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AmeriCorps DC Latest [2]

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The narrative should be organized as follows:

- List the training events and other activities that were completed in accordance with your training and technical assistance plan, including those planned jointly with the corporation state office and state education agency. For each, include, as appropriate, a brief description of any effective practices and lessons learned that you think would be of benefit to other corporation-funded programs.
- List the activities you had planned, but were unable to complete. For each, briefly explain why the activity was not conducted and describe the alternative activity, if any.
- For the training and technical assistance services provided, whether planned or in response to emergent needs, identify each provider used; indicate whether it was a national, state or local provider; and list the topics addressed.
- Describe the means used to evaluate training and technical assistance services, and indicate how programs rated the services of the local, state and national providers, respectively.
- Identify the extent to which traditional volunteer associations and centers were involved in and/or supported your training and technical assistance activities.

V. DISABILITY FUNDS

Disability funds are provided for the purpose of including people with disabilities in AmeriCorps programs. The funds must be used to support the outreach, recruitment, and reasonable accommodation of people with disabilities. The allocation of these funds to commissions is based upon the number of AmeriCorps*State competitive and National Direct members within the state. The statutory prohibition against the use of disability funds in formula programs or other national service programs remains and cannot change unless the statute is amended. **This year, state commissions must include their disability plan as part of the administrative funds application.** The disability plan includes progress made, challenges faced and next year plans. The progress report that commissions submit with their spring program application will include a mid-year report on disability issues.

Commissions must account for their disability funds separately from their administrative and Program Development Assistance and Training funds. For those commissions that will submit a budget and budget narrative before September 30, 1998, the disability plan narrative is all that is required for submission with the administrative plan. If a commission did not submit a budget earlier, it may include a budget and budget narrative with the disability plan. There is no specific

form. The budget and budget narrative should specify how disability funds will be used for outreach and recruitment, training and technical assistance, and reasonable accommodation.

A. Allowable Activities

Because disability funds are specifically targeted to inclusion of persons with disabilities in AmeriCorps programs, all uses of the funds must be directly related to that objective. In general, this means the funds can be used to:

- pay for reasonable accommodations for AmeriCorps*State competitive and National Direct AmeriCorps members;
- develop materials in alternative formats;
- hire consultants to assist with outreach, recruitment, training, and technical assistance;
- sponsor meetings for outreach and training purposes; and support other costs associated with outreach and recruitment, review of reasonable accommodation requests, or retention of people with disabilities.

Commissions may choose to conduct some activities for outreach, recruitment and training on a statewide basis and may retain funds in the commission budget or may subgrant funds to AmeriCorps programs for these purposes. The only funds that must remain for allocation at the commission level are those for reasonable accommodation.

B. Instructions for the Disability Plan

Provide a narrative that includes the information requested below. In addition, provide the name of the designated Disability Coordinator, the commission staff person responsible for overseeing the disability initiative.

PROGRESS TO DATE

Describe training and technical assistance provided to AmeriCorps programs concerning outreach and recruitment of persons with disabilities, reasonable accommodations, and program responsibilities related to disability requirements. Report on the Commission's outreach to disability organizations to inform them of AmeriCorps, and to develop a network to consult on disability issues or requests for reasonable accommodations. Describe any outreach and recruitment of people with disabilities performed by the commission. Supporting documents might include materials which have been developed for outreach and recruitment, a description of any materials disseminated in alternate formats, and materials sent to programs.

Provide a summary of reasonable accommodation requests and their resolution. Indicate the following: number of programs requesting reasonable accommodations; amount spent on these requests and the percentage of disability funds it represents; number of people who

received reasonable accommodations and the type of reasonable accommodations provided; and reasonable accommodations provided at little or no cost.

CHALLENGES

Describe the challenges faced over the last year as the commission implemented its disability plan.

PLANS FOR 1999

Describe plans for assisting with outreach and recruitment of persons with disabilities, for processing reasonable accommodation requests and for providing training and technical assistance to programs. Include plans to notify AmeriCorps*State competitive programs and National Direct operating sites of the availability of reasonable accommodation funds and the process to apply for these funds. Describe plans for the commission's continued development of a disability network.

Describe strategies the commission will use to monitor programs to ensure compliance with outreach and recruitment of persons with disabilities, program accessibility, responsiveness to reasonable accommodation requests and retention of people with disabilities as AmeriCorps members. This includes monitoring program outreach materials, applications, policies, and practices.

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APPENDIXES
(INCLUDES FORMS
AND INSTRUCITONS)

APPENDIXES

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Role of State Commissions

Functions in boldface type are requirements for Commissions

All Commissions must have systems and procedures in place that allow them to accomplish these specific responsibilities

Functions not in bold type are other important functions of Commissions necessary to longer-term strategies for support and enhancement of community service that can be phased in as Commissions gain experience and capacity.

Administrative Functions of the Commission

Commissions must develop a solid infrastructure capable of selecting and supporting high quality national service programs and managing Commission activities. They need to have a well-functioning Commission board and staff with appropriate skills and experience to administer an organization and manage its programs. They need policies and systems in place that ensure accountability and continuous improvement.

1. Commission Board and Staff

- **Maintain a fully-constituted board with an appropriate structure to carry out its functions**
- **Maintain a staff of appropriate size and skill to carry out commission responsibilities and activities**

2. Administrative Systems

- **Maintain appropriate financial management systems to disburse funds and track commission and program expenditures according to legal and grant requirements**
- **Manage an appropriate process to review and select quality national service programs within the state**
- **Ensure timely and accurate reporting including such items as Financial Status Reports, Member Enrollment and Exit Forms, and Progress Reports**
- **Ensure that programs have established systems to provide for and track Member**

health care needs and eligibility of Members for child care assistance

- Identify needs and develop and submit annual applications for Corporation Program Development and Training funds, national service program funds and disability funds

3. Continuous Improvement

- Analyze and assess commission performance candidly and accurately
- Develop and maintain a process of continuous improvement for both commission activities and national service programs in the state
- Identify needs and develop recommendations for technical assistance for the commission

Support to National Service Programs

The second major responsibility of state commissions is to support local programs and work with them to ensure they are high quality. Commissions will be evaluated on the quality of both their formula and competitive programs. Commissions monitor and evaluate programs to ensure they comply with legal and grants requirements, are progressing well towards meeting program objectives and have high quality service projects and management systems. Commissions formulate training and technical assistance strategies and design activities that move the state towards its vision of national and community service.

1. Monitoring and Evaluation

- Oversee programs to determine the quality of their operations and systems
- Ensure that programs comply with legal, reporting, financial management and grant requirements
- Review audit reports on programs and ensure that programs take appropriate and timely action
- Work with programs to develop appropriate program objectives that are outcome-based and track progress toward those objectives to ensure high quality service activities.
- Provide feedback to programs and take appropriate action to ensure follow through on issues
- Ensure high quality support to and management of members

- **Ensure that programs develop and use impact evaluation systems**
- Help programs conduct activities that instill an ethic of service
- Ensure that programs develop and use continuous improvement systems

2. Training and Technical Assistance

- **Conduct initial and on-going needs assessments of AmeriCorps State/National programs: broker or provide training and technical assistance for national service programs to meet identified needs and other requested assistance**
- **Help programs identify and access local and national training and technical assistance resources**
- **Ensure that programs attend appropriate Corporation training activities**
- Coordinate program development and training activities and technical assistance activities with the state educational agency and other state and federal entities supporting national service programs
- Assist programs with recruitment and placement of members

3. Communication

- **Disseminate key information to AmeriCorps programs**
- Maintain systems for gathering and disseminating information

The Larger Role of State Commissions

The third major responsibility for state commissions is to develop and communicate a statewide vision of service and foster an ethic of service and volunteering throughout the state. That vision should incorporate all components of AmeriCorps (VISTA and NCCC as well), Learn and Serve America, the Senior Corps, and the larger volunteer community. It can do so by coordinating the different service programs and fostering partnerships between Corporation for National Service-funded and other service and volunteer activities. Commissions need to build long-lasting relationships with corporations, foundations, the media, and state agencies that translate into high quality service projects, effective collaborations, funding support, and public support for national and community service.

1. Ensure Sustainability

- **Secure matching funds for the state commission administrative grant**
- Ensure support for service programs and activities from the private sector, including businesses and foundations
- Ensure long-term support for national and community service activities in the state
- Develop and maintain state and local government support

2. Build a solid infrastructure

- **Develop and maintain partnerships and other mutually supportive relationships among Corporation programs and other traditional service programs,**
- Initiate and maintain efforts to establish close working relationships with the Corporation state office, including making recommendations regarding priorities for VISTA and Senior Corps programs
- Develop and maintain avenues for communication and collaboration with state agencies and state initiatives, particularly involving volunteer service and federally-funded community service

3. Conduct Outreach and Develop the Ethic of Service

- **Through an inclusive process, develop and implement a non-partisan and non-political state plan, including a state vision for national and community service**
- Initiate and maintain efforts to develop a shared identity among Corporation-funded programs and among members serving in those programs
- Develop and maintain widespread, high public awareness of service and volunteer programs, especially in communities where Members are performing service
- Build relationships with the traditional volunteer sector, the non-profit sector, business and foundation communities

COMMISSION INFORMATION UPDATE

4. Describe any changes in Commission membership during 1998.

5. Does the Commission currently have the required member slots filled? If not, which slots are currently vacant?

6. How many meetings did the Commission hold last year and at how many was a quorum present?

Instructions for Administrative Funds Forms

A. Title Page

(1) State Commission Name

Complete all of the information requested. The executive director should be the individual who can answer questions Corporation staff may have about the commission and its application for administrative funds.

