

106TH CONGRESS
2D SESSION

H. R. 5633

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14 (legislative day, SEPTEMBER 22), 2000

Received

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 District of Columbia for the fiscal year ending September
6 30, 2001, and for other purposes, namely:

7 FEDERAL FUNDS

8 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

9 For a Federal payment to the District of Columbia
10 for a nationwide program to be administered by the Mayor
11 for District of Columbia resident tuition support,
12 \$17,000,000, to remain available until expended: *Pro-*
13 *vided*, That such funds may be used on behalf of eligible
14 District of Columbia residents to pay an amount based
15 upon the difference between in-State and out-of-State tui-
16 tion at public institutions of higher education, usable at
17 both public and private institutions for higher education:
18 *Provided further*, That the awarding of such funds may
19 be prioritized on the basis of a resident's academic merit
20 and such other factors as may be authorized.

21 FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF

22 CHILDREN

23 The paragraph under the heading "Federal Payment
24 for Incentives for Adoption of Children" in Public Law
25 106–113, approved November 29, 1999 (113 Stat. 1501),

1 is amended to read as follows: “For a Federal payment
2 to the District of Columbia to create incentives to promote
3 the adoption of children in the District of Columbia foster
4 care system, \$5,000,000: *Provided*, That such funds shall
5 remain available until September 30, 2002, and shall be
6 used to carry out all of the provisions of title 38, except
7 for section 3808, of the Fiscal Year 2001 Budget Support
8 Act of 2000, D.C. Bill 13–679, enrolled June 12, 2000.”.

9 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER
10 OF THE DISTRICT OF COLUMBIA

11 For a Federal payment to the Chief Financial Officer
12 of the District of Columbia, \$1,250,000, of which
13 \$250,000 shall be for payment to a mentoring program
14 and for hotline services; \$250,000 shall be for payment
15 to a youth development program with a character building
16 curriculum; \$250,000 shall be for payment to a basic val-
17 ues training program; and \$500,000, to remain available
18 until expended, shall be for the design, construction, and
19 maintenance of a trash rack system to be installed at the
20 Hickey Run stormwater outfall.

21 FEDERAL PAYMENT FOR COMMERCIAL REVITALIZATION
22 PROGRAM

23 For a Federal payment to the District of Columbia,
24 \$1,500,000, to remain available until expended, for the
25 Mayor, in consultation with the Council of the District of

1 Columbia, to provide offsets against local taxes for a com-
2 mercial revitalization program, such program to provide
3 financial inducements, including loans, grants, offsets to
4 local taxes and other instruments that promote commer-
5 cial revitalization in Enterprise Zones and low and mod-
6 erate income areas in the District of Columbia: *Provided*,
7 That in carrying out such a program, the Mayor shall use
8 Federal commercial revitalization proposals introduced in
9 Congress as a guideline: *Provided further*, That not later
10 than 180 days after the date of the enactment of this Act,
11 the Mayor shall report to the Committees on Appropria-
12 tions of the Senate and House of Representatives on the
13 progress made in carrying out the commercial revitaliza-
14 tion program.

15 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

16 PUBLIC SCHOOLS

17 For a Federal payment to the District of Columbia
18 Public Schools, \$500,000: *Provided*, That \$250,000 of
19 said amount shall be used for a program to reduce school
20 violence: *Provided further*, That \$250,000 of said amount
21 shall be used for a program to enhance the reading skills
22 of District public school students.

1 FEDERAL PAYMENT TO THE METROPOLITAN POLICE
2 DEPARTMENT

3 For a Federal payment to the Metropolitan Police
4 Department, \$100,000: *Provided*, That said funds shall be
5 used to fund a youth safe haven police mini-station for
6 mentoring high risk youth.

7 FEDERAL CONTRIBUTION TO COVENANT HOUSE
8 WASHINGTON

9 For a Federal contribution to Covenant House Wash-
10 ington for a contribution to the construction in Southeast
11 Washington of a new community service center for home-
12 less, runaway and at-risk youth, \$500,000.

13 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
14 CORRECTIONS TRUSTEE OPERATIONS

15 For salaries and expenses of the District of Columbia
16 Corrections Trustee, \$134,200,000 for the administration
17 and operation of correctional facilities and for the admin-
18 istrative operating costs of the Office of the Corrections
19 Trustee, as authorized by section 11202 of the National
20 Capital Revitalization and Self-Government Improvement
21 Act of 1997 (Public Law 105–33; 111 Stat. 712) of which
22 \$1,000,000 is to fund an initiative to improve case proc-
23 essing in the District of Columbia criminal justice system:
24 *Provided*, That notwithstanding any other provision of
25 law, funds appropriated in this Act for the District of Co-

1 lumbia Corrections Trustee shall be apportioned quarterly
2 by the Office of Management and Budget and obligated
3 and expended in the same manner as funds appropriated
4 for salaries and expenses of other Federal agencies: *Pro-*
5 *vided further*, That in addition to the funds provided under
6 this heading, the District of Columbia Corrections Trustee
7 may use any remaining interest earned on the Federal
8 payment made to the Trustee under the District of Colum-
9 bia Appropriations Act, 1998, to carry out the activities
10 funded under this heading.

11 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
12 COURTS

13 For salaries and expenses for the District of Colum-
14 bia Courts, \$105,000,000 to be allocated as follows: for
15 the District of Columbia Court of Appeals, \$7,409,000;
16 for the District of Columbia Superior Court, \$71,121,000;
17 for the District of Columbia Court System, \$17,890,000;
18 \$5,255,000 to finance a pay adjustment of 8.48 percent
19 for nonjudicial employees; and \$3,325,000, including
20 \$825,000 for roofing repairs to the facility commonly re-
21 ferred to as the Old Courthouse and located at 451 Indi-
22 ana Avenue, Northwest, to remain available until Sep-
23 tember 30, 2002, for capital improvements for District of
24 Columbia courthouse facilities: *Provided*, That none of the
25 funds in this Act or in any other Act shall be available

1 for the purchase, installation, or operation of an Inte-
2 grated Justice Information System until a detailed plan
3 and design has been submitted by the courts and approved
4 by the Committees on Appropriations of the House of
5 Representatives and the Senate: *Provided further*, That
6 notwithstanding any other provision of law, all amounts
7 under this heading shall be apportioned quarterly by the
8 Office of Management and Budget and obligated and ex-
9 pended in the same manner as funds appropriated for sal-
10 aries and expenses of other Federal agencies, with payroll
11 and financial services to be provided on a contractual basis
12 with the General Services Administration (GSA), said
13 services to include the preparation of monthly financial re-
14 ports, copies of which shall be submitted directly by GSA
15 to the President and to the Committees on Appropriations
16 of the Senate and House of Representatives, the Com-
17 mittee on Governmental Affairs of the Senate, and the
18 Committee on Government Reform of the House of Rep-
19 resentatives.

20 DEFENDER SERVICES IN DISTRICT OF COLUMBIA

21 COURTS

22 For payments authorized under section 11–2604 and
23 section 11–2605, D.C. Code (relating to representation
24 provided under the District of Columbia Criminal Justice
25 Act), payments for counsel appointed in proceedings in the

1 Family Division of the Superior Court of the District of
2 Columbia under chapter 23 of title 16, D.C. Code, and
3 payments for counsel authorized under section 21–2060,
4 D.C. Code (relating to representation provided under the
5 District of Columbia Guardianship, Protective Pro-
6 ceedings, and Durable Power of Attorney Act of 1986),
7 \$34,387,000, to remain available until expended: *Pro-*
8 *vided*, That the funds provided in this Act under the head-
9 ing “Federal Payment to the District of Columbia Courts”
10 (other than the \$3,325,000 provided under such heading
11 for capital improvements for District of Columbia court-
12 house facilities) may also be used for payments under this
13 heading: *Provided further*, That, in addition to the funds
14 provided under this heading, the Joint Committee on Ju-
15 dicial Administration in the District of Columbia shall use
16 funds provided in this Act under the heading “Federal
17 Payment to the District of Columbia Courts” (other than
18 the \$3,325,000 provided under such heading for capital
19 improvements for District of Columbia courthouse facili-
20 ties), to make payments described under this heading for
21 obligations incurred during any fiscal year: *Provided fur-*
22 *ther*, That such funds shall be administered by the Joint
23 Committee on Judicial Administration in the District of
24 Columbia: *Provided further*, That notwithstanding any
25 other provision of law, this appropriation shall be appor-

tioned quarterly by the Office of Management and Budget
and obligated and expended in the same manner as funds
appropriated for expenses of other Federal agencies, with
payroll and financial services to be provided on a contrac-
tual basis with the General Services Administration
(GSA), said services to include the preparation of monthly
financial reports, copies of which shall be submitted di-
rectly by GSA to the President and to the Committees
on Appropriations of the Senate and House of Representa-
tives, the Committee on Governmental Affairs of the Sen-
ate, and the Committee on Government Reform of the
House of Representatives: *Provided further*, That the Dis-
trict of Columbia Courts shall implement the recommenda-
tions in the General Accounting Office Report GAO/
AIMD/OGC-99-226 regarding payments to court-ap-
pointed attorneys and shall report quarterly to the Office
of Management and Budget and to the House and Senate
Appropriations Committees on the status of these reforms.

FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
FENDER SUPERVISION AGENCY FOR THE DISTRICT
OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and
hire of motor vehicles, of the Court Services and Offender
Supervision Agency for the District of Columbia, as au-

1 thorized by the National Capital Revitalization and Self-
2 Government Improvement Act of 1997 (Public Law 105–
3 33; 111 Stat. 712), \$112,527,000, of which \$67,521,000
4 shall be for necessary expenses of Community Supervision
5 and Sex Offender Registration, to include expenses relat-
6 ing to supervision of adults subject to protection orders
7 or provision of services for or related to such persons;
8 \$18,778,000 shall be transferred to the Public Defender
9 Service; and \$26,228,000 shall be available to the Pretrial
10 Services Agency: *Provided*, That of the amount provided
11 under this heading, \$17,854,000 shall be used to improve
12 pretrial defendant and post-conviction offender super-
13 vision, enhance drug testing and sanctions-based treat-
14 ment programs and other treatment services, expand in-
15 termediate sanctions and offender re-entry programs, con-
16 tinue planning and design proposals for a residential
17 Sanctions Center and improve administrative infrastruc-
18 ture, including information technology; and \$836,000 of
19 the \$17,854,000 referred to in this proviso is for the Pub-
20 lic Defender Service: *Provided further*, That notwith-
21 standing any other provision of law, all amounts under
22 this heading shall be apportioned quarterly by the Office
23 of Management and Budget and obligated and expended
24 in the same manner as funds appropriated for salaries and
25 expenses of other Federal agencies: *Provided further*, That

1 notwithstanding section 446 of the District of Columbia
2 Home Rule Act or any provision of subchapter III of chap-
3 ter 13 of title 31, United States Code, the use of interest
4 earned on the Federal payment made to the District of
5 Columbia Offender Supervision, Defender, and Court
6 Services Agency under the District of Columbia Appro-
7 priations Act, 1998, by the Agency during fiscal years
8 1998 and 1999 shall not constitute a violation of such Act
9 or such subchapter.

10 FEDERAL PAYMENT FOR WASHINGTON INTERFAITH
11 NETWORK

12 For a Federal payment to the Washington Interfaith
13 Network to reimburse the Network for costs incurred in
14 carrying out preconstruction activities at the former Fort
15 Dupont Dwellings and Additions, \$1,000,000: *Provided*,
16 That such activities may include architectural and engi-
17 neering studies, property appraisals, environmental as-
18 sessments, grading and excavation, landscaping, paving,
19 and the installation of curbs, gutters, sidewalks, sewer
20 lines, and other utilities: *Provided further*, That the Sec-
21 retary of the Treasury shall make such payment only after
22 the Network has received matching funds from private
23 sources (including funds provided through loans) to carry
24 out such activities in an aggregate amount which is equal
25 to the amount of such payment (as certified by the Inspec-

1 tor General of the District of Columbia) and has provided
2 the Secretary of the Treasury with a request for reim-
3 bursement which contains documentation certified by the
4 Inspector General of the District of Columbia showing
5 that the Network carried out the activities and that the
6 costs incurred in carrying out the activities were equal to
7 or less than the amount of the reimbursement requested:
8 *Provided further*, That none of the funds provided under
9 this heading may be obligated or expended after December
10 31, 2001 (without regard to whether the activities involved
11 were carried out prior to such date).

12 FEDERAL PAYMENT FOR PLAN TO SIMPLIFY EMPLOYEE
13 COMPENSATION SYSTEMS

14 For a Federal payment to the Mayor of the District
15 of Columbia for a contract for the study and development
16 of a plan to simplify the compensation systems, schedules,
17 and work rules applicable to employees of the District gov-
18 ernment, \$250,000: *Provided*, That under the terms of the
19 contract the plan shall include (at a minimum) a review
20 of the current compensation systems, schedules, and work
21 rules applicable to such employees; a review of the best
22 practices regarding the compensation systems, schedules,
23 and work rules of State and local governments and other
24 appropriate organizations; a proposal for simplifying the
25 systems, schedules, and rules applicable to employees of

1 the District government; and the development of strategies
2 for implementing such proposal, including an identifica-
3 tion of any statutory, contractual, or other barriers to im-
4 plementing the proposal and an estimated time frame for
5 implementing the proposal: *Provided further*, That under
6 the terms of the contract the contractor shall submit the
7 plan to the Mayor and to the Committees on Appropria-
8 tions of the House of Representatives and Senate: *Pro-*
9 *vided further*, That the Mayor shall develop a proposed
10 solicitation for the contract not later than 90 days after
11 the date of the enactment of this Act and shall submit
12 a copy of the proposed solicitation to the Comptroller Gen-
13 eral for review at least 90 days prior to the issuance of
14 such solicitation: *Provided further*, That not later than 45
15 days after receiving the proposed solicitation from the
16 Mayor, the Comptroller General shall review the solicita-
17 tion to ensure that it adequately addresses all of the nec-
18 essary elements described under this heading and report
19 to the Committees on Appropriations of the House of Rep-
20 resentatives and Senate on the results of this review: *Pro-*
21 *vided further*, That for purposes of this contract the term
22 “District government” has the meaning given such term
23 in section 305(5) of the District of Columbia Financial
24 Responsibility and Management Assistance Act of 1995
25 (sec. 47–393(5), D.C. Code), except that such term shall

1 not include the courts of the District of Columbia and
2 shall include the District of Columbia Financial Responsi-
3 bility and Management Assistance Authority.

4 METRORAIL CONSTRUCTION

5 For the Washington Metropolitan Area Transit Au-
6 thority (WMATA), a contribution of \$25,000,000, to re-
7 main available until expended, to design and build a Met-
8 rorail station located at New York and Florida Avenues,
9 Northeast: *Provided*, That prior to the release of said
10 funds from the U.S. Treasury, the District of Columbia
11 shall set aside an additional \$25,000,000 for this project
12 in its Fiscal Year 2001 Budget and Financial Plan and,
13 further, shall establish a special taxing district for the
14 neighborhood of the proposed Metrorail station to provide
15 \$25,000,000: *Provided further*, That the requirements of
16 49 U.S.C. 5309(a)(2) shall apply to this project.

17 FEDERAL PAYMENT FOR BROWNFIELD REMEDIATION

18 For a Federal payment to the District of Columbia,
19 \$3,450,000 for environmental and infrastructure costs at
20 Poplar Point: *Provided*, That of said amount, \$2,150,000
21 shall be available for environmental assessment, site reme-
22 diation, and wetlands restoration of the 11 acres of real
23 property under the jurisdiction of the District of Colum-
24 bia: *Provided further*, That no more than \$1,300,000 shall
25 be used for infrastructure costs for an entrance to Ana-

1 costia Park: *Provided further*, That none of said funds
2 shall be used by the District of Columbia to purchase pri-
3 vate property in the Poplar Point area.

4 PRESIDENTIAL INAUGURATION

5 For a payment to the District of Columbia to reim-
6 burse the District for expenses incurred in connection with
7 Presidential inauguration activities, \$5,961,000, as au-
8 thorized by section 737(b) of the District of Columbia
9 Home Rule Act, approved December 24, 1973 (87 Stat.
10 824; D.C. Code, sec. 1-1132), which shall be apportioned
11 by the Chief Financial Officer within the various appro-
12 priation headings in this Act.

13 CHILDREN'S NATIONAL MEDICAL CENTER

14 For a Federal contribution to the Children's National
15 Medical Center in the District of Columbia, \$500,000 to
16 be used for the network of satellite pediatric health clinics
17 for children and families in underserved neighborhoods
18 and communities in the District of Columbia.

