elizabeths Hospital, and more effectively to address the judicial mandate on deinstitutionalization.
14. To focus appropriate resources on long term care needs and the development of public and private resources to meet those needs.
15. To develop leadership for a more responsible and responsive dental care system.
16. To develop a more adequate Emergency Medical Services system for the District.
17. To develop a more adequate city-wide program to address the needs of the mentally retarded and developmentally disabled, more effectively to carry out the deinstitutionalization program at Forest Haven, and to coordinate more closely with other rehabilitation programs.
18. To restructure the Youth Services and Child and Family Services Administration to consolidate programs where appropriate and manage services more effectively.

VII. ABOLISHMENT

The District of Columbia Department of Human Resources is hereby abolished.

VIII. EFFECTIVE DATE

This Reorganization Plan No. 2 of 1979 shall become effective in accordance with Section 422(12) of P.L. 93-198.

MAYOR'S STATEMENT

The Department of Human Resources was created in 1970 by the merger of the Departments of Vocational Rehabilitation, Public Health, Public Welfare, and Veterans Affairs. Its resources now include approximately 8,000 employees and a budget of over \$440 million.

The purpose of this consolidation was to assure that public health and social services programs responded to the needs of individuals and families in an integrated and holistic fashion. The structure was intended to enable citizens to obtain in unified centers the information, forms, and counseling they required to participate in programs to which they were entitled. It would also enable managers to coordinate and take account of all the factors that should go into policies and decisions about resources and priorities.

However, this valid and important promise has never been fully realized. Nor has the quality of health care, rehabilitation services, income maintenance programs, and child, youth and family services over this decade been as high as the citizens of the District expect and deserve.

One of the chief goals of this Administration is to improve and coordinate those services. The heart of any government lies in the quality of its response to people in need. Citizens of the District have the right to expect prompt access to public services when they need them and are eligible to receive them, in a straightforward and courteous setting. Guidelines for services should be clear and available to everyone. Moreover, the quality of public services should be as high as the quality of private services. It is our responsibility to use the planning, regulating and priority setting powers of government to achieve uniform high standards of health care and social services, so that those who need financial help are not relegated to separate and low quality systems. Equally important, it is the job of government to encourage private provision of human services wherever possible, and to be sure that those private professionals who share in public services benefit from an efficient and responsive partnership with government.

I have therefore examined our deficiencies in respect to these goals of accessibility, quality and cost-effectiveness. I have particularly questioned the extent to which the organizational size and structure of the Department of Human Resources accounts for the difficulties which clients and service providers encounter, and what structural changes would cure these deficiencies.

It was my initial judgment that the most effective way to proceed would be to reduce the size of the departmental bureaucracy and to assure clear focus for independent advocacy of health needs in the District

by creating an independent health authority. My transition policy team cautioned me, however, that the issues related to such a separation were complex, and that an immediate organizational decision of this kind would not necessarily accomplish my purpose.

Therefore, early this year I created a special task force under the leadership of Dr. Arthur Hoyte to draw up the functional components of an independent health department, and to assess the impact of such a change on health care in the District. Concurrently we have explored other alternatives, carrying out with leadership in the Department of Human Resources, with members of the executive staff, and with community and professional leadership an intensive examination of policy and management issues. We have reviewed the two recent major analyses of the Department, one carried out in 1977 by a Mayor's Panel on the Organization and Management of Human Resources Programs, and the other in 1978 by a City Council Task Force on the Reorganization of the Department of Human Resources.

My conclusion is that in order to overcome the deficiencies which now exist in human services programs we must proceed through several stages. The Department of Human Resources is large and complex; it accounts for over one-third of our operating department budget. It carries out many state responsibilities that have dramatically changed and increased over the last decade; its internal administrative structure is not well suited to these changing requirements for state planning and accountability for federal funds. Internal management procedures are weak; the department lacks mechanisms to produce integration of policy, planning and operational decisions at the appropriate level.

I am therefore proposing at this time a reorganization which addresses these immediate problems. I believe that we must concentrate on internal administrative and management reorganization before fundamental program and public policy decisions can be effectively staffed and appropriately debated.

I am aware that the organized medical community would prefer to move forward at once to an independent health department. Many agree with me, however, that such a separation would not in itself guarantee an improvement in services, and have expressed their willingness to support these internal management improvements as a first step. We are agreed that my proposal does not preclude the alternative of a separate department in the future, if implementation of this Reorganization Plan does not produce the improvement in health care policy formulation and services which is our common goal.

This Reorganization Plan therefore contains the first two steps in what I expect to be a continuing evaluation and improvement in health and social services in the District.

PHASE ONE

The first step, which will take place immediately upon Council approval, thoroughly restructures senior management responsibility and accountability within the Department. It brings together under the authority of those managers the staff and budget resources which will enable them to meet newly defined responsibility to coordinate planning, policy formulation, and implementation of programs.

I propose to reemphasize the ultimate goal of the agency by renaming it the Department of Human Services. The Director of the Department will have fewer direct administrative responsibilities, and a stronger mandate to shape overall public policy and service coordination, as well as to set and impose a far higher standard of management performance throughout the agency.

At the most senior level of the Department the Reorganization Plan creates two new key positions:

In order to achieve a consolidated point of accountability for health care policy and service delivery, and a focus for a more productive engagement of the private sector in public policy decisions, the Plan calls for a Commissioner of Public Health. The responsibilities of that Commissioner will include the grouping of programs now found in three of the Department's administrations and in parts of Executive Direction and Support. I have chosen to include authority for health, mental health, and drug and alcohol abuse services under a single Commissioner in order to emphasize my belief that the health of the body and of the mind are closely related. I expect the planning and implementation of each program area to be improved, and all of them properly coordinated to meet the health and mental health needs of District citizens.

The Reorganization Plan proposes a corresponding position of Commissioner of Social Services, with a unified responsibility at the most senior level for rehabilitation programs, income assistance programs, and the services provided to children, youth and families. In consolidating new leadership for social services, I will require a more productive partnership with the federal government and the private sector, and more efficient use of District resources.

The creation of these two key positions is accompanied by the dismantling of the Office of State Agency Affairs and the Office of Planning and Evaluation. The offices of the five line administrators (Community Health and Hospitals, Mental Health, Substance Abuse, Social Rehabilitation, and Payments Assistance) are also converted to a different configuration of responsibilities. As a result, the total number of executive level positions in the Department will not be increased.

This initial realignment of senior executive staff and program offices will produce several immediate benefits:

It will put the necessary staff and budget resources in the hands of senior program managers who have responsibility for shaping policy recommendations and administrative services.

It will allow the Director of Commissioners to focus on long-range planning, policy and management

concerns.

It will provide a clear focus for discussion and development of health care and social services policy issues.

It will allow for increased emphasis on policy initiatives such as health promotion, promotion of dental care, reduction of infant mortality rates, and consolidation of programs for youth.

It will allow more effective involvement of officials at the program level with those at the planning and evaluation level, to the advantage of both.

It will assure better integration of federal and District resources in the achievement of program objectives, and hold program managers accountable for compliance with local, state, and federal policies and procedures.

PHASE TWO

The remainder of FY 1980 will be devoted to completing and refining this Reorganization Plan. In the process each major administration, bureau, and office will be reviewed and restructured to achieve clearer and more accountable job definitions for middle management personnel, and to implement important policy objectives detailed in the plan. Additional benefits will flow from this phase of the plan:

Improved relationships between program administrators and federal officials.

Timely compliance in carrying out state and local planning functions.

Better linkage of budget preparation to the planning process, and to policy priorities.

Increased program accountability to the public, the Mayor and legislators.

Improved administrative procedures for data collection, needs assessment, facilities management, contracting and procurement.

Implementation of performance standards for personnel.

Assurance of compliance with federal and local legislation and regulations governing the Department.

Improved standard setting and regulation of facilities.

Coordination of services to avoid duplication and encourage the most cost-effective programs.

Improved response to legal challenges in respect to services, and implementation of relevant court orders.

FUTURE STEPS

This Reorganization Plan does not alter the overall functions and responsibilities of the Department, nor does it represent any change in present budget allocations for programs or policy priorities already established in the FY 1980 budget. It does alter the distribution of management resources and responsibilities, and thus provides the basis on which better policy and resource allocation recommendations can rationally and publicly be made in the coming months.

Because policy focus and advocacy will be more visibly located, citizens and Council members can have more effective access to decision makers within the Department. Because operational accountability is more specific, the City Administrator will be able to apply the management performance standards which we are generating throughout the government.

The effective delivery of health care and social services, in a time of budget constraints and increasing urban needs, is a challenge to every major city in the United States. I submit that this Reorganization Plan is the necessary next step in my continuing commitment to achieving accessible, high quality and cost-effective human services in the District of Columbia.

SUBCHAPTER IV. 1980.

PART A. REORGANIZATION PLAN NO 1.

(Effective April 17, 1980)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on January 28, 1980, pursuant to the provisions of Section 422(12) of the District Charter.

DEPARTMENT OF EMPLOYMENT SERVICES

I. ESTABLISHMENT

There is established, in the Executive Branch of the Government of the District of Columbia, the Department of Employment Services headed by a Director who shall perform the functions herein transferred, delegated, or otherwise assigned to him, and who shall have the authority to redelegate such functions as he deems necessary.

II. PURPOSE

The Department of Employment Services is established to provide opportunities for citizens and other eligible

individuals to prepare for, find, and maintain gainful employment; to provide training and supportive services to the unemployed, underemployed and disadvantaged; to provide income maintenance to mitigate the effects of unemployment; and to promote the working conditions of wage earners by protecting their health, safety, wages, rights and benefits.

III. ORGANIZATION

The Director, in the performance of the duties and functions assigned to him, is authorized to establish such organizational components with such specified functions as he deems appropriate.

There is hereby established in the Department of Employment Services the following:

- A. The Office of the Director, with such subordinate staff offices as are required to carry out overall management responsibility for the Department, planning and policy review, and assurance of compliance with statutes and regulations affecting the Department; the state responsibility for employment and training, labor management, equal employment opportunity and veterans programs.
- B. The Office of the Deputy Director for Finance, Administration and Management services, which is delegated the responsibility to centralize and manage the collection and distribution of financial and activity data, which includes but is not limited to the planning, coordination, control and technical support for agency staff and contractors in financial and grant management.
- C. The Office of the Deputy Director for Program Operations, which is delegated the responsibility for insuring that clients receive the comprehensive employment and training services to which they are entitled.
- D. The Office of the Deputy Director for Labor Standards Administration which is delegated the responsibility to insure better coordination between the Wage and Hour (W&H), the Occupational Safety and Health (OS&H) Programs, and to direct the expansion of the OS&H Program and the development of a sound Worker's Compensation Program for the District.

IV. FUNCTIONS

The functions contained herein are transferred to the Director and shall be performed by the following major organizational components of the Department:

A. OFFICE OF THE DIRECTOR, DEPARTMENT OF EMPLOYMENT SERVICES

Oversees operations of a large, complex labor and employment and training agency.

Provides policy leadership to evaluate and improve labor and employment and training services in the District of Columbia, coordinating public programs with private services to achieve equitable, high quality job services for all citizens. Coordinates labor services at the delivery and policy levels, both within the Department and with other District agencies. Analyzes the needs of District residents in employment, unemployment, training, counseling, testing, and related areas, and evaluates the response of public programs to those needs.

Advises the Mayor and the City Administrator on all aspects of the programs dealing with employment, training, supportive services and labor standards, implementing Mayoral policy priorities and recommending specific actions to assure effective utilization of resources.

Assures effective management throughout the Department by means of supervision of key officials, and final approval of major policies and decisions (resource allocation, state plans and grant proposals, legislative or organizational recommendations, personnel actions, contracts and procurement). Assures compliance with Federal and state regulations, standards and legislation. Exercises quality control to minimize waste or abuse in large scale transfer payment programs. Assures the efficient and effective use of resources, including both dollars and personnel. Develops and makes operational policies, procedures and systems to assure coordination and integration at all levels within the Department, and with related programs.

Carries out responsibilities through the delegation of major functions to a Deputy Director of Finance, Administration and Management, a Deputy Director of Program Operations and a Deputy Director of Labor Standards. Also the Director supervises the five staff office Assistant Directors listed below:

1. OFFICE OF COMMUNITY RELATIONS AND PUBLIC SERVICE

Plans, coordinates and executes a public service program to increase community understanding of Department of Employment Services (DOES) programs and services. Solicits employers and potential employees to understand the workings of the labor market and benefit from DOES programs and services.

2. OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

Plans, coordinates, implements, and administers continuing Department programs designed to promote and maintain equal opportunity for all employment practices to the maximum possible extent, including but not limited to: recruitment, hiring, transfer, promotion, benefits, training, mobility, termination, and for impartial treatment of DOES employees, job and training applicants, employers, benefit claimants and enrollees in employability development programs.

Maintains and follows procedures established to resolve any complaints dealing with the Comprehensive Employment Training Administration (CETA) or alleged discrimination.

Participates with public and private groups in affirmative cooperative actions to improve equal employment opportunity throughout the community.

3. OFFICE OF TECHNICAL SERVICES

Provides a technical service program to various components of the agency on the interrelationships and linkages that occur between each component. Also works with grantee, subgrantee, contractors and subcontractors in the delivery of DOES programs.

4. OFFICE OF PROGRAM PLANNING, RESEARCH AND ANALYSIS

Advises the Director on overall policies, plans and objectives for all programs of the District of Columbia Department of Employment Services (DOES).

Assists in coordinating internal Department of Employment Services planning, ongoing performance against plan, analysis of the Department of Employment Services performance and related administrative support. Integrates related outside planning processes with those of the Department of Employment Services, provides guidance, technical assistance, and program assistance within the Department of Employment Services through operational research, training, and management, and provides input into the development and dissemination of a comprehensive management information system.

5. OFFICE OF COMPLIANCE AND INDEPENDENT MONITORING

Administers a comprehensive program to assure that all program activities and services administration and management practices, including a comprehensive employment and training plan supported with funds under the Comprehensive Employment and Training Act (CETA), Employment Service (ES), Unemployment Insurance (UI), and Work Incentive Program (WIN) legislation, comply with the provisions of the legislation, governing regulations and/or the terms of any ongoing agreements. Ensures that adequate monitoring coverage and appropriate actions on findings and recommendations are rendered on a timely basis.

B. OFFICE OF THE DEPUTY DIRECTOR OF FINANCE, ADMINISTRATION AND MANAGEMENT

Plans, conducts and coordinates, in accordance with appropriate laws, regulations and policies, and in support of agency goals and objectives, a program of financial, administrative and management support of the Department of Employment Services. Such a program includes: management consultation and analysis; all aspects of financial management; administrative support; contracting services; and a comprehensive information and data processing system. Acts as liaison in providing assistance in the development and implementation of the District's new financial management system.

Programs are carried out in three support offices.

1. OFFICE OF BUDGET AND FINANCE

Designs, establishes and maintains an integrated management system to include budgeting, accounting, managerial-financial reporting and control in accordance with applicable laws and regulations compatible with Department of Employment Services management needs. Plans, develops and administers a comprehensive management analysis program within the Department of Employment Services to insure an efficient and effective department; develops proposals and provides recommendations to technical agencies, state agencies, and private industry.

2. OFFICE OF MANAGEMENT INFORMATION AND DATA SYSTEMS

Plans, develops, administers and implements a comprehensive information and data processing system. Receives, synthesizes and disseminates information in support of labor market research. Plans and develops information gathering, storage and retrieval systems. Designs and implements programs necessary to generate information required by the Department of Employment Services offices.

3. OFFICE OF CONTRACTS AND SUPPORT SERVICES

Provides contract services for the Department of Employment Services in the area of administration and contract processing, including assistance in negotiations, review, examination and administration. Furnishes comprehensive logistical support services to administrative and operating components of the Department of Employment Services and its operating agents. Such services include: procurement of supplies, property and paperwork management, printing and duplication, mail and messenger services, safety and security services, and property maintenance.

C. OFFICE OF THE DEPUTY DIRECTOR FOR PROGRAM OPERATIONS

Plans, conducts and coordinates the implementation of programs to meet the needs of program participants, for the economically disadvantaged, unemployed and underemployed residents of the District in accordance with appropriate laws, regulations and policies. Programs include but are not limited to those dealing with comprehensive employability development, employment service, Apprenticeship, Work Incentive Program (WIN), Job Corps, alien certification, Comprehensive Employment and Training Act (CETA), Unemployment Insurance (UI) and various other special District appropriated programs. Emphasizes the degree to which such programs are designed to and meet the employment needs of selected target groups.

Manages the delivery of job development and placement services, and services to employers of the District to insure the hiring, training and retention of qualified job applicants, particularly those from selected target populations.

Programs are carried out in four support offices.

1. OFFICE OF EMPLOYABILITY DEVELOPMENT

Administers a comprehensive technical assistance and support program of employment and training opportunities for economically disadvantaged, unemployed and underemployed residents of the District of Columbia, to include programs designed to meet the employment needs of selected target populations and to provide employment oriented supportive services.

Develops and provides technical assistance for the implementation of District and/or other employability development plans and grants considering recommendations of the D.C. Manpower Services Planning Advisory Council (MSPAC) and other departmental plans and programs.

Prepares, disseminates and coordinates, with appropriate Department of Employment Services (DOES) and other District Government components, the evaluation of all requests for proposals used in the delivery of services required for all CETA and other employability development activities.

Negotiates, recommends selection and finalizes all jurisdictional CETA and other appropriate contracts and subgrants and oversees the functions of contractors/subgrantees.

2. OFFICE OF EMPLOYMENT SERVICE

Administers a program of employment service technical assistance and support to District of Columbia Department of Employment Services staff, and provides services to employers to achieve improved utilization of manpower resources.

Provides technical assistance to field staff on the utilization of job opportunity information for applicants in the metropolitan area, through administration and management of the Job Bank system. Provides technical assistance on outreach, recruitment and employment service activities, and advises on assessment procedures for applicants for employment or training opportunities, including applicants having special needs in the labor market such as veterans, handicapped, disadvantaged, youth, women, offenders, welfare recipients, Spanish heritage and persons receiving UI benefits.

3. OFFICE OF COMPREHENSIVE CENTERS

Plans, develops and administers a program of comprehensive employment and training services to eligible clients to provide unemployment insurance benefits and comprehensive employment and employability development services through full service centers located in various locations in the District of Columbia.

4. OFFICE OF UNEMPLOYMENT COMPENSATION

Plans, develops and administers an unemployment insurance technical assistance and specialized program pursuant to the provisions of the District of Columbia Unemployment Compensation Act and applicable Federal laws.

Determines employer liability under the District law, advises employers regarding status of liability; establishes individual employer tax rates; collects contributions and interest charges; audits employer records to insure compliance with District law; controls employer account and experience rating records; and evaluates legal and related provisions applying to coverage.

Directs the activities of the appeals staff which schedules, conducts, records, and adjudicates appeals of determinations rendered pursuant to UI, WIN and/or CETA programs.

Controls and audits benefit payments, maintains records regarding benefit charges; receives and administers requests for transfer of wages from other states.

D. OFFICE OF THE DEPUTY DIRECTOR FOR LABOR STANDARDS

Plans, develops and administers a comprehensive program that, pursuant to District and Federal law, protects and serves workers at their places of employment. Administers the wage-hour and occupational safety and health laws applicable in the District and manages and coordinates overall program operations for minimum wage and occupational safety and health.

Formulates legislative recommendations for the Worker's Compensation Program to be administered by the District. Plans for implementation of the Worker's Compensation Program.

Provides staff and technical assistance to the Wage-Hour Board and Occupational Safety and Health Board.

Programs are carried out in three support units.

1. OFFICE OF WAGE-HOUR

Plans and administers a program to ensure compliance with the District of Columbia Minimum Wage Act and the D.C. Wage Payment and Wage Collection Law, the Seats Law, and the District of Columbia

Wage Garnishment Law's prohibition against discharging employees whose wages are subject to wage garnishment.

Investigates and holds hearings on any alleged violations, including claims that wages have not been paid in accordance with applicable laws and that such unpaid wages constitute enforceable claims against the employer.

Examines economic indicators and labor market conditions to determine an adequate and equitable minimum wage; provides the Wage-Hour Board with data requisite to the determination of the minimum wage.

2. OFFICE OF OCCUPATIONAL SAFETY AND HEALTH

Secures compliance with the D.C. Industrial Safety Law and all regulations promulgated thereunder in order to promote the safety and health of wage earners. Administers, enforces and develops occupational safety and health standards, laws, rules and regulations.

Holds hearings and makes decisions on variance requests on the review of any granted variances and renders decisions.

Plans, develops and administers the D.C. OSHA State plan and the involvement of the OSH Board for the representation input.

Advises and assists the Director regarding the administration and policies affecting the safety and health program.

3. OFFICE OF WORKER'S COMPENSATION

Plans, develops and coordinates the development of legislation to establish a District of Columbia Worker's Compensation Program. Will direct and maintain management of the Worker's Compensation Program.

V. TRANSFER OF FUNCTIONS

The following Boards and Councils with their powers, duties and functions are hereby transferred to the new Department of Employment Services, Office of the Director.

- A. The Wage-Hour Board set forth in Reorganization Plan No. 1 of 1978.
- B. The Occupational Safety and Health Board, set forth in Reorganization Plan No. 1 of 1978.
- C. The Unemployment Compensation Board, established by D.C. Law 2-129, Section 15-A, March 3, 1979, amendment to the D.C. Unemployment Compensation Law.
- D. The Manpower Services Planning Advisory Council, established by Commissioner's Order 74-84, dated May 24, 1974, with delegated authority set forth in Reorganization Plan No. 1 of 1978.
- E. The Apprenticeship Council, established under the provisions of D.C. Code 36-122, with delegated authority set forth in Reorganization Plan No. 1 of 1978. The Apprenticeship Council shall retain its powers, duties and functions under the Act approved May 21, 1946 (D.C. Code, Section 36-121 -- 36-133), as amended.

VI. ESTABLISHMENTS

The following advisory bodies are hereby established in the Department of Employment Services, Office of the Director:

- A. An Advisory Committee on Ex-offenders Programs
- B. An Older Workers Advisory Committee
- C. An Advisory Committee on Improved Services to Women
- D. A Youth Advisory Committee
- E. A Handicapped Advisory Committee
- F. A Veterans Advisory Committee
- G. A Hispanic Advisory Committee
- H. A Job Service Improvement Program Council

These committees shall advise the Director of the special needs and concerns of targeted applicant groups and assess the adequacy of services provided these groups by the Department of Employment Services.

Each advisory committee shall consist approximately of twenty-four members, three from each Ward of the District of Columbia. The Director of Employment Services shall appoint committee chairpersons and members with counsel from the Mayor and City Council. Each committee shall include men and women and have equal representation of employees, employers and the general public.