(2) Administrative Funds

Transfer the total budget request from the budget forms.

(3) Program Development Assistance and Training Funds

Transfer the total budget request from the PDAT form.

(4) Commission Certification

Enter the name, title, and phone number of the commission member or staff person who has the authority both to commit the organization to accept federal funding and to execute the proposed project. Submit the original ink-signed form attached to the first copy of the application. Two additional copies of all the required documents must be returned with the original documents.

B. Administrative Funds Budget and Budget Narrative Instructions

The budget should include new funds requested as well as those unexpended funds that will make up the 1999 budget. Each state commission's detailed line item budget and budget narrative should be attached to the commission narrative. The budget narrative should be organized in the same order as the budget form and clearly identify the requested Corporation share and the state commission share. The budget must cover a twelve-month period and should indicate the proposed grant start and end dates.

The narrative must be completed for funds requested from the Corporation and for state/local and private funds. It should show whether the state commission share is in-kind or in-cash and the sources that provide the match. For each line item contained on the Budget Form, a full explanation must be provided in the budget narrative that shows how the cost was calculated, in an equation format where appropriate. For example, staff and commission member travel should be broken down into discrete components, then equations prepared showing the number of anticipated trips, the number of travelers, and the estimated costs.

Travel

Commission Members x (# days x per diem) + mileage (# miles x cents/mile) =

Staff members x (# days x per diem) = mileage (# miles x cents/mile) =

Commission Members + Staff Travel + Others = Subtotal B

Any equipment unit cost over \$1,000 must be itemized and fully explained in the narrative. In addition, any costs in the "Other" line item must be fully explained in the narrative.

Review. The administrative funds budget and budget narrative will be reviewed to ensure:

- Compliance with the administrative grant regulations and policies,
- Compliance with state funding allotments, and
- Cost-effectiveness of budgeted activities.

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Appendix F

Training and Technical Assistance Provider Information				
Service Category	Services	T/TA Provider Organization	Contact Person	Phone
1. Conflict Resolution	Training for program staff on how to help members work effectively in conflict situations, enhancing effective communication and consultation with state commissions to identify resources to support effective collaborations and program development.	National Association for Community Mediation	Bill Ferguson	202-467-6226
2. Human Relations & Diversity Training	Program staff receive training to: <ul style="list-style-type: none"> ◆ Promote understanding and respect among people of different origins. ◆ Provides skills for working with and managing diverse populations. ◆ Offers techniques for dealing with situations where issues of diversity and communication interfere with program services. 	CHIP International	Howard Raik	800-449-2614
3. Educational Success	Provide technical expertise, and identify and disseminate effective practices in educational success using service strategies, particularly in childhood literacy and parental support, tutoring and volunteer management. Major emphasis on America Reads.	LEARNS Project	Nancy Henry, Project Director at NWREL	503-275-9611
4. Financial Management	Provide T/TA regarding state and national grantees', and commissions' responsibilities for managing federal funds.	Walker and Company	Corland Forester	202-363-9300
5. Supervisory Skills Training	Training to help establish standards in effective supervision, the management task common to all programs that most directly affects participants' and projects' performance.	National Crime Prevention Council	Maria Nagorski	202-466-6272

Training and Technical Assistance Provider Information

Service Category	Services	T/TA Provider Organization	Contact Person	Phone
6. Training and Materials Development	Services respond to the need for consistent, quality participant training. Specific tasks include development or revision of pre-service training materials, in-service training modules.	Mosaica	Diane Cabrales	202-887-0620
7. National Service Resource Center	Services respond to the need for a central repository of information and materials in the field of national service and the need for the development and distribution of new information in response to changing program needs. Services include management of national service listservs and publication of national T/TA schedules. Serves as a National Service Clearinghouse.	ETR Associates	Susan Hillyard	800-860-2684
8. Organizational Development & Program Management	Services respond to requests for program management assistance requested by grantees to improve program performance and quality. Services include training and technical assistance services in response to requests from state commissions, Corporation-funded programs, other providers or the Corporation on such topics as board development and management; staff management; strategic planning; program planning and management to include continuous improvement and evaluation; volunteer recruitment and management; member recruitment, member support, development and retention; community partnerships and organizational collaboration; multi-site management; effective communication and public awareness.	United Way	Jim Beal	518-392-6003
9. Public Safety Program Support	Programs working in the areas of public safety, domestic violence and victim assistance share unique needs for specialized information and training beyond the boundaries of community service. Services in this area include: member	National Crime Prevention Council	Maria Nagorski	202-466-6272

Training and Technical Assistance Provider Information

Service Category	Services	T/TA Provider Organization	Contact Person	Phone
	safety, background checks, volunteer burn-out, and other topics unique to the criminal justice and judicial systems.			
10. Risk Management	Services respond to the needs of community-based organizations to assess their legal risks in various areas and to adopt plans for dealing with those risks.	Nonprofit Risk Management Center	Melanie Herman	202-785-3891
11. Crew-Based Programming	Services are designed to meet the particular needs of programs that deliver services through a crew structure. Services offered include crew-based program management, operations and staff development to include leadership, project management and member supervision.	National Association of Service and Conservation Corps	Harry Bruell	800-666-2722
12. Member Development & Management	Services are targeted to the particular needs of the AmeriCorps Education Award Program, although services may be utilized by other National Service programs. Services will focus on recruitment, selection, motivation and retention of members and volunteers; member and volunteer development; team-building; working with and developing community partners; multi-site program management; service-learning methodology including member and volunteer orientation and reflection sessions; problem identification and collaborative solution generation; time management and day-to-day organizational skills; volunteer generation and management and working with diverse volunteers.	Catholic Network of Volunteer Service	Jim Lindsay	202-529-1100
13. Sustainability	Services respond to grantees' need to build larger constituencies, create more partnerships, leverage more resources, and generate additional funds as the match requirement increases and Federal funds are decreased.	Campaign Consultation	Steve Rivelis	410-243-7983

Training and Technical Assistance Provider Information

Service Category	Services	T/TA Provider Organization	Contact Person	Phone
14. Out of School Time	Services respond to the need to use service as a means of expanding and enhancing services available to children and youth when schools are not in session. Using service as a strategy to support the goals of welfare reform is a goal, as is a focus on such issues as child care and health.	Wellesley College	Ellen Gannett	781-283-2544
15. Learn & Serve America National Clearinghouse	Learn and Serve America grantees, other Corporation programs, and the service-learning field can access extensive and well-organized information and materials about service-learning resources, programs, and effective practices, as well as referrals to training and technical assistance providers. Access is available through an 800-number, Website, and listservs.	University of Minnesota	Rob Shumer	800-808-7378
16. T/TA Services for State Commissions	Project TASC works with State Commissions to improve the effectiveness of their service delivery system in all areas except fiscal management. TASC has assigned a manager to work with each state and to individualize TA to meet their needs. Resources include Aguirre international's team of specialists, peer assistance provided by ED and Commission members with expertise in specific areas, and other local providers with whom State Commissions have a relationship.	Project TASC (Aguirre International)	Jo Ann Intili	888-333-8272
17. Leadership Training	The NSLI provides leadership development and training experiences for the staff of national service programs. The <i>National Service Executive Program (NSE)</i> and the <i>National Service Leadership Development Program (NSLDP)</i> are two specific courses offered several times throughout the year. The NSE is	National Service Leadership Institute	J. Boone Emmons	415-561-5950

Training and Technical Assistance Provider Information

Service Category	Services	T/TA Provider Organization	Contact Person	Phone
	<p>a five and a half day training followed by a three-day follow-up six months later designed for Program/Project Directors. Curriculum includes acquiring an understanding of personal leadership abilities, leadership skills to increase program effectiveness, building collaborative teams, and exploring and forming partnerships with others in national service. The NSLDP is a three-day shorter version open to all national service staff. Enrollment in these programs is limited; forms are available from the NSLI. Participants are only responsible for travel to and from the training location (which varies). The resources of the NSLI are also available to regions, states, or groups of programs at the local level who have an interest in leadership training. Requests for help with curriculum development and trainers are accepted on a first-come, first-served basis given resource availability. Ideally, trainings will involve programs representing all streams of service.</p>			
18. Evaluation TA	<p>Project STAR assists programs with all aspects of the evaluation process, including writing outcome-focused objectives, developing an evaluation plan, analyzing data, and reporting results. Assistance is available through on-site visits with a trained evaluation coach, toll free telephone line, newsletter, evaluation Tool Kit, resource library, and Internet website.</p>	Project STAR (Aguirre International.)	Ken Terao/ Paula Bilinsky	800-548-3656
19. Disability Issues (T/TA to State Commissions)	<p>UCPA provides T/TA services on disability issues: Americans with Disabilities Act, reasonable accommodations, recruitment and retention of people with disabilities, disability plans and inclusion of persons with disabilities.</p>	United Cerebral Palsy Associations (UCPA)	Will Morales	202-776-0406



EXHIBIT C

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE
WASHINGTON, D.C. 20001

TO: E. Barrett Prettyman, Jr.
Inspector General

FROM: Rodney L. Palmer
Director, Office of Policy & Evaluation

DATE: September 24, 1998

SUBJECT: Draft Report on "Audit of Costs Incurred by the District of Columbia
Commission for National and Community Service" (OIG No. 9810-19)

I am in receipt of the subject Draft Audit Report and accept the findings and recommendations contained in the Report.