19 CHILD ADVOCACY CENTER

20 For a Federal contribution to the Child Advocacy
21 Center for its Safe Shores program, \$500,000.

22 ST. COLETTA OF GREATER WASHINGTON EXPANSION
23 PROJECT

24 For a Federal contribution to St. Coletta of Greater
25 Washington, Inc. for costs associated with the establish-

1 ment of a day program and comprehensive case manage-
 2 ment services for mentally retarded and multiple-handi-
 3 capped adolescents and adults in the District of Columbia,
 4 including property acquisition and construction,
 5 \$1,000,000.

6 DISTRICT OF COLUMBIA SPECIAL OLYMPICS

7 For a Federal contribution to the District of Colum-
 8 bia Special Olympics, \$250,000.

9 DISTRICT OF COLUMBIA FUNDS

10 OPERATING EXPENSES

11 DIVISION OF EXPENSES

12 The following amounts are appropriated for the Dis-
 13 trict of Columbia for the current fiscal year out of the
 14 general fund of the District of Columbia, except as other-
 15 wise specifically provided: *Provided*, That notwithstanding
 16 any other provision of law, except as provided in section
 17 450A of the District of Columbia Home Rule Act and sec-
 18 tion 126 of this Act, the total amount appropriated in this
 19 Act for operating expenses for the District of Columbia
 20 for fiscal year 2001 under this heading shall not exceed
 21 the lesser of the sum of the total revenues of the District
 22 of Columbia for such fiscal year or \$5,677,379,000 (of
 23 which \$172,607,000 shall be from intra-District funds and
 24 \$3,250,783,000 shall be from local funds): *Provided fur-*
 25 *ther*, That the Chief Financial Officer of the District of

1 Columbia and the District of Columbia Financial Respon-
2 sibility and Management Assistance Authority shall take
3 such steps as are necessary to assure that the District of
4 Columbia meets these requirements, including the appor-
5 tioning by the Chief Financial Officer of the appropria-
6 tions and funds made available to the District during fis-
7 cal year 2001, except that the Chief Financial Officer may
8 not reprogram for operating expenses any funds derived
9 from bonds, notes, or other obligations issued for capital
10 projects.

11 DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY

12 AND MANAGEMENT ASSISTANCE AUTHORITY

13 For the District of Columbia Financial Responsibility
14 and Management Assistance Authority (Authority), estab-
15 lished by section 101(a) of the District of Columbia Finan-
16 cial Responsibility and Management Assistance Act of
17 1995 (109 Stat. 97; Public Law 104–8), \$3,140,000: *Pro-*
18 *vided*, That these funds be derived from accounts held by
19 the Authority on behalf of the District of Columbia: *Pro-*
20 *vided further*, That none of the funds contained in this
21 Act may be used to pay any compensation of the Executive
22 Director or General Counsel of the Authority at a rate
23 in excess of the maximum rate of compensation which may
24 be paid to such individual during fiscal year 2001 under
25 section 102 of such Act, as determined by the Comptroller

1 General (as described in GAO letter report B-279095.2):
2 *Provided further*, That none of the funds contained in this
3 Act or any other funds available to the Authority or any
4 other entity of the District of Columbia government from
5 any source (including any accounts of the Authority) may
6 be used for any payments (including but not limited to
7 severance or bonus payments, and payments under agree-
8 ments in effect before the enactment of this Act) to any
9 individual upon or following the individual's separation
10 from employment with the Authority (other than a pay-
11 ment of the individual's regular salary for services per-
12 formed prior to separation or a payment for unused an-
13 nual leave accrued by the individual), except that an indi-
14 vidual who is employed by the Authority during the entire
15 period which begins on the date of the enactment of this
16 Act and ends on September 30, 2001, may receive a sever-
17 ance payment after such date in an aggregate amount
18 which does not exceed the product of 200 percent of the
19 individual's average weekly salary during the final 12-
20 month period (or portion thereof) during which the indi-
21 vidual was employed by the Authority and the number of
22 full years during which the individual was employed by
23 the Authority.

1 GOVERNMENTAL DIRECTION AND SUPPORT

2 Governmental direction and support, \$195,771,000
3 (including \$162,172,000 from local funds, \$20,424,000
4 from Federal funds, and \$13,175,000 from other funds):
5 *Provided*, That not to exceed \$2,500 for the Mayor,
6 \$2,500 for the Chairman of the Council of the District
7 of Columbia, and \$2,500 for the City Administrator shall
8 be available from this appropriation for official purposes:
9 *Provided further*, That any program fees collected from the
10 issuance of debt shall be available for the payment of ex-
11 penses of the debt management program of the District
12 of Columbia: *Provided further*, That no revenues from
13 Federal sources shall be used to support the operations
14 or activities of the Statehood Commission and Statehood
15 Compact Commission: *Provided further*, That the District
16 of Columbia shall identify the sources of funding for Ad-
17 mission to Statehood from its own locally-generated reve-
18 nues: *Provided further*, That all employees permanently
19 assigned to work in the Office of the Mayor shall be paid
20 from funds allocated to the Office of the Mayor: *Provided*
21 *further*, That notwithstanding any other provision of law,
22 or Mayor's Order 86-45, issued March 18, 1986, the Of-
23 fice of the Chief Technology Officer's delegated small pur-
24 chase authority shall be \$500,000: *Provided further*, That
25 the District of Columbia government may not require the

1 Office of the Chief Technology Officer to submit to any
 2 other procurement review process, or to obtain the ap-
 3 proval of or be restricted in any manner by any official
 4 or employee of the District of Columbia government, for
 5 purchases that do not exceed \$500,000: *Provided further*,
 6 That \$303,000 and no fewer than 5 FTEs shall be avail-
 7 able exclusively to support the Labor-Management Part-
 8 nership Council: *Provided further*, That, effective Sep-
 9 tember 30, 2000, section 168(a) of the District of Colum-
 10 bia Appropriations Act, 2000 (Public Law 106–113; 113
 11 Stat. 1531) is amended by inserting “, to remain available
 12 until expended,” after “\$5,000,000”: *Provided further*,
 13 That not later than March 1, 2001, the Chief Financial
 14 Officer of the District of Columbia shall submit a study
 15 to the Committees on Appropriations of the House of Rep-
 16 resentatives and Senate on the merits and potential sav-
 17 ings of privatizing the operation and administration of
 18 Saint Elizabeths Hospital.

19 ECONOMIC DEVELOPMENT AND REGULATION

20 Economic development and regulation, \$205,638,000
 21 (including \$53,562,000 from local funds, \$92,378,000
 22 from Federal funds, and \$59,698,000 from other funds),
 23 of which \$15,000,000 collected by the District of Colum-
 24 bia in the form of BID tax revenue shall be paid to the
 25 respective BIDs pursuant to the Business Improvement

1 Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec.
 2 1–2271 et seq.), and the Business Improvement Districts
 3 Amendment Act of 1997 (D.C. Law 12–26): *Provided*,
 4 That such funds are available for acquiring services pro-
 5 vided by the General Services Administration: *Provided*
 6 *further*, That Business Improvement Districts shall be ex-
 7 empt from taxes levied by the District of Columbia.

8 PUBLIC SAFETY AND JUSTICE

9 Public safety and justice, including purchase or lease
 10 of 135 passenger carrying vehicles for replacement only,
 11 including 130 for police-type use and five for fire-type use,
 12 without regard to the general purchase price limitation for
 13 the current fiscal year, and such sums as may be nec-
 14 essary for making refunds and for the payment of judg-
 15 ments that have been entered against the District of Co-
 16 lumbia government \$762,546,000 (including
 17 \$591,565,000 from local funds, \$24,950,000 from Federal
 18 funds, and \$146,031,000 from other funds): *Provided*,
 19 That the Metropolitan Police Department is authorized to
 20 replace not to exceed 25 passenger-carrying vehicles and
 21 the Department of Fire and Emergency Medical Services
 22 of the District of Columbia is authorized to replace not
 23 to exceed five passenger-carrying vehicles annually when-
 24 ever the cost of repair to any damaged vehicle exceeds
 25 three-fourths of the cost of the replacement: *Provided fur-*

1 *ther*, That not to exceed \$500,000 shall be available from
2 this appropriation for the Chief of Police for the preven-
3 tion and detection of crime: *Provided further*, That not-
4 withstanding any other provision of law, or Mayor's Order
5 86-45, issued March 18, 1986, the Metropolitan Police
6 Department's delegated small purchase authority shall be
7 \$500,000: *Provided further*, That the District of Columbia
8 government may not require the Metropolitan Police De-
9 partment to submit to any other procurement review proc-
10 ess, or to obtain the approval of or be restricted in any
11 manner by any official or employee of the District of Co-
12 lumbia government, for purchases that do not exceed
13 \$500,000: *Provided further*, That the Mayor shall reim-
14 burse the District of Columbia National Guard for ex-
15 penses incurred in connection with services that are per-
16 formed in emergencies by the National Guard in a militia
17 status and are requested by the Mayor, in amounts that
18 shall be jointly determined and certified as due and pay-
19 able for these services by the Mayor and the Commanding
20 General of the District of Columbia National Guard: *Pro-*
21 *vided further*, That such sums as may be necessary for
22 reimbursement to the District of Columbia National
23 Guard under the preceding proviso shall be available from
24 this appropriation, and the availability of the sums shall
25 be deemed as constituting payment in advance for emer-