VII. ABOLISHMENTS

- A. The Employment Security Board, established under Reorganization Plan No. 1 of 1978, is hereby

abolished.

B. The D.C. Department of Labor as currently organized is hereby abolished.

VIII. FUNDS AND OTHER RESOURCES

There is hereby transferred to the Director, Department of Employment Services, all powers, duties and functions assigned or delegated to the Director of the former D.C. Department of Labor as of the date of this Reorganization Plan. All positions, property, records and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the functions assigned to the Director are hereby transferred to the Department of Employment Services.

HISTORICAL AND STATUTORY NOTES

Editor's Notes

The references to sections of the D.C. Code, contained in this Plan, are to the edition of the Code in existence at the time the Plan was approved.

Miscellaneous Notes

Section 2102 of D.C. Law 14-190 provides: "The Department of Employment Services shall undertake a comprehensive review of its administrative infrastructure and report its findings to the Council, through the Committee on Public Services, by January 1, 2003. The report shall investigate whether the Department would benefit from a reorganized and simplified administrative operation and explore whether additional staff development and an increased investment in technology would yield greater efficiencies."

PART B. REORGANIZATION PLAN NO 3.

(Effective January 10, 1981)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on October 14, 1980, pursuant to the provisions of Section 422 (12) of the District Charter.

EMPLOYEE, HEALTH, SAFETY AND COMPENSATION

PART A: SAFE AND HEALTHY WORK ENVIRONMENT FOR D.C. EMPLOYEES

I. ESTABLISHMENT

There is established in the Department of Employment Services (DOES) in the Office of Occupational Safety and Health a Division of Public Sector Safety.

II. PURPOSE

The Division of Public Sector Safety is established to administer the worker health and safety program for District of Columbia employees authorized by Title XX of the Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139) exclusive of Section 2007, to assure a safe working environment for District employees.

III. FUNCTIONS

(a) Develops, implements and manages comprehensive occupational safety and health programs for employees and general public users of District Government facilities, which include employee safety and health, fire safety, motor vehicle safety, safety of non-employee users of city facilities and services, contractor safety, and protection of District Government property. Provided, however, that nothing in this Part shall be construed as affecting the responsibility of the Fire Chief to enforce the D.C. Fire Code; and provided further, that responsibility for the licensing and inspection of vehicles shall continue in the Department of Transportation.

(b) Issues directives, manuals and guidelines for the operation of the safety and health programs consistent with applicable standards promulgated by the U.S. Department of Labor under the provisions of the Occupational Safety and Health Act, and other applicable standards.

(c) Monitors and evaluates adequacy and effectiveness of safety procedures and practices of District agencies through audits and inspections.

(d) Evaluates technological developments in the safety field (i.e., equipment, devices, and techniques to eliminate or minimize hazards) for possible application.

(e) Conducts promotional campaigns to stimulate worker interest in accident preventions and to train and motivate work supervisors, visitors, etc., in accident prevention concepts, practices and techniques.

(f) Establishes appropriate systems and procedures for accident reporting; maintains and analyzes records of all occupational accidents and illnesses occurring within agencies; studies safety problems and recommends to managers actions to correct undesirable conditions or unsafe practices.

IV. TRANSFERS

The powers, duties and functions authorized by Title XX of the Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139), exclusive of those in Section 2007 and delegated to the District of Columbia Office of

Personnel by Mayor's Order No. 80-78, issued February 27, 1980, and presently administered in the Division of Compensation Programs are hereby transferred to the Department of Employment Services.

V. RESOURCES

All positions, property, records and unexpended balances of appropriations, allocations and other funds available or to be made available relating to the functions assigned herein are hereby transferred to the Office of Occupational Safety and Health in the Department of Employment Services.

PART B: EMPLOYEE HEALTH SERVICES

I. ESTABLISHMENT

There is established in the Department of Human Services, in the Preventive Health Services Administration an Office of Employee Health Services.

II. PURPOSE

The Office of Employee Health Services is established to administer the provisions of Section 2007 of the Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139), to assure that District employees have access to appropriate medical and prevention health services.

III. FUNCTIONS

- (a) Provides on-site emergency medical or first aid services to employees in major District Government facilities, either as a part of existing clinical services established through other programs or created specifically for the purpose within the limits of available resources.
- (b) Provides a counseling program for troubled employees, offering initial review and referral for treatment as appropriate.
- (c) Provides, through intra-District agreements with appropriate agencies, services which are associated with District Government employment, such as preemployment or periodic physical examinations, or fitness-for-duty examinations.
- (d) Carries out government-wide prevention health programs to encourage awareness of good health practices on the part of District employees.

IV. TRANSFERS

The powers, duties and functions authorized by Section 2007 of the Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139) and delegated to the District of Columbia Office of Personnel by Mayor's Order No. 80-78, issued February 27, 1980 and presently administered by the Division of Compensation Programs, are hereby transferred to the Department of Human Services.

V. RESOURCES

All positions, property, records and unexpended balances of appropriations, allocations and other funds available or to be made available relating to the function assigned herein are hereby transferred to the Preventive Services Administration of the Department of Human Services.

PART C: D.C. DISABILITY COMPENSATION

I. ESTABLISHMENT

There is established in the Department of Employment Services within the Office of Workers Compensation a Division of Public Sector Compensation.

II. PURPOSE

The Division of Public Sector Compensation is established to implement a disability compensation program for employees of the District of Columbia Government, as authorized by Title XXIII of the Comprehensive Merit Personnel Act (D.C. Law 2-139).

III. FUNCTIONS

- (a) Establishes policies and procedures for operation of Title XXIII; promulgates and issues instructions, forms, and internal issuances and directives.
- (b) Reviews and takes final action on claims brought under applicable statute or regulations including requests for reconsideration that follow hearings or other special considerations.
- (c) Maintains a master file and appropriate permanent records.
- (d) Develops and maintains working agreements with the U.S. Public Health Service, designated physicians, the U.S. Office of Vocational Rehabilitation, and other public and private organizations as required.
- (e) Monitors the adequacy and effectiveness of medical services under Title XXIII, and develops guidelines for the determination of disabilities and for professional fees.
- (f) Provides technical assistance on D.C. Law 2-139, Title XXIII, to District Government agencies, labor organizations and others.

IV. TRANSFERS

The powers, duties and functions authorized by Title XXIII of the Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139) and delegated to the District of Columbia Office of Personnel by Mayor's Order No. 79-184, and presently administered in the Division of Compensation Programs, are hereby transferred to the Department of Employment Services.

V. RESOURCES

All positions, property, records and unexpended balances of appropriations, allocations and other funds available or to be made available relating to the functions assigned herein are hereby transferred to the Office of Workers Compensation in the Department of Employment Services.

VI. EFFECTIVE DATE

This Plan shall become effective in accordance with Section 422 (12) of P.L. 93-198.

HISTORICAL AND STATUTORY NOTES

References in Text

The Occupational Safety and Health Act, referred to in Part A III (b), is 84 Stat. 1590; Pub. L. 9-596, § 2; 29 U.S.C. § 651 et seq.

SUBCHAPTER V. 1982.

PART A. REORGANIZATION PLAN NO 1.

(Effective July 3, 1982)

BUILDING AND ZONING REGULATION ADMINISTRATION

I. PURPOSE

The purpose of this reorganization plan is to transfer all functions associated with the administration and enforcement of the District of Columbia building and zoning codes from the Department of Housing and Community Development to the Department of Licenses, Investigations and Inspections.

II. FUNCTIONS

The following functions are hereby transferred to the Director of the Department of Licenses, Investigations and Inspections:

- (a) To administer and enforce the statutes, codes and regulations governing the construction, conversion, repair and alteration of buildings in the District of Columbia, including all appurtenances such as walls, fences and signs, and including all equipment installed in or on buildings or structures such as electrical, elevator, plumbing, refrigeration, gas, boiler and pressure vessel equipment;
- (b) To administer and enforce the Energy Conservation Code of 1979, D.C. Law 3-39, as it amends the building, plumbing and electrical codes;
- (c) To administer and enforce the Architectural Barriers Act of 1980, D.C. Law 3-118, as it amends the building, plumbing, electrical and elevator codes;
- (d) To administer and enforce Sections 2, 5, and 6 of D.C. Law 1-64, the D.C. Applications Insurance Implementation Act, relating to permit requirements under the flood insurance program;
- (e) To administer and enforce the zoning statutes, codes and regulations governing land use, the height, area and use of buildings, and subdivision of all private land and condominiums;
- (f) To provide technical review and comment on applications filed with the Board of Zoning Adjustment; to maintain a register of approved nonconforming uses;
- (g) To process applications to lease public space under the provisions of the Public Space Utilization Act, Public Law 90-598;
- (h) To inspect buildings and facilities for compliance with building and zoning regulations in response to applications for certificates of occupancy and/or licensing requirements;
- (i) To recommend to appropriate officials and agencies any amendments to the zoning regulations which would resolve problems or conflicts in administration;
- (j) To recommend, in consultation with the Building Code Advisory Committee established by Commissioner's Order 72-173 and with appropriate officials and agencies, amendments to the building codes; to provide staff support to the Building Code Advisory Committee;
- (k) To determine the compliance of new materials, appliances and systems with existing building codes, based on tests by nationally accepted testing laboratories, and issue certificates of approval as appropriate;
- (l) To make available to the public information about building and zoning code requirements;
- (m) To maintain master files and records of approved building plans and permits.

III. TRANSFERS

All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the duties and functions herein are hereby transferred to the Department of Licenses, Investigations and Inspections.

IV. ORGANIZATION

The Director of the Department of Licenses, Investigations and Inspections is authorized to organize the personnel and property transferred herein within any organizational unit of the Department as the Director deems appropriate.

V. EFFECTIVE DATE

The provisions of this Plan shall become effective pursuant to the requirements of Section 422 (12) of Public Law 93-128, or on a date thereafter to be determined by executive order of the Mayor.

PART B. REORGANIZATION PLAN NO 2.

(Effective December 8, 1982)

OFFICE OF THE SURVEYOR

I. ESTABLISHMENT

There is established within the District of Columbia Department of Transportation the Office of the Surveyor, headed by the Surveyor, who shall perform the functions herein transferred or otherwise assigned. The Office of the Surveyor shall operate under the administrative direction of the Director and shall constitute an organizational unit of the Department of Transportation.

II. PURPOSE

The Office of the Surveyor is established to provide a legal office of record for the plats and subdivisions of all private property in the District of Columbia and all property belonging to the District of Columbia, with responsibility for the preservation of the records pertaining thereto and to perform such other functions as may be authorized or required by law or regulation or administrative direction. The Office of the Surveyor is further charged to conduct surveys and provide certified plats to any court, individual or firm as well as District or Federal agencies as may be ordered.

III. ORGANIZATION

The Director of the Department of Transportation is authorized to establish such organizational components within the Office of the Surveyor, and to place such office within any organizational division of the Department, as he deems appropriate.

IV. FUNCTIONS

The functions of the Office of the Surveyor contained in the following statutes, regulations and orders are hereby transferred:

1. The Act of March 2, 1893 (D.C. Code 2001 Ed., sec. 9-103.02), including but not limited to:

Filing and recording the permanent highway plan and amendments thereto.

2. The Act of March 3, 1901 (D.C. Code 2001 Ed., sec. 1-1301 et seq.; sec. 9-1219.23) including but not limited to the following:

Keeping and preserving all maps, charts, surveys, books, records and papers relating to the land records of the District of Columbia.

Executing surveys for the District of Columbia and any order of survey made by any court or private individual, including the preparation of a true plat and certificate thereof.

Preparing necessary data and plats for subdivisions of property.

Preparing plats for use in condemnation of streets and alleys.

3. The Act of June 21, 1906 as amended (D.C. Code 2001 Ed., sec. 6-402), including but not limited to:

Preparing plats for use in condemnation proceedings concerning establishment of building lines.

4. The Act of January 30, 1925 (D.C. Code 2001 Ed., sec. 9-113.06), including but not limited to:

Preparing street closing plats and recording of same.

5. The Act of December 15, 1932 (D.C. Code 2001 Ed., sec. 9-221.04), including but not limited to:

Recording of street and alley closing plats following the proceedings for their closings.

6. The Act of March 29, 1977 (D.C. Code 2001 Ed., sec. 42-1902.14), including but not limited to:

Ascertaining the certification required by D.C. Code sec. 42-1902.14 prior to acceptance of condominium plats for recordation.

7. The Act of March 3, 1979 (D.C. Code 2001 Ed., sec. 1-1329), including but not limited to:

Establishing and enforcing standards and operating procedures for the performance of surveys by registered land surveyors who shall have been approved and permitted by the Office of the Surveyor to prepare and certify surveys and subdivision plats.

8. Commissioner's Order No. 67-651a, dated March 16, 1967, to wit:

Preparing all plats of subdivisions.

9. Furnishing information to the general public, and initiating and developing policies for consideration by the Mayor and the Council concerning the relationship between the Office of the Surveyor and the general public, Federal agencies, and other District Government agencies.

V. TRANSFER OF FUNCTIONS, FUNDS AND OTHER RESOURCES

There is hereby transferred to the Office of the Surveyor within the Department of Transportation all duties and functions assigned or delegated to the existing Office of the Surveyor as of the date immediately prior to the effective date of this Reorganization Plan. All positions, personnel, property, records, and expended balances of appropriations, allocations, and other funds available or to be made available relating to the above functions are hereby transferred to such Office of the Surveyor within the Department of Transportation.

VI. EFFECTIVE DATE

The provisions of this Plan shall become effective pursuant to the requirements of Section 422(12) of Public Law 93-198, but no earlier than October 1, 1982.

MAYOR'S STATEMENT

The District of Columbia Office of the Surveyor was established by Act of Congress in 1901. The records and plats contained in the Office predate this by a century or more. Among its present responsibilities are:

- (1) To maintain the legal records of all plats and subdivisions of private and District Government property within the District,
- (2) To carry out surveys,
- (3) To verify that all building on private property conforms with established boundaries,
- (4) To accept and coordinate applications for closing streets and alleys, and
- (5) To receive and record plats of condominiums.

In recent years, builders and developers in the District as well as private homeowners have increasingly encountered delays in receiving services from this Office. My Transition Team initially reported to me on these problems; the Office of the City Administrator subsequently analyzed their causes, including understaffing, an out-of-date fee structure, an out-of-date records management system, the absence of a plane coordinate system in the District, and complexities involved in implementing D.C. Law 2-149 which allows registered private surveyors to certify privately prepared plats and surveys for permit purposes. Based on those findings, we initiated some immediate changes, such as reclassification of some positions and the expansion of the Surveyor's staff by 4 positions to provide an additional field party. Further improvements, however, depend on more fundamental organizational and operational changes.

The work of the Surveyor is a key ingredient in several regulatory functions of the District Government: building permits and inspections, public space use permits, transfers of real estate title and applications to open or close streets and alleys.

During 1981, the Office of the City Administrator and all the agencies related to regulatory functions, including the Office of the Surveyor, carried out an intensive analysis of these operations. Many administrative and personnel changes within individual offices are now under way to resolve widespread problems of backlogs and outdated procedures. A major reorganization plan to consolidate most regulatory functions in a single agency was drafted, and informally shared with Council members and private sector representatives. The reaction has been generally favorable, and steps toward that reorganization continued. However, we have on further examination concluded that because of the technical and engineering nature of the operations of the Office of the Surveyor it would be more appropriate to combine it with the Department of Transportation.

The Department of Transportation, within its Bureau of Design, Engineering and Research, has responsibility for the preparation of plans and specifications for construction and alteration of highway and bridge systems, for maintaining maps and records of proposed and approved grades, street widths and permanent street improvements, and for coordinating and maintaining maps of the location or relocation of underground utility or private installations in public space. To carry out these responsibilities, it directs field surveys, establishes grades, and maintains maps and records similar to those of the Surveyor. This Bureau also makes recommendations for approval or disapproval of proposed dedications and street and alley closings, and for approval or disapproval of applications for surface and subsurface space permits; these functions are also closely allied to functions of the Surveyor.

Both offices engage in surveying, perform geometric calculations, draw plats or plans, and make use of similar equipment. Because of these common technical elements and processes, the benefits of consolidation with a professional engineering office outweigh the benefits of consolidation with other

regulatory functions. Exhibit A of the attached proposal details further the benefits to be derived from this reorganization.

This proposed consolidation of the Office of the Surveyor with the Department of Transportation will not alter the authorized functions of the Surveyor nor does it represent any change in present budget or policy priorities established in FY '82.

The reorganization will, however, provide an improved professional and organizational environment, more efficient utilization of resources, and a framework for further management improvements.

HISTORICAL AND STATUTORY NOTES

Transfer of Functions

Sections 5002 through 5004 of D.C. Law 12-261 provided that pursuant to this section, the Office of the Surveyor, in the Department of Public Works ("DPW"), established by Reorganization Plan No. 2 of 1982, effective December 8, 1982, and transferred to DPW under Reorganization Plan No. 4 of 1983, effective March 1, 1984, is hereby transferred to the Department of Consumer and Regulatory Affairs ("DCRA"). The purpose of the transfer is to provide for the more efficient operation of the Office of the Surveyor and the development process in the District of Columbia. All of the duties and functions assigned or delegated to the existing office of the Surveyor in DPW, are hereby transferred to the Office of the Surveyor in DCRA, along with all positions, property, records, and unexpended balances of appropriation, allocations and other funds available or to be made available relating to the above functions.

SUBCHAPTER VI. 1983.

PART A. REORGANIZATION PLAN NO 1.

(Effective March 31, 1983)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on January 3, 1983, pursuant to the provisions of Section 422 (12) of the District Charter.

DISTRICT OF COLUMBIA DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

I. ESTABLISHMENT

There is hereby established, in the Executive Branch of the Government of the District of Columbia, under the supervision of a Director, a Department of Consumer and Regulatory Affairs. The Director of the existing Department of Licenses, Investigations and Inspections, or if confirmation of said Director by the Council is still pending, the Acting Director of the existing Department of Licenses, Investigations and Inspections, shall be the Director of the Department of Consumer and Regulatory Affairs upon the effective date of this plan (or the Acting Director if the confirmation process is still pending), and shall serve without the necessity of a new Council confirmation process.

II. PURPOSE

The mission of the Department of Consumer and Regulatory Affairs is to protect the health, safety and welfare of the citizens of the District of Columbia by regulation of business activities, land and building use, professional conduct and standards, rental housing and condominiums, health and social service care facilities, and the physical environment of the District of Columbia.

III. FUNCTIONS

A. The functions of the Department of Consumer and Regulatory Affairs shall be:

(1) Regulation of certain professional and occupational practices by individuals designated for licensing in the District, by means of registration, examination, approval of qualification, and complaint investigation.

(2) Maintenance of a fair and equitable insurance market for citizens of the District through financial surveillance of companies, licensing, rate regulation, and complaint investigation.

(3) Protection of the public from illegal, unfair or dangerous commercial practices by means of registration and licensing of businesses and/or individuals and assuring their compliance with all applicable legal requirements.

(4) Assurance that the physical environment and structure of all buildings in the District of Columbia meet all applicable regulations and codes for preservation or the use to which the space or structure is to be put; assurance that public and private land and structures meet adequate health, safety and environmental standards.

(5) Protection of the public through the regulation of rental housing, condominium and cooperative conversions and sales, and assurance of compliance with legislated housing standards and health, safety and sanitation standards for neighborhoods.

(6) Assurance of public and private health and social services standards of safety and care for clients and consumers, by means of registration, licensing and certification of facilities and investigation of complaints.

B. The following functions are hereby transferred to the Director of the Department of Consumer and Regulatory Affairs:

- (1) All of the functions related to the Department of Licenses, Investigations and Inspections, as established pursuant to Commissioner's Order No. 69-96, dated March 7, 1969, as amended by Mayor's Order 78-42, dated February 17, 1978, and Reorganization Order No. 1 of 1982, dated July 6, 1982.
- (2) All of the functions related to the Office of Consumer Protection, established pursuant to D.C. Code, sec. 28-3902 (2001 Ed.).
- (3) All of the functions related to the Rental Accommodations Office, established pursuant to D.C. Code, sec. 42-4014 (2001 Ed.).
- (4) All of the functions related to the Department of Insurance, established pursuant to Reorganization Order No. 43, dated June 23, 1953, as amended.
- (5) All of the functions related to the Office of Licensing and Certification, as identified in Departmental Organization Order No. 50, dated October 1, 1982, (superseding Departmental Organization Order No. 5, dated February 21, 1980) of the Department of Human Services, established pursuant to Reorganization Plan No. 2 of 1979, dated June 20, 1980.
- (6) All of the functions related to the Housing Regulation Division of the Neighborhood Improvement Administration as identified in Departmental Order No. 76-5, dated February 20, 1970, including the functional statement related to the Housing Regulation Division attached thereto, approved February 20, 1976, as amended by Departmental Order No. 76-5A, dated January 6, 1977, Departmental Order No. 76-5B, dated January 19, 1978, Departmental Order No. 76-5C, dated August 18, 1978, and the functions of the Neighborhood Improvement Administration contained in Departmental Organization Order No. 77-25, dated October 18, 1977, without restriction, notwithstanding the provisions of Part II of said Order, other than the function of approving rehabilitation loans and grants and deferred payment loans, of the Department of Housing and Community Development, established pursuant to Reorganization Plan No. 3 of 1975, dated March 8, 1975.
- (7) All of the functions related to condominium and cooperative conversion and sales conducted by the Department of Housing and Community Development including the functions identified in Departmental Order No. 76-5, dated February 20, 1970, and Departmental Order No. 79-5, dated March 9, 1979, of the Department of Housing and Community Development, established pursuant to Reorganization Plan No. 3 of 1975, dated March 8, 1975.
- (8) All of the functions of the Office of Policy and Planning related to historic preservation, as identified in the functional statement dated March 24, 1976, attached to Departmental Order No. 76-13, dated April 26, 1976, of the Department of Housing and Community Development, established pursuant to Reorganization Plan No. 3 of 1975, dated March 8, 1975.
- (9) All of the functions related to the Bureau of Environmental Health of the Office of Environmental Standards and Quality Assurance, as identified in Departmental Order No. 10-12-10, dated August 25, 1982, of the Department of Environmental Services, established pursuant to Commissioner's Order No. 71-255, dated July 27, 1971.
- (10) All of the functions related to the Bureau of Community Hygiene as identified in Departmental Order No. 10-12-09 (Revised), dated July 21, 1976, of the Department of Environmental Services, established pursuant to Commissioner's Order No. 71-255, dated July 27, 1971.
- (11) All of the functions related to flooding, erosion and sediment control, as identified in Mayor's Order No. 76-139, dated July 23, 1976, as amended by Mayor's Order No. 76-220, dated November 3, 1976, and Departmental Order No. 10-12-30 (Revised), dated March 3, 1982, of the Department of Environmental Services established pursuant to Commissioner's Order No. 71-255, dated July 27, 1971.
- (12) All of the functions related to partnerships and corporations of the Office of the Recorder of Deeds, identified in Paragraphs B, D, E, and G of Part I and Paragraphs C and D of Part IV of Organization Order No. 101 -- Replacement, Commissioners' Order 63-197, dated January 24, 1963, as amended.