To facilitate our follow through on one of your recommendations I am requesting that you provide this office with information to assist with the expeditious recovery of salary overpayments to the former Executive Director of the Commission. Further, as I discussed in the exit conference I am requesting copies of all relevant information to complete this offices files in reference to this matter.

Let me assure you that we are making every effort to ensure the fiscal accountability of future operations of the Commission. Thank you for your cooperation and the efforts of your staff with respect to this Audit Report

Next Steps for CNS and D.C. Task Force

December 18, 1997

The District will be entitled to exercise its full administrative responsibility...after the following have occurred:

- A) Selection of an independent auditor. (Audit need not be completed before the Commission can be approved; however, a scope of work must be prepared, an auditor selected, and an audit initiated.)
- B) Selection of an independent fiscal agent (does not preclude fiscal agent and operations agent from being the same entity)
- C) Approval of state application, which includes the following:
 - 1) commission information
 - executive order designating *Community Foundation** as the entity to act on behalf of the D.C. government
 - letter of agreement between the *Community Foundation* and D.C. government outlining roles and responsibilities of each along with information demonstrating the *Foundation's* capacity to assume fiscal and administrative responsibility
 - roster of commissioners and the mandated slots that they fill
 - 2) administrative application
 - brief response to requirements of administrative guidelines
 - plan for staffing the commission in the short and long term
 - job description of the executive director, recruitment process
 - administrative budget request and PDAT budget request
 - report on status of audit

Options for D.C. proposal review process:

- A) DC Commission is established and approved by CNS by February 1, 1998; the Commission establishes a plan and timeline to solicit and review applications and recommended funding to the Corporation by the May 12 submission deadline.
- B) If the Commission is not operating by February 1, 1998, CNS would manage a review process for District programs.
 - The Corporation could limit the competition to renewal of existing programs, possibly with slight expansions, based on satisfactory progress to date. This

*or whatever entity is selected by the D.C. Task Force to house Commission operations

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL**

**AUDIT OF COSTS INCURRED
BY THE DISTRICT OF COLUMBIA
COMMISSION FOR NATIONAL
AND COMMUNITY SERVICE**



Personal Proceedings
Journal of Negotiations
Other Information

**TASK FORCE TO ESTABLISH D.C. COMMISSION ON
NATIONAL AND COMMUNITY SERVICE**

**NOVEMBER 24, 1998
2PM**

AGENDA

AUDIT RESOLUTION

LEGAL REVIEW

COMMUNITY FOUNDATION SUPPORT

ISSUES

INCORPORATING OFFICERS (3)

TIMING OF COMMISSION APPOINTMENTS

OUTSTANDING REPORTS FOR THE CORPORATION

NEXT STEPS

STEPTOE & JOHNSON LLP

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DELIVER TO:

NAME: **Mary Ann Miller** TELECOPY PHONE NUMBER: **727-3765**

COMPANY: **Office of Policy and Evaluation,
 Government of the District of Columbia** VERIFICATION NUMBER: **727-6979**

TOTAL PAGES & COVER SHEET: **20**

DATE TRANSMITTED:

S&J OPERATOR'S NAME:

TELEPHONE NUMBER:

CLIENT/CASE NUMBER: **94427.0001**

FROM:

NAME: **Wm. Fletcher Fairey**

REQUEST MADE ON

DATE: **11/12/98**

TIME: **2:30 PM**

COMPLETION REQUIRED BY

DATE: **11/12/98**

TIME: **ASAP**

SPECIAL INSTRUCTIONS:

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1129-6420

November 12, 1998

Via FACSIMILE

Mary Ann Miller
Office of Policy and Evaluation
Government of the District of Columbia
441 Fourth St., NW, Suite 910
Washington, D.C. 20001

Re: **Bylaws for DC Commission on National and Community Service**

Dear Ms. Miller,

I am sending to you by facsimile the first draft of the Bylaws for the DC Commission on National and Community Service. This draft was adapted from the bylaws sent to me by your office as well as bylaws from other nonprofit organizations incorporated in the District of Columbia.

Please note that my draft contains a number of footnotes with questions regarding specific provisions and general issues. Please make note of any questions you or others in your office may have.

I look forward to hearing from you regarding this draft. Feel free to call me with any questions you may have.

Very truly yours,

Wm. Fletcher Fairey

ATTORNEY WORK PRODUCT**BYLAWS****OF****DISTRICT OF COLUMBIA****COMMISSION ON NATIONAL AND COMMUNITY SERVICE****ARTICLE I***Name*

Section 1.01. Name. The corporate name of this organization (hereinafter referred to as the "Commission") is the D.C. Commission on National and Community Service.¹

ARTICLE II*Membership*

Section 2.01. Membership. The Commission shall not be a membership organization. All of the powers vested by law in the members of a nonprofit corporation shall be vested in the Board of Commissioners.

ARTICLE III*Offices*

¹ I suggest renaming the organization the "D.C. Corporation on National and Community Service." "Commission" refers to an organization that derives its authority from another source, primarily, the government. It suggests that the so-named organization is acting on behalf of that authority. While this incorporated entity will have a special relationship with the D.C. government (i.e., the mayor must name the board), it is not part of the government. On the other hand, I wonder if the use of "Corporation" will cause some to confuse this entity with the national corporation. See § 29-507 of D.C. Code on Nonprofit Corporations.

Section 3.01. Location. The principal office of the Commission shall be located within the District of Columbia, at such place as the Board of Commissioners shall from time to time designate. The Commission may maintain additional offices at such other places within the District of Columbia as the Board of Commissioners may designate.²

ARTICLE IV

Board of Commissioners

Section 4.01. General Powers. All corporate powers shall be exercised by, or under the authority of, and the business of the Commission shall be managed under the direction of, the Board of Commissioners.

Section 4.02. Number and General Qualifications. The number of Commissioners constituting the entire voting membership of the Board of Commissioners shall be twenty-one (21).³ The number of Commissioners may be increased or decreased from time to time by amendment to the Bylaws, but in no event shall the number of Commissioners be less than the minimum number of Commissioners required by the relevant regulations issued by the federal Corporation for National and Community Service pursuant its statutory authority.⁴ To the extent possible, membership of the Commission shall be balanced with respect to race, ethnicity, age,

² I see no advantage to limiting yourself to one, "sole" office; there may be some need in the future to have small site offices in other parts of the city. Also, I removed the provision relating to Registered Office. This provision is not necessary in this document; I have included it in the Articles of Incorporation.

³ Is this still the correct number? The Act requires that the Commission have 15-25 voting members.

⁴ This provision allows for flexibility within national corp's guidelines.

gender, and disability characteristics.⁵ The Commissioners need not be residents of the District of Columbia.⁶ No decrease in the number of Commissioners shall have the effect of shortening the term of any incumbent Commissioner.

Section 4.03. Appointment and Terms of the Board of Commissioners.

(a) The Mayor of the District of Columbia shall appoint 21 voting members of the Board of Commissioners.⁷

(b) Of the original voting members of the Board, seven⁸ shall be appointed for initial terms of three years beginning _____.⁹ Another seven shall be appointed for initial terms of two years beginning _____.¹⁰ The remaining seven shall be appointed for initial terms of one year beginning _____.¹¹ Thereafter, appointments shall be made for terms of three years.

⁵ I have deleted one requirement (that "all commissioners shall have demonstrated a commitment to public service") and reworded the one referring to diversity. These changes are based on the Corporation's regulations. I have only included the requirements that those regulations mandate.

⁶ I have not found any provision in the Corporation's regulations that addresses this point.

⁷ If we decide to have initial directors, an arrangement that would facilitate the incorporation process, I will add a provision here dealing with the appointment of these initial directors.

⁸ These numbers may change depending on the size of the entire board.

⁹ Insert date.

¹⁰ Insert date.

¹¹ Insert date.

(c) A member shall be eligible to succeed himself or herself; however, members shall not be appointed to successive terms totaling more than six years.¹²

Section 4.04. Voting Members.

(a) A member may represent none, one, or more than one of the following categories, but each of these categories shall be represented on the Board:¹³

- (i) a representative of community-based agency or organization within the District;
- (ii) the Superintendent of District of Columbia Public Schools or his or her designee;
- (iii) a representative of District of Columbia government;
- (iv) a representative of local labor organizations in the District of Columbia;
- (v) a representative of business;
- (vi) an individual between the ages of 16 and 25, inclusive, who is a participant or supervisor of a service program for school-age youth, or of a campus-based or national service program;
- (vii) a representative of a national service program;

¹² The restriction limiting a commissioner's eligibility to six years is not required by the regulations. Therefore, I am inclined to remove it. If it remains, I must create an exception for some Commissioners, like the Superintendent of schools.

