

news

NHTSA



Volume 2
Number 2

Published by
National Highway Traffic
Safety Administration

U.S. Department of
Transportation
Washington, D.C.

NHTSA News is a semi-monthly publication prepared for all agency employees by the Executive Secretariat, Room 5215, Nassif Building, 426-2876. Distribution is on the 1st and 3rd Monday of every month.

Editor M. J. Noll

January 1976

Their Way of Showing Concern



During an uncrowded moment, Dr. Gregory studies the approximately 20-foot long mural and letter displayed outside his office. This poster-letter was designed and written by Ms. Michelle Gaimari's class of 12 educably mentally retarded children ranging in age from 6 to 11, of Rush Elementary School, Cinna-minson, New Jersey.

It was after a study of school bus safety in health class, that the idea was born. The children, concerned about the fact that most school buses do not have seat belts, suggested that they write to the President so that he will know how they feel about this matter. This is their message:

Dear President Ford:

We are students in Rush School in Cinna-minson, New Jersey. We are study-

ing School bus safety in health class. Seat belts are very important to have in all school busses because they keep us in our seats if there is an accident and prevent us from being badly injured. Our parents are also hurt because they worry so much. Please put seat belts in school busses. Don't forget big seat belts for heavy people and little seat belts for skinny people.

Thank you for reading our letter.

*Sincerely,
Miss Gaimari's Class*

In a reply to Ms. Gaimari, Dr. Gregory said, "I was so impressed by the unique message your class sent along. I have asked that it be included in the "Docket" on the subject so that it will have a permanent place in our official proceedings."

A License To Drive—A Privilege, Not a Right

By legal interpretation, driving a motor vehicle is a privilege, not a right. Though modern society has made driving an economic necessity for most Americans, the large number of highway injuries and fatalities has made safer driving a necessity, as well. Which has priority?

"Dear Mr. President, Could you please get my driver's license back for me?" In Fiscal Year 1975, approximately 150 letters with similar opening sentences found their way to the Driver Licensing and Adjudication Division (DLAD) and the Executive Correspondence Staff (ECS), which works in coordination with DLAD on such letters.

There are various reasons why the originators of these letters lose their state driver's licenses. Three major reasons are speeding, driving while intoxicated, and the inability to show financial responsibility (usually, this means carrying insufficient insurance).

Because these letters are almost invariably addressed to the President, most are sent to NHTSA by the White House staff for further action.

Through the authority provided by the Highway Safety Act of 1966, NHTSA promulgated Highway Safety Program Standard (HSPS) Number 5, "Driver Licensing." As with other Standards, it sets minimum requirements for

State licensing programs. The responsibility for driver testing and licensing, then, rests with the states. Accordingly, our replies suggest that the individual contact the appropriate state agencies, usually the Department of Motor Vehicles or the Governor's representative for highway safety of his home state.



Jerry Tannahill, highway safety management specialist, TSP.

Those who request the reinstatement of their licenses often contend that the loss of the use of a vehicle can mean the loss of a job. Many states have provisions for such extenuating circumstances, according to Jerry Tannahill, highway safety management specialist, DLAD. Restricted licenses can be issued. They are usually called "hardship" or "occupational" licenses.

"Suspension or revocation is the last resort of the driver licensing agency," Jerry says. What constitutes a last resort, though, varies

from state to state. In some states, less than one in one thousand drivers may lose a license. In other states, as much as 5% of the driving population may lose the privilege by suspension or revocation action during the year. One primary mission of the DLAD, Jerry points out, is to develop national criteria for the imposition of driver improvement activities which may include denial sanctions.

Are suspension and revocation effective? Jerry feels existing evidence is contradictory. But he does believe that the driving record of some persons whose licenses have been reinstated after a suspension tend to improve. This is affected, to some extent, by a statistical phenomenon called "regression to the mean." Drivers who exhibit extremely good or bad performance during one period will tend toward average performance during subsequent driving periods.

Normally, when a state revokes or suspends an individual's driving license and returns it after a period of time, some retraining or driver improvement action occurs during that period. Otherwise, state officials feel they are placing drivers back on the highways with the same problems that caused them to be removed in the first place.

