

ELEANOR HOLMES NORTON
DISTRICT OF COLUMBIA

COMMITTEE ON
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Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEE ON
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TRANSPORTATION SECURITY, AND
INVESTMENT PROTECTION

EMERGENCY COMMUNICATION,
PREPAREDNESS, AND RESPONSE

November 3, 2009

The Honorable Edolphus Towns
Chairman, Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Stephen F. Lynch
Chairman, Subcommittee on Federal Workforce,
Postal Service and the District of Columbia
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

BY MAIL, FAX AND EMAIL

Dear Chairman Towns and Chairman Lynch:

I write to express my strong opposition to the October 30, 2009 letter from Representatives Darrell Issa and Jason Chaffetz requesting that the Committee on Oversight and Government Reform (Committee) investigate the District of Columbia's "funding of AIDS programs and services." I appreciate the well-intentioned interest of my friends on the Committee concerning misuse of funds reported by the *Washington Post*. The waste and inappropriate use of such funds is inexcusable and is receiving the appropriate oversight. The congressional investigation they request would not only violate the District's home rule attention to this local matter, but would do so unnecessarily, considering the work underway by city officials.

The District's high HIV/AIDS rate has been of immense concern to me, and I have spent considerable time of my own on this issue. Please note, however, that the District has a higher HIV/AIDS rate than cities with similar demographics in large part because of riders attached by Republicans to annual appropriations bills when they had the majority, banning the District from using its locally-raised revenues for effective needle exchange programs, and doing so at the cost of many lives and illness caused by the spread of the virus. When the Democrats assumed the majority in the 110th Congress, we removed the needle exchange ban and the District initiated a state-of-the-art exchange health program, but Republicans are again trying to attach a rider that would effectively end the program.

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Members of Congress are not proxies for the District's mayor and city council, and no Member of Congress would call for an investigation of any other local jurisdiction. The issues raised by the *Washington Post's* recent investigations of the District's HIV/AIDS funding over several years call for local oversight and immediate corrective action, which is well underway. Mayor Adrian M. Fenty and Attorney General J. Peter Nickles, announced after the *Washington Post* published its findings, that they were investigating the funding, in addition to the District's inspector general, who has been investigating HIV/AIDS funding at least since 2005. The city council has held hearings since 2006, and the FBI has been investigating since then as well. Moreover, the Fenty administration already has taken many steps to improve the District's HIV/AIDS funding, and many more and steps to improve the program were reported in the *Post* articles. Particularly in light of the many investigations underway, this funding issue is hardly in need of intervention by Congress.

The District's affairs are already subject to more federal intervention and oversight than those of any state or city in the country. The District also has federally-mandated financial controls and oversight in place. For example, the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (P.L. 104-8) created the independent Chief Financial Officer for the District and significantly expanded the powers and duties of the District's Office of the Inspector General to conform with Federal Inspector General regulations/criteria. Therefore, independent officials, in addition to the District's own locally elected officials, are in the best position to investigate and to continue ongoing improvements in the program now underway.

Finally, I note that Representatives Issa and Chaffetz neither informed me nor even sent me a copy of their formal request, although I also sit on the Committee and I am the Member representing the District. I hope this was simply an oversight in light of the courtesy every Member has the right to expect. Please be assured of my willingness to cooperate with the Committee or any of its members should you have concerns in the future.

Sincerely,


Eleanor Holmes Norton

CC:

Rep. Darryl Issa, Ranking Member, Committee on Oversight and Government Reform

Rep. Jason Chaffetz, Ranking Member, Subcommittee on Federal Workforce,
Postal Service and the District of Columbia

Adrian Fenty, Mayor, Washington, D.C.

Vincent Gray, Chairman, District of Columbia City Council