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House of Representatives
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April 26, 2017

Honorable Tom Wolf
Governor of Pennsylvania
508 Main Capitol Building
Harrisburg, PA 17210

Dear *Governor Wolf, Tom*

On January 24, I sent a letter to 39 state agencies as a member of the House Appropriations Committee asking, on behalf of my constituents, for detailed information concerning their budget requests. The original letter recognized the detailed nature of the potential responses and requested that agencies' responses be returned within three months. During February and early April, I received encouraging responses from the Administrative Office of the Pennsylvania Courts, the Auditor General's Office and the State Treasurer's office. These responses, attached with this letter, while concise, provided my office with an exemplary level of detail.

Following my receipt of these responses, I was notified on April 20, by the budget office that it would provide answers for all the executive agencies under your office's jurisdiction. This response as requested was delivered to my office on April 24th.

Unfortunately, the response I received from your staff on April 24th was neither detailed nor handled with the same sense of transparency as evidenced by the other responses. In fact, the response from the Liquor Control Board received on the same day provided my office with more information than your staff provided. While the response, as detailed below, was disappointing I do believe it necessary to praise the work of those who compiled the regulatory agenda from the prior two years.

Outside of the information on the administration's regulatory agenda over the past two years, an example of this lack of transparency or information comes within the first question. This

question was of all state agencies regarding their program performance. The question is included below

“1. Program Performance

- a) Please provide the Key Performance Indicators (KPI) your agency used to determine each increase or decrease of each line item. Please provide an overview of how your agency’s KPI were used to determine funding levels.
- b) Please provide a list of programs which have met their KPI last fiscal year.
- c) Please provide a list of programs which have not met their KPI at least once for the past 2 fiscal years.
- d) Please provide a list of programs that do not use KPI to determine funding levels.
- e) What are the primary cost drivers of your agency’s budget?”

This question was met by a response from your staff, which can best summarized as “agency metrics are found in the Governor’s Executive Budget.” However, as I have read the entire executive budget there is no information of how the specific metric was used to determine funding. This conclusion is something supported by the Independent Fiscal Office’s (IFO) report on September 16, 2016, on the Department of Corrections. In the IFO’s Performance Based Budget report, the office determined the Commonwealth’s budget process resembled an “incremental approach with performance measures rarely considered during the process”.

To be fair, my tenure as a state legislator has shown me that this problem is not limited to Pennsylvania or merely your administration. This being said, the “underutilization” of performance measures mentioned by the IFO prompted a serious question about the state’s budget. Unfortunately, this question which is important to both taxpayers and members of general assembly was met with a response which again was neither serious nor, having read the document, helpful.

Another example of the lack of information and transparency from your staff’s letter was the constant mention that the information requested was available in SAP. As your staff should be aware, access to SAP is only provided to the Appropriations Chairman in the four legislative caucuses. “Rank and file members” or the general public do not have access to SAP. If your administration supports the wider dissemination of this information, please know that you can create a publicly accessible, inquiry only version of SAP at any time.

The lack of transparency and information in the response is best embodied in your staff’s response to my question about potential lapses for encumbrances and committed funds that each agency was requesting. The response to the request for potential waivers being considered was “Act 146 waiver letters will be sent at the end of the fiscal year. At this time, the amount that will be waived is not finalized”. This answer was followed up by another answer detailing a link to the Budget Office’s Status of Appropriations which shows only finalized lapses from last fiscal year. However, the question directed to state agencies was concerning potential lapses including their committed funds not about finalized lapses.

For me, the most disheartening part of the response from your staff comes from the inclusion of hyperlinks for the provision of greater information. Considering the response was sent in paper form without any corresponding electronic copy, which, as of this date, has been requested of the

budget office but not received. In effect, even if your staff assumed that I have never looked at these sites, the information provided in those answers is useless. Even then should my office receive the requested electronic copy, having reviewed these links well in advance, I can confidently say the links do not come close to answering my questions. Ultimately, I gave your staff three months to address pertinent financial questions and they waited the maximum amount of time to respond without actually answering questions.

Governor Wolf, when you came to office, you spoke about transparency as an important priority for a “government that works.” While you and I disagree ideologically on many issues facing Pennsylvania, I have always believed your desire for transparency was both heartfelt and honest. In the past, we have been able to put difference aside and worked on mutual areas of agreement as evidenced by Act 144 of 2016. On the issue of government transparency, I believe you and I are in agreement on the need for more transparency on behalf of the people of Pennsylvania. I respectfully request you to have either your staff or the individual agencies under your jurisdiction answer these questions by May 15th.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth", written over a vertical line.

Seth Grove

State Representative
196th Legislative District

jg:SG

CC: Secretary Albright
Speaker Mike Turzai
Majority Leader Dave Reed
Majority Whip Bryan Cutler
Appropriations Chairman Stan Saylor