IV. TRANSFERS

All positions, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the duties and functions assigned herein, are hereby transferred to the Department of Consumer and Regulatory Affairs.

V. ORGANIZATION

The Director of the Department of Consumer and Regulatory Affairs is authorized to organize the personnel and property transferred herein within any organizational unit of the Department as the Director deems appropriate.

VI. ABOLISHMENT

The following agencies of the District of Columbia government are hereby abolished:

The Department of Licenses, Investigations and Inspections

The Rental Accommodations Office
The Department of Insurance
The Office of Consumer Protection

VII. EFFECTIVE DATE

This Reorganization Plan No. 1 of 1983 shall become effective in accordance with Section 422 (12) of Public Law 93-198, or on a date thereafter to be designated pursuant to executive order of the Mayor.

HISTORICAL AND STATUTORY NOTES

Delegation of Authority Under the "Shipstead-Luce Act"

See Mayor's Order 89-92, May 9, 1989.

PART B. REORGANIZATION PLAN NO 2.

(Effective March 31, 1983)

CONSOLIDATION OF MOTOR VEHICLE REGISTRATION PROCESS IN THE DEPARTMENT OF TRANSPORTATION

I. PURPOSE

The purpose of the reorganization is to consolidate the motor vehicle registration process, exclusive of cash collections, within the Department of Transportation.

II. FUNCTIONS

1) Those duties and functions of the Recorder of Deeds of the District of Columbia relating to the recordation of liens on motor vehicles and trailers, pursuant to "An Act to provide for the recording and releasing of liens by entries on certificates of titles for motor vehicles and trailers," as amended (D.C. Code, sec. 40-1001 et seq., 1981 Ed.), exclusive of the collection of fees for the same, delegated pursuant to paragraph A of Part IV of Organization Order No. 101 -- Replacement, Commissioners' Order No. 63-197, dated January 24, 1963, as amended, are hereby transferred to the Department of Transportation.

2) The duties and functions of the Recorder of Deeds of the District of Columbia relating to the collection of fees for the recordation of liens on motor vehicles and trailers, delegated pursuant to paragraph A of Part IV of Organization Order No. 101; Replacement, Commissioners' Order No. 63-197, dated January 24, 1963, as amended, are hereby transferred to the Office of the D.C. Treasurer.

3) The duties and functions of the Department of Finance and Revenue relating to the solicitation of information from every applicant for a certificate of title, the determination of the fair market value of a motor vehicle or trailer, and the imposition of an excise tax for the issuance of every original certificate of title for a motor vehicle or trailer, pursuant to the District of Columbia Traffic Act, 1925, (D.C. Code, sec. 40-703(j)(1) and (2), 1981 Ed.), delegated pursuant to Commissioners' Order No. 69-96, dated March 7, 1969, as amended, are hereby transferred to the Department of Transportation.

III. TRANSFERS

All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the duties and functions in parts II(1) and (3) above are hereby transferred to the Department of Transportation. Those relating to part II(2) above are hereby transferred to the Office of the D.C. Treasurer.

IV. ORGANIZATION

The Director of the Department of Transportation is authorized to organize the personnel and property transferred herein within any organizational unit of the Department as the Director deems appropriate.

V. EFFECTIVE DATE

The provisions of this Plan shall become effective pursuant to the requirement of Section 422(12) of Public Law 93-198, or on a date thereafter to be designated pursuant to an Executive Order of the Mayor.

PART C. REORGANIZATION PLAN NO 3.

(Effective March 31, 1983)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on January 3, 1983, pursuant to the provisions of Section 422(12) of the District Charter.

I. ESTABLISHMENT

There is hereby established in the District of Columbia Department of Finance and Revenue, under the supervision and the control of the Director thereof, a Recorder of Deeds Division. The Recorder of Deeds Division hereby established, and the functions and personnel assigned thereto shall constitute an

organizational unit of the Department of Finance and Revenue.

II. PURPOSE

The Recorder of Deeds Division is established in the Department of Finance and Revenue, under the supervision and control of the Director, for the purpose of centralization and automation of functions in order to streamline District government operations.

III. TRANSFER OF FUNCTIONS

The following powers, duties, and functions are hereby transferred to the Director of the Department of Finance and Revenue, who is authorized to redelegate such powers, duties and functions as he/she may deem necessary.

1. Those duties and functions of the Recorder of Deeds set forth in paragraphs A, B, E, F, G, H, I and J of Part IV of Organization Order No. 101 -- Replacement, Commissioners' Order No. 63-197, January 24, 1963, as amended; except, those functions specified in paragraph A relating to motor vehicle liens and those specified in paragraphs C and D thereof. The functions thus transferred shall include the following:

(A) Serve as an office of record for the recording, filing and handling of all public records in the form of deeds, deeds of trust, chattel mortgages, contracts and other instruments in writing (other than motor vehicle liens) affecting a right, title or interest in real and personal property in the District of Columbia.

(B) Maintain an index to real property in the District of Columbia through which the recorded history of ownership of such property is made available to the public.

(C) File, without charge, service discharge papers for veterans of the armed forces.

(D) Recommend to the Mayor and draft new laws, regulations and amendments to existing laws and regulations and recommend increases and decreases in fees pertaining to the functions of the Division.

(E) Provide photostatic certified copies of legal documents of record for use in various Courts of law in the District of Columbia, and the several States, and foreign countries.

(F) Collect all fees, license taxes, penalties and other charges as prescribed in or under the authority of the applicable legislation, except the collection of fees for the recordation of motor vehicle liens, and deposit same with the D.C. Treasurer.

(G) Serve as an office of record for the receipt, filing, indexing, mailing and handling of notice of foreclosure sale received pursuant to Public Law 90- 566 (October 12, 1968, 82 Stat. 1002, D.C. Code Section 42-815, 2001 Edition).

2. Those powers, duties, and functions of the Recorder of Deeds, acting as agent of the Mayor, in accordance with the Real Estate Deed Recordation Tax Act as amended (March 2, 1962, 76 Stat. 11, Pub. L. 87-408, Title III, D.C. Code 42-1101 et seq., 2001 Edition), pursuant to paragraph C of Part I of Organization Order No. 101 -- Replacement, as corrected and amended by Commissioners' Order No. 63-703, March 3, 1963. The functions thus transferred shall include the following:

(A) Receive and examine all returns required to be filed with any deed submitted for recordation.

(B) Maintain such staff, records, and accounts as may be required or necessary in connection with the recordation of deeds and the receiving and accounting for taxes applicable to such deeds.

(C) Receive all taxes applicable to deeds presented and accepted for recordation.

(D) Reject for recordation, when applicable, any deed for which a return is required to be filed if such deed is not accompanied by a return in proper form, executed by all the parties to the deed.

(E) Reject for recordation, when applicable, any deed for which a tax is required to be paid, if the full amount of the applicable tax is not tendered with the deed.

(F) Check returns for arithmetical accuracy in the computation of the amount of tax due. Where an arithmetical computation, as made on a return, is erroneous, the Director may, in his discretion, recompute the tax and, upon payment of the tax as recomputed, accept for recordation the deed to which the return applies, noting on the return the action taken.

(G) Account for and transmit to the D.C. Treasurer all taxes collected upon recordation of deeds.

(H) Administer oaths and affirmations to parties to deeds when required in connection with a return or other document presented to him/her for purposes of recordation of a deed.

3. All of the functions as agent of the Mayor, described in section 13 of the Act approved July 5, 1962 (Pub. L. 87-523; 76 Stat. 135) delegated pursuant to paragraph F of Part I of Organization Order No. 101 -- Replacement, Commissioners' Order No. 63-197, January 24, 1963, as amended.

4. Such other functions not specified herein, which have been delegated to or vested in the Recorder of Deeds as of the effective date of this plan.

IV. ORGANIZATION

The Director of the Department of Finance and Revenue in the performance of the powers, duties, and functions herein assigned shall have the power to establish such organizational components as are warranted

within the Recorder of Deeds Division herein established and to realign and place such components or parts thereof within any organizational division of the Department as he/she may deem appropriate in the interest of efficiency and good administration.

V. TRANSFER OF FUNDS AND OTHER RESOURCES

All positions, including the positions of the D.C. Recorder of Deeds, and Deputies thereof, property, records, and unexpended balances of appropriations, allocations and other funds available or to be made available relating to the duties and functions assigned herein are hereby transferred to the Department of Finance and Revenue.

VI. ABOLITION OF EXISTING OFFICE

The existing Office of the Recorder of Deeds is hereby abolished.

VII. EFFECTIVE DATE

The provisions of this Plan shall become effective pursuant to the requirements of Section 422(12) of Public Law 93-198, or on a date thereafter to be designated pursuant to an executive order of the Mayor.

PART D. REORGANIZATION PLAN NO 4.

(Effective March 1, 1984)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on December 1, 1983, pursuant to the provisions of Section 422(12) of the District Charter.

DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS

I. ESTABLISHMENT

There is hereby established, in the Executive Branch of the Government of the District of Columbia, under the supervision of a Director, a Department of Public Works (hereinafter Department). The Director shall have full authority over the Department and all functions and personnel assigned thereto, including the power to redelegate to other employees and officials of the Department such powers and authority as in the Director's judgement are warranted in the interest of efficiency and sound administration.

II. PURPOSE

The mission of the Department of Public Works is to plan, provide and maintain the District's physical infrastructure. For purposes of this reorganization plan, the "District's physical infrastructure" shall mean those public physical structures, facilities and services which involve District Government functions essential to the quality of the District of Columbia's environment and transportation system and for which capital monies have been or will be expended.

III. FUNCTIONS

The functions to be assigned to the major organizational components of the Department shall be:

- A. To develop policies and programs relating to mass transit including supporting the Washington Metropolitan Area Transit Authority (hereinafter WMATA) Board members, acting as liaison between WMATA and the District Government, administering the school transit subsidy and evaluating transit service and policy.
- B. To develop policies and plans necessary to carry out the Department's mission including policy development, planning, capital programming, site acquisition, zoning review and regional liaison.
- C. To ensure an adequate automated information support system to the Department's operations including systems operation; systems development; systems analysis; information equipment for telecommunications, word processing and copiers; and records management.
- D. To provide basic support services for the functions required to be performed by the Department including personnel; material management involving procurement of general supplies and services (to the extent authorized by the Mayor), inventory, warehousing, supply and fuel distribution; and management/operations analysis.
- E. To manage the finances of the Department in the areas of budget, finance, accounting, audit and control, payroll, and financial analysis.
- F. To plan and provide for the maintenance of the public space in a safe, clean and healthful condition, including the maintenance and inspection of the public right-of-way and trees, coordination of the District's snow program and the ensurance of the proper and sanitary collection and disposal of refuse in an environmentally sound manner.
- G. To ensure the provision, repair and maintenance of all District of Columbia non-emergency vehicles, including the control over the acquisition and inventory of same.
- H. To plan, program, operate, manage, control and maintain public transportation facilities, systems and related programs to ensure the safe and efficient movement of people and goods in the District including traffic management; parking management and enforcement; vehicle and driver licensing, registration and

control.

I. To the extent authorized by the Mayor, plan, manage, and contract for the design, engineering and construction of the District's infrastructure including its solid waste, water and sewer facilities, streets, bridges, and buildings.

J. To operate and maintain District facilities in proper condition through the application of standards, the control of building systems and the provision of repair and improvement services. Concurrent authority for building repairs and improvement functions is included in Reorganization Plan No. 5 of 1983 permitting a future transfer of all such functions and related resources and funds to the Department of Administrative Services.

K. To provide complete water and sewer utility systems including the provision of an adequate and potable water supply; water distribution, measurement and billing; the collection and treatment of sewage; and the construction and maintenance of all related facilities on a cost recovery basis.

L. To identify financial resources to be applied to public works programs, both operating and capital, and develop a plan for allocating the resources among public works programs.

IV. TRANSFER OF FUNCTIONS

A. All of the functions of the Department of Transportation as set forth in Reorganization Plan No. 2 of 1975, dated July 25, 1975, shall be transferred to the Department, with the exception of the provision of the shuttle bus service established by Commissioner's Order No. 72-11, dated January 13, 1972, which shall be transferred to the Department of Administrative Services on the operational date established by the Department of Administrative Services Reorganization Plan approved by the Council.

B. The functions of the Department of Consumer and Regulatory Affairs related to the License Inspection Branch of the Business Inspection Division of the Business Regulation Administration as identified in Solid Waste Disposal Regulations 71-21, section 8-3:607 and 8-3:610, established pursuant to Reorganization Plan No. 1 of 1983, dated March 31, 1983, shall be transferred to the Department.

C. The functions of the Department of Consumer and Regulatory Affairs related to the Vector Control Branch and Neighborhood Improvement Branch of the Environmental Control Division, established pursuant to Reorganization Plan No. 1 of 1983, dated March 31, 1983, shall be transferred to the Department.

D. The functions of the Department of General Services related to the Bureau of Design and Engineering, Bureau of Construction Management, Bureau of Repairs and Improvements, the building engineer and mechanics' functions of the Bureau of Building Management and those capital functions of the Office of Programming, Management and Budget, established pursuant to Organization Order No. 69-96, dated March 7, 1969, shall be transferred to the Department. All other functions of the Department of General Services, established pursuant to Organization Order No. 69-96, shall be transferred to the Department of Administrative Services on the operational date established by the approved reorganization plan for that Department.

E. The functions of the Department of Environmental Services as set forth in Commissioner's Order No. 71-255, dated July 27, 1971, shall be transferred to the Department, with the exception of the Office of Environmental Standards and Quality Assurance which shall be transferred to the Department of Consumer and Regulatory Affairs on the effective date of this Reorganization Plan.

V. DELEGATION AND REDELEGATION OF AUTHORITY

Except as provided in Section IV of this Plan, the Director of the Department of Public Works is the successor to all authority delegated to the Director of the Department of Transportation, Director of the Department of Environmental Services, and the Director of the Department of General Services, and is authorized to act, either personally or through a designated representative, as a member of any committees, commissions, boards, or other bodies which presently include as a member the Director of the Department of Transportation, the Director of the Department of Environmental Services, or the Director of the Department of General Services.

VI. OTHER TRANSFERS

All positions, personnel, property, records and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the functions set forth under Section IV above (other than those resources and funds to be transferred to the Department of Consumer and Regulatory Affairs and the Department of Administrative Services) are hereby transferred to the Director of the Department of Public Works.

VII. REORGANIZATION

The Director of the Department of Public Works, in the performance of his or her duties and functions, is authorized to establish such organizational components within the Department with such specified functions as he or she deems appropriate.

VIII. RESCISSION

A. All orders and parts of orders in conflict with any of the provisions of this plan are, to the extent of such conflict, hereby repealed, except that any municipal regulations adopted or promulgated by virtue of the

authority granted by such orders, shall remain in force until properly revised, amended or rescinded.

B. The Department of Transportation and the Department of Environmental Services are abolished as of the effective date established for this plan pursuant to Section IX below. The positions of Director, Department of Transportation and Director, Department of Environmental Services, are also abolished on the same date.

IX. EFFECTIVE DATE

The provisions of this plan shall become effective pursuant to the promulgation of an executive order of the Mayor establishing the same no later than thirty (30) calendar days after this plan has been approved in accordance with the requirements of Section 422(12) of Public Law 93-198.

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For emergency transfer to the Department of Motor Vehicles of all positions, personnel, property, records, and unexpended balances of funds made available to the Department of Public Works for vehicle and driver licensing, registration, and control functions, see § 50-905.

Editor's Notes

For establishment of Department of Public Works, see Mayor's Order 84-55, March 2, 1984.

Transfer of Functions

As to the transfer of resources available for real property management functions from the Department of Administrative Services to the Office of Property Management, see § 10-1004.

Section 1826 of D.C.Law 12-175 provided that all personnel, property, records, and funds available to the Department of Public Works for the vehicle and driver licensing, registration, and control functions set out in the Plan are hereby transferred to the Department of Motor Vehicles.

Section 1415 of D.C.Act 12-564 provided for emergency transfer to the Office of the Chief Technology Officer of all positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Chief Information Officer in the Office of the city Administrator pursuant to § 2-327.01, or to the Department of Administrative Services for the information technology and telecommunications purposes and functions described in this Reorganization Plan.

Section 1826 of D.C.Laws 12-175 provided that all of the functions assigned and authorities delegated to the Department of Public Works, with respect to issuing regulations for and administering motor vehicles services, except for parking services functions, as set for in section III(H) are hereby transferred to the Department of Motor Vehicles.

Sections 5002 through 5004 of D.C.Law 12-261 provided that pursuant to this section, the Office of the Surveyor, in the Department of Public Works ("DPW"), established by Reorganization Plan No. 2 of 1982, effective December 8, 1982, and transferred to DPW under Reorganization Plan No. 4 of 1983, effective March 1, 1984, is hereby transferred to the Department of Consumer and Regulatory Affairs ("DCRA"). The purpose of the transfer is to provide for the more efficient operation of the Office of the Surveyor and the development process in the District of Columbia. All of the duties and functions assigned or delegated to the existing office of the Surveyor in DPW, are hereby transferred to the Office of the Surveyor in DCRA, along with all positions, property, records, and unexpended balances of appropriation, allocations and other funds available or to be made available relating to the above functions.

PART E. REORGANIZATION PLAN NO 5.

(Effective March 1, 1984)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on November 30, 1983, pursuant to the provisions of Section 422(12) of the Charter of the District of Columbia.

DISTRICT OF COLUMBIA DEPARTMENT OF ADMINISTRATIVE SERVICES

I. ESTABLISHMENT

There is hereby established, in the Executive Branch of the Government of the District of Columbia, a Department of Administrative Services under the supervision of a Director, who shall carry out the functions and authorities transferred or otherwise assigned to the Department, and who may re-delegate those functions and authorities.

II. PURPOSE

The mission of the Department of Administrative Services is to issue regulations for the procurement, management and disposal of D.C. Government property, both real and personal, the procurement of contract services and the management of information resources, including automated systems, printing and copying; to provide a means for the Mayor to administer certain contracting and procurement authority vested in him by law; and, within the authority delegated by the Mayor, to provide a variety of administrative support services to D.C. Government agencies.

III. FUNCTIONS

The functions of the Department of Administrative Services shall be:

- (A) To issue regulations for procurement of real estate, goods and services by D.C. Government agencies; for material handling including the warehousing, distribution and replacement of accountable and consumable property; for the disposal of D.C. Government property; and for employee travel, uniforms and allowances.
- (B) To issue the District of Columbia procurement regulations for the establishment of policies and procedures concerning procurement and contracting, and for material handling, consistent with law.
- (C) To acquire real property for D.C. Government use, by purchase or lease, and dispose of surplus real property; and to exercise other delegated procurement and property disposal authority delegated by the Mayor.
- (D) To issue regulations for the requisition and use of information management resources by D.C. Government agencies, including hardware, software and contract services in the areas of data and word processing, telecommunications, printing and copying; review and approve all agency proposals concurred in by a Deputy Mayor for acquisition of such resources and services, and recommend approval to the City Administrator; coordinate the development of information management plans, standards, systems and procedures; and undertake projects to achieve the compatibility of information management methods and equipment throughout the D.C. Government.
- (E) To issue regulations and standards for utilization by agencies of space in buildings and adjacent areas owned and leased by the D.C. Government; develop a D.C. Government wide plan for the use of such space by agencies; maintain inventory records for and control of such space and its usage; assist agencies to implement the space-use plans; and administer the employee parking program.
- (F) To issue regulations and standards for, and to provide building services for D.C. Government owned and occupied buildings, including custodial services, security energy conservation, utilities management, maintenance inspection and planning, and repairs and non-structural improvements.
- (G) To issue regulations and standards for, and to provide other administrative services to D.C. Government agencies, including, but not limited to mail, telephone, shuttle bus, central motor pool, and those warehousing functions as may be delegated by the Mayor.

IV. TRANSFER OF FUNCTIONS

The following functions are hereby transferred to the Director of the Department of Administrative Services:

- (A) All of the functions assigned, and authorities delegated to the Department of General Services and/or the Director thereof by section 38-924 et seq. of the D.C. Code (2001 Ed.), Order of the Commissioner No. 69-96 (March 7, 1969), Order of the Commissioner No. 69-116 (March 17, 1969), Mayor's Order 75-261 (December 15, 1975), as amended, and all other laws, regulations and orders; except the functions of the Department of General Services which have been transferred to the Department of Public Works pursuant to Reorganization Plan No. 4 of 1983. Concurrent authority for building repairs and improvement functions is included in Reorganization Plan No. 4 of 1983, permitting a future transfer of all such functions and related resources and funds from the Department of Public Works to the Department of Administrative Services.
- (B) All of the functions assigned and authorities delegated for the motor vehicle pool operation of the Department of Highways and Traffic by Order of the Commissioner No. 72-11 (January 13, 1972), and subsequently transferred to the Department of Transportation.
- (C) All of the functions for District of Columbia Government-wide planning and issuance of regulations for computer and other information resource management, and authority to approve acquisition of hardware, software and contract services for information management; all as vested in the Mayor by Public Law 93-198 and other applicable laws. The functions of operating information processing systems shall continue to be carried out by agencies authorized by the Mayor to operate such systems.
- (D) All of the functions for issuing regulations for employee travel and the provision by agencies of employee uniforms and allowances as vested in the Mayor by Public Law 93-198 and other applicable laws.

V. OTHER TRANSFERS

All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the functions set forth under Section IV above, are hereby transferred to the Department of Administrative Services.

VI. ORGANIZATION

The Director of the Department of Administrative Services is authorized to organize the personnel and property transferred herein within any organizational unit of the Department as the Director deems appropriate.

VII. ABOLISHMENT

The following agency of the District of Columbia Government is hereby abolished on the effective date

established for this plan pursuant to Section VIII below:

Department of General Services

The position of Director of the Department of General Services is also abolished on the same date.

VIII. EFFECTIVE DATE

This Reorganization Plan No. 5 of 1983 shall become effective pursuant to the promulgation of an executive order of the Mayor establishing the same no later than thirty (30) calendar days after this plan has been approved in accordance with the requirements of Section 422(12) of Public Law 93-198.

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For emergency transfer to the Office of Property Management of all positions, personnel, property, records, and unexpended balances of funds available to the Department of Administrative Services for real property management functions, see § 10-1004.

Editor's Notes

For establishment of the Department of Administrative Services, see Mayor's Order 84-52, March 2, 1984.

Section 1808 of D.C. Law 12-175 abolished the Department of Administrative Services, established under Reorganization Plan No. 5 of 1983, pursuant to § 404(b) of the District of Columbia Home Rule Act, (D.C.Code § 1-204.04(b)).