¹³ These categories are required by the Act (see § 2550.50 of 45 CFR). I reordered them so that they match the order of the list in the regulations. Additionally, I eliminated one category that appeared in the previous draft of the Bylaws because it was not on the mandatory list in the regulations.

(viii) an individual with expertise in the educational, training and development needs of youth, particularly disadvantaged youth; and

(ix) an individual with experience in promoting the involvement of adults (55 years old and over) in service and volunteerism;¹⁴

(b) Not more than 25 percent of the voting members of the Board of Commissioners may be officers and/or employees of state government, although additional state agency representatives may be appointed to the Board of Commissioners as non-voting members.

(c) Not more than 50 percent plus one of the voting members of the Board of Commissioners may be from the same political party.¹⁵

Section 4.05. Non-voting Members of the Board of Commissioners. The Mayor shall appoint, as an ex-officio, non-voting member of the Board, a representative designated by the federal Corporation for National and Community Service. The Mayor may, in his or her discretion, appoint other ex-officio, non-voting members who shall serve at the pleasure of the Mayor.

Section 4.06. Compensation. The members of the Board of Commissioners will receive no compensation for their services, but may be reimbursed for travel and daily expenses in the same manner as other employees intermittently serving the District.¹⁶

¹⁴ The national Corporation also suggests other categories of Commissioners: educators, including representatives from Higher Education and local education agencies; experts in the delivery of human educational, environmental, or public safety services to communities and persons; representatives of Indian tribes; out-of-school and at-risk youth. I do not see any need to include these non-required categories in the Bylaws.

¹⁵ Under certain circumstances, this provision may be waived by the Corporation for some AAEs. See Regs. § 2550.60(a)(3).

Section 4.07. Vacancies. Upon the occurrence of a vacancy in the office of a Commissioner¹⁷ by reason of death, resignation, retirement, disqualification, or removal of a Commissioner, the Mayor of the District of Columbia shall appoint a new Commissioner, from the same category, if any, to which the vacating Commissioner belonged, for the unexpired portion of said Commissioner's term.

Section 4.08. Removal of Commissioners. Any Commissioner who fails to attend at least fifty percent (50%) of the Commission's regular meetings in any period of three hundred sixty-five (365) consecutive days¹⁸ shall be removed from the Board of Commissioners and, if such Commissioner is an officer of the Commission, from such office, upon a motion to that effect by the Chairperson or any other voting member of the Board of Commissioners and the approval of such motion by a majority of the voting Commissioners in accordance with. Any such removal shall be effective upon such approval and the office(s) of such Commissioner and, if applicable, of such officer, shall thereupon be vacant. Additionally, a Commissioner may be removed, with or without cause, by a vote of a majority of the Commissioners then in office at a meeting of the Board of Commissioners expressly called for that purpose.

Section 4.09. Resignations. Any Commissioner may resign at any time by giving written notice to the Board of Commissioners or the Chairperson. Such resignation shall take effect when such notice is delivered, unless the notice specifies a later effective date.

¹⁶ Do we want this linkage with District procedures?

¹⁷ **Insert reference to Chairperson vacancy in Officers section.**

¹⁸ Is this rolling system necessary? It will require good record keeping. Furthermore, I am not sure it is necessary given that directors can be removed for any reason by majority vote of the Board.

Section 4.10. Quorum. Unless otherwise required by law or by the Articles of Incorporation or these Bylaws, one-third of the voting Commissioners then in office shall constitute a quorum for the transaction of business. Except as otherwise provided by law or by the Articles of Incorporation or these Bylaws, the act of a majority of the Commissioners present at a meeting at which a quorum is present shall constitute the action of the Board of Commissioners.

Section 4.11. Annual Meetings. An annual meeting of the Board of Commissioners shall be held on the second Tuesday of _____¹⁹ in each year or at such time as shall be determined by the Commission. The annual meeting shall be held for the purpose of electing officers,²⁰ and for the transaction of such other business as may come before the meeting.

Section 4.12. Regular Meetings. Regular meetings of the Board of Commissioners shall be held at such time and place as the Board of Commissioners may designate, but not less than _____²¹ each year.

Section 4.13. Special Meetings. Special meetings of the Board of Commissioners may be called by or at the request of the Chairperson or any two (2) Commissioners. The Chairperson shall fix the manner and the place for holding any special meeting of the Board of Commissioners.²²

¹⁹ Insert month for annual meeting.

²⁰ Removed reference to "Commissioners." The Board does not elect Commissioners; rather, they are appointed by the Mayor.

²¹ Insert frequency for regular meetings. The frequency of the meetings of other state commissions varies from once a month to three times a year.

²² Deleted "Emergency Meeting" provision. Only difference between it and special meeting is the amount of time of notice required.

Section 4.14. Notice of Meetings of Commissioners.

(a) No notice need be given of annual meetings of the Board of Commissioners. The Chairperson or Secretary shall give written notice of each regular meeting to each Commissioner at least seven (7) days in advance thereof. The Board of Commissioners may provide by resolution the time and place for the holding of additional regular meetings without notice. Notice of any special meeting shall be given at least three (3) days prior thereto by written notice. All written notices shall be delivered personally or mailed to each Commissioner at the Commissioner's address, or by fax or telegram. If mailed, such notices shall be deemed given when deposited in the United States mail, postage prepaid, addressed to the respective Commissioners at the addresses listed on the records of the Commission.²³

(b) Notice of a meeting of the Board of Commissioners need not be given to any Commissioner entitled to such notice who submits a signed, written waiver of notice before or after the date and time stated in such notice. A Commissioner's attendance at or participation in a meeting waives any required notice to him or her of such meeting, unless at the beginning of such meeting or promptly upon his or her arrival at such meeting, such Commissioner objects to holding the meeting or transacting any business at the meeting, and does not thereafter vote for or assent to action taken at the meeting.

(c) Unless otherwise required by law or by these Bylaws, a notice need not specify the business to be transacted at, or the purpose of, any meeting of the Board of Commissioners; provided, however, if such notice does specify the business to be transacted at,

²³ Reorganized this section to address comprehensively the questions of notice in one provision.

or the purpose of, a meeting of the Board of Commissioners, such notice shall not limit the actions the Board of Commissioners may take at such meeting.

Section 4.15. Action by Commissioners in Lieu of a Meeting; Meetings by Conference Telephone.

(a) Unless otherwise restricted by the Articles of Incorporation or these Bylaws, any action required or permitted to be taken at a meeting of the Board of Commissioners may be taken without a meeting if all Commissioners consent in writing to the adoption of a resolution authorizing the action. The resolution and the written consents thereto by the Commissioners shall be filed with the minutes of the Board of Commissioners or filed with the corporate records reflecting the action taken. An action taken under this Section 4.14²⁴ becomes effective when the last Commissioner signs the consent, unless the consent specifies a different effective date, in which event the action taken is effective as of the date specified therein, provided, the consent states the date of execution by each Commissioner. Such consent shall have the same force and effect as a unanimous vote.²⁵

(b) Unless otherwise restricted by the Articles of Incorporation or these Bylaws, any Commissioner may participate in a regular or special meeting of the Board of Commissioners or of a committee thereof by means of conference telephone or by any means of communication by which all Commissioners participating may hear one another during the meeting. A Commissioner participating in a meeting by this means is deemed to be present in person at the meeting.

²⁴ Confirm this section number.

²⁵ Removed public meeting provision. I found no provision in the Corporation's regulations that required public meetings.

the Board of Commissioners at which action on any Commission matter is taken shall be presumed to have assented to the action taken unless the Commissioner's dissent shall be entered in the minutes of the meeting or unless the Commissioner shall file a written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Commission within one (1) day after the adjournment of the meeting. Such right to dissent shall not apply to a Commissioner who voted in favor of such action.

Section 4.17. Restrictions on Activities.²⁶

ARTICLE V

Committees

Section 5.01. Executive Committee. The Executive Committee shall consist of all of the Officers as designated pursuant to Section 6.01 and two (2)²⁷ other voting members of the Board of Commissioners as decided by a majority vote of the Board at its annual meeting. The Executive Committee shall have authority to act on behalf of the Board of Commissioners during intervals between meetings of the Commissioners. At regularly or specially called meetings of the Commissioners, the Executive Committee shall report to the Board of Commissioners actions taken since the preceding meeting of the Board of Commissioners. All actions taken by the Executive Committee shall be by unanimous agreement of all members of the Executive

²⁶ I am unsure whether to include the list of restrictions on the Board's activities that appears in the Corporation's regulations. I am inclined not to include this list because I don't believe the Bylaws is the appropriate place to reproduce these regulations.

²⁷ Is this the correct number? As small as possible is probably best.

Committee. In the event unanimous agreement cannot be obtained, the issue must be brought before the Board of Commissioners at a specially or regularly called meeting.

Section 5.02. Committees; Authority. The Board of Commissioners, by resolution adopted by a majority of the Commissioners in office, may designate and appoint one or more committees, each of which shall consist of five (5)²⁸ or more Commissioners, which committees, to the extent provided in the resolution, shall have and exercise the authority of the Board of Commissioners of the Commission. Other committees not having and exercising the authority of the Board of Commissioners in the management of the Commission may be designated and appointed by a resolution adopted by a majority of the Commissioners present at a meeting at which a quorum is present. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Commissioners, or any individual Commissioner, of any responsibility imposed upon it, him, or her by law.