1 gency services involved: *Provided further*, That the Metro-
 2 politan Police Department is authorized to maintain 3,800
 3 sworn officers, with leave for a 50 officer attrition: *Pro-*
 4 *vided further*, That no more than 15 members of the Met-
 5 ropolitan Police Department shall be detailed or assigned
 6 to the Executive Protection Unit, until the Chief of Police
 7 submits a recommendation to the Council for its review:
 8 *Provided further*, That \$100,000 shall be available for in-
 9 mates released on medical and geriatric parole: *Provided*
 10 *further*, That commencing on December 31, 2000, the
 11 Metropolitan Police Department shall provide to the Com-
 12 mittees on Appropriations of the Senate and House of
 13 Representatives, the Committee on Governmental Affairs
 14 of the Senate, and the Committee on Government Reform
 15 of the House of Representatives, quarterly reports on the
 16 status of crime reduction in each of the 83 police service
 17 areas established throughout the District of Columbia.

18 PUBLIC EDUCATION SYSTEM

19 Public education system, including the development
 20 of national defense education programs, \$998,918,000 (in-
 21 cluding \$824,867,000 from local funds, \$147,643,000
 22 from Federal funds, and \$26,408,000 from other funds),
 23 to be allocated as follows: \$769,943,000 (including
 24 \$629,309,000 from local funds, \$133,490,000 from Fed-
 25 eral funds, and \$7,144,000 from other funds), for the pub-

1 lie schools of the District of Columbia; \$200,000 from
2 local funds for the District of Columbia Teachers' Retire-
3 ment Fund; \$1,679,000 from local funds for the State
4 Education Office, \$17,000,000 from local funds, pre-
5 viously appropriated in this Act as a Federal payment, for
6 resident tuition support at public and private institutions
7 of higher learning for eligible District of Columbia resi-
8 dents; and \$105,000,000 from local funds for public char-
9 ter schools: *Provided*, That there shall be quarterly dis-
10 bursement of funds to the District of Columbia public
11 charter schools, with the first payment to occur within 15
12 days of the beginning of each fiscal year: *Provided further*,
13 That the District of Columbia public charter schools will
14 report enrollment on a quarterly basis upon which a quar-
15 terly disbursement will be calculated: *Provided further*,
16 That the quarterly payment of October 15, 2000, shall
17 be 50 percent of each public charter school's annual enti-
18 tlement based on its unaudited October 5 enrollment
19 count: *Provided further*, That if the entirety of this alloca-
20 tion has not been provided as payments to any public char-
21 ter schools currently in operation through the per pupil
22 funding formula, the funds shall be available for public
23 education in accordance with the School Reform Act of
24 1995 (D.C. Code, sec. 31-2853.43(A)(2)(D); Public Law
25 104-134, as amended): *Provided further*, That \$480,000

1 of this amount shall be available to the District of Colum-
2 bia Public Charter School Board for administrative costs:
3 *Provided further,* That \$76,433,000 (including
4 \$44,691,000 from local funds, \$13,199,000 from Federal
5 funds, and \$18,543,000 from other funds) shall be avail-
6 able for the University of the District of Columbia: *Pro-*
7 *vided further,* That \$200,000 is allocated for the East of
8 the River Campus Assessment Study, \$1,000,000 for the
9 Excel Institute Adult Education Program to be used by
10 the Institute for construction and to acquire construction
11 services provided by the General Services Administration
12 on a reimbursable basis, \$500,000 for the Adult Edu-
13 cation State Plan, \$650,000 for The Saturday Academy
14 Pre-College Program, and \$481,000 for the Strengthening
15 of Academic Programs; and \$26,459,000 (including
16 \$25,208,000 from local funds, \$550,000 from Federal
17 funds and \$701,000 other funds) for the Public Library:
18 *Provided further,* That the \$1,020,000 enhancement shall
19 be allocated such that \$500,000 is used for facilities im-
20 provements for 8 of the 26 library branches, \$235,000 for
21 13 FTEs for the continuation of the Homework Helpers
22 Program, \$166,000 for 3 FTEs in the expansion of the
23 Reach Out And Roar (ROAR) service to license day care
24 homes, and \$119,000 for 3 FTEs to expand literacy sup-
25 port into branch libraries: *Provided further,* That

1 \$2,204,000 (including \$1,780,000 from local funds,
2 \$404,000 from Federal funds and \$20,000 from other
3 funds) shall be available for the Commission on the Arts
4 and Humanities: *Provided further*, That the public schools
5 of the District of Columbia are authorized to accept not
6 to exceed 31 motor vehicles for exclusive use in the driver
7 education program: *Provided further*, That not to exceed
8 \$2,500 for the Superintendent of Schools, \$2,500 for the
9 President of the University of the District of Columbia,
10 and \$2,000 for the Public Librarian shall be available
11 from this appropriation for official purposes: *Provided fur-*
12 *ther*, That none of the funds contained in this Act may
13 be made available to pay the salaries of any District of
14 Columbia Public School teacher, principal, administrator,
15 official, or employee who knowingly provides false enroll-
16 ment or attendance information under article II, section
17 5 of the Act entitled “An Act to provide for compulsory
18 school attendance, for the taking of a school census in the
19 District of Columbia, and for other purposes”, approved
20 February 4, 1925 (D.C. Code, sec. 31–401 et seq.): *Pro-*
21 *vided further*, That this appropriation shall not be avail-
22 able to subsidize the education of any nonresident of the
23 District of Columbia at any District of Columbia public
24 elementary and secondary school during fiscal year 2001
25 unless the nonresident pays tuition to the District of Co-

1 lumbia at a rate that covers 100 percent of the costs in-
2 curred by the District of Columbia which are attributable
3 to the education of the nonresident (as established by the
4 Superintendent of the District of Columbia Public
5 Schools): *Provided further*, That this appropriation shall
6 not be available to subsidize the education of nonresidents
7 of the District of Columbia at the University of the Dis-
8 trict of Columbia, unless the Board of Trustees of the Uni-
9 versity of the District of Columbia adopts, for the fiscal
10 year ending September 30, 2001, a tuition rate schedule
11 that will establish the tuition rate for nonresident students
12 at a level no lower than the nonresident tuition rate
13 charged at comparable public institutions of higher edu-
14 cation in the metropolitan area: *Provided further*, That
15 \$2,200,000 is allocated to the Temporary Weighted Stu-
16 dent Formula to fund 344 additional slots for pre-K stu-
17 dents: *Provided further*, That \$50,000 is allocated to fund
18 a conference on learning support for children ages 3–4
19 hosted jointly by the District of Columbia Public Schools
20 and District of Columbia public charter schools: *Provided*
21 *further*, That no local funds in this Act shall be used to
22 administer a system-wide standardized test more than
23 once in fiscal year 2001: *Provided further*, That no less
24 than \$436,452,000 shall be expended on local schools
25 through the Weighted Student Formula: *Provided further*,

1 That notwithstanding any other provision of law, rule, or
2 regulation, the evaluation process and instruments for
3 evaluating District of Columbia Public School employees
4 shall be a non-negotiable item for collective bargaining
5 purposes: *Provided further*, That the District of Columbia
6 Public Schools shall spend \$250,000 to engage in a
7 Schools Without Violence program based on a model devel-
8 oped by the University of North Carolina, located in
9 Greensboro, North Carolina: *Provided further*, That the
10 District of Columbia Public Schools shall spend \$250,000
11 to implement a Failure Free Reading program in the Dis-
12 trict's public schools: *Provided further*, That notwith-
13 standing the amounts otherwise provided under this head-
14 ing or any other provision of law, there shall be appro-
15 priated to the District of Columbia public charter schools
16 on July 1, 2001, an amount equal to 25 percent of the
17 total amount provided for payments to public charter
18 schools in the proposed budget of the District of Columbia
19 for fiscal year 2002 (as submitted to Congress), and the
20 amount of such payment shall be chargeable against the
21 final amount provided for such payments under the Dis-
22 trict of Columbia Appropriations Act, 2002: *Provided fur-*
23 *ther*, That notwithstanding the amounts otherwise pro-
24 vided under this heading or any other provision of law,
25 there shall be appropriated to the District of Columbia

1 Public Schools on July 1, 2001, an amount equal to 10
2 percent of the total amount provided for the District of
3 Columbia Public Schools in the proposed budget of the
4 District of Columbia for fiscal year 2002 (as submitted
5 to Congress), and the amount of such payment shall be
6 chargeable against the final amount provided for the Dis-
7 trict of Columbia Public Schools under the District of Co-
8 lumbia Appropriations Act, 2002.

