

TESTIMONY BEFORE THE COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON PUBLIC SAFETY AND THE JUDICIARY
PUBLIC HEARING ON BILL 17-53, THE "NONPROFIT ORGANIZATIONS
OVERSIGHT IMPROVEMENT ACT OF 2007"

FRIDAY, FEBRUARY 9, 2007

Presented by John B. Childers, President and CEO
Consortium of Universities of the Washington Metropolitan Area

Good afternoon Chairman Mendelson, Committee Members and Committee staff. My name is John Childers and I am the President and CEO of the Consortium of Universities. I am here to testify on the working group draft of the above titled bill, not the bill as introduced. As you may know, the Consortium is comprised of fifteen nonprofit higher education institutions, twelve of which are located in the District of Columbia and ten of which could be directly impacted by this legislation. It is for this reason that I am testifying today.

I first want to thank you Chairman Mendelson for your unflagging willingness to work with my staff and other members of the nonprofit community to address the issues raised by this bill. Given that the Committee Print is privately identified as "Version 7" around my office, it is clear that you have been available and willing to discuss ways to improve the bill at the suggestion of various members of the nonprofit community.

While we are officially here to discuss the bill as introduced (version 6) we view the Committee Print that has been circulated as a preferable bill and far better than the first version of this proposal that was introduced before the previous Council.

Given how well the bill has progressed, the Consortium can generally give it its support. I would like to reserve the opportunity to submit additional language as the staff from our various member campuses review and analyze the latest version, particularly around the issue of the parameters of the Consumer Protection statute exemption. But, any additional changes, I believe, will be minor and technical.

I would also like to add that I hope the discussion we, and other members of the nonprofit community have had with you around this legislation, can serve as a model for future proposals that may affect nonprofits. The community is broad and deep meaning that a bill approved by one segment of the community may not serve all. More specifically, legislation may impact the higher education community differently than the human service providers, hospitals, arts

organizations, national nonprofits, associations, churches and other 501 (c) organizations. A collaborative process involving as broad a segment of the nonprofit community as possible from the outset when discussing new proposals would work to the advantage of everyone. Government initiated proposals particularly should at least consider the concerns of the organizations affected.

The Consortium would be willing to assist you in any collaborative action you deem necessary in the future. What we ask, however, is that we are involved early in the drafting process so that concerns can be raised and discussed early and legislative motivations are clear.

It is precisely for this last point—clarity of legislative motivation--that we ask that any changes made to the bill be discussed in Mark-Up or offered at first reading, rather than making wholesale changes between the committee print and the first reading proposal. In this way, the specific language of all amendments, and the rationale for their inclusion or exclusion, will be part of the official record. Such a record will provide nonprofits with guidance as they seek to comply with this bill once it is passed in final form.

Thank you for this opportunity to testify. I would be pleased to answer any questions you may have.