ARTICLE VI

Officers

Section 6.01. Officers. The voting members of the Board of Commissioners shall elect a Chairperson, a Vice Chairperson, a Secretary and a Treasurer and such assistant officers as may be deemed necessary by the Board. Any two or more offices may be held by the same person, except the offices of Chairperson and Secretary. The officers shall be at the time of their

²⁸ Is this the correct number? Is this language good enough for executive committee idea?

election, and shall remain throughout their terms of office, voting members of the Board of Commissioners.²⁹

Section 6.02. Terms of Office and Removal. The Chairperson shall serve for a term of three years.³⁰ The Vice Chairperson, the Secretary and the Treasurer shall serve for terms of one year.³¹ Any officer may be removed by a vote of a majority of Commissioners whenever in their judgment the best interests of the Commission will be served thereby. Election of an officer shall not of itself create contract rights.

Section 6.03. Chairperson. The Chairperson shall be the principal executive officer and spokesperson of the Commission. Subject to the direction and under the supervision of the Board of Commissioners, the Chairperson shall perform all duties customary to that office and shall supervise and control all of the affairs of the Commission in accordance with the policies and directives approved by the Board of Commissioners. The Chairperson shall preside at all meetings of the Board of Commissioners, and in his or her absence, the Chairperson shall designate another officer to preside at the meeting. The Chairperson shall be a member ex officio of all committees of the Commission.³²

²⁹ I have eliminated the idea of "assistant officers".

³⁰ This appears to be a long term. I have found no minimum requirement in the Regulations. Do you want it to be a three-year term?

³¹ Is this correct? Once again, I have found no guidance with respect to the length of officers' terms in the Corporation's regulations.

³² Much of previous text deleted because a subsequent provision (§ 7.02) allows board to designate anyone, including chairperson, to execute documents and take other action in name of board.

Section 6.04. Vice Chairperson. The Vice Chairperson shall perform such duties and have such powers as the Board may from time to time prescribe by standing or special resolution, or as the Chairperson may from time to time provide, subject to the powers and supervision of the Board of Commissioners.³³

Section 6.05. Secretary. The Secretary shall: (a) prepare the minutes of the meetings of the Board of Commissioners; (b) see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (c) be custodian of the Commission records and of the seal of the Commission and see that the seal of the Commission is affixed to all documents the execution of which on behalf of the Commission under its seal is duly authorized; (d) maintain a record of the addresses of each Commissioner's residence which shall be furnished to the Secretary by such Commissioner; and (e) perform all duties customary to the office of Secretary or as may be determined from time to time by the Board of Commissioners.

Section 6.06. Treasurer. The Treasurer shall: (a) have charge or custody of and be responsible for all funds and securities of the Commission; (b) receive and give receipts for monies due and payable to the Commission from any source whatsoever, and deposit all such monies in the name of the Commission in such banks, trust companies or other depositories as the Board of Commissioners may designate; and (c) perform all of the duties customary to the office of Treasurer, subject to the supervision of the Board of Commissioners, and such other duties as shall from time to time be assigned by the Board of Commissioners.

³³ The "absence provision" was deleted. It did not make sense because (1) vice-chairperson may be the same person as chairperson and (2) new chairperson will be appointed by board

Section 6.07. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, shall be filled by the Board of Commissioners in the manner prescribed in Section 6.01 of these Bylaws.³⁴ In the case of a vacancy in any of the offices specifically designated in Section 6.01,³⁵ such vacancy shall be filled for the unexpired portion of the vacated term.

Section 6.08. Agents and Employees. The Board may appoint agents and employees who shall have such authority and perform such duties as may be prescribed by the Board. The Board of Commissioners may remove any agent or employee at any time with or without cause. Removal without cause shall be without prejudice to such person's contract rights, if any, and the appointment of such person shall not itself create contract rights.

Section 6.09. Compensation of Officers, Agents and Employees.

(a) The officers of the Commission shall serve without compensation for services rendered by them in their capacity as officers.

(b) The Commission may pay compensation to agents and employees for services rendered, and may reimburse agents and employees for expenses incurred in the performance of their duties to the Commission, in reasonable amounts, such amounts to be fixed by the Board of Commissioners.³⁶

(c) The Board of Commissioners may require agents or employees to give security for the faithful performance of their duties.

³⁴ Confirm this cross-reference.

³⁵ Confirm this cross-reference.

³⁶ I believe that this provision eliminates the need for a separate Executive Director provision.

ARTICLE VII

Miscellaneous

Section 7.01. Fiscal Year. The fiscal year of the Commission shall begin on the first day of October and, end on the last day of September, or such other period as may be fixed by the Board of Commissioners.

Section 7.02. Checks, Drafts, and Contracts. The Board of Commissioners shall determine who shall be authorized from time to time on the Commission's behalf to sign checks, drafts, or other orders for the payment of money; to sign acceptances, notes, or other evidences of indebtedness; to enter into contracts; or to execute and deliver other documents and instruments.

Section 7.03. Books and Records to be Kept. The Commission shall keep at its principal office in the District of Columbia, correct and complete books and records of account, the activities and transactions of the Commission, the minutes of the proceedings of the Board of Commissioners and the current list of Commissioners and officers and the addresses of their residences. Any other books, minutes and records of the Commission may be in written form or in any other form capable of being converted into written form within a reasonable time.

Section 7.04. Amendments.

(a) The Articles of Incorporation may be amended by a majority vote of the Commissioners then in office.

(b) The Bylaws of the Commission may be adopted, amended, or repealed by a majority vote of Commissioners then in office.

Section 7.05. Indemnification and Insurance. Unless otherwise prohibited by law, the Commission shall indemnify any Commissioner or officer, any former Commissioner or officer, any person who may have served at the Commission's request as a director or officer of another

corporation, whether for profit or not-for-profit, and may, by resolution of the Board of Commissioners, indemnify any employee against any and all expenses and liabilities actually and necessarily incurred by him or her or imposed on him or her in connection with any claim, action, suit, or proceeding (whether actual or threatened, civil, criminal, administrative, or investigative, including appeals) to which he or she may be or is made a party by reason of being or having been such Commissioner, officer, or employee; subject to the limitation, however, that there shall be no indemnification in relation to matters as to which he or she shall be adjudged in such claim, action, suit or proceeding to be guilty of a criminal offense or liable to the Commission for damages arising out of his or her own negligence or misconduct in the performance of a duty to the Commission.

Amounts paid in indemnification of expenses and liabilities may include, but shall not be limited to, counsel fees and other fees; costs and disbursements; and judgments, fines, and penalties against, and amounts paid in settlement by, such Commissioner, officer, or employee. The Commission may advance expenses to, or where appropriate may itself, at its expense, undertake the defense of, any Commissioner, officer, or employee; provided, however, that such Commissioner, officer or employee shall undertake to repay or to reimburse such expenses if it should be ultimately determined that he or she is not entitled to indemnification under this Section.

The provisions of this Section shall be applicable to claims, actions, suits, or proceedings made or commenced after the adoption hereof, whether arising from acts or omissions to act occurring before or after adoption hereof.

The indemnification provided by this Section shall not be deemed exclusive of any other rights to which the Commissioner, officer, or employee may be entitled under any statute,

Bylaw, agreement, vote of the Board of Commissioners, or otherwise and shall not restrict the power of the Commission to make any indemnification permitted by law.

The Board of Commissioners may authorize the purchase of insurance on behalf of any Commissioner, officer, employee, or other agent against any liability asserted against or incurred by him or her which arises out of such person's status as a Commissioner, officer, employee, or agent or out of acts taken in such capacity, whether or not the Commission would have the power to indemnify the person against that liability under law.

In no case, however, shall the Commission indemnify, reimburse, or insure any person for any taxes imposed on such individual under chapter 42 of the Internal Revenue Code of 1986, as amended (the "Code"). Further, if at any time the Commission is deemed to be a private foundation within the meaning of § 509 of the Code then, during such time, no payment shall be made under this Section if such payment would constitute an act of self-dealing or a taxable expenditure, as defined in § 4941(d) or § 4945(d), respectively, of the Code.

If any part of this Section shall be found in any action, suit, or proceeding to be invalid or ineffective, the validity and the effectiveness of the remaining parts shall not be affected.

Section 7.06. Loans to Commissioners and Officers. No loans shall be made by the Commission to its Commissioners or officers.

ARTICLE VIII

Exempt Status

Section 8.01. Exempt Status. Notwithstanding any provision in these Bylaws or in the Commission's Articles of Incorporation, the Commission shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax as an organization described in § 501(c)(3) of the Code or the corresponding provision of any future federal tax

code, or by an organization contributions to which are deductible under §§ 170(c)(2), 2055(a)(2) and 2522(a)(2) of the Code or the corresponding provision of any future federal tax code.