Jerry feels that li-

cense suspension and revocation is a useful tool as a last resort. "While evidence is inconclusive, the evidence now available to the Administration shows that, regardless of criteria by which states deny a driver license, they are identifying a significant percentage of drivers who consequently would cause fatal accidents."

Each supplicant to the President, of course, is a particular case, an individual, and deserves to be treated fairly. Each should be permitted to drive, if he will drive safely. But each is also responsible to society and comes into contact with the rest of humanity on the open roads of America. Each person who represents a danger to the rest should not be permitted to drive. Sanctioning, then, whether in its present state, or in some future, more refined version, seems a necessity for safety's sake.

'76 Bloodmobile Schedule

During 1976, the Bloodmobile is scheduled to be at the Nassif and Transpoint Buildings on the following dates. For information about the blood program, contact Earleen Hughes, OPM, room 5306, 426-0988:

January 20	- Nassif
March 23	- Transpoint
May 28	- Nassif
July 27	- Nassif
September 29	- Transpoint
December 1	- Nassif

Signing Your Evaluation

Part VI of the Performance Evaluation Record, Form DOT F 3430.1, provides a space for the employee's signature. Occasionally, in situations where there is disagreement with a supervisor's rating, employees have refused to sign the PER, feeling that the signature would signify agreement with the ratings. Such refusals are not appropriate. Your signature indicates only that you have reviewed the PER with your supervisor and discussed the ratings received; it does not take the place of or otherwise prevent you from requesting a review, filing a grievance, or appealing your evaluation if you believe such action is warranted.

If you are dissatisfied with your PER, you have the right to file a grievance or to appeal the adjective rating in Part

III A within NHTSA and/or to the Civil Service Commission, depending on the basis of the disagreement. Your signature does not affect this right. Generally, action to appeal or grieve must be taken within 15 days from the date your supervisor discusses the PER with you. For further information about grievance and appeal procedures, contact Pat Pietrzak or John Budnik in the Office of Personnel Management on 426-0988.

Holiday Postscript

Children's Hospital received a special holiday greeting from the employees of NHTSA—a contribution of \$505.50 and a Poster Greeting Card signed by the contributors. As has been traditional in this agency, many employees elect to contribute to Children's Hospital in lieu of exchanging Christmas cards.

PEOPLE WE'VE KNOWN:

"LAST MINUTE LARRY"



Cartoon by Tim Grubbs, WFP

Contract Management — A Serious Responsibility

by Joseph T. Bolos
Director
Office of Contracts and Procurement

There are many ways by which a federal employee can affect the operation of the federal government, either favorably or unfavorably. One of the most direct ways is through government contracts. On an average, in excess of 40 million dollars of NHTSA's budget annually is expended by awarding federal contracts. We now have over 500 active contracts and interagency agreements in Administration. A conservative guess is that these contracts and interagency agreements have a total value in excess of 150 million dollars. The responsibility placed upon those charged with administering these contracts is a serious one.

Most NHTSA Contract Technical Managers (CTMs) and personnel supporting them, manage contract programs assigned to them in a very adequate fashion, when considering all

the other responsibility placed upon them. Periodically, there is a need to remind all involved in the contacting process of their responsibilities in the contract administration area. The Office of Contracts and Procurement often receives requests for contract adjustments from both contractors and NHTSA personnel. Some of the requests from contractors amount to claims and some of these claims resulted from contractor/NHTSA communication that were either poor or non-existent. However, more importantly in some cases, the communication was entirely clear but constituted a redirection of effort without the benefit of a formalized contract change. While we recognize that things do change after contract award that require redirection and restructuring of a project, these type changes should be re-

