

Court appearances are necessarily time consuming, and would be burdensome on both the employer and the Director's staff. If the latter's time is taken up with frequent court appearances, it could not help but detract from the effective job of enforcement it is now doing. The above language will serve no useful purpose to anyone, except possibly an attorney who contemplates a personal injury action. We recommend deletion of this sentence.

Mr. Chairman, we greatly appreciate the opportunity to be present and participate in these most important hearings. Should you or any of the Committee have any questions we shall be happy to try to answer them.

Thank you.

Mr. SISK. Thank you, Mr. Schnabel, for a very excellent statement and one that I am sure the Committee will give serious consideration to.

Prior to any questioning, do any of you other gentlemen have a statement that you wish to make?

Mr. IZZO. No, we do not.

Mr. SISK. Then you are speaking for the entire group, Mr. Schnabel. The gentleman from Texas has a question.

Mr. DOWDY. I believe you said you had your attorney with you. He may answer this question.

Mr. SCHNABEL. Mr. Kneipple.

Mr. DOWDY. I am glad to see you. This is the question I would like to ask. In the second section of this bill, where it relates to permanent or temporary features of such building, the word "features" disturbs me. Is there in the District of Columbia any law or decision of a court that makes "features" a word of art that we might know what it means?

Mr. KNEIPPLE. Sir, I do not know about that, but I think the words "without limitation" certainly connote to us that this is susceptible to any type of a change, structural, or otherwise. The bill is so broadly stated that we think that the Board of Industrial Safety would have the authority, under the language of the bill as it now is, to even come in on a new construction project and direct changes, and we feel that if we comply with the building code requirements, that that should be sufficient.

Mr. DOWDY. I am glad that this whole question was raised. When I started to ask questions, I did not know there would be any witnesses here who would raise it, or I may have waited until you presented it. Of course, the word "features", when connected with the other words in the sentence, makes it even more alarming as you have indicated. I am just wondering if there aren't some words that have been used in the law as construed by the court which could be used to get at what is actually intended by this bill, rather than the use of the word "features" without limitation and so forth.

Mr. KNEIPPLE. My colleagues are in the construction business, and we have gone over it rather carefully, and certainly to them it means almost any change, structural or otherwise.

Mr. DOWDY. That is the way it appears to me, or it did when I read it.

Mr. SCHNABEL. Mr. Dowdy we think if a building is built in accordance with the Building Code and used in accordance with the proposed use, that the approvals that you get to erect that building