*** ACTIVITY REPORT ***

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OFFICE OF POLICY & EVALUATION

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WASHINGTON, D.C. 20001
(202) 727-6979
(202) 727-3765 (FAX)

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OFFICE: _____ DATE: 11-12-98

FAX NO. 291-3904 OFFICE NO: _____

FROM: Maryann Miller

TOTAL PAGES TO TRANSMIT, INCLUDING COVER LETTER: 19

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Bureaus for DC Commission
on National and Community Service

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL**

**AUDIT OF COSTS INCURRED
BY THE DISTRICT OF COLUMBIA
COMMISSION FOR NATIONAL
AND COMMUNITY SERVICE**

Revised Copy 10-7-98

**E. BARRETT PRETTYMAN, JR.
INSPECTOR GENERAL**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL**

**AUDIT OF COSTS INCURRED
BY THE DISTRICT OF COLUMBIA
COMMISSION FOR NATIONAL AND COMMUNITY SERVICE**

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I. INTRODUCTION AND PURPOSE

At the request of the Corporation for National and Community Service (Corporation) and the Mayor's Office of Policy and Evaluation (OPE), the Office of the Inspector General (OIG) has completed an audit of the costs incurred by the District of Columbia Commission for National and Community Service (Commission).

On March 16, 1998, the Corporation's Director, Office of Grants and Contracts, requested the OIG to review and analyze all Commission expenses paid by the Washington Council of Agencies (WCA) during the period January 1, 1996 through June 30, 1997, to determine whether funds expended were reasonable and properly supported. The audit also included a review of the WCA's fiscal procedures, a review of the Commission's matching contributions, and a review of the grant reports prepared by the WCA.

We noted during our review that payment procedures provided by the WCA were inadequate. Additionally, payments were made without determining if the expenses were pre-approved or reviewing the underlying support for the expenses before making payments. As a result, overpayments occurred in the amount of approximately \$3,356.

We recommended that the Corporation, prior to reestablishing the Commission, obtain the services of a Fiscal Agent that is experienced with the management of Federal funds. We also recommended that the Corporation bill the former Executive Director for overpayments of salary.

II. BACKGROUND

The National and Community Service Act of 1990 (amended 1993) requires each state (and the District of Columbia) to establish a commission responsible for the legal administration of the National and Community Service program and for the funding of community-based service efforts that address identified educational, public safety, environmental, and health needs. The District of Columbia Commission was established on January 26, 1994, by Mayor's Order 94-11.

In September 1995, the D.C. Financial Control Board mandated the downsizing of the District of Columbia. During this downsizing, the Commission's two personnel positions were eliminated. The Commission remained without staff until April 1996, when a temporary interim Executive Director was hired, and the WCA assumed limited fiscal responsibilities for the Commission.

The Commission was housed within the District of Columbia, Office of Policy and Evaluation. It received support in the way of rent, utilities, and reproduction services and was eligible to receive matching contribution funds from the Corporation up to 20 percent of the Commission's total administrative expenses.

On March 4, 1997, the Corporation completed its review of the Commission's FY 1997 State Administrative Fund Application. On March 5, 1997, the Corporation received a consultant's report (Walker & Company, LLP) which concluded that the Commission's cash management practices and financial management system did not comply with the requirements for the management of Federal funds. The report indicated that the Commission was lacking accounting records and did not produce financial reports. Based on the Corporation's review and the consultant's report, the Corporation suspended funds for the Commission. The Commission was dissolved on June 17, 1997 (Mayoral Order 97-109).

On January 22, 1998, the Director, Office of Policy and Evaluation, requested the OIG to conduct an audit of the Commission as a preliminary step to reestablishing the Commission.

III. SCOPE, OBJECTIVES AND METHODOLOGY

The audit included a complete review and analysis of all Commission invoices paid by the WCA for the period January 1, 1996 through June 30, 1997. Additionally, we reviewed the WCA's payment procedures and analyzed the supporting documentation for all disbursements made by the WCA. Each invoice for payment was reviewed to determine if the invoices were (i) supported with reasonable documentation, (ii) verified for mathematical accuracy and (iii) reviewed prior to payment. We also reviewed the Commission's matching contributions to determine if they were correctly computed and appeared reasonable. The Federal Cash Transactions Report was also reviewed to determine if grant disbursements were accurately reported.

The March 5, 1997 consultant's report concluded that the financial management practices of the Commission were inappropriate for the management of Federal funds. Our review did not duplicate the areas discussed in the consultant's report.

Our audit was performed in accordance with generally accepted government auditing standards (GAGAS) and included such tests as considered necessary under the circumstances.

IV. FINDINGS AND RECOMMENDATIONS

FISCAL SERVICES PROVIDED WERE INADEQUATE AND RESTRICTIVE

Although our audit showed that the Commission met its matching contribution and that the Federal Cost transactions were accurately reported, the fiscal services provided by the WCA for the Commission were not adequate. Payment procedures were restrictive in that the Commission was only allowed to write a maximum number of three checks per month. This caused Commission personnel to lump their expenses into large payments, which were often unsupported. Commission personnel went as long as three months without a salary check. In addition, internal controls were lacking in payment procedures. The WCA did not verify the amounts, review supporting documentation, review hours worked, or determine if prior approval was obtained prior to issuing payroll checks. As a result, overpayments were made in the amount of \$3,356.

Restrictive Payment Procedures

Restrictive payment procedures imposed by the WCA were not responsive to the needs of the Commission. The unrealistic restriction of allowing the Commission to write only three checks per month and the absence of reviews for documentation prior to payment by the WCA resulted in overpayments in the amount of \$1,174.50. Total expenditures for the period we audited were \$102,038.

During our review, we noted several weaknesses in the WCA's payment procedures. We observed that the WCA placed an unrealistic restriction on the number of checks that could be written for reimbursement of Commission expenses. The Commission staff was limited to a total of only three reimbursement checks per month. This restriction forced the Commission staff on occasion either to pay expenses with their own funds, or to charge expenses to their personal credit accounts. Moreover, the staff would accumulate and batch their invoices, and request a single consolidated check covering expenses and salary payments, to stay within the three-checks-per month limitation. The restrictive payment procedures of three reimbursement checks per month resulted in a situation in which the Commission personnel went as long as three months without a pay check and created an opportunity for the Executive Director to submit at least three unsupported payment requests, as described below.

The Executive Director submitted two unsupported requests for salary payments. On two separate occasions, the executive submitted requests, and was paid, twice for the same period. The first unsupported payment request occurred on November 14, 1996, when the Executive Director submitted an invoice totaling \$7,016 to cover her salary of \$4,846.50 for the period October 19, 1996 through November 13, 1996, plus \$2,169.50 for additional incurred expenses. The Executive Director in her November 14, 1996 salary request indicated, "The total number of hours at \$27 per hour for 179.5 hours. The total for billable hours is \$4,846.50." The requested salary payment of \$4,846.50 was paid on November 20, 1996.

Our review of that pay period indicated that there were only 144 available working hours, not 179.5 during the period, including the holiday on November 11, 1996. The Executive Director's unsupported salary request resulted in an overpayment of 39.5 hours, or \$958.50, as shown in the following schedule:

OCTOBER 1996					DAYS	HOURS
<u>M</u>	<u>T</u>	<u>W</u>	<u>T</u>	<u>F</u>		
21	22	23	24	25	5	40
28	29	30	31		4	32
NOVEMBER 1996						
					1	8
4	5	6	7	8	5	40
11	12	13			3	24
Total Available Hours						144
Billed Hours						179.5
Excess Hours						39.5
Times Rate per Hour						<u>\$27</u>
Unsupported Costs						\$958.50

The second unsupported payment request was initiated on November 26, 1996, when the Executive Director submitted a salary invoice for the period November 14, 1996 through November 26, 1996. The invoice read, "for services rendered as the Interim Executive Director, 72 hours at \$27 per, TLR \$1,944.00." Payment was made on December 12, 1996 for the period November 14, 1996 through November 26, 1996 in the amount of \$1,944.

On December 19, 1996, the Executive Director submitted another salary invoice for the period November 14, 1996 through December 19, 1996, which read, "please accept this invoice for the time period November 14, 1996 through December 19, 1996. The total number of hours at \$27 per is 220. The total billable hours is \$5,940." The payment was made on December 30, 1996 in the amount of \$5,940.

The Executive Director's December 19, 1996 invoice included the same period of November 14, 1996 through November 26, 1996 paid previously on December 12, 1996. It became apparent that the Executive Director double billed 72 hours at \$27 per hour for the period November 14 through November 26, 1996, and was overpaid 72 hours at \$27 per hour or \$1,944. Because the payments were batched in total in this manner, which included four weeks of payments in three checks, it was difficult for the Commission to determine that she had previously billed for her salary for the period November 14 through November 26. In our opinion, if the three-check restriction was not in effect and separate checks were issued to pay her salary every two weeks, this overpayment would have been immediately detected. Instead, the overpayment was detected

by the WCA and corrected five months later as a result of a special review conducted by the WCA.

The third unsupported payment request was initiated on December 6, 1996, when the Executive Director alleged that she had written a \$4,240 check to Xerox Corporation as a deposit for an upcoming training session at Xerox's training facility in Leesburg, Virginia. She informed the WCA that a copy of the check did not exist at the time reimbursement was requested because the check had not yet cleared the bank. This was the only occasion we noted during our review that the WCA issued a check without a supporting invoice. However, an understanding existed that the Executive Director would supply documentation for the deposit at a later date.