flected in the contract. Often, the real difficulty is determining when a change is really a change. In some cases, the CTM can easily identify a change, but more often, things lie in that very hazy "grey area" which could spell trouble for everyone involved. For example, about two years ago on a DOT project, the government was to deliver to the contractor a software program as Government Furnished Property. Upon receipt of the program, the contractor found that it would not work with his hardware without a then unknown amount of modification. Upon notifying the CTM, the CTM responded "Well if it doesn't work, fix it." This is a very natural reaction but one which later proved to be very costly. Had the CTM known that under the Government Furnished Property clause of the contract, the government is liable for Government Furnished Property that does not work for its intended purposes, he would have known at the time that he was starting the contractor down a potentially expensive path. About six months later, this very responsive and responsible contractor finally got the software program to work. Unfortunately, during those six months, he expended in excess of \$100,000 of government funds in achieving his success. This expenditure of funds

naturally caused an overrun in the entire project, and the situation and the CTM's name were memorialized in the annals of the Department of Transportation for a long time to come.

Many such examples such as this could be cited. But in most cases, CTMs mean well and do not intend to make changes at the time they are actually making the change. Changes of this type are a subject all of their own and will be covered in a later article. What we want to look at here is when changes do occur, what do we do with them.

Some contract adjustments involve adding additional funds to the contracts while others do not. In these latter cases where we are not adding funds, some CTMs feel that they have little or no responsibility to document the change. In cases where additional funds are not added, however, history has shown that major reductions in the work required often occur. For the purposes of the contract, this type of changes are the same as changes which involve increase in cost since they do involve a waiver of the government's right to obtain work under the original contract as it was structured. There are procurement regulation requirements that state whenever we make a change which reduces work, even though it does not involve a cost increase, the detailed reasons for the change must be entered into the file as well as the basis on which



Discussing a contract problem are (left to right) Lauraline Clark, contract specialist; John Clogan, contract unit leader; Joe Bolos, office director; Evelyn Wright, contract specialist; and Mike Esposito, director, Office of Vehicle Safety Research.

the change was priced. Government Auditors and the General Accounting Office look for this kind of documentation in contract files. It is the responsibility of the Contract Specialist or Contracting Officer and the CTM to concern themselves with what happens, why it happened, and how the contractor arrived at the amount of work to be reduced from the contract. Contract Technical Managers are in a superior position with regard to the detailed operations of their projects and should not be surprised when major adjustments are necessary, if they are maintaining proper communication with the contractor on their assigned projects. They also should stand ready to assist the Contracting Officer and Contract Specialist in finding their way through the maze of events which lead to the contract change.

CTMs can maintain communications with their

contractors through many forms which include project site visits, regular discussions by telephone, and a faithful, timely reading of progress reports which are required from everyone of our contractors on every NHTSA cost-type contract. Sometimes, the only link to a project is through the progress report, and the CTM should assure that the progress reports he is receiving are comprehensive, understandable and truly descriptive of the progress being made under contract. If the CTM does not feel that he can assess the progress or lack of progress being made by the contractor from these reports, it is the CTM's responsibility to require the contractor to supplement the progress report in any fashion he feels necessary. The contract provisions which require progress reports are generalized by design, since it is difficult to establish a stan-

(See Contract Management on page 6.)



Being director of the Office of Contracts and Procurement is a big responsibility, and Joe Bolos takes his job seriously.

Contract Management

(from page 5)

dard clause covering all type projects. Some projects do not require reporting in comprehensive detail as others do, because of the nature and dollar amount of the project. We have had occasions where contractors have submitted major claims or requests for adjustments in contracts that CTMs were not aware of; and upon review of the files, we have found that progress reports have reported the problems many months in advance.

We also have found that some CTMs consider work contracted for on inter-agency agreements to be less of a responsibility than work contracted for under formalized federal contracts. We must concern ourselves with the work done on interagency agreements, since our history has shown that some of the most complex and expensive problems have arisen on these type documents. These inter-agency agreements generally do not have the standardized, comprehensive type clauses which we put in our contracts; therefore, the responsibility on CTMs is even greater than on normal contracts to maintain open lines of communications and to require the agencies to submit progress reports just as we do on our formal contracts.