Transfer of Functions

As to the transfer of functions assigned and authorities delegated to the Department of Public Works to the Office of Property Management, see § 10-1004.

For the transfer of positions, personnel, property, records, and funds available to the Department of Administrative Services for the information technology and telecommunications purposes set out under this Plan, to the Office of the Chief Technology Officer, see § 1-1404.

SUBCHAPTER VII. 1986.

PART A. REORGANIZATION PLAN NO 2.

(Effective February 4, 1987)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on November 3, 1986, pursuant to the provisions of Section 422(12) of the District Charter.

DISTRICT OF COLUMBIA BOARD OF PAROLE

I. TRANSFER

The Office of Parole Supervision is hereby transferred from the District of Columbia Department of Corrections to the District of Columbia Board of Parole, to be under the supervision of the Chair of the Board. The Chair shall carry out the functions, duties and authorities transferred to the Board.

II. PURPOSE

The mission of the Board of Parole is to determine if and when it is appropriate to grant parole to an offender who has served the minimum term in prison ordered by the court. In granting parole, the Board determines 1) the terms and conditions of such parole; 2) the standards of supervision for parolees or mandatory release; and, 3) if and when to terminate a parole or mandatory release, as well as whether to modify the terms and conditions thereof.

III. FUNCTION

The function transferred to the Board of Parole:

To establish policy and standards, and to administer the parole supervision function.

IV. TRANSFER OF FUNCTIONS

All functions and authority of the Department of Corrections related to parole supervision, established pursuant to Commissioner's Order No. 7, dated December 26, 1967, as amended, are hereby transferred to the Board of Parole.

All Department of Corrections positions, personnel, property, records and unexpended balance of appropriations, allocations, and other funds available or to be made available relating to the duties and functions assigned herein, are hereby transferred to the Board of Parole. These funds are to be used only for the purposes for which the appropriation or allocation was originally made. All authority for parole supervision services previously authorized or delegated to the Department of Corrections is hereby transferred to the Board of Parole.

V. RESCISSION

All orders and parts of orders in conflict with any of the provisions of this plan are, to the extent of such conflict, hereby repealed, except that any municipal regulations adopted or promulgated by virtue of the authority granted by such orders, shall remain in force until properly revised, amended or rescinded.

No agency of the District of Columbia government is abolished as a consequence of this reorganization. An amendment to Organization Order No. 7 shall be made so as to exclude parole supervision from the functions of the Department of Corrections.

VI. EFFECTIVE DATE

This Reorganization Plan No. 2 of 1986 shall become effective in accordance with Section 422(12) of Public Law 93-198, or on a date thereafter to be designated pursuant to Executive Order of the Mayor.

HISTORICAL AND STATUTORY NOTES

Transfer of Functions

For transfer of monitoring authority to the Parole Board, see Mayor's Order 87- 203, September 10, 1987.

PART B. REORGANIZATION PLAN NO 3.

(Effective January 3, 1987)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on September 1, 1986, pursuant to the provisions of Section 422(12) of the District Charter and Public Law 98-621 of November 8, 1984 (24 U.S.C. § 225 et seq.), the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act.

DISTRICT OF COLUMBIA DEPARTMENT OF HUMAN SERVICES

I. ESTABLISHMENT

There is hereby established, in the Executive Branch of the Government of the District of Columbia, under the supervision of the Director, a Department of Human Services (hereafter "Department"). The Director shall have full authority over the Department and all functions and personnel assigned thereto, including the power to redelegate to other employees and officials of the Department such powers and authority as in the Director's judgment are warranted in the interests of efficiency and sound administration.

II. PURPOSE

The mission of the Department of Human Services is to assure the development and implementation of public health and social service policy in response to the needs of individuals and families in the District of Columbia; and to promote the health, mental health, and well-being of District residents through the delivery of high-quality and equitably-distributed services and income assistance programs.

III. FUNCTIONS

The functions to be assigned to the major organizational components of the Department shall be:

The Director, through the organizational components of the Department, shall be responsible for the following functions:

- A. Policy-making and the development and implementation of long- and short-range plans;
- B. The development and utilization of an automated information support system for the Department;
- C. Providing basic support services throughout the Department;
- D. Managing the finances for the Department, and preparing and defending the budget;
- E. Directing the preparation and support of the legislative agenda for the Department;
- F. Serving as the single state agency for federal categorical and block grants;
- G. Providing high-quality community-based and inpatient preventive, diagnostic, therapeutic and rehabilitative mental health services;
- H. Providing psychiatric evaluation and treatment services to adult and juvenile forensic clients and inpatient, day treatment, or detention settings;
- I. Providing psychiatric evaluation and treatment services to adult and juvenile clients on an acute-care or long-term basis in an inpatient setting;
- J. Providing mandates services, technical assistance and counseling regarding veterans' benefits and other assistance under DHS and affiliated programs administered under provisions of public laws;
- K. Medically investigating and reporting on known or suspected homicides, suicides, medically unattended or accidental deaths, and deaths which might threaten public health and safety;
- L. Identifying and treating drug and substance abusers with the goal of rehabilitation, and working to

prevent substance abuse in the District of Columbia;

M. Administering comprehensive community-based medical screening and care to infants, children, adults, and the elderly in clinical, school, or home settings;

N. Providing long-term skilled and intermediate-level inpatient health care;

O. Providing health services to homebound adult patients who show potential for rehabilitation as well as to patients with long-term chronic illnesses who need help to maintain themselves at home;

P. Providing a wide range of identification and immunization services with the goal of preventing, insofar as possible, toxic, contagious, or injurious conditions;

Q. Analyzing the needs of homeless persons, coordinating and delivering comprehensive shelter, medical, and social services to the homeless;

R. Aiding in developing and sustaining independent living by the provision of social services, including emergency assistance, to adults and the elderly;

S. Providing a range of protective and child welfare services to children and youth;

T. Determining eligibility of clients for the range of available federal and District-funded income assistance programs;

U. Providing a range of habilitative, training, educational, and residential services, as needed, to retarded and developmentally disabled District residents and their families;

V. Determining the degree of disability of physically, mentally, or emotionally disabled or handicapped residents, and working to assist such clients to achieve self-sufficiency through training and auxiliary services; and

W. Developing and administering a citywide system of services for delinquency prevention and control, including supervision, short-term detention as needed, and educational, health, psychological and social services for delinquent and pre-delinquent youth.

IV. DELEGATION AND REDELEGATION OF AUTHORITY

The Director of the Department of Human Services is the successor to the authority delegated to him or her as Director of the previously-existing Department, and is authorized to act, either personally or through a designated representative, as a member of any committees, commissions, boards, interstate compacts, or other bodies which presently include as a member the Director of the Department of Human Services or the Superintendent of Saint Elizabeths Hospital; or as a participant in any interagency agreement to which the Director or the Superintendent has been a party.

V. OTHER TRANSFERS

All property other than real property and all records and personal property used in conjunction with the real property and buildings transferred to the District by Section 8 of P.L. 98-621 (24 U.S.C. § 225f), are hereby transferred to the Department of Human Services for use in providing mental health and other services as of the effective date specified in the law.

The Department shall have the use of real property and buildings on the East side of the Saint Elizabeths campus with the exception of such real property and buildings as are retained by the federal government under P.L. 98-621; and shall also have the use of certain real property and buildings on the West side, on an interim or long-term basis, as determined by the Mayor.

The Department is also the successor to all other positions, property, allocations and other funds available or to be made available relating to the powers, duties, and functions of the preexisting Department of Human Services.

VI. REORGANIZATION

The Director of the Department of Human Services, in the performance of his or her duties and functions, is authorized to establish such organizational components within the Department with such specified functions as he or she deems appropriate. Until such establishment, existing Orders establishing the components of the preexisting Department remain in force, where they do not conflict with this Plan.

VII. RECISSION

All orders and parts of orders in conflict with any of the provisions of this Plan are, to the extent of such conflict, hereby repealed, except that any municipal regulations adopted or promulgated by virtue of the authority granted by such orders, shall remain in force until properly revised, amended, or rescinded.

VIII. EFFECTIVE DATE

The provisions of this Plan shall become effective pursuant to the promulgation of an executive order of the Mayor no later than thirty (30) calendar days after this Plan has been approved, in accordance with the requirements of Section 422(12) of Public Law 98-198.

For establishment of Governing Body of Commission on Mental Health Services, see Mayor's Order 88-168, July 13, 1988.

PART C. REORGANIZATION PLAN NO 1.

(Effective August 21, 1986)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on May 27, 1986, pursuant to the provisions of section 422(12) of the District Charter.

I. PURPOSE

The purpose of this reorganization is to consolidate, within the Department of Consumer and Regulatory Affairs, certain licensing and regulatory functions related to vending businesses in public spaces pursuant to a Regulation Governing Vending Business in Public Space, Regulation 74-39, enacted December, 13, 1974, as amended by the Vendors Regulation Amendment Act of 1978, D.C. Law 2-82, effective June 30, 1978.

II. FUNCTIONS

The functions of determining vending areas, types of permitted vending, and standards to be followed by vendors, and of conducting hearings for such purposes, which were vested in the Office of Business and Economic Development pursuant to Mayor's Order 82-186 dated October 25, 1982, are hereby transferred to the Department of Consumer and Regulatory Affairs.

III. TRANSFERS

All records relating to the duties and functions transferred in part II are hereby transferred to the Department of Consumer and Regulatory Affairs.

IV. ORGANIZATION

The Director, Department of Consumer and Regulatory Affairs, in the performance of the duties and functions assigned by this plan, is authorized to establish such organizational components with specified functions as the Director deems appropriate.

V. EFFECTIVE DATE

The provisions of this plan shall become effective on a date to be specified by an Executive Order of the Mayor no later than 30 days after this plan becomes effective in accordance with Section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198, effective December 24, 1973, D.C. Code § 1-242(12)(1981) [D.C. Official Code § 1- 204.22(12)].

MAYOR'S STATEMENT

Reorganization Plan 1 of 1986, which would consolidate within the Department of Consumer and Regulatory Affairs functions related to licensing and regulating vendors, is the culmination of several years' work to develop and implement a comprehensive program for vendors who operate exclusively from public space in the District of Columbia. The need for this program developed as a result of significant changes in the numbers and types of vending businesses which began to appear on District streets in early 1980. During the 1960's and most of the 1970's, vending businesses consisted of occasional corner vendors selling specialty items, such as cut flowers and ready-to-eat foods. By early 1980, vending businesses, mushroomed—thriving enterprises appeared all along busy streets and sidewalks, selling a full range of goods from apparel to kitchen appliances.

These changes, in combination with a corresponding increase in commercial activity and traffic in the District, caused widespread concern about the conduct and character of vending operations in the District. The public was concerned about increased congestion of the sidewalks and streets. Consumers, who once had known and relied on the goods of corner vendors, grew increasingly concerned about the quality of items purchased from vendors they did not know. Vendors, who once enjoyed standard locations with relatively little competition, found themselves competing not only for patrons, but also for locations on the streets. Operators of fixed location businesses complained of unfair competition from vendors who, because of their low overhead expenses, sold the same types of items offered by fixed location businesses, but at lower prices. Business operators argued that vendors should be charged equitable license and public space rental fees, and should be subjected to tighter control of sales tax collections.

In May of 1983, in response to these and other concerns, I instructed the Executive Director of the Office of Business and Economic Development (OBED) to appoint an Advisory Group on Street Vending to recommend changes to the District's vending regulations which would address the needs of the public, of vendors, and of the labor and business communities. The Advisory Group was asked to examine street vending in light of Downtown and neighborhood planning and economic development efforts, expanding entrepreneurial and employment opportunities for District residents, and strengthening the District's tax base.

The Advisory Group adopted the following general policies to provide a framework for considering vending issues and, ultimately, for proposing a revised regulatory program:

Street vending is an integral component of the small business sector of the local economy, thus, vendors

should receive the same general rights and assume the same general obligations accorded to fixed-location merchants.

Street vending activity should be encouraged in order to provide entrepreneurial and employment opportunities, and special emphasis should be given to expanding opportunities for District residents.

The street vending regulatory program must ensure public safety and welfare by recognizing that the movement of persons and goods is the primary purpose of the streets and sidewalks.

Vending activity should enhance street activity through attractive and well-maintained vending stands, carts and vehicles, and by offering patrons a variety of goods which complement other commerce.

The Advisory Group responded with a series of recommendations for vending zones, types of goods, location standards, vending fees, site allocation, operating standards, special events, administration, and enforcement.

The recommendations of the Advisory Group were reviewed by the Deputy Mayor for Economic Development (DMED) who in turn established an Interagency Task Force on Street Vending which was composed of all city agencies which have a direct or indirect involvement in regulating vendors. The Task Force was given responsibility to analyze the Advisory Group's recommendations and to draft new rules to correct deficiencies in the existing vending regulatory program. Public comments on the proposed rules were then solicited; two public hearings were held and 4 rulemaking notices soliciting public comments were published in the D.C. Register. The end product of this extensive process was an equitable, comprehensive and enforceable program to regulate vendors in the District.

The development of this regulatory program involved significant issues affecting overall economic development in the District of Columbia. Thus, under the guidance of the DMED, the Office of Business and Economic Development was the logical choice to spearhead this phase of development of the program. With the adoption the comprehensive vending regulations, the focus shifted to implementing and enforcing those regulations--functions which are vested in the Department of Consumer and Regulatory Affairs.

This reorganization plan, by consolidating vending licensing and regulatory functions, will streamline the overall operation of the vending program, and will enable the Department of Consumer and Regulatory Affairs to more effectively regulate vendors. For some time there has been a need to hire additional vending program staff, a need which has been exacerbated by an increase in the number of vendors in the District. This reorganization will make the personnel shortage less severe. It is expected that existing DCRA personnel, complemented by 3 new positions--a vending coordinator, a staff assistant, and a clerk-typist--will be sufficient to carry out the consolidated vending program functions.

Finally, this reorganization will affect only those vending functions which are now being performed by the Office of Business and Economic Development. Functions related to vending now being performed by other departments will remain in those departments.

I stand ready to move forward with this reorganization plan.

RATIONALE

The primary reason for this reorganization is the need to concentrate on implementing and enforcing the newly revamped program to regulate vendors who sell products exclusively from public space. This revamping of the District's vending program was a necessary response to the vastly changed conditions of vending businesses, such as a drastic increase in the number of vendors,, and the types of goods they sold. The previously existing vending program was not equipped to deal with the increased demands made by vendors who wanted to set up businesses, fixed locations business operators who wanted vendors more strictly regulated, and citizens who complained about congested sidewalks and streets, and about the quality of goods being sold by some vendors.

The governmental response to these concerns, involved the resolution of significant issues affecting overall economic development in the District. Thus, the involvement of the Office of Business and Economic Development, along with other affected agencies, was critical to the development and adoption of a comprehensive program to regulate vendors.

Now that comprehensive regulations have been adopted, it is necessary to focus on implementing and enforcing those regulations. This reorganization, by consolidating OBED and DCRA vending functions in DCRA, will strengthen these efforts. These changes will enable DCRA to more effectively regulate vendors and will streamline the overall operation of the vending program. There is a present need to hire additional vending program staff in OBED as well as DCRA. This reorganization will make the personnel shortage less severe. Only three new positions, a vending coordinator, a staff assistant, and a clerk-typist, will be created by this reorganization and, along with existing DCRA personnel, will be sufficient to carry out the consolidated vending program functions.

SUBCHAPTER VIII. 1987.

PART A. REORGANIZATION PLAN NO 1.

(Effective December 15, 1987)

Prepared by the Mayor and transmitted to the Council of the District of Columbia, pursuant to the provisions of Section 422(12) of the District Charter.

DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC AND ASSISTED HOUSING

I. ESTABLISHMENT

There is hereby established in the Executive Branch of the Government of the District of Columbia, the "Department of Public and Assisted Housing" under the supervision of a Director who shall be appointed by the Mayor to a position in the Executive Service pursuant to Title X of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139, effective March 3, 1979 (D.C. Code Sections 1-611.1 to 1-611.2), and subject to the advice and consent of the Council, as provided in Section 2 of the Confirmation Act of 1978, D.C. Law 2-142, effective March 3, 1979 (D.C. Code Section 1- 633.7). The Deputy Director for Public Housing of the existing Department of Housing and Community Development shall be the Acting Director pending confirmation by the Council.

II. PURPOSE

The mission of the Department of Public and Assisted Housing is to ensure the provision of safe, decent and sanitary low-cost public and subsidized housing to those residents of the District of Columbia who are eligible for such housing based upon eligibility criteria or guidelines established under my applicable federal or local laws or regulations.

III. FUNCTIONS

A. The functions of the Department of Public and Assisted Housing shall be to:

- (1) Provide the Mayor information and advice on matters pertaining to public and subsidized housing plans, programs, and activities within the District of Columbia.
- (2) Identify the District's public and subsidized housing needs, formulate and recommend public and subsidized housing development policy and accomplish the planning, promotion, coordination and execution of plans, projects and activities to meet those needs.
- (3) Develop annual and longer-term public and subsidized housing priorities and goals and budgets.
- (4) Identify and develop new public and subsidized housing resources.
- (5) Operate, manage and maintain the District's public housing stock.
- (6) Administer and operate federal subsidy programs established pursuant to Section 8 of the United States Housing Act of 1937, as amended.
- (7) Administer and operate the Tenant Assistance Program established pursuant to Title III of the District of Columbia Rental Housing Act of 1985, as amended.
- (8) Develop and coordinate the delivery of tenant programs and services including educational training programs, day care services, job-training and employment opportunities, homeownership; health care and other social services for families and individuals residing in public or subsidized housing.
- (9) Ensure that plans, programs and activities are in compliance with all applicable federal and local laws and regulations and coordinated with appropriate federal and local agencies.

B. The following functions are hereby transferred to the Department of Public and Assisted Housing:

- (1) All of the functions related to the powers and duties of the National Capital Housing Authority established pursuant to the District of Columbia Alley Dwelling Act, as amended (D.C. Code 6-101.01 through 6-103.01), and Presidential Executive Order 6868 of October 9, 1934, as amended and transferred to the Department of Housing and Community Development (DHCD) pursuant to Reorganization Order No. 3 of 1975 (21 DCR 2793; effective July 3, 1975), including the functions identified in the following Organizational Orders of the Department of Housing and Community Development:
 - (a) All of the functions related to the Public Housing Modernization Administration as identified in DHCD Organizational Order No. 85-8, dated November 19, 1985, including the functional statement related to the Public Housing Modernization Administration, attached thereto, approved November 19, 1985.
 - (b) All of the functions related to the Property Management Administration as identified in DHCD Organizational Order No. 84-8, dated August 10, 1984, including the functional statement related to the Property Management Administration attached thereto, approved August 10, 1984, as amended by DHCD Organizational Order No. 86-3, related to the establishment of the Rent Collection Division, Property Management Administration, dated September 18, 1986, including the functional statement attached thereto and approved September 18, 1986.
 - (c) The functions relating to the acquisition, development and production of new public housing units; the development of public housing homeownership opportunities for low-income families, and the marketing and disposition of existing public housing units, as identified in DHCD Organizational Order No. 86-1, dated March 27, 1986, relating to the Housing Production and Disposition Division, including the functional statement dated March 27, 1986, except for the functions relating to the sale for private development of

residential properties identified in the Marketing and Disposition Branch of the Housing Production and Disposition Division.

(2) All of the functions of the Department of Housing and Community Development related to the Tenant Assistance Program established pursuant to D.C. Law 6-10 (D.C. Code Section 42-3503.02) and as delegated to the Department of Housing and Community Development pursuant to Mayor's Order 86-27, effective February 6, 1986; and as further identified in DHCD Organizational Order No. 85-10, dated November 29, 1985, including the functional statement attached thereto, approved November 29, 1985.

(3) All of the functions of the Department of Housing and Community Development related to the operations and administration of the subsidized housing programs established pursuant to Section 8 of the United States Housing Act of 1937, as amended, including the functions identified in the following DHCD Organizational Orders:

(a) All of the functions relating to the Section 8 Housing Program Division of the Housing and Business Resources Administration as identified in DHCD Organizational Order 82-5, dated April 26, 1982, including the functional statement attached thereto, approved April 26, 1982; except the functions relating to Rent Regulatory Agreements identified in the Moderate, Substantial Rehabilitation and Rent Regulatory Branch of the Section 8 Housing Program Division.

(b) All of the functions relating to the development, production and financing of Section 8 Subsidized Housing of the Multifamily Housing Development Finance Division of the Neighborhood Improvement Administration as identified in DHCD Organizational Order 84-7, dated August 1, 1984, including the functional statement attached thereto, approved August 1, 1984.

IV. TRANSFERS

All positions, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the duties and functions assigned herein, are hereby transferred to the Department of Public and Assisted Housing.

V. ORGANIZATION

The Director of the Department of Public and Assisted Housing is authorized to organize the personnel and property transferred herein within any organizational unit of the Department as the Director deems appropriate.

VI. ABOLISHMENT

The National Capital Housing Authority is hereby abolished.

VII. EFFECTIVE DATE

This Reorganization Plan No. 1 of 1987 shall become effective in accordance with Section 422(12) of Public Law 93-198, or on a date thereafter to be designated pursuant to Executive Order of the Mayor.

HISTORICAL AND STATUTORY NOTES

Editor's Notes

For establishment of District of Columbia Public Housing Advisory Board, see Mayor's Order 89-202, September 8, 1989.

PART B. REORGANIZATION PLAN NO 2.

(Effective July 3, 1987)

I. PURPOSE

The purpose of this reorganization is to extend the Mayor's authority to issue grants under Section 13 of the Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law 5-188; D.C. Code Sec. 6-932 (1986 Supp.)) (hereinafter the "Water Act") to the Director of the Department of Public Works. This authority is in addition to similar authority granted to the Director of the Department of Consumer and Regulatory Affairs.

II. FUNCTIONS

The following function shall be vested in both the Department of Consumer and Regulatory Affairs and the Department of Public Works:

Under Section 13 of the Water Act, the function of issuing grants to universities and institutions for research concerning the quality of District waters.

III. TRANSFERS

There is no transfers of positions, property, records or unexpended balances of appropriations, allocations and other funds available or to be made available relating to the duties and functions assigned herein.

IV. EFFECTIVE DATE

The provisions of this Plan shall become effective pursuant to the promulgation of an executive order of the

Mayor establishing the same no later than thirty (30) calendar days after this Plan has been approved in accordance with the requirements of Section 422(12) of District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, effective December 24, 1973 (D.C. Code Sec. 1-242(12) (1981)).