The Xerox training coordinator subsequently advised the WCA treasurer that the deposit was for only \$4,010, a difference of \$230. The WCA treasurer in turn requested the Executive Director to provide her with documentation for the deposit. The Executive Director in reporting to the WCA treasurer, sometime in February 1997, submitted a previously unclaimed request for reimbursement, dated December 6, 1996, for supplies in the amount of \$235. An annotation on the invoice read "Paid in full-cash" along with the signature of the company representative. Because of the circumstances surrounding the invoice, and the WCA treasurer's knowledge that the Executive Director had a personal relationship with the company representative, the WCA did not pay the bill.

The WCA treasurer advised the Xerox training facilitator to add an additional comment on the Xerox training facility bill that fewer people than planned attended the conference and the Commission was entitled to a refund of \$1,313. As it turned out, the Xerox training facilitator had had prior dealings with the WCA, called the WCA to issue the refund check payable to the WCA, and subsequently deposited the check to the Commission's grant account.

Recommendation

We recommended that the Director, Office of Policy and Evaluation:

Initiate collection procedures to recover salary overpayments in the amount of \$1,174.50 from the former Executive Director.

Agency Response:

The Agency agreed with the finding and recommendation as stated. (See Exhibit C.)

The Agency is requesting that the OIG provide information to assist with the expeditious recovery of salary overpayments to the former Executive Director of the Commission.

Internal Control Weaknesses Noted In Payment Procedures

The WCA did not verify the amounts, review supporting documentation, review hours worked, and determine if prior approval was obtained prior to issuing payroll checks. As a result, errors were noted for both over and under payments for total amounts contained in the transmittal letters and the number of hours worked.

Because of the internal control weaknesses, we reviewed and analyzed the supporting documentation for all disbursements and adjustments made by the WCA. We reviewed each invoice to determine if the invoices were (i) supported with reasonable documentation, (ii) verified for mathematical accuracy, and (iii) evidenced with prior approval.

Salaries were the largest single element of expense incurred by the Commission. In reviewing the underlying support for salaries, we noted that the Executive Director, the Program Officer, and the Deputy Director were all contract employees, who would not normally be entitled to be paid vacations, holidays, sick leave, and annual leave. However, during our audit, we noted that the Program Officer was receiving vacation pay, holiday pay, sick leave pay, and comp-time pay. Our review also noted that the Program Officer was apparently being paid for lunch periods. She routinely received 8 hours pay for working the hours from 9:00 a.m. to 5:00 p.m. The absence of time and attendance records prevented us from determining if the Executive Director and the Deputy Director were also receiving similar compensation. (The lack of time and attendance records was included in the consultant's March 1997 report referenced in the background to this report.)

We were also unable to locate employment contracts needed to document properly the terms and conditions under which the Commission staff members were employed. The absence of time and attendance records and employment contracts defining essential pay information such as pay periods, frequency of pay, and working hours prevented the WCA and the auditors from determining if salary payments were properly supported. In our opinion, the absence of employment contracts specifying prescribed pay periods also contributed to the Executive Director's overpayments.

Our review of the underlying support for the remaining expenses determined that there were receipts supporting documentation for the expenses, but there was no indication of approvals or authorizations that had been obtained in advance for travel, conference and training expenses.

Our review of the adjustments made by the WCA noted two exceptions. First, the WCA's review did not identify the November 20, 1996 overpayment of \$958.50 to the Executive Director detailed above. Second, the WCA, in making the May 15, 1997 final salary adjustments, determined that the Executive Director had worked 376 hours during the period December 20, 1996 to March 3, 1997. However, those hours were incorrectly carried over to another worksheet resulting in the Executive Director being paid for 384 hours. As a result, the Executive Director's final salary payment was overstated by 8 hours at \$27 per hour, or \$216.

A list of all expenses, by check number, paid by the WCA appears in **Exhibit A**. Neither the Commission nor the WCA maintained books of original entry that summarized these expenses. Therefore, based on the best information available, the OIG summarized those expenses into the following generic expense categories:

Expense Category	Amount
Salaries	\$ 84,948.49
Conferences	\$ 6,992.27
Travel-Training	\$ 3,271.14
Consulting Fee	\$ 3,750.00
Catering	\$ 1,749.20
Office Supplies	\$ 1,327.14
Total Expenses	\$ 102,038.24

Recommendation

We recommended that the Director, Office of Policy and Evaluation:

Prior to reestablishing the D.C. Commission for National and Community Service, ensure that a Fiscal Agent who is experienced with the requirements for the management of Federal funds is obtained.

Agency Response:

The Agency agrees with the finding and recommendation as stated. (See Exhibit C.)

Commission Met Its Requirement for Matching Contributions

The Corporation requested that we review the Commission's matching contributions. The Commission is required to provide matching funds in support of the National Community Service Program. Matching funds can be obtained from a variety of sources, including private funds, appropriated District funds, or from "in-kind services." Matching funds are limited to 20 percent of the Commission's total expenses, including the matching funds. (Grant funds requested by the Commission from the Corporation may not exceed 80 percent of the total combined funding.)

The matching funds were reported on line 10a of the Commission's Financial Status Report (Standard Form 269A) prepared by the WCA. Four quarterly Financial Status Reports should have been submitted covering the Commission's 12-month period ending March 31, 1997. However, the WCA did not prepare the fourth report covering the period January 1, 1997, through March 31, 1997. (The WCA advised the OIG that the Corporation did not request the fourth quarterly report.) Therefore, contributions for only three of the four quarters were reported.

At the request of the Corporation, we reviewed the supporting documentation for the Commission's reported matching contributions. The WCA reported in-kind matching contributions for the Commission totaling \$46,101, as shown in the following schedule:

	<u>Hours</u>	<u>Annual Costs</u>
<u>Salary</u>		
Commission Chair	300	\$ 13,818
WCA	48	1,724
OPE	434	16,843
Total Salaries		<u>\$32,385</u>
Office Supplies, Space --(Commission Chair)		1,550
<u>OPE EXPENSES:</u>		
Rent and Utilities:		
Workstation Area		13,800
Auditorium		442
Conference		2,047
Supplies		2,843
Telephone		8,400
Annual Contribution		<u>\$ 61,468</u>
Per Quarter		<u>\$ 15,367</u>
Three Quarters		<u>\$ 46,101</u>

All of the above contributions were based on estimates. Contributions were estimated on an annual basis and then reported on a quarterly basis for each of the three quarters reported. For salaries--the largest contribution-- the OPE Director and the Commission Chair each estimated approximately 300 hours per year, but there was no documentation to support the number of hours contributed. OPE's rent for the workstation space was based on an estimated 600 square feet at \$23 per square foot, or a total of \$13,800. Telephone costs were based on a cost of 7 cents per minute for an estimated 10,000 minutes per month, or \$8,400 per year.

However, since the Commission's total administrative expenses incurred during the period January 1, 1996 through March 31, 1997 were \$90,223, the maximum contribution is limited to \$22,556 ($\$90,223 - (\$90,223/80 \text{ percent})$). Although the reported contributions of \$46,101 appear to be excessive, based on the limitation of \$22,556, we concluded that the Commission met its requirement for matching contributions.

Federal Cash Transactions Accurately Reported

The Corporation also requested that we review Federal Cash Transactions Reports prepared by the WCA to determine if grant disbursements were accurately reported. As part of that review, we traced all disbursements made by the WCA into the Federal Cash Transactions Report (PMS 272 Report). The total disbursements of \$102,038 made by the WCA for the period January 1, 1996 through June 30, 1997 equaled the total disbursements reported by the WCA for the same period. The results of that review are presented in **Exhibit B**.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL
DC COMMISSION FOR NATIONAL AND COMMUNITY SERVICE
SCHEDULE OF CHECKS AND EXPENSES

<u>Ck No</u>	<u>Date</u>	<u>Payee</u>	<u>Explanation</u>	<u>Amount</u>
1005	02/14/96	Ressie Walker	Consulting fee for preparing 1995 State Commission Application	\$ 3,750.00
1006	02/14/96	American Youth Policy Forum	Rental of four buses from Gold Line Busses for youth conference on 6/28/95	\$ 1,820.00
1009	04/22/96	Executive Director	Salary	\$ 4,420.20
1011	05/13/96	Executive Director	Salary	\$ 4,240.00
1013	06/26/96	Justin Preston	Salary	\$ 984.00
1014	06/26/96	Executive Director	Salary	\$ 4,187.00
1015	06/26/96	Executive Director	Salary	\$ 4,399.00
1016	06/26/96	Executive Director	Salary	\$ 4,399.00
1018	07/18/96	Executive Director	Salary	\$ 4,240.00
1019	07/18/96	Executive Director	Salary	\$ 3,710.00
1020	07/19/96	Justin Preston	Salary	\$ 420.00
1022	09/17/96	Program Director	Salary	\$ 1,116.00
1023	09/17/96	Executive Director	Salary	\$ 8,451.00
1025	10/31/96	Program Director	Salary	\$ 2,292.00

1026	10/31/96	Executive Director	Salary	\$ 7,560.00
		3rd & Eats Restaurant	Catering (9/18/96)	\$ 205.75
		3rd & Eats Restaurant	Catering (10/15/96)	\$ 155.00
		3rd & Eats Restaurant	Catering (10/10/96)	\$ 32.50
		Washington Press	Posters & Flyers	\$ 1,460.00
		Washington Press	Underpayment Poster Deposit	\$ (200.00)
		Mid American Merchandi	Make a Difference Day Buttons	\$ 136.00
Check number 1026 written to Executive Director covering above items in the amount of				\$ 9,349.25