The average NHTSA cost-type contract contains over 50,000 words. The Contract Specialists and Contracting Officers

within OCP are charged with the responsibility of knowing what all of these words mean and how they relate to each other. A good rule to follow is when in doubt, check with the Contracting Officer. Do not move out on your own and do not wait until it is too late. Most times when we get involved in a claim, it's months and sometimes years after the occurrence has taken place. Trying to restructure the events after all that time has past is usually an impossibility. We sometimes get criticized for "giving in and not taking a stand" on some contract claims. It must be recognized that the remedies under cost-type contracts are very limited, and that these limited remedies slowly go away as time passes and the events become more and more complicated. So stay on top of your contracts, and when you run into trouble or think, you're running into trouble, we will try to help.

Employee Service Center

"An ounce of prevention is worth a pound of cure," so the old saying goes. Perhaps Congress had that idea in mind when, in 1946, they adopted a law stating "that for the purpose of promoting and maintaining the physical and mental fitness of employees of the federal government...health units shall be organized and made available...." So health units have been a

part of the federal government for almost 30 years now, no doubt much longer than most of us realized. Each agency is allowed to develop its own Health Center and the Nassif and Transpoint Health Units for civilians are administered by the U.S. Coast Guard. CWO George E. Beal, who arrived on board last June, is the new clinic administrator. The basic goal of the clinic is the maintenance of a healthy work force. To achieve this goal, Beal said, the health unit offers not only emergency treatment, but also preventive treatment, such as the annual fall immunization program for the prevention of influenza, recently completed. Also completed in the summer and fall were the glaucoma and diabetes screening tests. Many employees have taken advantage of these two screening processes, and a number of possible cases of glaucoma and diabetes were detected in employees who had not recognized symptoms of either disease. These employees were then referred to their own doctors for further evaluation and treatment.

A new program was added last summer for employees GS-1 through GS-13 who are over the age of 40. Periodic physical examinations are now given these employees (GS-14's and higher receive them at any age). Already some 200 in this new category have taken these examinations. The first part of the examination involves

lab work consisting of blood tests, urinalysis, diabetes and glaucoma tests, and an EKG for those over 40 (under 40's get them only if required by the medical officer). The second part of the examination consists of an actual physical examination conducted by a medical doctor. The examinees are then informed of the results and advised to see their personal physicians if abnormal conditions are discovered. This, of course, is important, because without further testing and consultation, the discovery of abnormalities is of no value.

The Health Unit does not make a diagnosis and will not prescribe treatments. These must be done by the employee's doctor. However, the Health Unit is permitted to cooperate with the personal physician of an employee in administering certain treatments that are requested in writing by the doctor. Such treatment may range from a half-hour of bed rest to vaccines, vitamin shots, allergy shots and defined exercises. The law limits the Health Unit to treatment of job-related injuries and illnesses, but those not related to the job are afforded care as may be required to relieve pain, discomfort and anxiety, and to allow completion of the workday, or to provide care until arrangements are made for private medical attention. No medication may be provided to the employee for self-

medication, nor may prescriptions be issued.

The Health Units are located in room 3403, Transpoint, and room 6227, Nassif Building. Adjacent to the Headquarters' unit is the Military Clinic which is responsible for the military personnel in DOT and lends support in the fields of X-ray, laboratory procedures, supplies, and emergencies. The civilian units are open from 7:30 a.m. until 4:00 p.m., with a nurse on duty until 5:30 p.m., primarily to handle emergencies.

Approximately 2,500 employees utilize the Health Units each month. Most of the time is taken up with immunizations and physical examinations--with small on-the-job emergencies, treatment for relief of the common cold, and other preventive measures taking up the rest of the time. Employees are encouraged to take advantage of the services offered in the units. The very good staff of a full-time physician and eight registered nurses does have limitations imposed concerning the extent of care offered. They need your cooperation in carrying out their mission; therefore, physical examinations, screening tests, and immunizations all require appointments. To make an appointment, call 61140 (Nassif) or 69161 (Transpoint). You should also call them if you cannot keep an appointment, so as to allow another person to be scheduled in

your place. The Health Unit is there for your advantage, so use it when needed. That "ounce of prevention" may be worth far more than "a pound of cure" in these days of high inflation!