MAYOR'S STATEMENT

This Reorganization is a reallocation of delegated authority. The Departments of Consumer and Regulatory Affairs and Public Works are to share the authority to issue grants pursuant to the Water Pollution Control Act of 1984 ("the Act"), D.C. Code § 6-921 et seq. (1986 Supp.). By Mayor's Order 85-152, dated September 12, 1985, I delegated my authority to administer the Act to the Director of the Department of Consumer and Regulatory Affairs. Since I issued that Order, however, it has become clear that it should be modified to coincide more clearly with the respective functions of, and projects managed by, the Departments of Consumer and Regulatory Affairs and Public Works.

In particular, I believe a reorganization to permit Public Works to issue grants for projects related to, or affecting, the Blue Plains Wastewater Treatment Plant and the improvement of water quality in the Potomac and Anacostia Rivers will result in a more efficient utilization of departmental resources and staff. While the missions and responsibilities of the two departments are related, often closely, Public Works is most knowledgeable of the time, program requirements, technical support and other constraints associated with projects such as the combined sewer abatement program and the Anacostia River cleanup effort. These and similar programs impact upon the operation and plant processes of Blue Plains and the requirements imposed upon the District under the National Pollution Discharge Elimination System permit issued by the U.S. Environmental Protection Agency.

The federal government contributes 55 percent (and in the past contributed 75 percent) of the cost of various construction and water quality projects. The application process often entails a series of deadlines and submittal requirements uniquely and readily within the Public Works' purview. Therefore, in order to maximize the District's responsiveness to both federal grant application requirements and the subsequent release of such funds to District's grantees, I am proposing a reorganization to permit Public Works and Consumer and Regulatory Affairs to share the grant making authority set forth in Section 13 (D.C. Code § 6-932) of the Act.

Under this proposed change, Consumer and Regulatory Affairs will still have authority to issue grants for projects which fall under its responsibilities as the state regulatory agency for the District of Columbia. Public Works will have authority to issue grants for research related to the construction and monitoring of public facilities designed to improve water quality. Apart from the sharing of authority, no other changes are necessitated by this reorganization. Both departments will continue to obtain federal grants within their existing office structures and will issue grants to local recipients. Consequently, while no reduction in expenditures is contemplated, neither will expenditures increase, because both departments will utilize current staff to administer grant fund.

The assignment of these duties jointly to the two departments administering the District's environmental programs and responsibilities ultimately will ensure the public health and safety and the quality of District and regional waters; and there will be no additional burden upon District resources.

HISTORICAL AND STATUTORY NOTES

Editor's Notes

For delegation of authority pursuant to D.C. Law 5-188, see Mayor's Order 87- 278, December 11, 1987.

For implementation of Reorganization Plan No. 1 of 1987, see Mayor's Order 88- 29, December 15, 1987.

For amendment of Mayor's Order 86-45, delegation of small purchase authority, see Mayor's Order 88-102, December 15, 1987.

SUBCHAPTER IX. 1988.

PART A. REORGANIZATION PLAN NO 3.

(Effective October 8, 1988)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on July 14, 1988, pursuant to the provisions of Section 422(12) of the Charter of the District of Columbia.

I. PURPOSE

This plan changes the name of the Educational Institution Licensure Commission to the Education Licensure Commission and transfers the function of licensing and otherwise regulating proprietary schools from the Director, Department of Consumer and Regulatory Affairs to the Education Licensure Commission.

II. CHANGE OF NAME

The Education Institution Licensure Commission, established by § 3 of the D.C. Law 1-104, the Education Licensure Commission Act of 1976, D.C. Code § 31- 1603 (1981), is hereby renamed the Education

Licensure Commission.

III. TRANSFER OF FUNCTIONS

The functions with respect to proprietary schools vested in the Director of the Department of Consumer and Regulatory Affairs by Council Regulation No. 71-30, as amended, 16 DCMR § 1200 et seq., Commissioner's Order 71-458 (December 28, 1971), Mayor's Order 78-42 (February 17, 1978), Reorganization Plan No. 1 of 1983, and Mayor's Order 83-92 (April 7, 1983) are hereby transferred to the Education Licensure Commission.

IV. ORGANIZATION

The Mayor is authorized to organize the personnel and property of the Commission to fulfill the functions transferred by this plan.

V. EFFECTIVE DATES

This Reorganization Plan No. 3 of 1988 shall become effective pursuant to the promulgation of an executive order of the Mayor establishing the same no later than thirty (30) calendar days after this plan has been approved in accordance with § 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, D.C. Code § 1-242(12) (1987).

MAYOR'S STATEMENT

Education is one of the highest priorities of my administration. I am dedicated to expanding educational opportunities for our citizens and improving the educational system in the District of Columbia, both public and private. This is a cornerstone of our programs for economic development and self-sufficiency.

As a step in this continuing effort, I have decided to consolidate some of the District of Columbia educational authorities and services, and to strengthen the role of the District Government in the area of postsecondary education. One such consolidation and strengthening is this Reorganization Plan, and the accompanying proposed amended regulations for proprietary schools.

In general, the proprietary schools have served the community well. They have provided trade, technical and self-improvement instruction beyond the high school level to students who did not seek a college education, but who aspired to careers requiring other kinds of knowledge, skills, and abilities. In many instances, these students became employable by this instruction, and upwardly mobile in their chosen field of work. Thus, the proprietary schools provide a service that has important results for the economy of the District, as well as the lives of individual citizens.

However, experience has shown that the provision of poor instruction or unexpected closure by a few such schools can have a serious harmful effect on the students. Students typically borrow significant amounts to pay tuition, and if they are left with unmarketable skills or a prematurely terminated education, they may be worse off than before matriculation. In such cases, the individual and his or her family suffers. So too do the other schools, who rely on their reputations to do business. And so too, does the District of Columbia, which loses not only the opportunity for adding to the available skilled work force, but also the opportunity for decreasing the demand for financial assistance to unemployed or underemployed residents.

For these reasons, it has become clear that strengthening the regulation of proprietary schools is in the public interest. Therefore, I have decided to transfer this function to the Educational Institution Licensure Commission, and change its name to the Education Licensure Commission. The Commission now licenses and regulates private institutions that offer college level education, and serves as the State Approving Agency for education programs eligible for veterans who get assistance from the Veterans Administration. The Commission members are qualified members of the higher education profession, with experience and expertise in regulating postsecondary educational institutions. The Commission has a fine record of protecting the community from college level diploma mills, and improving the education available to citizens of the District of Columbia.

In considering this additional assignment, the Commission has determined that amendments to the existing regulations are required. The Commission has prepared proposed amended regulations, which provide new educational criteria for licensing, new requirements for student records, and new authority for monitoring schools' compliance with the regulations. All of the business licensing requirements are retained. These proposed amended regulations are transmitted with this Plan for Council approval.

An increase in the cost of regulating proprietary schools will result from these steps. However, the increase is modest and will provide the resources for the Commission to carry out its new responsibilities.

The Plan and amended regulations will further integrate proprietary schools into the educational system in the District of Columbia, and provide the basis for improvements in the quality of instruction received by their students.

I urge the Council to join me in this improvement of our educational system, by approving the Reorganization Plan and the amended regulations.

PART B. REORGANIZATION PLAN NO 4.

(Effective December 15, 1988)

I. PURPOSE

The purpose of this reorganization is to consolidate, within the Metropolitan Police Department, certain licensing and regulatory functions related to security officers, Regulation 74-31, enacted December 1, 1974, as amended by the Security Officer Licensing Facilitation Act of 1977, D.C. Law 2-29, effective October 26, 1977, the Uniform Requirements for Security Officers Amendment Act of 1984, D.C. Law 5-180, effective March 16, 1985, the End of Session Technical Amendments Act of 1984, D.C. Law 5-159, effective March 14, 1985 and functions related to private detectives pursuant to the Licensing and Bonding of Private Detectives, Regulation 70-30, enacted July 9, 1970, as amended by the Regulation Concerning Uniforms to be Worn by Specialmen and by Unarmed Uniformed Guards and Security Officers, Regulation 71-20, enacted June 6, 1971, the Regulation Establishing Standards for Certification and Employment of Security Officers, Regulation 74-31, enacted December 1, 1974 and the Security Officer Licensing Facilitation Act of 1977, D.C. Law 2-29, effective October 26, 1977.

II. FUNCTIONS

With Regard To Security Officers

The functions of administering applications, charging the license and examination fees, and the investigation, certification, and examination of applicants as well as issuing, denying, suspending, or revoking licenses, which were vested in the Department of Consumer and Regulatory Affairs pursuant to Reorganization Plan No. 1 of 1983, effective March 31, 1983, are hereby transferred to the Metropolitan Police Department.

With Regard To Private Detectives

The functions of administering applications, charging the license fee, issuing the license, and investigating and issuing identification cards as well as denying, suspending, or revoking the license, which were vested in the Department of Consumer and Regulatory Affairs pursuant to Reorganization Plan No. 1 of 1983, effective March 31, 1983, are hereby transferred to the Metropolitan Police Department.

III. TRANSFERS

All records relating to the duties and functions transferred in part II are hereby transferred to the Metropolitan Police Department.

IV. ORGANIZATION

The Chief of Police, Metropolitan Police Department, in the performance of the duties and functions assigned by this plan, is authorized to establish such organizational components with specified functions as the Chief of Police deems appropriate. The Director of the Planning and Development Division, Metropolitan Police Department, shall develop any reports and evaluation systems as necessary to assess the effect of the reorganization plan.

V. EFFECTIVE DATE

The provisions of this plan shall become effective on a date to be specified by an Executive Order of the Mayor no later than 30 days after this plan becomes effective in accordance with section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 92-198, effective December 24, 1973, D.C. Code sec. 1-242(12) (1987).

MAYOR'S STATEMENT

Reorganization Plan No. 4 of 1988, which would consolidate within the Metropolitan Police Department (MPD) functions related to licensing and regulating security officers and private detectives, is the result of several years of planning between the Department of Consumer and Regulatory Affairs (DCRA) and the Metropolitan Police Department. The need for this reorganization grew out of the original rationale for establishing DCRA. This rationale was to create a central location in the District of Columbia to register and license businesses, individuals and activities.

In DCRA's "One-Stop" center for business licensing, the objective of centralizing the licensure functions could not be achieved for security officers and private detectives because of the various approvals needed from MPD. These approvals and fingerprinting were performed at three separate locations outside of DCRA's offices.

Now MPD's Security Officers Management Branch is located at the Reeves Center on 14th and U Streets, N.W. Thus, with this reorganization all the licensing functions will be in one location for security officers and private detectives. The reorganization will effectively eliminate the current division of regulatory functions by consolidating these functions within MPD. The result of this consolidation will be to streamline the administration and enforcement of these two business activities. In order to sufficiently carry out these consolidated functions, MPD will augment its staff by four (4) new clerk positions.

Finally, this reorganization will affect only those licensing and regulatory functions which are now being performed by DCRA. Functions related to the licensing and regulation of security officers and private detectives now being performed by other Departments will remain in those Departments.

I stand ready to move forward with this reorganization.

For implementation of Reorganization Plan No. 4 of 1988, transferring licensing authority for security officers and private detectives to the Metropolitan Police Department, see Mayor's Order 89-40, February 17, 1989.

SUBCHAPTER X. 1989.

PART A. REORGANIZATION PLAN NO 1.

(Effective November 1, 1989)

DEPARTMENT OF HUMAN RIGHTS AND MINORITY BUSINESS DEVELOPMENT

I. ESTABLISHMENT

There is hereby established, in the Executive Branch of the Government of the District of Columbia, under the supervision of a Director, a Department of Human Rights and Minority Business Development.

II. PURPOSE

The purpose of the Department of Human Rights and Minority Business Development is to ensure an end to illegal discriminatory practices in employment, housing and commercial space, public accommodations, educational institutions and District Government and private sector contracting. The Department will promote equal opportunity and equal access in all aspects of life in the District of Columbia, as authorized by the laws of the District of Columbia.

III. FUNCTIONS

The following functions are hereby transferred to the Director of the Department of Human Rights and Minority Business Development:

A. All of the functions of the staff director and additional staff of the Minority Business Opportunity Commission, appointed pursuant to Section 5(e) of the Minority Contracting Act of 1976, D.C. Law 1-95, D.C. Code, section 2- 215.04(e) (1987).

B. All of the functions assigned to the Office of Human Rights by the following statutes and Mayor's Orders and all Mayor's Orders and rules issued pursuant thereto:

- (1) Affirmative Action in District Government Employment Act, D.C. Law 1-63, D.C. Code, sec. 1-521.01 et seq.;
- (2) The Human Rights Act of 1977, D.C. Law 2-38, as amended, D.C. Code, sec. 2-1401.01 et seq.;
- (3) Mayor's Order 79-89 ("Sexual Harassment");
- (4) Section 42 of the Cable Television Communications Act of 1981, D.C. Law 4- 142, D.C. Code, sec. 34-1241;
- (5) Mayor's Order 83-243 ("Access of the Handicapped to Government Programs");
- (6) Mayor's Order 85-85 ("Compliance with Equal Opportunity Obligations in Contracts");

IV. TRANSFER

All positions, property, records, and unexpended balances of appropriations, allocations and other funds available or to be made available relating to the duties and functions assigned in this plan are transferred to the Department of Human Rights and Minority Business Development. The Director of the existing Office of Human Rights and Executive Director of the Minority Business Opportunity Commission shall be the Director of the Department of Human Rights and Minority Business Development upon the effective date of this plan and shall serve without the necessity of a new Council confirmation process.

V. ORGANIZATION

The Director of the Department of Human Rights and Minority Business Development shall organize the personnel and property transferred in this plan into such organizational units as the Director deems appropriate.

VI. ABOLISHMENT

The following agencies and Offices of the District of Columbia government are hereby abolished:

The Office of Human Rights; and

The offices of staff director and additional staff of the Minority Business Opportunity Commission.

VII. EFFECTIVE DATE

This Reorganization Plan shall take effect on a date to be designated by executive order of the Mayor within 30 days after the expiration of Council review provided in sec. 422(12) of the District of Columbia Self-

For establishment of Department of Human Rights and Minority Business Development, see Mayor's Order 89-247, November 1, 1989.

SUBCHAPTER XI. 1992.

PART A. REORGANIZATION PLAN NO 1.

(Approved July 2, 1992)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on July 2, 1992, pursuant to the provisions of Section 422(12) of the District Charter, District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-242(12)).

I. ESTABLISHMENT

An Unclaimed Property Unit is hereby established in the Executive Branch of the Government of the District of Columbia, under the supervision and control of the District of Columbia Controller within the Office of the District of Columbia Controller of the Office of Financial Management. The Unclaimed Property Unit hereby established, and the functions and personnel assigned thereto, shall constitute an organizational unit of the Office of the District of Columbia Controller.

II. PURPOSE

The Unclaimed Property Unit is established in the Office of the District of Columbia Controller, under the supervision and control of the District of Columbia Controller, for the purpose of more efficiently operating the Government of the District of Columbia. To effect the enhancement of the District government's efficiency, the Unclaimed Property Unit will be aligned with the Office of the District of Columbia Controller, the office that is responsible for the District's financial management and control and that maintains the District's official accounts.

III. FUNCTIONS

All of the duties and functions of the Unclaimed Property Unit in the Department of Finance and Revenue established under The District of Columbia Uniform Disposition of Unclaimed Property Act, as amended, effective March 5, 1981 (D.C. Law 3-160; D.C. Code, sec. 42-201 et seq.) ("the Act"), the rules issued pursuant thereto and Mayor's Order 81-82, dated March 27, 1981, 28 DCR 1740 (April 17, 1981) which delegated to the Department of Finance and Revenue, the Mayor's authority to administer the Act and to issue rules are hereby transferred to the Office of the District of Columbia Controller within the Office of Financial Management.

IV. TRANSFERS

All positions, property, records and funds relating to the duties and functions transferred in this plan are hereby transferred to the Office of the District of Columbia Controller.

V. ORGANIZATION

The District of Columbia Controller of the Office of the District of Columbia Controller is authorized to organize the personnel and property transferred herein within any organizational unit as he or she deems appropriate to fulfill the functions transferred by this plan.

VI. ABOLISHMENT

The existing Unclaimed Property Unit within the Department of Finance and Revenue is hereby abolished.

VII. RESCISSION

All orders and parts of orders in conflict with any of the provisions of this plan are, to the extent of such conflict, hereby repealed, except that any rules or regulations adopted or promulgated by virtue of the authority granted by such orders, shall remain in force until properly revised, amended or rescinded.

VIII. EFFECTIVE DATE

This Reorganization Plan No. 1 of 1992 shall become effective on a date to be specified by an executive order of the Mayor issued no later than 30 calendar days after this plan has been approved in accordance with the requirements of section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-242(12)), and section 5(c) of the Governmental Reorganization Procedures Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Code, sec. 1-299.4(c)).

MAYOR'S STATEMENT

The Unclaimed Property Unit of the Audit, Compliance and Investigation Administration of the Department of Finance and Revenue is responsible for the collection and maintenance of all abandoned tangible and intangible personal property reported and delivered to the Mayor for safekeeping and fiscal growth of the District of Columbia pursuant to the Uniform Disposition of Unclaimed Property Act of 1980, as amended, effective March 5, 1981 (D.C. Law 3-160; D.C. Code, sec. 42-201 et seq.). In addition, the Unclaimed Property Unit is required to attempt to locate and return the unclaimed property to the rightful owner.

To date, the Unclaimed Property Unit has collected approximately \$47 million and has returned approximately \$4 million to the rightful owners. As a result, over \$42 million have been contributed to the fiscal development of the District of Columbia since the creation of the program.

I am committed to the most efficient operation of the District government. To this end, I submit herewith, Reorganization Plan No. 1 of 1992 that would transfer the functions of administering the District of Columbia's unclaimed property program from the Department of Finance and Revenue to the Office of the District of Columbia Controller within the Office of Financial Management. The Reorganization Plan would transfer the entire Unclaimed Property Unit, including its staff of seven persons, its property, records and funding to the Office of the District of Columbia Controller.

To enhance the efficiency of the District government's operation, the reorganization would align the Unclaimed Property Unit with the Office of the District of Columbia Controller, the office within the District government that is responsible for the financial management of the District and that maintains the official accounts of the District.

The Unit's current alignment within the Department of Finance and Revenue does not conform to the Department's general mission: tax administration. Although the unclaimed property program produces revenue for the District, it is not a tax program. Instead, it is more appropriately characterized first, as a financial management and fiduciary service which the District renders to persons who have abandoned their property within our jurisdiction and then second, as a program that generates revenue for the District. Consequently, it is more efficient to place the program in the office that is charged with the management and control of the District's financial affairs. Only 12 other states in the country have their unclaimed property programs within their Departments of Finance and Revenue or Departments of Revenue, while 25 states administer their programs through their Treasury Departments or Controller's Offices.

PART B. REORGANIZATION PLAN NO 2.

(Effective October 1, 1992)

Prepared by the Mayor and transmitted to the Council of the District of Columbia, pursuant to the provisions of Section 422(12) of the Charter of the District of Columbia

DISTRICT OF COLUMBIA OFFICE OF TOURISM AND PROMOTIONS

I. ESTABLISHMENT

The Office of Tourism and Promotions ("Office") is hereby established in the Executive Branch of the Government under the Deputy Mayor for Economic Development (DMED). The Office shall be supervised and administered by a Director who shall be appointed by the Mayor to a position in the Executive Service pursuant to Title X of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139, effective March 3, 1979, (D.C. Code Sections 1-611.1-1.611.2), and subject to the advice and consent of the Council. The Mayor's Special Assistant for Tourism shall be the Acting Director pending confirmation by the Council.

II. PURPOSE

The purpose of the Office is to increase revenues generated by tourism and related promotional, leisure and entertainment activities. The Office of Tourism and Promotions will coordinate the economic development efforts of the city in the areas of tourism and conventions and will better serve local firms engaged in the tourism industry by providing a more efficient delivery of public services.

The Office coordinates the development of an integrated advertising, marketing and promotional plan for the District which will lead to increased business and leisure travellers to the District. Travellers will be encouraged to patronize Washington business establishments, thereby increasing employment and business opportunities for District residents and businesses. Every effort will be made to stimulate increased opportunities for small, minority and women-owned District-based businesses.

This Office shall also have the responsibility for promoting Washington, D.C., as a venue for film, television and recording production. Promotion of Washington, D.C., as a site for entertainment-related business activities fits neatly with tourism promotion. Out-of-state film, television and record companies need to be "sold" on Washington, D.C.

The monuments and other attractions, affordable hotel and guest accommodations, and neighborhood diversity are all selling points to be emphasized by both the tourism and entertainment functions in District government. These functions will be jointly promoted under the Office of Tourism and Promotions.

III. ORGANIZATION

The Director shall be appointed by the Mayor and shall report to the Deputy Mayor for Economic Development. The Director shall have oversight responsibility for the D.C. Committee to Promote Washington and the Office of Motion Picture and Television Development.

The Director shall initially hire two staff persons to carry out the functions of this Office. As need is demonstrated, justified and approved through budget authorization, additional staff may be hired to carry out the functions of the Office of Tourism and Promotions.

IV. FUNCTIONS

A. The functions of the Office of Tourism and Promotions shall be to:

1. Coordinate and manage all District government activity related to tourism, convention and business travel and related promotional activities;
2. Serve as the Mayor's liaison to District agencies on issues affecting tourism and conventions;
3. Serve as a liaison to those agencies that affect the development or use of tourism attractions;
4. Maintain oversight on the use of Hotel Occupancy Tax ("HOT") dollars by promotional agencies, including the D.C. Committee to Promote Washington, the Washington, D.C. Convention and Visitors Association, the D.C. Chamber of Commerce and the Washington Convention Center;
5. Serve as liaison between government and the aforementioned agency recipients of HOT funds;
6. Insure that the Mayor's priorities relating to tourism and convention activities are conveyed to interested organizations and citizens;
7. Serve as the representative of the Mayor for tourism, promotion and convention related functions;
8. Arrange meetings, workshops, conferences and receptions to achieve the goals outlined in Section 2 above;
9. Encourage and assist in the coordination of activities that promote or create attractions in the District for the tourist or business traveller; and
10. Work to stimulate employment and economic development activities through tourism, entertainment and convention enterprises.

B. All functions heretofore performed by the Mayor's Special Assistant for Tourism are transferred to the Office of Tourism and Promotions.

V. TRANSFERS

All positions, property, records and unexpended balances of appropriations, allocation, and other funds available or to be made available relating to the duties and functions assigned herein are transferred to the Office of Tourism and Promotions. This includes all positions, budget and other available resources currently held in the Office of Business and Economic Development and allocated to the Office of Motion Picture and Television Development and to the D.C. Committee to Promote Washington.

VI. ABOLISHMENT

The position of Mayor's Special Assistant for Tourism is abolished.

VII. EFFECTIVE DATE

This Reorganization Plan No. 2 of 1992 shall become effective on October 1, 1992, following Council review, in accordance with Section 422(12) of P.L. 93-198.