9 HUMAN SUPPORT SERVICES

10 (INCLUDING TRANSFER OF FUNDS)

11 Human support services, \$1,535,654,000 (including
12 \$637,347,000 from local funds, \$881,589,000 from Fed-
13 eral funds, and \$16,718,000 from other funds): *Provided*,
14 That \$25,836,000 of this appropriation, to remain avail-
15 able until expended, shall be available solely for District
16 of Columbia employees' disability compensation: *Provided*
17 *further*, That the District of Columbia shall not provide
18 free government services such as water, sewer, solid waste
19 disposal or collection, utilities, maintenance, repairs, or
20 similar services to any legally constituted private nonprofit
21 organization, as defined in section 411(5) of the Stewart
22 B. McKinney Homeless Assistance Act (101 Stat. 485;
23 Public Law 100-77; 42 U.S.C. 11371), providing emer-
24 gency shelter services in the District, if the District would
25 not be qualified to receive reimbursement pursuant to such

1 Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301
2 et seq.): *Provided further*, That \$1,250,000 shall be paid
3 to the Doe Fund for the operation of its Ready, Willing,
4 and Able Program in the District of Columbia as follows:
5 \$250,000 to cover debt owed by the District of Columbia
6 government for services rendered shall be paid to the Doe
7 Fund within 15 days of the enactment of this Act; and
8 \$1,000,000 shall be paid in equal monthly installments by
9 the fifteenth day of each month: *Provided further*, That
10 \$400,000 shall be available for the administrative costs
11 associated with implementation of the Drug Treatment
12 Choice Program established pursuant to section 4 of the
13 Choice in Drug Treatment Act of 2000, signed by the
14 Mayor on April 20, 2000 (D.C. Act 13–329): *Provided fur-*
15 *ther*, That \$7,000,000 shall be available for deposit in the
16 Addiction Recovery Fund established pursuant to section
17 5 of the Choice in Drug Treatment Act of 2000, signed
18 by the Mayor on April 20, 2000 (D.C. Act 13–329): *Pro-*
19 *vided further*, That the District of Columbia is authorized
20 to enter into a long-term lease of Hamilton Field with
21 Gonzaga College High School and that, in exchange for
22 such a lease, Gonzaga will introduce and implement a
23 youth baseball program focused on 13 to 18 year old resi-
24 dents, said program to include summer and fall baseball
25 programs and baseball clinics: *Provided further*, That not-

1 withstanding any other provision of law, to augment the
2 District of Columbia subsidy for the District of Columbia
3 Health and Hospitals Public Benefit Corporation, the Dis-
4 trict of Columbia may transfer from other non-Federal
5 funds appropriated under this Act to the Human Support
6 Services appropriation under this Act an amount not to
7 exceed \$90,000,000 for the purpose of restructuring the
8 delivery of health services in the District of Columbia: *Pro-*
9 *vided further*, That such restructuring shall be pursuant
10 to a restructuring plan approved by the Mayor of the Dis-
11 trict of Columbia, the Council of the District of Columbia,
12 the District of Columbia Financial Responsibility and
13 Management Assistance Authority, and the Board of Di-
14 rectors of the Public Benefit Corporation: *Provided fur-*
15 *ther*, That—

- 16 (1) the restructuring plan reduces personnel
17 levels of D.C. General Hospital and of the Public
18 Benefit Corporation consistent with the reduction in
19 force set forth in the August 25, 2000, resolution of
20 the Board of Directors of the Public Benefit Cor-
21 poration regarding personnel structure, by reducing
22 personnel by at least 500 full-time equivalent em-
23 ployees, without replacement by contract personnel;
- 24 (2) no transferred funds are expended until 10
25 calendar days after the restructuring plan has re-

1 ceived final approval and a copy evidencing final ap-
2 proval has been submitted by the Mayor to the Com-
3 mittee on Government Reform of the House of Rep-
4 resentatives, the Committee on Governmental Affairs
5 of the Senate, and the Committees on Appropria-
6 tions of the House of Representatives and the Sen-
7 ate; and

8 (3) the plan includes a certification that the
9 plan does not request and does not rely upon any
10 current or future request for additional appropria-
11 tion of Federal funds.

12 PUBLIC WORKS

13 Public works, including rental of one passenger-car-
14 rying vehicle for use by the Mayor and three passenger-
15 carrying vehicles for use by the Council of the District of
16 Columbia and leasing of passenger-carrying vehicles,
17 \$278,242,000 (including \$265,078,000 from local funds,
18 \$3,328,000 from Federal funds, and \$9,836,000 from
19 other funds): *Provided*, That this appropriation shall not
20 be available for collecting ashes or miscellaneous refuse
21 from hotels and places of business: *Provided further*, That
22 \$100,000 shall be available for a commercial sector recy-
23 cling initiative, \$250,000 to initiate a recycling education
24 campaign, \$10,000 for community clean-up kits, \$190,000
25 to restore a 3.5 percent vacancy rate in Parking Services,

1 \$170,000 to plant 500 trees, \$118,000 for two water
 2 trucks, \$150,000 for contract monitors and parking ana-
 3 lysts within Parking Services, \$1,409,000 for a neighbor-
 4 hood cleanup initiative, \$1,000,000 for tree maintenance,
 5 \$600,000 for an anti-graffiti program, \$226,000 for a
 6 hazardous waste program, \$1,260,000 for parking control
 7 aides, and \$400,000 for the Department of Motor Vehicles
 8 to hire additional ticket adjudicators, conduct additional
 9 hearings, and reduce the waiting time for hearings.

10 RECEIVERSHIP PROGRAMS

11 For all agencies of the District of Columbia govern-
 12 ment under court ordered receivership, \$389,528,000 (in-
 13 cluding \$234,913,000 from local funds, \$135,555,000
 14 from Federal funds, and \$19,060,000 from other funds).

15 RESERVE

16 For replacement of funds expended, if any, during
 17 fiscal year 2000 from the Reserve established by section
 18 202(j) of the District of Columbia Financial Responsi-
 19 bility and Management Assistance Act of 1995, Public
 20 Law 104–8, \$150,000,000 from local funds: *Provided*,
 21 That none of these funds shall be obligated or expended
 22 under this heading until the emergency reserve fund estab-
 23 lished under this Act has been fully funded for fiscal year
 24 2001 pursuant to section 450A of the District of Columbia
 25 Home Rule Act as set forth herein.

1 EMERGENCY RESERVE FUND

2 For the emergency reserve fund established under
3 section 450A(a) of the District of Columbia Home Rule
4 Act, the amount provided for fiscal year 2001 under such
5 section, to be derived from local funds.

6 REPAYMENT OF LOANS AND INTEREST

7 For payment of principal, interest and certain fees
8 directly resulting from borrowing by the District of Co-
9 lumbia to fund District of Columbia capital projects as
10 authorized by sections 462, 475, and 490 of the District
11 of Columbia Home Rule Act, approved December 24,
12 1973, \$243,238,000 from local funds: *Provided*, That any
13 funds set aside pursuant to section 148 of the District
14 of Columbia Appropriations Act, 2000 (Public Law 106–
15 113; 113 Stat. 1523) that are not used in the reserve
16 funds established herein shall be used for Pay-As-You-Go
17 Capital Funds: *Provided further*, That for equipment
18 leases, the Mayor may finance \$19,232,000 of equipment
19 cost, plus cost of issuance not to exceed 2 percent of the
20 par amount being financed on a lease purchase basis with
21 a maturity not to exceed 5 years: *Provided further*, That
22 \$2,000,000 is allocated to the Metropolitan Police Depart-
23 ment, \$4,300,000 for the Fire and Emergency Medical
24 Services Department, \$1,622,000 for the Public Library,
25 \$2,010,000 for the Department of Parks and Recreation,

1 \$7,500,000 for the Department of Public Works, and
2 \$1,800,000 for the Public Benefit Corporation.