1028	11/20/96	Executive Director	Salary	\$ 4,846.50
		US Postal Service	Postage-Stamps (600 * .32)	\$ 192.00
		Reprographics Today	500 Souvenir Programs	\$ 850.00
		3rd & Eats Restaurant	Catering (11/06/96)	\$ 77.50
		Committee Catering Svc	Catering Breakfast Buffet (10/25/96) 300 * \$3.50	\$ 1,050.00
		Yvonne	Training Atlanta, GA MLK Jr. Meeting	\$ 472.78
Check number 1028 written to Executive Director covering above items in the amount of				\$ 7,488.78

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL
DC COMMISSION FOR NATIONAL AND COMMUNITY SERVICE
SCHEDULE OF CHECKS AND EXPENSES**

<u>Ck No.</u>	<u>Date</u>	<u>Payee</u>	<u>Explanation</u>	<u>Amount</u>
1029	11/26/96	Program Director	Salary	\$ 2,253.30
		NAPE Conference	Training	\$ 300.00
		Staples	Office Supplies	\$ 14.14
		Points of Light Foundatio	Training	\$ 52.05
Check number 1029 written to Program Director covering above items in the amount of				\$ 2,619.49
1031	12/06/96	Executive Director	Salary	\$ 1,944.00
		Washington Press	Supplies-NCR paper	\$ 210.00
		3rd & Eats Restaurant	Catering (11/13/96)	\$ 159.00
		Xerox Training Facility	Conference-Retreat Dec 8 & 9	\$ 4,240.00
		Arlington Printers	Supplies	\$ 69.67
		Executive Director	Expenses totaling \$6,622.67 paid as \$6,722.97	\$ 100.30
Check number 1031 written to Executive Director covering above items in the amount of				\$ 6,722.97
1033	12/30/96	Program Director	Salary	\$ 2,500.16
1032	12/30/96	Executive Director	Salary	\$ 5,940.00
		Supplies	Supplies	\$ 64.03
		US Postal Service	Postage	\$ 87.72
		3rd & Eats Restaurant	Catering	\$ 69.45
		Washington Press	Printing	\$ 552.00
		Close Up Foundation	Training Dec 6 & 13	\$ 500.00
Check number 1032 written to Executive Director covering above items in the amount of				\$ 7,213.20
1036	02/24/97	Program Director	Salary (Overpaid \$6.24)	\$ 3,750.24
1039	03/03/97	Program Director	Conference Jamaica(Feb 19 to Feb 23)	\$1,062.31
1041	04/28/97	Health Human Services	Refund	\$ (251.42)
10322	05/16/97	Deputy Director	Salary	\$ 3,364.00
10323	05/16/97	Executive Director	Salary	\$ 10,152.00
		Overpayment	Paid 384 Hrs: Worked 376	\$ 216.00
		Executive Director	Salary correction Dec 30 Overpayment	\$ (2,168.21)
		US Postal Service	Postage	\$ 137.58
		Southwest	Conference-Nat Svc Exec Training, Presidio, CA	\$ 305.00
		United Airline	Conference-Nat Svc Exec Training, Presidio, CA	\$ 579.00
Check number 10323 written to Executive Director covering above items in the amount of				\$ 9,221.37
10324	05/16/97	Program Director	Salary	\$ 1,632.00
Total Expenses				\$ 102,038.24

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL
DC COMMISSION FOR NATIONAL AND COMMUNITY SERVICE
RECONCILIATION OF CHECKS TO DRAWDOWNS AND GRANTS**

CHECK			Grant Number			Payee
Number	Date	Drawdown	94SC	95LCS	95PD	
1005	02/14/96	\$ 3,750.00	\$ 3,750.00			Ressie Walker
1006	02/14/96	\$ 1,820.00	\$ 1,820.00			American Youth Forum
		<u>\$ 5,570.00</u>				
1009	04/22/96	\$ 4,420.20	\$ 4,420.20			Executive Director
1011	05/13/96	\$ 4,240.00	\$ 4,240.00			Executive Director
			\$ -			
1013	07/26/96	\$ 984.00	\$ 984.00			Justin Preston
1014	07/26/96	\$ 4,187.00	\$ 4,187.00			Executive Director
1015	07/26/96	\$ 4,399.00	\$ 4,399.00			Executive Director
1016	07/26/96	\$ 4,399.00	\$ 4,399.00			Executive Director
		<u>\$ 13,969.00</u>				
			\$ -			
1018	07/18/96	\$ 4,240.00	\$ 4,240.00			Executive Director
1019	07/18/96	\$ 3,710.00	\$ 3,710.00			Executive Director
		<u>\$ 7,950.00</u>				
			\$ -			
1020	07/19/96	\$ 420.00	\$ 420.00			Justin Preston
1022	09/17/96	\$ 1,116.00	\$ 1,116.00			Program Director
1023	09/17/96	\$ 8,451.00	\$ 2,160.00			Executive Director
			\$ 2,187.00			Executive Director
			\$ 2,160.00			Executive Director
			\$ 1,944.00			Executive Director
		<u>\$ 9,567.00</u>				
1025	10/31/96	\$ 2,292.00	\$ 2,292.00			Program Director
1026	10/31/96	\$ 9,349.25	\$ 7,560.00			Executive Director
			\$ 205.75			3rd & Eats Restaurant
			\$ 155.00			3rd & Eats Restaurant
			\$ 32.50			3rd & Eats Restaurant
			\$ 1,460.00			Washington Press
			\$ (200.00)			Washington Press
			\$ 136.00			Mid American Merchandising
		<u>\$ 11,641.25</u>				

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL
DC COMMISSION FOR NATIONAL AND COMMUNITY SERVICE
RECONCILIATION OF CHECKS TO DRAWDOWNS AND GRANTS**

CHECK			Grant Number			Payee
Number	Date	Drawdown	94SC	95LCS	95PD	
1028	11/20/96	\$ 8,076.97	\$ 4,846.50			Executive Director
			\$ 192.00			US Postal Service
			\$ 850.00			Reprographics Today
			\$ 77.50			3rd & Eats Restaurant
			\$ 1,050.00			Committee Catering Service
			\$ 472.78			Yvonne
						Expenses totaling \$472.87 paid as \$472.78
						(Funds transferred exceeded the amount of expenses)
			\$ 588.19			
(Draw down was \$8,076.97 but check was \$7,488.78)						
1029	11/26/96	\$ 2,031.30	\$ 2,253.30			Program Director
			\$ (588.19)			(To correct excessive fund transfer of 11/20/96)
			\$ 300.00			NAPE Conference
			\$ 14.14			Staples
			\$ 52.05			Points of Light Foundation
(Draw down was \$2,031.30 but check was \$2,619.49)						
1031	12/06/96	\$ 6,722.97	\$ 1,944.00			Executive Director
			\$ 210.00			Washington Press
				\$ 159.00		3rd & Eats Restaurant
			\$ 1,116.00	\$ 3,224.00		Xerox Training Facility
			69.97			Arlington Printers
1033	12/30/96	\$ 2,500.16	\$ 2,500.16			Program Director
1032	12/30/96	\$ 7,213.20	\$ 5,940.00			Executive Director
			\$ 64.03			Supplies
			\$ 87.72			US Postal Service
				\$ 69.45		3rd & Eats Restaurant
				\$ 552.00		Washington Press
				\$ 500.00		Close Up Foundation
		\$ 9,713.36				
<u>\$ 9,713.36</u>						
1996 Expenses	\$	84,322.05	\$	75,286.14	\$	4,531.46
					\$	4,504.45

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL
DC COMMISSION FOR NATIONAL AND COMMUNITY SERVICE
RECONCILIATION OF CHECKS TO DRAWDOWNS AND GRANTS**

CHECK			Grant Number			Payee
Number	Date	Drawdown	94SC	95LCS	95PD	
1036	02/24/97	\$ 3,750.24	\$ 3,750.24			Program Director Overpaid
1039	03/03/97	\$ 1,062.31	Drawdown netted with Xerox refund			Program Director
1041	04/28/97	\$ (251.42)			\$ (251.42)	Health Human Services
10322	05/16/97	\$ 3,364.00	\$ 3,364.00			Deputy Director
10323	05/16/97	\$ 9,221.37	\$ 8,370.00		\$ 1,782.00	Executive Director Overpayment Executive Director US Postal Service Southwest United Airline
10324	05/16/97	\$ 1,632.00	\$ 384.00	\$ 1,248.00		Program Director
		<u>\$ 14,217.37</u>				

1996 Expenses	\$ 84,322.05	\$ 75,286.14	\$ 4,531.46	\$ 4,504.45
1997 Expenses	\$ 17,716.19	\$ 14,937.61	\$ 1,248.00	\$ 1,530.58
Total	\$ 102,038.24	\$ 90,223.75	\$ 5,779.46	\$ 6,035.03

NOTES-SYMBOLS:

Blocked areas represent expenses batched for drawdowns

Shaded areas represent over/under payments