MAYOR'S STATEMENT

The tourism industry is the heartbeat of private enterprise in the District of Columbia. Tourism is responsible for generating approximately \$3 billion dollars in the District in annual revenues. The tourist industry generates much of the activity and business of our city and, for that reason, it is a priority in my economic development strategy.

More than 19 million visitors came to Washington, D.C. in 1991 for vacation purposes. Those leisure visitors who stay overnight, stay in Washington an average of 2.9 nights. An estimated 1.68 million of these overnight leisure visitors stay in the District of Columbia hotels producing 2,230,000 hotel room nights for the city. In addition to dollars spent in over 88 hotels, these visitors spend millions of dollars in the District of Columbia retail establishments, restaurants, theaters and on city transportation.

While our neighboring jurisdictions become more aggressive, the District cannot afford to stand still. The Office of Tourism and Promotions will work to make Washington, D.C., visitor-friendly. We must help neighborhoods become more aware of strategies to encourage visitors to move away from the monumental core and visit the other sections of the District. The government will place more signs in key locations to direct and inform the visitors. We must establish a first class visitor's center; we have to provide more parking for tour buses, and information for those who use tour bus companies.

The District of Columbia cannot rest on its laurels; nor can this government wait for business and leisure travellers to come to our city. The pursuit of the travel dollar is becoming an increasingly competitive strategy among U.S. jurisdictions and international destinations. The state of Virginia spends 10 million dollars

annually on tourism promotions. It is no accident that we are familiar with its theme "Virginia is for Lovers." Their national and international advertising budget is \$5.5 million, almost 5 times the amount of money expended by the District of Columbia government.

It is no accident that we know New York state's theme "I Love New York." Approximately ten years ago in the midst of a spate of negative publicity about the safety of New York City, the state legislators voted to support a phenomenal increase in tourism promotion dollars. This action successfully increased the number of visitors and revenue they generated.

This administration will promote tourism as a vehicle for increasing the tax base. It is estimated that tourism generates over \$235 million in tax revenue for the District of Columbia each year. This is new money, completely derived from outside sources, that is poured into Washington's coffers. These funds are used to improve the quality of life for all District residents.

We have to encourage Washington Dulles International Airport to solicit more international flights that bring high spending visitors to our Nation's Capital. We are reviewing our tour guide examination process which is more than 20 years old. We must inform our taxi drivers, our police, our parking enforcement officers and other front line personnel that tourism is good for our city. Our visitors must be treated with courtesy and respect to encourage travellers to return. These are programs the Office of Tourism and Promotions will coordinate.

The District Government must spend more dollars on tourism promotion. I appreciate the Council's support of \$700,000 in general revenue funds to be appropriated to the Washington Convention Center Enterprise Fund. These funds will be used by the D.C. Committee to Promote Washington to sustain the Committee's national and international advertising campaigns. I know the Council realizes that even with this appropriation, the District of Columbia will rank barely thirtieth (30th) out of fifty (50) states in comparison to the amount of money expended by other states on advertising. During the next fiscal year, we hope to come up with a city theme that will be adopted by individual hotels and businesses who will do their part to promote Washington, D.C., as a place to visit in the minds of potential travellers.

I have frequently stated my desire to make Washington, D.C., an entertainment hub. My enthusiasm for this industry is rooted in the economic benefits of entertainment-related activities. We must do a better job of promoting those entertainment venues like the Kennedy Center, the National Theatre, and Carter Barron. We must bring more international sporting events to our city, e.g., World Cup Soccer and Tour Du Pont. These events generate dollars and provide recreation for our residents and visitors. These events also create contracting opportunities for District based businesses and jobs for city residents.

Because our society is fascinated with sports and entertainment, media outlets tend to cover these events more. World Cup Soccer will be viewed internationally by an estimated 26 billion viewers. The District could not, on its own, afford to purchase that kind of advertising. Tour Du Pont, in its first year in Washington, D.C., was carried by CBS sports and ESPN cable live, reaching more than 10 million households.

Several motion pictures have been filmed in Washington, D.C., as a result of the successful efforts of the Mayor's Office of Motion Picture and Television Development. When productions are filmed here, revenue is generated for electricians, make-up artists, sound mixers, video companies, construction crews, truckers, caterers, etc. In addition, because of Washington's distinctive skyline, filming in our city also advertises the unique attractions of our city. The City Council wisely voted to expand staffing and increase our capacity to generate over \$30 million in annual revenues for local businesses and the District's revenue fund.

We have tremendous resources and talents within our borders. My objective is to set priorities in cooperation with key business leaders affected by these programs so that real economic benefits can occur. The public/private partnership between the District government and the Hotel Association on the Convention Center expansion is but one of many examples that we will initiate to achieve our objectives.

I know that with your support our goals will be achieved and that the potential of tourism and entertainment promotion in Washington, D.C., will be realized.

HISTORICAL AND STATUTORY NOTES

Editor's Notes

Section 1834 of D.C. Law 12-175, effective October 1, 1998, abolished the Office of Tourism and Promotions.

Transfer of Functions

Section 1834 of D.C. Law 12-175 provided for the transfer of all authorities, responsibilities, and functions assigned to the Office of Tourism and Promotions, including oversight responsibility for the D.C. Committee to Promote Washington and the Office of Motion Picture and Television Development to the Economic Development Liaison Office.

For emergency provisions abolishing the Office of Tourism and Promotions, and the transfer of the authorities, responsibilities, and functions of that Office to the Economic Development Liaison Office, see § 1434 of the Fiscal Year 1999 Budget Support Emergency Act of 1998 (D.C. Act 12-401, July 13, 1998, 45 DCR 4794) and § 1434 of the Fiscal Year 1999 Budget Support Congressional Review Emergency Act of 1998 (D.C. Act

12-564, January 12, 1999, 46 DCR 669).

Implementation of Reorganization Plan No. 2 of 1992, establishment of the District of Columbia Office of Tourism and Promotions, see Mayor's Order 93-81, June 21, 1993.

PART C. REORGANIZATION PLAN NO 3.

(Approved January 20, 1993)

Prepared by the Mayor and transmitted to the Council of the District of Columbia, pursuant to the provisions of section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Pub. L. 93-198; D.C. Code § 1-242(12) (1992)), the Governmental Reorganization Procedures Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Code § 1-299.1 through § 1-299.7), and § 128 of the Fiscal Year 1993 Budget Request Act (D.C. Act 9-186; 39 DCR 2674, 2686, April 17, 1992).

DISTRICT OF COLUMBIA OFFICE OF BANKING AND FINANCIAL INSTITUTIONS

I. TRANSFER OF OBFI CONTROL CENTER

The D.C. Office of Banking and Financial Institutions ("OBFI") is hereby transferred from the Deputy Mayor for Economic Development ("DMED") control center to a separate OBFI control center/responsibility center. OBFI will continue to be administered by the Superintendent and will remain a part of the economic development cluster reporting to the Mayor.

II. PURPOSE

The purpose of this plan is to transfer the OBFI budget from the budget of the DMED to a separate OBFI responsibility/control center.

III. ORGANIZATION

There will be a transfer of OBFI's budget to a separate control/responsibility center. No organizational staffing or funding changes will occur at OBFI as a consequence of this shift other than the transfer of the authorization for one full time employee from the Office of International Business, a transfer of \$18,000 to fund that position from the Office of Business and Economic Development, plus an overall budget increase of \$68,000, all of which was approved by the Council in the FY 93 budget.

IV. FUNCTIONS

OBFI's functions are contained in the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985, D.C. Law 6-107, effective April 11, 1986, codified in chapters 1, 4, 5, and 8 of title 26 of the D.C. Code (1991). These statutory duties of OBFI will remain unchanged as a result of this transfer.

V. EFFECTIVE DATE

This Reorganization Plan No. 3 of 1992 becomes effective the later of the date of Council approval in accordance with § 128 of the Fiscal Year of 1993 Budget Request Act (D.C. Act 9-186), or on a date thereafter to be designated pursuant to Executive Order of the Mayor.

MAYOR'S STATEMENT

This Administration has made economic development a chief priority. As regulator of the District's financial institutions, the Office of Banking and Financial Institutions ("OBFI") has played a vital role in fostering economic development for the District, particularly for low-and moderate-income areas and those areas of the District which are traditionally underserved.

To further augment OBFI's pivotal role in effectuating the economic development cluster goals, we propose that OBFI become a separate control center, as distinguished from the current situation in which the OBFI budget is a part of the Deputy Mayor for Economic Development ("DMED") control center.

This shift will not result in any changes to the functions, staff or budget of OBFI. Nevertheless, it has become clear that OBFI's significant contributions to the economic development goals of the District warrant the creation of a distinct OBFI control center, comparable to other state banking regulators and on par with the other economic development cluster agencies.

I urge the Council to join me in establishing a separate control center for OBFI, by approving this Reorganization Plan.

SUBCHAPTER XII. 1993.

PART A. REORGANIZATION PLAN NO 2.

(Approved July 21, 1993)

Prepared by the Mayor and transmitted to the Council of the District of Columbia pursuant to the provisions of Section 422(12) of the District Charter.

OFFICE OF THE ASSISTANT CITY ADMINISTRATOR FOR HUMAN RESOURCES DEVELOPMENT

I. ESTABLISHMENT

There is hereby established in the Executive Office of the Mayor, the "Office of the Assistant City Administrator for Human Resources Development" under the direction and control of an Assistant City Administrator who shall be appointed by the Mayor to a position in the Executive Service pursuant to Title X of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139, effective March 3, 1979, (D.C. Code Sections 1-611.1 to 1-611.2).

II. PURPOSE

The purpose of the Office of the Assistant City Administrator for Human Resources Development is to coordinate the activities of the Human Resources Development Cluster to provide training and employment services for both District Government employees and residents to meet the technological demands of today's and tomorrow's workplace.

III. FUNCTIONS

The functions of the Office of the Assistant City Administrator for Human Resources Development shall be to:

- (1) Establish a Human Resources Development Cluster of District government agencies;
- (2) Provide oversight for and coordinate the activities of the Human Resources Development Cluster;
- (3) Plan and coordinate training and employment services to be provided by the Human Resources Development Cluster to District Government employees and residents;
- (4) Plan and coordinate effective human resource management programs through the Office of Personnel;
- (5) Review the negotiation of compensation and working condition agreements affecting District government employees through the Office of Labor Relations;
- (6) Develop and coordinate job training and development programs; job placement programs; workers' compensation programs for injured workers; an unemployment compensation program; a wage-hour program; an occupational safety and health program; and compensation to crime victims through the Department of Employment Services;
- (7) Serve as the liaison to the education community and to administer the Office of Education licensing functions through the Office of Education and the Educational Licensure Commission; and
- (8) Coordinate the Human Rights functions of the Department of Human Rights and Minority Business Development.

IV. TRANSFERS

All positions, personnel, records, unexpended balances of appropriation and functions of the Office of Human Resources Development in the Office of Personnel are hereby transferred to the Office of the Assistant City Administrator for Human Resources development.

V. ORGANIZATION

The Assistant City Administrator for Human Resources Development is authorized to organize personnel and property within the Office of the Assistant City Administrator as is deemed appropriate.

VI. EFFECTIVE DATE

The provisions of this plan shall become effective pursuant to the requirements of Section 422(12) of Public Law 93-198, or on a date thereafter to be designated pursuant to Executive Order of the Mayor.

MAYOR'S STATEMENT

The Office of the Assistant City Administrator for Human Resources Development, to be created in 1993, will have oversight of all Human Resources Development Cluster agencies and their functions. Funding for the Office of the Assistant City Administrator was proposed in the revised FY 1993 and FY 1994 budget submissions and transmitted to the City Council in February, 1993.

The overall mission of the Office of the Assistant City Administrator for Human Resources Development is to coordinate training and development services provided to both Government employees and residents of the District to meet the technological demands of today's and tomorrow's workplace. The people of this city are its most precious commodity and they have a much greater capacity for productivity than has been realized. The greatest missing factor is investment in their potential to make them more competitive. Quality results begin with a quality investment in our human resources which is key to addressing many of our complex social and economic problems in the District. Presently, there is a mismatch between the technical demands of the marketplace and the skills and abilities of our government employees, as well as our citizens. The Human Resources Development Cluster agencies would educate, train, and retrain our workforce to confidently meet the demands of our highly technological environment. Local government sets the tone for economic development and our commitment to a well trained government and local workforce will be a tremendous marketing asset.

Many large organizations, both private and public, periodically undergo system change based on a change in

mission; financial constraints; market and service needs; or in response to technology. The Assistant City Administrator's Office and the cluster would be established at a time that our local government will be undergoing a Reduction In Force. The proposed RIF is due to our financial condition and the need to streamline the size and structure of the workforce. A Reduction In Force is painful, however, something positive will result from this pain. It will change how our government provides services, and provide us with an opportunity to utilize employees more effectively.

The Human Resources Development Cluster will consist of the following entities: The Office of the Assistant City Administrator for Human Resources Development; the Office of Personnel; the Office of Labor Relations and Collective Bargaining; the Department of Employment Services; the Office of Education; the Human Rights component of the Department of Human Rights and Minority Business Development; and the Office of Government Workforce Training and Development.

HISTORICAL AND STATUTORY NOTES

Editor's Notes

Pursuant to Resolution 10-123, effective August 6, 1993, the Council approved Reorganization Plan #2 of 1993 for the Office of the Assistant City Administrator for Human Resources Development.

Miscellaneous Notes

Reestablishment of the Office of Labor Relations and Collective Bargaining, see Mayor's Order 2001-168, November 14, 2001 (48 DCR 10795).

PART B. REORGANIZATION PLAN NO 3.

(Approved October 7, 1993)

TRANSFER OF THE WEATHERIZATION ASSISTANCE PROGRAM FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO BE CONSOLIDATED WITH THE ENERGY ASSISTANCE

PROGRAM UNDER THE D.C. ENERGY OFFICE WITHIN THE DEPARTMENT OF PUBLIC WORKS

Prepared by the Mayor and transmitted to the Council of the District of Columbia pursuant to the provisions of Section 422(12) of the D.C. Self-Government and Governmental Reorganization Act, P.L. 93-198; 87 Stat.790, codified at D.C. Code § 1-242 (1992 Repl. Vol.) and Section 1-299.3(1) of D.C. Law 4-42, the Government Reorganization Procedures Act of 1981.

DISTRICT OF COLUMBIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

I. TRANSFER

The Weatherization Assistance Program (WAP) in the Department of Housing and Community Development (DHCD) is hereby transferred to the D.C. Energy Office (DCEO) under the Department of Public Works.

II. PURPOSE

The purpose of this plan is to consolidate functions being performed at both DHCD and DCEO. This transfer will eliminate overlapping and duplication of effort and will allow for a more efficient operation of the District Government's weatherization programs.

The weatherization services provided by DHCD are consistent with those provided by DCEO. DHCD provides grants to eligible District residents for the purpose of weatherizing their homes (both owners and tenants). The funds for DHCD's operation of the programs are provided annually by the U.S. Department of Energy. Costs for the administration of the program are a part of the grant.

The DCEO operates programs which provide weatherization services and energy assistance in the form of monthly payments for household energy costs to eligible, low-income District residents. DCEO also provides energy efficiency education and promotional activities for residential, commercial, governmental, and institutional entities in the District. In addition, DCEO provides intervention for energy efficiency in utility regulatory proceedings and legislative matters. DCEO is authorized by law (D.C. Law 3-132) to serve as the lead agency to develop and implement the District's responses to energy related problems.

III. ORGANIZATION

The transfer of the WAP will include the reassignment of one (1) staff position (term), four (4) automobiles, all equipment and records associated with the program, and any unexpended grant funds. The U.S. Department of Energy will redirect the WAP grant to the DCEO.

IV. FUNCTIONS

The WAP is operated in accordance with the Federal regulations (10 CFR Part 400) promulgated by the U.S. Department of Energy and will not change.

V. EFFECTIVE DATE

This Reorganization Plan No. 3 of 1993, becomes effective in accordance with Section 422(12) of Public Law

93-198, or on a date thereafter to be designated pursuant to Executive Order of the Mayor.

MAYOR'S STATEMENT

In a continuing effort to make the District Government a more effective and efficient vehicle for the residents of the District of Columbia, this Administration proposes that the Weatherization Assistance Program (WAP) at the Department of Housing and Community Development (DHCD) be transferred to the D.C. Energy Office under the Department of Public Works (DPW).

This transfer would consolidate functions already provided by DCEO, reduce the duplication of services and allow the District to more effectively operate its various energy related programs. This consolidation would also increase efficiency to the fullest extent practicable as it relates to the weatherization of housing units.

The Department of Housing and Community Development receives funding for the Weatherization Assistance Program for low-income persons from the U.S. Department of Energy. These funds can be redirected to DCEO. The D.C. Energy Office is authorized under D.C. Law 3-132 to serve as the lead agency to develop and implement the District's responses to energy-related problems. Therefore, the transfer of WAP to DCEO would serve to fully implement the law.

This action will result in the redirection of the WAP grant, the transfer of one (1) staff position, four (4) automobiles, equipment, records and unexpended grant funds.

I urge the Council to join me in our continuing effort to improve city services for the residents of the District of Columbia by approving this Reorganization Plan.

PART C. REORGANIZATION PLAN NO 4.

(Approved October 7, 1993)

I. PURPOSE

(A) To transfer certain functions of Office of Business and Economic Development (OBED) and the Office of International Business (OIB) to the jurisdiction and control of the Office of Economic Development (OED).

(B) To change the position title from Deputy Mayor for Economic Development to Assistant City Administrator for Economic Development.

II. FUNCTIONS

All functions associated with the positions transferred from OBED and OIB are hereby transferred to OED.

III. TRANSFERS

Two (2) OIB positions and five (5) OBED positions, associated property, records and unexpended balances of appropriations, allocations, and other funds, if any, that relate to the positions and functions assigned herein, shall be transferred to OED. All authority for administering activities previously authorized or delegated to OIB and OBED is hereby transferred to OED.

IV. ORGANIZATION

The deputy Mayor for Economic Development, in the performance of the duties and functions assigned by this plan, is authorized to establish such organizational components with specified subcomponents as deemed appropriate.

V. RESCISSION

All orders and parts of orders in conflict with any of the provisions of this plan and the Council mandate are, to the extent of such conflict, hereby repealed.

VI. EFFECTIVE DATE

This Reorganization Plan 4 of 1993 shall become effective in accordance with Section 422(12) of Public Law 93-198, D.C. Code, 1-242(12) update, and Section 5(c) of Public Law 4-42, D.C. Code 1-299.4(c).

MAYOR'S STATEMENT

POSITION TITLE CHANGE

For more than five years, the Office of Economic Development, headed by a Deputy Mayor, has operated under the direction and control of the City Administrator. The position title has created ambiguities regarding the management level of the position and the reporting hierarchy therein. Changing the position title from Deputy Mayor for Economic Development to Assistant City Administrator for Economic Development will more accurately reflect the organizational structure and provide clarity to the Office.

The authority and responsibilities of the Assistant City Administrator will remain the same as under the Deputy Mayor for Economic Development. The functions of the Office of Economic Development (OED) remains the same as in prior years. Although most economic development cluster agency activities will not change, some will undergo restructuring to optimize investment and development opportunities and to improve regulatory oversight responsibilities.

This restructuring of cluster agencies, coupled with the change in name of the position to the Assistant City

Administrator for Economic Development will provide a more structured and centralized agency operation and will define clearly, the role of the Assistant City Administrator.

CONSOLIDATION OF FUNCTIONS

In early 1991, after an Executive Branch review of the activities being performed by the Office of Business and Economic Development (OBED) and the Office of International Business (OIB), it was determined that a substantial degree of overlap and duplication of functions and responsibilities existed between the two agencies. In addition, the Council of the District of Columbia, in its consideration of the FY 1994 Appropriated Budget, abolished both agencies and transferred certain responsibilities and positions to the Office of Economic Development (OED).

Based on the review, the need to economize on efforts and dollars, the need to centralize economic development activities in the District government, the legislative action taken by the Council, and in keeping with my pledge to streamline government, I have authorized the reorganization of the two offices, as cited herein.

In accordance with D.C. Law 4-42, the "Governmental Reorganization Procedures Act of 1981," this reorganization will be accomplished by the transfer of certain staff and functions of OBED and OIB to the administrative control of the Assistant City Administrator for Economic Development in OED. I have determined that both offices have so similar operational responsibilities that the District would be best served by a unified administration. Not only will this change clarify administrative roles and responsibilities, but it will also provide a sharper focus to the District's economic development efforts with the private business sector.

In summary, economic development and related activities currently being performed separately by the OBED and OIB, both of which promote the District in a local, national, and international arenas, should be merged. The centralization of these activities will diminish fragmented, disjointed, and duplicated service delivery and thus, allow the District to promote its marketing campaign and business services more efficiently and cost-effectively.

SUBCHAPTER XIII. 1995.

PART A. REORGANIZATION PLAN NO 1.

[EFFECTIVE APRIL 9, 1997; PROJECTED TO EXPIRE NOVEMBER 20, 1997]

STATEMENT

Reorganization Plan No. 1 of 1995 would consolidate all psychiatric services provided to inmates at the Central Detention Facility ("D.C. Jail") and the Lorton Correctional Facility within the Department of Corrections ("DOC") to improve the medical and psychiatric services provided to inmates at these locations.

The genesis of this proposed Reorganization Plan is *Campbell v. McGruder*, C.A. No. 1462-71 (D.D.C. 1971) and *Inmates of D.C. Jail v. Jackson*, C.A. No. 75- 1668 (D.D.C. 1975), cases active in U.S. District Court. On January 27, 1995, the Court ordered the District of Columbia government ("District") to implement the Special Officer's Initial Remedial Plan for Mental Health Care, Medical Care and Compliance Monitoring at the District of Columbia Jail ("Initial Remedial Plan"), which requires DOC to assume full responsibility for all medical and psychiatric services provided to inmates at the Central Detention Facility and at the Lorton Correctional Facility. The Initial Remedial Plan further requires staff who provide psychiatric services to be hired under the exclusive budget authority and auspices of DOC, and that all staff currently detailed to provide mental health services at the D.C. Jail shall become employees of DOC if they meet the standards for employment. The Initial Remedial Plan establishes staffing requirements and deadlines for hiring appropriate staff. Fines are not assessed for failure to terminate the details to the Department of Human Services ("DHS") staff. However, the District has been fined for failure to hire staff within the time set forth in the Initial Remedial Plan.

Under the current organizational structure, DOC is responsible for providing housing, security, general medical care, and other services to inmates, but not mental health services. DHS, through an informal arrangement that began in the 1960s, has provided consultative mental health services to DOC, and in 1980, pursuant to the decree in *Campbell v. McGruder*, administered and funded an intermediate care program for 160 residents in 2 mental health units. This consultative arrangement was formalized with Reorganization Plan No. 1 of 1986, also known as the Final Mental Health System Implementation Plan. Under this consultative arrangement, DHS recommended treatment, but DOC retained responsibility for providing such treatment.