3 REPAYMENT OF GENERAL FUND RECOVERY DEBT

4 For the purpose of eliminating the \$331,589,000
5 general fund accumulated deficit as of September 30,
6 1990, \$39,300,000 from local funds, as authorized by sec-
7 tion 461(a) of the District of Columbia Home Rule Act,
8 (105 Stat. 540; D.C. Code, sec. 47–321(a)(1)).

9 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

10 For payment of interest on short-term borrowing,
11 \$1,140,000 from local funds.

12 PRESIDENTIAL INAUGURATION

13 For reimbursement for necessary expenses incurred
14 in connection with Presidential inauguration activities as
15 authorized by section 737(b) of the District of Columbia
16 Home Rule Act, Public Law 93–198, as amended, ap-
17 proved December 24, 1973 (87 Stat. 824; D.C. Code, sec.
18 1–1803), \$5,961,000 from local funds, previously appro-
19 priated in this Act as a Federal payment, which shall be
20 apportioned by the Chief Financial Officer within the var-
21 ious appropriation headings in this Act.

22 CERTIFICATES OF PARTICIPATION

23 For lease payments in accordance with the Certifi-
24 cates of Participation involving the land site underlying

1 the building located at One Judiciary Square, \$7,950,000
2 from local funds.

3 WILSON BUILDING

4 For expenses associated with the John A. Wilson
5 Building, \$8,409,000 from local funds.

6 OPTICAL AND DENTAL INSURANCE PAYMENTS

7 For optical and dental insurance payments,
8 \$2,675,000 from local funds.

9 MANAGEMENT SUPERVISORY SERVICE

10 For management supervisory service, \$13,200,000
11 from local funds, to be transferred by the Mayor of the
12 District of Columbia among the various appropriation
13 headings in this Act for which employees are properly pay-
14 able.

15 TOBACCO SETTLEMENT TRUST FUND TRANSFER

16 PAYMENT

17 Subject to the issuance of bonds to pay the purchase
18 price of the District of Columbia's right, title and interest
19 in and to the Master Settlement Agreement, and con-
20 sistent with the Tobacco Settlement Financing and Trust
21 Fund Amendment Act of 2000, there is transferred the
22 amount available pursuant thereto, but not to exceed
23 \$61,406,000, to the Tobacco Settlement Trust Fund es-
24 tablished pursuant to section 2302 of the Tobacco Settle-
25 ment Trust Fund Establishment Act of 1999, effective

1 October 20, 1999 (D.C. Law 13–38; to be codified at D.C.
2 Code, sec. 6–135), to be spent pursuant to local law.

3 OPERATIONAL IMPROVEMENTS SAVINGS (INCLUDING
4 MANAGED COMPETITION)

5 The Mayor and the Council, in consultation with the
6 Chief Financial Officer and the District of Columbia Fi-
7 nancial Responsibility and Management Assistance Au-
8 thority, shall make reductions of \$10,000,000 for oper-
9 ational improvements savings in local funds to one or more
10 of the appropriation headings in this Act.

11 MANAGEMENT REFORM SAVINGS

12 The Mayor and the Council, in consultation with the
13 Chief Financial Officer and the District of Columbia Fi-
14 nancial Responsibility and Management Assistance Au-
15 thority, shall make reductions of \$37,000,000 for manage-
16 ment reform savings in local funds to one or more of the
17 appropriation headings in this Act.

18 CAFETERIA PLAN SAVINGS

19 For the implementation of a Cafeteria Plan pursuant
20 to Federal law, a reduction of \$5,000,000 in local funds.

21 ENTERPRISE AND OTHER FUNDS

22 WATER AND SEWER AUTHORITY AND THE WASHINGTON
23 AQUEDUCT

24 For operation of the Water and Sewer Authority and
25 the Washington Aqueduct, \$275,705,000 from other funds

1 (including \$230,614,000 for the Water and Sewer Author-
 2 ity and \$45,091,000 for the Washington Aqueduct) of
 3 which \$41,503,000 shall be apportioned and payable to
 4 the District's debt service fund for repayment of loans and
 5 interest incurred for capital improvement projects.

6 For construction projects, \$140,725,000, as author-
 7 ized by the Act entitled "An Act authorizing the laying
 8 of watermains and service sewers in the District of Colum-
 9 bia, the levying of assessments therefor, and for other pur-
 10 poses" (33 Stat. 244; Public Law 58-140; D.C. Code, sec.
 11 43-1512 et seq.): *Provided*, That the requirements and
 12 restrictions that are applicable to general fund capital im-
 13 provements projects and set forth in this Act under the
 14 Capital Outlay appropriation title shall apply to projects
 15 approved under this appropriation title.

16 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

17 For the Lottery and Charitable Games Enterprise
 18 Fund, established by the District of Columbia Appropria-
 19 tion Act for the fiscal year ending September 30, 1982
 20 (95 Stat. 1174, 1175; Public Law 97-91), for the purpose
 21 of implementing the Law to Legalize Lotteries, Daily
 22 Numbers Games, and Bingo and Raffles for Charitable
 23 Purposes in the District of Columbia (D.C. Law 3-172;
 24 D.C. Code, sec. 2-2501 et seq. and sec. 22-1516 et seq.),
 25 \$223,200,000: *Provided*, That the District of Columbia

1 shall identify the source of funding for this appropriation
 2 title from the District's own locally generated revenues:
 3 *Provided further*, That no revenues from Federal sources
 4 shall be used to support the operations or activities of the
 5 Lottery and Charitable Games Control Board.

6 SPORTS AND ENTERTAINMENT COMMISSION

7 For the Sports and Entertainment Commission,
 8 \$10,968,000 from other funds: *Provided*, That the Mayor
 9 shall submit a budget for the Armory Board for the forth-
 10 coming fiscal year as required by section 442(b) of the
 11 District of Columbia Home Rule Act (87 Stat. 824; Public
 12 Law 93–198; D.C. Code, sec. 47–301(b)).

13 DISTRICT OF COLUMBIA HEALTH AND HOSPITALS

14 PUBLIC BENEFIT CORPORATION

15 (INCLUDING TRANSFER OF FUNDS)

16 For the District of Columbia Health and Hospitals
 17 Public Benefit Corporation, established by D.C. Law 11–
 18 212 (D.C. Code, sec. 32–262.2), \$123,548,000, of which
 19 \$45,313,000 shall be derived by transfer from the general
 20 fund, and \$78,235,000 from other funds: *Provided*, That
 21 no appropriated amounts and no amounts from or guaran-
 22 teed by the District of Columbia government (including
 23 the District of Columbia Financial Responsibility and
 24 Management Assistance Authority) may be made available
 25 to the Corporation (through reprogramming, transfers,

1 loans, or any other mechanism) which are not otherwise
2 provided for under this heading until a restructuring plan
3 for D.C. General Hospital has been approved by the
4 Mayor of the District of Columbia, the Council of the Dis-
5 trict of Columbia, the Authority, the Chief Financial Offi-
6 cer of the District of Columbia, and the Chair of the
7 Board of Directors of the Corporation: *Provided further*,
8 That for each payment or group of payments made by or
9 on behalf of the Corporation, the Chief Financial Officer
10 of the District of Columbia shall sign an affidavit certi-
11 fying that the making of the payment does not constitute
12 a violation of any provision of subchapter III of chapter
13 13 of title 31, United States Code, or of any provision
14 of this Act: *Provided further*, That more than one payment
15 may be covered by the same affidavit under the previous
16 proviso, but a single affidavit may not cover more than
17 one week's worth of payments: *Provided further*, That it
18 shall be unlawful for any person to order any other person
19 to sign any affidavit required under this heading, or for
20 any person to provide any signature required under this
21 heading on such an affidavit by proxy or by machine, com-
22 puter, or other facsimile device.

23 DISTRICT OF COLUMBIA RETIREMENT BOARD

24 For the District of Columbia Retirement Board, es-
25 tablished by section 121 of the District of Columbia Re-

1 tirement Reform Act of 1979 (93 Stat. 866; D.C. Code,
 2 sec. 1–711), \$11,414,000 from the earnings of the appli-
 3 cable retirement funds to pay legal, management, invest-
 4 ment, and other fees and administrative expenses of the
 5 District of Columbia Retirement Board: *Provided*, That
 6 the District of Columbia Retirement Board shall provide
 7 to the Congress and to the Council of the District of Co-
 8 lumbia a quarterly report of the allocations of charges by
 9 fund and of expenditures of all funds: *Provided further*,
 10 That the District of Columbia Retirement Board shall pro-
 11 vide the Mayor, for transmittal to the Council of the Dis-
 12 trict of Columbia, an itemized accounting of the planned
 13 use of appropriated funds in time for each annual budget
 14 submission and the actual use of such funds in time for
 15 each annual audited financial report.