Personnel

Welcome Aboard

Peter Sursi, Electronic Engineer, MVP, 12-8.

Hugh Oates, Attorney Advisor, OCC, 12-10.

Sheila Pee, Clerk-Typist, TSP, 12-21.

Margaret Hechler, Clerk-Typist, AD, 12-23.

'Bye and Good Luck

Marie Eldridge, Director, Office of Statistics and Analysis, RD, 1-3.

James Horan, Hwy. Safety Mgmt. Specialist, Region X, 1-3.

Debbie-Beth Burns, Clerk-Typist, Exec. Sec., 1-3.

Christopher Rightsell, Program Analyst, TSP, 1-3.

Congrats on Promotion

Charles Kahane, Math. Statistician, RD, 12-7.

Myrna Walker, Safety Compliance Engineer, MVP, 12-7.

Penelope R. Johnson, Math. Statistician, TSP, 12-21.

James A. Turner, Program Analyst, Region IV, 12-21.

John Womack, Attorney Advisory, OCC, 12-21.

graffiti

What the average man wants out of his car is his teenage son.

--Anonymous

OF SPECIAL INTEREST

Wintersports make harsh weather enjoyable for children and adults. But injuries, even death, can occur in the use of sleds, toboggans and snow disks. So, when (and if) the snow comes, go out and enjoy, following these safety guidelines from the Consumer Products Safety Commission.

Selection

Check for sturdy construction. Avoid split or splintered wood and metal parts bent out of shape.

Avoid equipment with sharp, jagged edges and protruding rivets.

Choose a sled with a protective guard or bumper over the metal front bar to prevent cuts and other injuries in a collision.

Check sleds for easy steering without jamming.

Avoid sleds with runners that end in sharp-edged hooks. Runners that curve continuously around to the top of the sled and connect with the side rails may be safer.

Look for secure handholds and a place to tie on a rope.

Use

Walk over your sliding territory before using it; look for bumps, tree stumps, boulders, ice and bare spots. If you can't remove or repair these spots, avoid that part of the slope.

Supervise children inexperienced in using this kind of snow equipment. Make sure their first slides are on short,

gradual slopes that are uncluttered with debris or bumps.

Warn children not to push, shove, or otherwise roughhouse while riding sleds, toboggans and snow disks.

Figure out beforehand how you will stop the vehicle or get off safely in an emergency. Learn how to roll sideways off sleds to lessen injury in a collision.

Don't slide through traffic intersections or across streets even if cars are not in sight at the time. They can appear suddenly!

Hold or tie ropes on top of devices to keep ropes from slipping underneath and causing an abrupt stop.

Don't slide until the slope is clear of nearby sliders.

Move off busy slopes quickly when you reach the bottom to prevent collision with other sliders.

Walk back up the slope along a side path out of the way of those coming down.

Maintenance and Storage

Dry off vehicles thoroughly before storing.

Occasionally rub sled runners and other metal parts with candlewax to make them coast easily and keep them rust-free.

Lubricate metal bolts, pivots and rivets with a drop or two of oil for rust-free use and easier steering (on sleds).

To protect against moisture, wax any wooden parts when you remove the vehicle from storage at the beginning of the season and again before you

store it at the end of winter.

Sand smooth any rough or splintered wooden parts.

'Round About NHTSA



That's not a secretary-eating monster in the picture. It's "Big Bertha," a gentle, refined two-year-old Dieffenbachia. Bob Hellmuth, chief of the Engineering Analysis Division, MVP, says that he received the plant when she was a mere infant of only 10 inches. Since then, she has grown to a height of 8 feet and is braced with thin wall tubing to keep her standing straight and tall. Next to "Big Bertha" is "Baby Bertha," one of her kinfolk. Anyone with a suggestion on what to do since "Big Bertha" has reached the ceiling, please call Bob on 426-2842.

Planning and Evaluation was a winner in the DOT/ERA Door Decorating Contest in the Traditional Category. P&E used as the theme of its masterpiece six candles, depicting the six major religions of the world. Their prize--pecans from the DOT/ERA Store.