Unfortunately, this bifurcated arrangement did not provide maximum clinical services in an efficient and economical manner. The sharing of information was hampered by the strict confidentiality requirements of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2- 136; D.C. Code § 6-2001 et seq.). Further, the bifurcation of responsibility, whereby DOC physicians treat mental problems and DHS physicians treat mental illness, at times impedes the efficient delivery of services, results in redundant services, and makes tracking of inmates difficult.

With the Reorganization Plan, DOC will assume responsibility for meeting all of the medical needs of the inmate population, including mental health, which should improve services to inmates by streamlining the

administration and provision of services. To carry out its new functions, DOC will augment its Psychiatric Services Program, established in 1992, by the transfer of all vacant and funded positions and the corresponding appropriated budget from the Bureau of Correctional Services, Forensic Services Administration, Commission on Mental Health Services ("CMHS") to DOC.

The Reorganization will not affect court-ordered criminal pretrial and post trial examinations requested by District or United States courts, as these examinations will continue to be the responsibility of the CMHS. Commitments under applicable law following an acquittal by reason of insanity or transfers of inmates to CMHS in accordance with section 928 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1340; D.C. Code § 24-302), or Superior Court Mental Health Rule 9 also are unaffected.

I. PURPOSE

The purpose of this reorganization is to consolidate the provision of medical and mental health services provided to inmates at the Central Detention Facility and the Lorton Correctional Facility within the Department of Corrections, to improve the coordination of mental health and medical services, and to eliminate barriers to the exchange of mental health information created by the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Code § 6-2001 et seq.).

II. TRANSFER OF FUNCTIONS

The function of providing mental health services to inmates in Department of Corrections facilities provided by the Bureau of Correctional Services, Commission on Mental Health Services, is hereby transferred to the Department of Corrections.

III. OTHER TRANSFERS

All vacant and filled positions, personnel, property and unexpended balances of appropriations, allocations, and other funds available or to be made available to perform the functions set forth under Section II above are hereby transferred to the Department of Corrections.

All records relating to the duties and functions transferred in Section II are hereby transferred to the Department of Corrections, except that mental health records shall be transferred only in accordance with the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Code § 6-2001 et seq.).

IV. REORGANIZATION

The Director of the Department of Corrections is authorized to organize the personnel and property transferred herein into such organizational components as the Director deems appropriate, and is authorized to develop any reports and evaluation systems necessary to assess the effectiveness of the Reorganization Plan.

HISTORICAL AND STATUTORY NOTES

Temporary Adoption of Plan

Temporary adoption of Reorganization Plan No. 1 of 1995: Section 2 of D.C. Law 11-69 provided that pursuant to section 404(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat 790; D.C. Code § 1-227(b)), the Council adopts Reorganization Plan No. 1 of 1995 to transfer the Bureau of Correctional Services from the Department of Human Services to the Department of Corrections as set forth in § 3 of the act.

Section 4(b) of D.C. Law 11-69 provided that the act shall expire after 225 days of its having taken effect or upon the effective date of the Reorganization Plan No. 1 of 1995 for the Department of Human Services and Department of Corrections Act of 1995, whichever occurs first.

Emergency Adoption of Plan

Emergency adoption of Reorganization Plan No. 1 of 1995: For temporary adoption of Reorganization Plan No. 1 of 1995, see § 2 and 3 of the Reorganization Plan No. 1 of 1995 for the Department of Human Services and Department of Corrections Emergency Act of 1995 (D.C. Act 11-100, July 21, 1995, 42 DCR 4003).

PART B. REORGANIZATION NO 2.

HISTORICAL AND STATUTORY NOTES

Emergency Adoption of Plans

Emergency adoption of Reorganization No. 2 of 1995: For the temporary transfer to the Mayor the discretionary authority for creating monetary obligations and approving expenditures in the District of Columbia's Aid to Families with Dependent Children, Medicaid, and child abuse and neglect/foster care programs that Reorganization Plan No. 2 of 1979, Reorganization Plan No. 3 of 1986, and the Prevention of Child Abuse and Neglect Act of 1977 vested in the Department of Human Services, see § 2 of the Reorganization No. 2 of 1995 to Transfer to the Mayor Certain Discretionary Authority Vested in the

SUBCHAPTER XIV. 1996.

PART A. REORGANIZATION PLAN NO 4.

(Effective July 17, 1996)

Prepared by the Mayor and transmitted to the Council of the District of Columbia on May 24, 1996, pursuant to section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 770; D.C. Code, sec. 1-242(12)); the Governmental Reorganization Procedures Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Code sec. 1-299.1 et seq .) and the Department of Public Health Establishment Act of 1992, effective March 13, 1993 (D.C. Law 9- 182; D.C. Code, sec. 6-131 et seq .).

I. ESTABLISHMENT

There is hereby established, in the Executive Branch of the government of the District of Columbia ("District"), under the supervision of the Director, a Department of Health ("Department"). The Director shall have full authority over the Department and all functions and personnel assigned thereto, including the power to re-delegate to other employees and officials of the Department such powers and authority as, in the Director's judgment, are warranted in the interests of efficiency and sound administration.

II. PURPOSE

The mission of the Department is to ensure the provision of high quality health services by establishing District-wide health policy and standards and guidelines for safe and quality health service delivery; foster and promote health education and disease prevention; structure an efficient and cost-effective health care financing system; implement, monitor and evaluate the Department's strategic health plan and the District-wide health plan; and undertake activities that will support the highest quality of life achievable for District residents and visitors.

III. ORGANIZATION

There are hereby established in the Department: (1) the Office of the Director, with such subordinate staff offices as are required to carry out overall management responsibility for the Department; (2) the Finance and Administration Offices, with such subordinate staff offices as are required to coordinate and manage the financial and administrative functions for the Department; (3) the Health Regulation Administration, to develop the District-wide health plan, assure quality management and compliance with applicable federal and District rules that govern public health systems, license health care and social service professionals; regulate occupational and professional conduct and standards, health care and social service facilities and ensure compliance with applicable federal and District rules that govern uses and practices that affect the physical environment; (4) the State Health Affairs Administration, to fulfill state agency functions in the areas of maternal and child health, ambulatory, long term and preventive health care; (5) the Health Care Finance Administration, to administer the Medicaid program, Medical Charities Program and develop service coverage, service delivery and reimbursement policies for the District government's health care financing programs; (6) the Addiction, Prevention and Recovery Administration, to coordinate and administer drug and substance abuse prevention and treatment programs and services; and (7) the HIV/Aids Administration, to coordinate programs and support services for Human Immuno-deficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS).

IV. ACTIONS

A. The functions of the major organizational components of the Department shall be to:

- (1) Plan and evaluate the delivery of comprehensive health care services for District residents and visitors;
- (2) Provide services to promote good health, reduce morbidity and mortality resulting from major preventable hazards and diseases;
- (3) Provide treatment, rehabilitation and substance abuse prevention services to residents of the District and services to identify substance abusers;
- (4) Provide nutritious foods and nutrition education to eligible infants, children, mothers and the elderly;
- (5) Develop a District-wide health plan and issue certificates of need for new facilities and services in accordance with the health plan;
- (6) Provide educational services and oversee the delivery of medical services to combat the spread of AIDS;
- (7) Administer the District government's Medicaid and Medical Charities programs;
- (8) Regulate occupational and professional conduct, health care and social services facilities, and ensure compliance with applicable federal and District rules that govern uses and practices that affect the physical environment;

- (9) Administer the school health program in elementary and secondary schools;
- (10) Administer the provision of long term care services;
- (11) Determine the level of care for placement of individuals in nursing home and community residential facilities;
- (12) Administer the District government's Nurse Aide Program and Personal Care Aide Training, Competency, Evaluation and Certificate Programs;
- (13) Provide information on sexually-transmitted diseases and prevention services;
- (14) Coordinate the development and implementation of health care policies and procedures and oversee the establishment of health care and quality assurance standards;
- (15) Advocate and communicate broad health policy on behalf of the Executive for inclusion in legislation and to serve as a guide for resource allocation determinations and service delivery decisions by private sector providers;
- (16) Establish and promote public/private sector partnerships and consumer participation that fosters the systematic and integrated delivery of comprehensive health services;
- (17) Monitor and evaluate operations to ensure management accountability within the Department; and
- (18) Develop, coordinate and monitor the delivery of quality medical services to clients of the Department of Human Development.

(B) The functions of the office of the Director shall be to provide direction and ensure the coordination of operating Administration, review policy developed by the Department's administration and oversee compliance with statutes and rules that pertain to the operations of the Department and programs administered by the Department. The Office of the Director shall supervise the following staff offices:

- (1) The Office of the General Counsel, which shall review legal matters pertaining to the Department and its programs, analyze existing or proposed federal or local legislation and rules, manage the development of new legislation and rules and coordinate legal services to the Department and the representation of the Department with the Office of the Corporation Counsel.
- (2) The Office of the Medical Examiner, which shall conduct investigations of homicides, suicides, accidental and drug-related deaths to determine the cause of death.
- (3) The State Center for Health Policy and Statistics, which shall administer the District's government vital records system, provide comprehensive health needs assessment, policy development and implementation, and program research and evaluation.
- (4) The Office of Emergency Health and Medical Services, which shall oversee the development and delivery of emergency health care by coordinating government and community resources.

(C) The functions of the Finance and Administration Offices are to coordinate and manage the financial and administrative function of the Department under the supervision of the Director. The Office of the Director also shall supervise the following three offices:

- (1) The Office of the Controller, which shall coordinate the analysis, development, and presentation of the Department's budget, monitor expenditures and enter all financial transactions into the financial management system.
- (2) Office of Contracts, Procurement and Grants, which shall coordinate and effect the purchases of goods and services of the Department, by reviewing and processing contracts, procurements and grants.
- (3) Office of Facilities Management, which shall assure that the Department has adequate, efficient and cost-effective facilities, administrative, printing and graphic services.

V. TRANSFER OF FUNCTIONS

(A) The following functions are hereby transferred to the Department of Health:

- (1) Each of the functions assigned, and authorities delegated to the Director of the Department of Human Services as set forth in Sections III (K), (L), and (P), of Reorganization Plan No. 3 of 1986, dated January 3, 1987; and
- (2) The administrative and management support functions in the Department of Human Services as set forth in Sections III.(A), (B), (C), (D), (E), and (F), of Reorganization Plan No. 3 of 1986, dated January 3, 1987, that relate to the functions set forth in Section V(A)(I) above. [(A)(I) of this section.]

VI. OTHER TRANSFERS

All positions, personnel, property, records and unexpended balances of appropriations, allocations, and other funds available to be made available that relate to the functions set forth under Section V above, are hereby transferred to the Department.

VII. REORGANIZATION

The Director of the Department is authorized to organize the personnel and property transferred herein within

any organizational unit of the Department as the Director deems appropriate. Until such establishment, existing Orders establishing the components of the Commission of Public Health remain in force, where they do not conflict with this Plan.

VIII. EFFECTIVE DATE

This Reorganization Plan No. 4 in all its parts shall become effective pursuant to the promulgation of an executive order of the Mayor establishing the same, which shall be issued no later than thirty (30) calendar days after this plan has been approved in accordance with the requirements of Section 422(12) of the Home Rule Act (D.C. Code, sec. 1-242(12)).

HISTORICAL AND STATUTORY NOTES

Temporary Legislation

For temporary provisions describing the functions of the Department of Health, as established by this Reorganization Plan, see § 2 of D.C. Law 12-283.

Section 4(b) of D.C. Law 12-283 provided that the act shall expire after 225 days of its having taken effect.

Emergency Legislation

For temporary reorganization of the Department of Human Services to transfer the Bureau of Correctional Services from the Department of Human Services to the Department of Corrections, see § 2-3 of the Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Emergency Act of 1997 (D.C. Act 12-201, December 10, 1997, 44 DCR 7600).

For temporary clarification of certain functions transferred from the Department of Consumer and Regulatory Affairs to the Department of Health pursuant to Reorganization Plan No. 4 of 1996, see § 2 of the Department of Health Functions Clarification Emergency Act of 1998 (D.C. Act 12-627, January 29, 1999).

Editor's Notes

Reorganization Plan No. 4 of 1996 for the Department of Health Approval Resolutions of 1996: Pursuant to Resolution 11-450, effective July 17, 1996, Council approved Reorganization Plan No. 4 for 1996 for the Department of Health.

Delegation of Authority

Delegation of Authority Pursuant to the Department of Health Functions Clarification Emergency Act of 2001, see Mayor's Order 2001-111, August 6, 2001 (48 DCR 7801).

Delegation of Authority Pursuant to the Department of Health Functions Clarification Act of 2001, see Mayor's Order 2001-163, November 2, 2001 (48 DCR 10786).

Miscellaneous Notes

Realignment of Certain Functions Within the Department of Health, see Mayor's Order 2001-39, March 21, 2001 (48 DCR 3439).

Establishment of the Washington, D.C. Statistical Analysis Center and Designation of the Lead Agency as the Office of the Deputy Mayor for Public Safety and Justice, Office of Research, Analysis, and Evaluation, see Mayor's Order 2001-58, May 1, 2001 (48 DCR 4737).

Establishment--Health Services Reform Commission, see Mayor's Order 2001-59, May 1, 2001 (48 DCR 4737).

Establishment--Interagency Task Force on Substance Abuse Prevention, Treatment and Control, see Mayor's Order 2001-69, May 10, 2001 (48 DCR 4749).

Establishment--Health Services Reform Commission, see Mayor's Order 2001-74, May 16, 2001 (48 DCR 4757).

PART B. REORGANIZATION PLAN NO 5.

[EFFECTIVE APRIL 9, 1997; PROJECTED TO EXPIRE NOVEMBER 20, 1997]

STATEMENT

Reorganization Plan No. 1 of 1995 would consolidate all psychiatric services provided to inmates at the Central Detention Facility ("D.C. Jail") and the Lorton Correctional Facility within the Department of Corrections ("DOC") to improve the medical and psychiatric services provided to inmates at these locations.

The genesis of this proposed Reorganization Plan is *Campbell v. McGruder*, C.A. No. 1462-71 (D.D.C. 1971) and *Inmates of D.C. Jail v. Jackson*, C.A. No. 75-1668 (D.D.C. 1975), cases active in U.S. District Court. On January 27, 1995, the Court ordered the District of Columbia government ("District") to implement the Special Officer's Initial Remedial Plan for Mental Health Care, Medical Care and Compliance Monitoring at the District of Columbia Jail ("Initial Remedial Plan"), which requires DOC to assume full responsibility for all medical and psychiatric services provided to inmates at the Central Detention Facility and at the Lorton Correctional

Facility. The Initial Remedial Plan further requires staff who provide psychiatric services to be hired under the exclusive budget authority and auspices of DOC, and that all staff currently detailed to provide mental health services at the D.C. Jail shall become employees of DOC if they meet the standards for employment. The Initial Remedial Plan establishes staffing requirements and deadlines for hiring appropriate staff. Fines are not assessed for failure to terminate the details to the Department of Human Services ("DHS") staff. However, the District has been fined for failure to hire staff within the time set forth in the Initial Remedial Plan.

Under the current organizational structure, DOC is responsible for providing housing, security, general medical care, and other services to inmates, but not mental health services. DHS, through an informal arrangement that began in the 1960s, has provided consultative mental health services to DOC, and in 1980, pursuant to the decree in *Campbell v. McGruder*, administered and funded an intermediate care program for 160 residents in 2 mental health units. This consultative arrangement was formalized with Reorganization Plan No. 1 of 1986, also known as the Final Mental Health System Implementation Plan. Under this consultative arrangement, DHS recommended treatment, but DOC retained responsibility for providing such treatment.

Unfortunately, this bifurcated arrangement did not provide maximum clinical services in an efficient and economical manner. The sharing of information was hampered by the strict confidentiality requirements of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2- 136; D.C. Code § 6-2001 et seq.). Further, the bifurcation of responsibility, whereby DOC physicians treat mental problems and DHS physicians treat mental illness, at times impedes the efficient delivery of services, results in redundant services, and makes tracking of inmates difficult.

With the Reorganization Plan, DOC will assume responsibility for meeting all of the medical needs of the inmate population, including mental health, which should improve services to inmates by streamlining the administration and provision of services. To carry out its new functions, DOC will augment its Psychiatric Services Program, established in 1992, by the transfer of all vacant and funded positions and the corresponding appropriated budget from the Bureau of Correctional Services, Forensic Services Administration, Commission on Mental Health Services ("CMHS") to DOC.

The Reorganization will not affect court-ordered criminal pretrial and post trial examinations requested by District or United States courts, as these examinations will continue to be the responsibility of the CMHS. Commitments under applicable law following an acquittal by reason of insanity or transfers of inmates to CMHS in accordance with section 928 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1340; D.C. Code § 24-302), or Superior Court Mental Health Rule 9 also are unaffected.

I. PURPOSE

The purpose of this reorganization is to consolidate the provision of medical and mental health services provided to inmates at the Central Detention Facility and the Lorton Correctional Facility within the Department of Corrections, to improve the coordination of mental health and medical services, and to eliminate barriers to the exchange of mental health information created by the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Code § 6-2001 et seq.).

II. TRANSFER OF FUNCTIONS

The function of providing mental health services to inmates in Department of Corrections facilities provided by the Bureau of Correctional Services, Commission on Mental Health Services, is hereby transferred to the Department of Corrections.

III. OTHER TRANSFERS

All vacant and filled positions, personnel, property and unexpended balances of appropriations, allocations, and other funds available or to be made available to perform the functions set forth under Section II above are hereby transferred to the Department of Corrections.

All records relating to the duties and functions transferred in Section II are hereby transferred to the Department of Corrections, except that mental health records shall be transferred only in accordance with the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2- 136; D.C. Code § 6-2001 et seq.).

IV. REORGANIZATION

The Director of the Department of Corrections is authorized to organize the personnel and property transferred herein into such organizational components as the Director deems appropriate, and is authorized to develop any reports and evaluation systems necessary to assess the effectiveness of the Reorganization Plan.

HISTORICAL AND STATUTORY NOTES

Temporary Adoption of Plan

Temporary adoption of Reorganization Plan No. 5 of 1996: Section 2 of D.C. Law 11-214 provided that pursuant to section 404(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; D.C. Code § 1-227(b)), the Council herein reorganizes the Department of Human Services to transfer the Bureau of Correctional Services from the Department of

Human Services to the Department of Corrections as set forth in § 3 of the act.

Section 5(b) of D.C. Law 11-214 provided that the act shall expire after 225 days of its having taken effect.

Emergency Adoption of Plan

Emergency adoption of Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections: For temporary adoption of the Reorganization of the Department of Human Services, see § 2 and 3 of the Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Emergency Act of 1996 (D.C. Act 11-336, August 8, 1996, 43 DCR 4506), § 2-3 of the Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Congressional Review Emergency Act of 1996 (D.C. Act 11-427, October 28, 1996, 43 DCR 6143), § 2 and 3 of the Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Second Congressional Review Emergency Act of 1996 (D.C. Act 11- 471, December 30, 1996, 44 DCR 189), and § 2 and 3 of the Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Congressional Review Emergency Act of 1997 (D.C. Act 12-57, March 31, 1997, 44 DCR 2226).

Editor's Notes

Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Congressional Review Emergency Declaration Resolution of 1996: Pursuant to Resolution 11-541, effective October 1, 1996, Council declared the existence of an emergency, due to Congressional review, with respect to the transfer of the Bureau of Correctional Services from the Department of Human Services to the Department of Corrections.

PART C. REORGANIZATION PLAN NO 7.

(Effective December 13, 1996)

I. PURPOSE

(A) To abolish the International Business Program (IBP) in the Office of Economic Development (OED) and transfer its functions to a newly established Office of International Affairs.

(B) To create the Office of International Affairs (OIA) as an independent subordinate agency within the Executive Office of the Mayor.

(C) To transfer the foreign protocol functions of the Protocol Office (PO), in the Office of the Secretary of the District of Columbia (OSDC) to the OIA.

(D) To designate one of the transferred positions as Director of the Office of International Affairs which shall be a subordinate agency head appointed by the Mayor with the consent of the Council.

(E) To coordinate the international activities of the Office of Tourism and Promotions (OTP) and the Washington Convention and Visitors Bureau, and other District agencies with the OIA.

II. FUNCTIONS

(A) The Office of International Affairs shall have the following functions:

(1) To attract and bring foreign business and other international trade and investment to the District.

(2) To coordinate the international affairs activities of all District agencies and to provide a point of contact with OIA liaison from other agencies in order to foster cooperation an international affairs involving other agencies.

(3) To be responsible for international protocol including the coordination of the District's activities with visiting international dignitaries.

(B) All functions of the IBP associated with the positions transferred from the IBP, and the international protocol functions of the OSDC are hereby transferred to the OIA.

III. TRANSFERS

Two IBP positions and one position from the OTP, associated property, records and unexpended balances of appropriations, allocations, and other funds, of any, that related to the positions and functions assigned herein, shall be transferred to the OIA. All authority for administering activities previously authorized or delegated to the OED and the OSDC, directly related to the functions outlined in Section II above, is hereby transferred to the OIA.

IV. ORGANIZATION

The Director of the Office of International Affairs, in the performance of the duties and functions assigned by this plan, is authorized to establish such organizational components with specified subcomponents as deemed appropriate.

V. RESCISSION

All orders and parts of orders in conflict with any of the provisions of this plan are, to the extent of such conflict, hereby rescinded.

VI. EFFECTIVE DATE

This Reorganization Plan No. 7 of 1996 shall become effective in accordance with section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 790; D.C. Code § 1-242(12)), and section 5(c) of the Governmental Reorganization Procedures Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Code § 1-299.4(c)).

HISTORICAL AND STATUTORY NOTES

Delegation of Authority

Office of the Secretary: See Mayor's Order 97-71, April 9, 1997 (44 DCR 2339).

SUBCHAPTER XV. 1998.

PART A. REORGANIZATION PLAN NO 1.

Reorganization for the Office of the Corporation Counsel and the Department of Human Services

I. PURPOSE

The purpose of this reorganization plan is to consolidate into one agency, the operation and administration of the child support enforcement program pursuant to Pub. L. 93-647 ("Title IV-D" of the Social Security Act), Pub. L. 98-378 and Pub. L. 100-485, and District of Columbia law relating to the establishment of paternity and support and the enforcement of support obligations. Under this Reorganization Plan, the Office of Corporation Counsel which performs the legal functions related to the child support program, will, upon the effective date of this Reorganization Plan, directly administer the District's Title IV-D Program previously performed by the Department of Human Services.

II. TRANSFER OF FUNCTIONS

All functions of the Office of Paternity and Child Support Enforcement, within the Department of Human Services, are hereby transferred to the Office of the Corporation Counsel.