16 CORRECTIONAL INDUSTRIES FUND

17 For the Correctional Industries Fund, established by
 18 the District of Columbia Correctional Industries Estab-
 19 lishment Act (78 Stat. 1000; Public Law 88–622),
 20 \$1,808,000 from other funds.

21 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

22 For the Washington Convention Center Enterprise
 23 Fund, \$52,726,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of \$1,077,282,000 of which \$806,787,000 is from local funds, \$66,446,000 is from highway trust funds, and \$204,049,000 is from Federal funds, and a rescission of \$55,208,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$1,022,074,000 to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal Aid Highway Act of 1968 (82 Stat. 827; Public Law 90–495; D.C. Code, sec. 7–134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2002, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2002: *Provided further*, That upon expiration of any such

1 project authorization, the funds provided herein for the
2 project shall lapse.

3 GENERAL PROVISIONS

4 SEC. 101. Whenever in this Act, an amount is speci-
5 fied within an appropriation for particular purposes or ob-
6 jects of expenditure, such amount, unless otherwise speci-
7 fied, shall be considered as the maximum amount that
8 may be expended for said purpose or object rather than
9 an amount set apart exclusively therefor.

10 SEC. 102. Appropriations in this Act shall be avail-
11 able for expenses of travel and for the payment of dues
12 of organizations concerned with the work of the District
13 of Columbia government, when authorized by the Mayor:
14 *Provided*, That in the case of the Council of the District
15 of Columbia, funds may be expended with the authoriza-
16 tion of the chair of the Council.

17 SEC. 103. There are appropriated from the applicable
18 funds of the District of Columbia such sums as may be
19 necessary for making refunds and for the payment of
20 judgments that have been entered against the District of
21 Columbia government: *Provided*, That nothing contained
22 in this section shall be construed as modifying or affecting
23 the provisions of section 11(c)(3) of title XII of the Dis-
24 trict of Columbia Income and Franchise Tax Act of 1947

1 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–
2 1812.11(c)(3)).

3 SEC. 104. (a) REQUIRING MAYOR TO MAINTAIN
4 INDEX.—Effective with respect to fiscal year 2001 and
5 each succeeding fiscal year, the Mayor of the District of
6 Columbia shall maintain an index of all employment per-
7 sonal services and consulting contracts in effect on behalf
8 of the District government, and shall include in the index
9 specific information on any severance clause in effect
10 under any such contract.

11 (b) PUBLIC INSPECTION.—The index maintained
12 under subsection (a) shall be kept available for public in-
13 spection during regular business hours.

14 (c) CONTRACTS EXEMPTED.—Subsection (a) shall
15 not apply with respect to any collective bargaining agree-
16 ment or any contract entered into pursuant to such a col-
17 lective bargaining agreement.

18 (d) DISTRICT GOVERNMENT DEFINED.—In this sec-
19 tion, the term “District government” means the govern-
20 ment of the District of Columbia, including—

- 21 (1) any department, agency or instrumentality
22 of the government of the District of Columbia;
23 (2) any independent agency of the District of
24 Columbia established under part F of title IV of the
25 District of Columbia Home Rule Act or any other

1 agency, board, or commission established by the
2 Mayor or the Council;

3 (3) the Council of the District of Columbia;

4 (4) any other agency, public authority, or public
5 benefit corporation which has the authority to re-
6 ceive monies directly or indirectly from the District
7 of Columbia (other than monies received from the
8 sale of goods, the provision of services, or the loan-
9 ing of funds to the District of Columbia); and

10 (5) the District of Columbia Financial Respon-
11 sibility and Management Assistance Authority.

12 (e) No payment shall be made pursuant to any such
13 contract subject to subsection (a), nor any severance pay-
14 ment made under such contract, if a copy of the contract
15 has not been filed in the index. Interested parties may file
16 copies of their contract or severance agreement in the
17 index on their own behalf.

18 SEC. 105. No part of any appropriation contained in
19 this Act shall remain available for obligation beyond the
20 current fiscal year unless expressly so provided herein.

21 SEC. 106. No funds appropriated in this Act for the
22 District of Columbia government for the operation of edu-
23 cational institutions, the compensation of personnel, or for
24 other educational purposes may be used to permit, encour-
25 age, facilitate, or further partisan political activities.

1 Nothing herein is intended to prohibit the availability of
2 school buildings for the use of any community or partisan
3 political group during non-school hours.

4 SEC. 107. None of the funds appropriated in this Act
5 shall be made available to pay the salary of any employee
6 of the District of Columbia government whose name, title,
7 grade, salary, past work experience, and salary history are
8 not available for inspection by the House and Senate Com-
9 mittees on Appropriations, the House Committee on Gov-
10 ernment Reform, the Senate Committee on Governmental
11 Affairs, and the Council of the District of Columbia, or
12 their duly authorized representative.

13 SEC. 108. There are appropriated from the applicable
14 funds of the District of Columbia such sums as may be
15 necessary for making payments authorized by the District
16 of Columbia Revenue Recovery Act of 1977 (D.C. Law
17 2–20; D.C. Code, sec. 47–421 et seq.).

18 SEC. 109. No part of this appropriation shall be used
19 for publicity or propaganda purposes or implementation
20 of any policy including boycott designed to support or de-
21 feat legislation pending before Congress or any State legis-
22 lature.

23 SEC. 110. At the start of the fiscal year, the Mayor
24 shall develop an annual plan, by quarter and by project,
25 for capital outlay borrowings: *Provided*, That within a rea-

1 sonable time after the close of each quarter, the Mayor
2 shall report to the Council of the District of Columbia and
3 the Congress the actual borrowings and spending progress
4 compared with projections.

5 SEC. 111. (a) None of the funds provided under this
6 Act to the agencies funded by this Act, both Federal and
7 District government agencies, that remain available for
8 obligation or expenditure in fiscal year 2001, or provided
9 from any accounts in the Treasury of the United States
10 derived by the collection of fees available to the agencies
11 funded by this Act, shall be available for obligation or ex-
12 penditure for an agency through a reprogramming of
13 funds which: (1) creates new programs; (2) eliminates a
14 program, project, or responsibility center; (3) establishes
15 or changes allocations specifically denied, limited or in-
16 creased by Congress in this Act; (4) increases funds or
17 personnel by any means for any program, project, or re-
18 sponsibility center for which funds have been denied or
19 restricted; (5) reestablishes through reprogramming any
20 program or project previously deferred through re-
21 programming; (6) augments existing programs, projects,
22 or responsibility centers through a reprogramming of
23 funds in excess of \$1,000,000 or 10 percent, whichever
24 is less; or (7) increases by 20 percent or more personnel
25 assigned to a specific program, project or responsibility

1 center; unless the Committees on Appropriations of both
2 the Senate and House of Representatives are notified in
3 writing 30 days in advance of any reprogramming as set
4 forth in this section.

5 (b) None of the local funds contained in this Act may
6 be available for obligation or expenditure for an agency
7 through a reprogramming of funds which transfers any
8 local funds from one appropriation to another unless the
9 Committees on Appropriations of the Senate and House
10 of Representatives are notified in writing 30 days in ad-
11 vance of the transfer, except that in no event may the
12 amount of any funds transferred exceed 2 percent of the
13 local funds in the appropriation.

14 SEC. 112. Consistent with the provisions of 31 U.S.C.
15 1301(a), appropriations under this Act shall be applied
16 only to the objects for which the appropriations were made
17 except as otherwise provided by law.

18 SEC. 113. Notwithstanding any other provisions of
19 law, the provisions of the District of Columbia Govern-
20 ment Comprehensive Merit Personnel Act of 1978 (D.C.
21 Law 2–139; D.C. Code, sec. 1–601.1 et seq.), enacted pur-
22 suant to section 422(3) of the District of Columbia Home
23 Rule Act (87 Stat. 790; Public Law 93–198; D.C. Code,
24 sec. 1–242(3)), shall apply with respect to the compensa-
25 tion of District of Columbia employees: *Provided*, That for

1 pay purposes, employees of the District of Columbia gov-
2 ernment shall not be subject to the provisions of title 5,
3 United States Code.

4 SEC. 114. No later than 30 days after the end of the
5 first quarter of the fiscal year ending September 30, 2001,
6 the Mayor of the District of Columbia shall submit to the
7 Council of the District of Columbia the new fiscal year
8 2001 revenue estimates as of the end of the first quarter
9 of fiscal year 2001. These estimates shall be used in the
10 budget request for the fiscal year ending September 30,
11 2002. The officially revised estimates at midyear shall be
12 used for the midyear report.