III. ESTABLISHMENT

(a) There is hereby established in the Office of the Corporation Counsel a new Child Support Division which shall be comprised of the current Child Support Section (within the OCC Family Services Division) and the Office of Paternity and Child Support Enforcement, Department of Human Services.

(b) The Office of Corporation Counsel:

(1) shall be the state agency for purposes of applying for and receiving federal funds for the operations of the Title IV-D program relating to the establishment of paternity and support and the enforcement of support obligations. Toward that end, the Office shall take all steps necessary for the submission and approval of the District of Columbia State Plan under the Title IV-D and any plan amendments.

(2) shall be responsible for representing the interest of the District in all legal matters relative to establishing and enforcing support orders in all Title IV-D cases; and

(3) shall coordinate and enter into such cooperative agreements as necessary with other District government agencies engaged in child support enforcement activities, including, but not limited to, the Department of Human Services, the Superior Court of the District of Columbia, the Department of Revenue, the Department of Health, the Metropolitan Police Department, and the Lottery and Charitable Games Control Board.

IV. OTHER TRANSFERS

All positions, personnel, property, records, equipment, and unexpended balances of appropriations, allocations, and other funds available, or to be made available, that relate primarily to the functions set forth in Part II above are hereby transferred to the Office of the Corporation Counsel.

V. REALIGNMENT FOLLOWING REORGANIZATION

The Corporation Counsel, in the performance of duties and functions transferred by this Reorganization Plan, is authorized to establish such organizational components with such specified functions as he/she deems appropriate.

VI. ABOLISHMENT

The Office of Paternity and Child Support Enforcement within the Commission on Social Services, Department of Human Services, is hereby abolished.

VII. EFFECTIVE DATE

This Reorganization Plan No. 1 of 1998 in all its parts shall become effective pursuant to the promulgation of an executive order of the Mayor establishing the same after this plan has been approved in accordance with

the requirements of Section 422(12) of the Home Rule Act (D.C. Code § 1-242(12)) and section 161 of the District of Columbia Appropriations Act, 1998, Public Law 105, 100, approved November 19, 1997.

PART B. REORGANIZATION PLAN NO 5.

Reorganization of the Department of Human Services

STATEMENT

This reorganization would consolidate all psychiatric services provided to inmates at the Central Detention Facility ("D.C. Jail") and the Lorton Correctional Facility within the Department of Corrections ("DOC") to improve the medical and psychiatric services provided to inmates at these locations.

The genesis of this proposed Reorganization Plan is *Campbell v. McGruder*, C.A. No. 1462-71 (D.D.C. 1971) and *Inmates of D.C. Jail v. Jackson*, C.A. No. 75-1668 (D.D.C. 1975), cases active in U.S. District Court. On January 27, 1995, the Court ordered the District of Columbia government ("District") to implement the Special Officer's Initial Remedial Plan for Mental Health Care, Medical Care and Compliance Monitoring at the District of Columbia Jail ("Initial Remedial Plan"), which requires DOC to assume full responsibility for all medical and psychiatric services provided to inmates at the Central Detention Facility and at the Lorton Correctional Facility. The Initial Remedial Plan further requires staff who provide psychiatric services to be hired under the exclusive budget authority and auspices of DOC, and that all staff currently detailed to provide mental health services at the D.C. Jail shall become employees of DOC if they meet the standards for employment. The Initial Remedial Plan establishes staffing requirements and deadlines for hiring appropriate staff. Fines are not assessed for failure to terminate the details to the Department of Human Services ("DHS") staff. However, the District has been fined for failure to hire staff within the time set forth in the Initial Remedial Plan.

Under the current organizational structure, DOC is responsible for providing housing, security, general medical care, and other services to inmates, but not mental health services. DHS, through an informal arrangement that began in the 1960s, has provided consultative mental health services to DOC, and in 1980, pursuant to the decree in *Campbell v. McGruder*, administered and funded an intermediate care program for 160 residents in 2 mental health units. This consultative arrangement was formalized with Reorganization Plan No. 1 of 1986, also known as the Final Mental Health System Implementation Plan. Under this consultative arrangement, DHS recommended treatment, but DOC retained responsibility for providing such treatment.

Unfortunately, this bifurcated arrangement did not provide maximum clinical services in an efficient and economical manner. The sharing of information was hampered by the strict confidentiality requirements of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Code § 6-2001 et seq.). Further, the bifurcation of responsibility, whereby DOC physicians treat mental problems and DHS physicians treat mental illness, at times impedes the efficient delivery of services, results in redundant services, and makes tracking of inmates difficult.

With the Reorganization Plan, DOC will assume responsibility for meeting all of the medical needs of the inmate population, including mental health, which should improve services to inmates by streamlining the administration and provision of services. To carry out its new functions, DOC will augment its Psychiatric Services Program, established in 1992, by the transfer of all vacant and funded positions and the corresponding appropriated budget from the Bureau of Correctional Services, Forensic Services Administration, Commission on Mental Health Services ("CMHS") to DOC.

The Reorganization will not affect court-ordered criminal pretrial and post trial examinations requested by District or United States courts, as these examinations will continue to be the responsibility of the CMHS. Commitments under applicable law following an acquittal by reason of insanity or transfers of inmates to CMHS in accordance with section 928 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1340; D.C. Code § 24-302), or Superior Court Mental Health Rule 9 also are unaffected.

I. PURPOSE

The purpose of this reorganization is to consolidate the provision of medical and mental health services provided to inmates at the Central Detention Facility and the Lorton Correctional Facility within the Department of Corrections, to improve the coordination of mental health and medical services, and to eliminate barriers to the exchange of mental health information created by the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Code § 6-2001 et seq.).

II. TRANSFER OF FUNCTIONS

The function of providing mental health services to inmates in Department of Corrections facilities provided by the Bureau of Correctional Services, Commission on Mental Health Services, is hereby transferred to the Department of Corrections.

III. OTHER TRANSFERS

All vacant and filled positions, personnel, property, and unexpended balances of appropriations, allocations, and other funds available or to be made available to perform the functions set forth under Section II above are

hereby transferred to the Department of Corrections.

All records relating to the duties and functions transferred in Section II are hereby transferred to the Department of Corrections, except that mental health records shall be transferred only in accordance with the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2- 136; D.C. Code § 6-2001 et seq.).

IV. REORGANIZATION

The Director of the Department of Corrections is authorized to organize the personnel and property transferred herein into such organizational components as the Director deems appropriate, and is authorized to develop any reports and evaluation systems necessary to assess the effectiveness of the Reorganization Plan.

HISTORICAL AND STATUTORY NOTES

Temporary Legislation

Temporary Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections: Section 2 of D.C. Law 12-80 provides that pursuant to § 1-227(b), the Council reorganizes the Department of Human Services to transfer the Bureau of Correctional Services from the Department of Human Services to the Department of Corrections as set forth in § 3 of D.C. Law 12- 80.

Section 5(b) of D.C. Law 12-80 provides that the act shall expire after 225 days of its having taken effect.

Temporary Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections: Section 2 of D.C. Law 12-214 provides that pursuant to § 1-227(b), the Council reorganizes the Department of Human Services to transfer the Bureau of Correctional Services from the Department of Human Services to the Department of Corrections as set forth in § 3 of D.C. Law 12- 214.

Section 5(b) of D.C. Law 12-214 provided that the act shall expire after 225 days of its having taken effect.

Emergency Legislation

For temporary reorganization of the Department of Human Services to transfer the Bureau of Correctional Services from the Department of Human Services to the Department of Corrections, see § 2-3 of the Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Emergency Act of 1998 (D.C. Act 12-510, November 10, 1998, 45 DCR 8149).

SUBCHAPTER XVI. 2000.

PART A. HISTORIC PRESERVATION REORGANIZATION, 2000.

(Oct. 19, 2000, D.C. Law 13-172, § 402, 47 DCR 6308.)

All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Consumer and Regulatory Affairs for the operation and implementation of the historic preservation functions of the Department of Consumer and Regulatory Affairs as set forth in section III(B)(8) of Reorganization Plan No. 1 of 1983, effective March 31, 1983, are hereby transferred to the Office of Planning, established pursuant to Mayor's Order 83-25, effective January 3, 1983. All of the functions assigned and authority delegated to the Department of Consumer and Regulatory Affairs concerning historic preservation as set forth in section III(B)(8) of Reorganization Plan No. 1 of 1983, effective March 31, 1983 are hereby transferred to the Office of Planning, established pursuant to Mayor's Order 83-25, effective January 3, 1983.

SUBCHAPTER XVII. 2002.

PART A. MOTOR VEHICLE SALES FINANCE COMPANY REORGANIZATION, 2002.

(Oct. 1, 2002, D.C. Law 14-190, § 402, 49 DCR 6968.)

All positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Department of Consumer and Regulatory Affairs for the operation and implementation of Chapter 3 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 300 *et seq.*), with respect to the licensing and regulation of motor vehicle sales finance companies, are hereby transferred to the Department of Banking and Financial Institutions, established by § 26- 551.03.

All of the functions assigned and authority delegated to the Department of Consumer and Regulatory Affairs concerning Chapter 3 of Title 16 of the District of Columbia Municipal Regulations (16 DCMR § 300 *et seq.*), with respect to the licensing and regulation of motor vehicle sales finance companies, are hereby transferred

SUBCHAPTER XVIII. 2003.

PART A. REORGANIZATION PLAN NO 1.

(50 DCR 6504, amended 50 DCR 7298; Effective December 15, 2003.)

OFFICE OF RISK MANAGEMENT

SECTION 1. PURPOSE FOR THE REORGANIZATION PLAN.

Pursuant to the Governmental Reorganization Procedures Act of 1981 this represents the Reorganization Plan for the Office of Risk Management (Plan). The Plan would establish the Office of Risk Management (Office), state the purpose of the Office, state the duties of the Chief Risk Officer and state the authority and functions of the Office.

The Plan would transfer responsibility for the District of Columbia's public sector disability compensation program, public sector safety and health management program, claims for unliquidated damages filed against the District government and the risk management aspects affecting the safety and physical security of District government facilities to the newly established Office.

The Plan would also provide for the Office to purchase insurance for the benefit of the District, place administration of the Settlements and Judgments Fund within the Office subject to the financial management of the District's Chief Financial Officer and repeal the authority of the Office of the Corporation Counsel to settle claims against the District of Columbia under Part III, A, subsections 1 and 2 of Reorganization Order 50, as amended (June 26, 1953). In addition, the Plan would establish a Risk Management Council and effectively repeal all reorganization plans and executive orders in conflict with the Plan.

SECTION 2. DEFINITIONS.

For the purpose of the Plan, unless otherwise required by the context the term:

- (1) "Agency risk management representative" means the individual in each agency whose duties include exposure identification and assessment and risk control strategy coordination at the agency level on behalf of the agency director. Where this individual obtains the necessary professional training as specified by the Chief Risk Officer they may be referred to as the "Agency Risk Manager".
- (2) "Chief Risk Officer" means the head of the Office of Risk Management.
- (3) "Claims management" means the process used to administer and gather data concerning any notice to the District government of any alleged wrongful acts, whether tortuous, contractual, or equitable in nature, for which the District, its officers, agents, or employees are allegedly responsible, including, but not limited to, claims arising from unresolved civil, administrative, or judicial litigation.
- (4) "Cost of risk" means the cost of actual losses sustained, administrative costs of the risk management program, costs of funding losses, costs of risk control efforts and other outside service costs.
- (5) "District government facility" means a building either owned, controlled, occupied, or leased by the District government.
- (6) "Office of Risk Management" means the office (Office) established by the Plan.
- (7) "Risk assessment" means the process for conducting reviews and investigations of District operations, activities and facilities to identify and measure risk exposures.
- (8) "Risk control" means the effective minimization of the probability, frequency, and severity of accidental losses on a pre-loss and post-loss basis through the selection and implementation of mitigation strategies, a proactive compliance monitoring program for safety and security, and contingency planning for District government operational interruptions or emergencies.
- (9) "Risk exposure" means exposure to issues or matters which have potential to create financial, reputational, efficiency and organizational losses, including losses from any alleged wrongful acts, whether tortuous, contractual, or equitable in nature, for which the District, its officers, agents, or employees are allegedly responsible, including, but not limited to, claims arising from unresolved civil, administrative, or judicial litigation.
- (10) "Risk financing" means claims management and the professional anticipation and planned funding of loss payments resulting from adjudication or settlement of claims.
- (11) "Risk funding" means the selection and application of specific techniques to meet the financial obligation caused by unexpected losses including retention such as self-insurance, or transfer such as purchasing insurance or other contractual transfer, and the oversight of those techniques.
- (12) "Risk identification and analysis" means the systematic identification, measurement, analysis, and documentation of the District government's exposure to risk.
- (13) "Risk management" means the continuous process of risk identification and analysis, employing effective

risk assessment, risk control, risk financing, and risk funding strategies to minimize and control risk exposure and actual and potential losses.

(14) "Risk map" means a schematic drawing that illustrates the prioritization of risk exposures in terms of anticipated frequency and severity of occurrence suggesting organizational hierarchy and priority of strategies for risk management.

SECTION 3. CREATION OF THE OFFICE OF RISK MANAGEMENT.

(a) There is created within the executive branch of the government of the District of Columbia the Office of Risk Management (Office) with direct oversight by the City Administrator.

(b) The head of the Office shall be the Chief Risk Officer, who shall be appointed by the Mayor with the advice and consent of the Council pursuant to section 422(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; D.C. Official Code § 1-204.22(1)). To be eligible for appointment as the Chief Risk Officer a person shall have demonstrated, through his or her knowledge and experience, the ability to administer a public risk management office of the size and complexity of the Office established by the Plan.

(c) The Chief Risk Officer shall be paid at an annual rate, determined by the Mayor. To the extent that the annual salary rate exceeds that set forth in the District of Columbia Comprehensive Merit Personnel Act of 1978 (CMPA), the proposed salary shall be forwarded to the Council and set forth in a pay resolution approved by the Council as required by the CMPA.

(d) Notwithstanding any delegation of the authority to settle claims that the Mayor may delegate to the Chief Risk Officer, the Chief Risk Officer may redelegate any or all of such settlement authority to the Corporation Counsel.

SECTION 4. PURPOSE OF THE OFFICE OF RISK MANAGEMENT.

(a) The purpose of the Office is to provide risk management direction, guidance and support to District government agencies so that they can minimize the total cost of risk, resulting in improved government operations and enhanced service delivery. This will be accomplished by integrating agency programs of systematic risk identification and analysis, selecting and implementing appropriate risk control strategies, and prudently financing anticipated and incurred losses, into a District government integrated risk management program. The result will be to minimize the probability, occurrence and impact of accidental losses in the District government and to support the effective and efficient achievement of the District government's strategic risk management objectives.

(b) The strategic objectives of the Office shall include the:

- (1) Institutionalization of risk management as a regular District-wide and agency-specific function;
- (2) Systematization of the identification and analysis of District-wide and agency-specific exposures to risk;
- (3) Minimization of the likelihood and severity of losses through effective safety and security risk control strategies; and
- (4) Formalization of the philosophy, policies and procedures for financing identified risks and incurred losses.

SECTION 5. DUTIES OF THE CHIEF RISK OFFICER.

(a) The Chief Risk Officer shall be the central risk management official for the District government.

(b) The Chief Risk Officer shall exercise full direction and supervision over the Office its functions and personnel, including the authority to organize the Office and to redelegate to employees authority as, in the judgment of the Chief Risk Officer, is warranted in the interests of efficiency and sound administration.

SECTION 6. FUNCTIONS OF THE OFFICE.

The Office, through the Chief Risk Officer, shall:

- (a) Identify gaps, omissions, or inconsistencies in risk management practices and policies, and recommend and oversee the implementation of appropriate responsive laws, regulations, rules, or procedures for adoption pursuant to the Plan;
- (b) Organize and operate the Office to ensure the accomplishment of the Office's purpose;
- (c) Prepare reports as necessary and as required by the Mayor or the Council;
- (d) Create and maintain a District government prioritization risk map based on the frequency and severity of projections of anticipated loss;
- (e) Minimize the probability, frequency, and severity of accidental losses to the District government on a pre-loss and post-loss basis through a pro-active and compliance monitoring program for safety, security and contingency planning for District government operational interruptions or emergencies;
- (f) Conduct and oversee on-site risk management assessments of all District government facilities and operations;
- (g) Maintain a risk management resource library for the assistance of agency risk management and Office personnel;

- (h) Provide risk management training to District employees and agency risk management representatives;
- (i) Appropriately utilize technology to maximize the Office's efforts in accomplishing its purposes under the Plan;
- (j) Administer, organize, and exercise all of the powers, duties, and functions concerning the District of Columbia Government Employees' Disability Compensation Program;
- (k)(1) Administer, organize, and exercise all of the powers, duties, and functions concerning the District of Columbia Public Sector Occupational Safety and Health Management Program authorized and required by the Occupational Safety and Health Act of 1970, as amended (84 Stat. 1590), Title XX of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-620.01 et seq.), and applicable codes, rules, and regulations including, but not limited to:
 - (A) the D.C. Occupational Safety and Health Board, Occupational Safety and Health Standards (29 DCMR, Chapters 30--32);
 - (B) the Building Code approved pursuant to the Construction Codes Approval and Amendments Act of 1986;
 - (C) the Electrical Code approved pursuant to the Construction Code Approval and Amendments Act of 1986;
 - (D) the Fire Prevention Code approved pursuant to the Construction Codes Approval Amendments Act of 1986; and
 - (E) the Plumbing Code approved pursuant to the Construction Code Approval and Amendments Act of 1986.
- (2) The Office's authority under this subsection shall not supersede any statutory authority of other District agencies, including but not limited to the Fire and Emergency Medical Services Department, the Department of Consumer and Regulatory Affairs, the Department of Health, or the Department of Housing and Community Development, with primary enforcement jurisdiction for any of the codes or regulations referenced in this section;
- (l) Ensure that safety, physical security, liability, and other risk management concerns of District owned, controlled, leased, or occupied facilities are appropriately addressed. In performing its functions, the Office shall not duplicate the functions of the Office of Property Management as set forth in section 1804 of the Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1003);
- (m) Create a culture of risk awareness and management, within the District government, concerning District government facilities, employees, volunteers, and visitors;
- (n) By delegation from the Mayor, pursuant to section 422(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 790; D.C. Official Code § 1-204.22 (6)), procure insurance and utilize alternative risk financing strategies, as necessary and pursuant to an authorized appropriation, for the benefit of the District government to compensate for large liabilities and catastrophic exposure to risk including, but not limited to, tort settlements and judgments, contractual settlements and judgments, and property losses;
- (o) Implement and maintain a system for managing the resolution of outstanding recommendations/findings from various sources including the Inspector General, the D.C. Auditor, external District-wide audits with management letter recommendations, court orders, retained consultants and others; and
- (p) Procure goods and services and contract for the Office.

SECTION 7. DISABILITY COMPENSATION PROGRAM.

- (a) All of the powers, duties and functions transferred to the Office of Personnel under section 1202 of the District of Columbia Government Employees Disability Compensation Reorganization and Amendment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; 48 DCR 6891), are hereby transferred to the Office.
- (b) All property, records, personnel, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Office of Personnel under section 1202 of the District of Columbia Government Employees Disability Compensation Reorganization and Amendment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; 48 DCR 6891), are hereby transferred to the Office.

SECTION 8. TRANSFER OF PUBLIC SECTOR OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT PROGRAM.

- (a) All of the powers, duties, and functions concerning the District of Columbia public sector Occupational Safety and Health Management Program authorized and required by the Occupational Safety and Health Act of 1970, as amended (84 Stat. 1590), Title XX of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-620.01 et seq.) and applicable codes, rules, and regulations, including those set forth in section 6(m) of this act, currently performed by the Department of Employment Services, are hereby transferred to the Office.
- (b) All of the property, records, personnel, and unexpended appropriations, allocations, and other funds available or to be made available to the Department of Employment Services for the program described in this section are hereby transferred to the Office.

SECTION 9. TRANSFER OF THE OCC CLAIMS UNIT OPERATIONS.

(a) The administration and control of the unit set aside for the receipt and processing of claims filed against the District of Columbia government pursuant to D.C. Official Code § 12-309, presently vested in the Office of the Corporation Counsel, is hereby transferred to the Office.

(b) All of the property, records, personnel and unexpended balances of appropriations, allocations, claim recoveries and other funds available or to be made available to the Office of the Corporation Counsel for the Claims Unit are hereby transferred to the Office.

SECTION 10. RISK MANAGEMENT COUNCIL.

(a) The Chief Risk Officer shall create and manage a Risk Management Council constituted of agency risk management representatives and professional leaders from the Office.

(b) Through the Risk Management Council, the Chief Risk Officer shall:

- (1) Meet with, receive reports from, and generally oversee the functions of agency risk management representatives;
- (2) Coordinate, integrate, and guide the work of agency risk management representatives to identify, measure, analyze, and document agency and District government risk exposure;
- (3) Facilitate topical interaction among agency risk management representatives and Office leaders to foster the development and effective implementation of a comprehensive, integrated risk management program for the District;
- (4) Cultivate awareness, understanding and support for risk, safety and security management initiatives as part of the District's strategic, integrated risk management program; and
- (5) Monitor the effectiveness of agency Risk Assessment and Control Committees (RACCs)

(c) The Risk Management Council shall:

- (1) Exchange risk management ideas and best practices;
- (2) Identify and share available risk management resources;
- (3) Provide input to the development of District-wide risk management practice standards and risk and safety administrative regulation review;
- (4) Establish the risk management culture of the District in support of institutionalizing and systematizing the risk management program of the District;
- (5) Identify opportunities for economies of scale in the implementation of risk management strategies;
- (6) Participate in loss trend analysis and related exposure awareness communication;
- (7) Participate in the evolution of the District risk management information system;
- (8) Provide primary coordination to the performance requirements for risk management in agency director's contracts;
- (9) Participate in the cost of risk allocation methodology, communication and monitoring; and
- (10) Coordinate internal agency emergency response plan development and maintenance including plans for continuity of operations in the event of any emergency, and definition of interaction points with the external District Emergency Response Plan coordinated by the Emergency Management Agency.

SECTION 11. REPEALERS.

Any provision of a Reorganization Plan or Executive Order in conflict with any provision of this reorganization is hereby repealed, except that any regulations adopted or promulgated by virtue of the authority granted by such conflicting provision shall remain in force until properly revised.

SECTION 12. EFFECTIVE DATE.

The Plan shall take effect immediately after the statutorily required sixty (60) day Council review period.

HISTORICAL AND STATUTORY NOTES

Resolutions

Resolution 16-476, the Reorganization Plan No. 1 of 2005 for the Office of Property Management (Protective Services Division) and the Metropolitan Police Department (Office of Security Services) Emergency Disapproval Resolution of 2006, was approved effective January 17, 2006.