13 SEC. 115. No sole source contract with the District
14 of Columbia government or any agency thereof may be re-
15 newed or extended without opening that contract to the
16 competitive bidding process as set forth in section 303 of
17 the District of Columbia Procurement Practices Act of
18 1985 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except
19 that the District of Columbia government or any agency
20 thereof may renew or extend sole source contracts for
21 which competition is not feasible or practical: *Provided*,
22 That the determination as to whether to invoke the com-
23 petitive bidding process has been made in accordance with
24 duly promulgated rules and procedures and said deter-
25 mination has been reviewed and approved by the District

1 of Columbia Financial Responsibility and Management
2 Assistance Authority.

3 SEC. 116. For purposes of the Balanced Budget and
4 Emergency Deficit Control Act of 1985 (99 Stat. 1037;
5 Public Law 99–177), the term “program, project, and ac-
6 tivity” shall be synonymous with and refer specifically to
7 each account appropriating Federal funds in this Act, and
8 any sequestration order shall be applied to each of the ac-
9 counts rather than to the aggregate total of those ac-
10 counts: *Provided*, That sequestration orders shall not be
11 applied to any account that is specifically exempted from
12 sequestration by the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 SEC. 117. In the event a sequestration order is issued
15 pursuant to the Balanced Budget and Emergency Deficit
16 Control Act of 1985 (99 Stat. 1037: Public Law 99–177),
17 after the amounts appropriated to the District of Colum-
18 bia for the fiscal year involved have been paid to the Dis-
19 trict of Columbia, the Mayor of the District of Columbia
20 shall pay to the Secretary of the Treasury, within 15 days
21 after receipt of a request therefor from the Secretary of
22 the Treasury, such amounts as are sequestered by the
23 order: *Provided*, That the sequestration percentage speci-
24 fied in the order shall be applied proportionately to each

1 of the Federal appropriation accounts in this Act that are
2 not specifically exempted from sequestration by such Act.

3 SEC. 118. ACCEPTANCE AND USE OF GIFTS. (a) AP-
4 PROVAL BY MAYOR.—

5 (1) IN GENERAL.—An entity of the District of
6 Columbia government may accept and use a gift or
7 donation during fiscal year 2001 if—

8 (A) the Mayor approves the acceptance
9 and use of the gift or donation (except as pro-
10 vided in paragraph (2)); and

11 (B) the entity uses the gift or donation to
12 carry out its authorized functions or duties.

13 (2) EXCEPTION FOR COUNCIL AND COURTS.—
14 The Council of the District of Columbia and the
15 District of Columbia courts may accept and use gifts
16 without prior approval by the Mayor.

17 (b) RECORDS AND PUBLIC INSPECTION.—Each enti-
18 ty of the District of Columbia government shall keep accu-
19 rate and detailed records of the acceptance and use of any
20 gift or donation under subsection (a), and shall make such
21 records available for audit and public inspection.

22 (c) INDEPENDENT AGENCIES INCLUDED.—For the
23 purposes of this section, the term “entity of the District
24 of Columbia government” includes an independent agency
25 of the District of Columbia.

1 (d) EXCEPTION FOR BOARD OF EDUCATION.—This
 2 section shall not apply to the District of Columbia Board
 3 of Education, which may, pursuant to the laws and regula-
 4 tions of the District of Columbia, accept and use gifts to
 5 the public schools without prior approval by the Mayor.

6 SEC. 119. None of the Federal funds provided in this
 7 Act may be used by the District of Columbia to provide
 8 for salaries, expenses, or other costs associated with the
 9 offices of United States Senator or United States Rep-
 10 resentative under section 4(d) of the District of Columbia
 11 Statehood Constitutional Convention Initiatives of 1979
 12 (D.C. Law 3–171; D.C. Code, sec. 1–113(d)).

13 SEC. 120. (a) MODIFICATION OF CONTRACTING RE-
 14 QUIREMENTS.—

15 (1) CONTRACTS SUBJECT TO NOTICE REQUIRE-
 16 MENTS.—Section 2204(c)(1)(A) of the District of
 17 Columbia School Reform Act (sec. 31–
 18 2853.14(c)(1)(A), D.C. Code) is amended to read as
 19 follows: I24 “(A) NOTICE REQUIREMENT FOR
 20 PROCUREMENT CONTRACTS.—

21 “(i) IN GENERAL.—Except in the case
 22 of an emergency (as determined by the eli-
 23 gible chartering authority of a public char-
 24 ter school), with respect to any procure-
 25 ment contract proposed to be awarded by

1 the public charter school and having a
2 value equal to or exceeding \$25,000, the
3 school shall publish a notice of a request
4 for proposals in the District of Columbia
5 Register and newspapers of general cir-
6 culation not less than 7 days prior to the
7 award of the contract.

8 “(ii) EXCEPTION FOR CERTAIN CON-
9 TRACTS.—The notice requirement of clause
10 (i) shall not apply with respect to any con-
11 tract for the lease or purchase of real
12 property by a public charter school, any
13 employment contract for a staff member of
14 a public charter school, or any manage-
15 ment contract entered into by a public
16 charter school and the management com-
17 pany designated in its charter or its peti-
18 tion for a revised charter.”.

19 (2) SUBMISSION OF CONTRACTS TO ELIGIBLE
20 CHARTERING AUTHORITY.—Section 2204(c)(1)(B) of
21 such Act (sec. 31–2853.14(c)(1)(B), D.C. Code) is
22 amended—

23 (A) in the heading, by striking “AUTHOR-
24 ITY” and inserting “ELIGIBLE CHARTERING AU-
25 THORITY”;

1 (B) in clause (i), by striking “Authority”
2 and inserting “eligible chartering authority”;
3 and

4 (C) by amending clause (ii) to read as fol-
5 lows:

6 “(ii) EFFECTIVE DATE OF CON-
7 TRACT.—A contract described in subpara-
8 graph (A) shall become effective on the
9 date that is 10 days after the date the
10 school makes the submission under clause
11 (i) with respect to the contract, or the ef-
12 fective date specified in the contract,
13 whichever is later.”.

14 (b) CLARIFICATION OF APPLICATION OF SCHOOL RE-
15 FORM ACT.—

16 (1) WAIVER OF DUPLICATE AND CONFLICTING
17 PROVISIONS.—Section 2210 of such Act (sec. 31–
18 2853.20, D.C. Code) is amended by adding at the
19 end the following new subsection:

20 “(d) WAIVER OF APPLICATION OF DUPLICATE AND
21 CONFLICTING PROVISIONS.—Notwithstanding any other
22 provision of law, and except as otherwise provided in this
23 title, no provision of any law regarding the establishment,
24 administration, or operation of public charter schools in
25 the District of Columbia shall apply with respect to a pub-

1 lic charter school or an eligible chartering authority to the
2 extent that the provision duplicates or is inconsistent with
3 any provision of this title.”.

4 (2) EFFECTIVE DATE.—The amendments made
5 by this subsection shall take effect as if included in
6 the enactment of the District of Columbia School
7 Reform Act of 1995.

8 (c) LICENSING REQUIREMENTS FOR PRESCHOOL OR
9 PREKINDERGARTEN PROGRAMS.—

10 (1) IN GENERAL.—Section 2204(c) of such Act
11 (sec. 31–2853.14(c), D.C. Code) is amended by add-
12 ing at the end the following new paragraph:

13 “(18) LICENSING AS CHILD DEVELOPMENT
14 CENTER.—A public charter school which offers a
15 preschool or prekindergarten program shall be sub-
16 ject to the same child care licensing requirements (if
17 any) which apply to a District of Columbia public
18 school which offers such a program.”.

19 (2) CONFORMING AMENDMENTS.—(A) Section
20 2202 of such Act (sec. 31–2853.12, D.C. Code) is
21 amended by striking clause (17).

22 (B) Section 2203(h)(2) of such Act (sec. 31–
23 2853.13(h)(2), D.C. Code) is amended by striking
24 “(17),”.

1 (d) Section 2403 of the District of Columbia School
2 Reform Act of 1995 (sec. 31–2853.43, D.C. Code) is
3 amended by adding at the end the following new sub-
4 section:

5 “(c) ASSIGNMENT OF PAYMENTS.—A public charter
6 school may assign any payments made to the school under
7 this section to a financial institution for use as collateral
8 to secure a loan or for the repayment of a loan.”.

9 (e) Section 2210 of the District of Columbia School
10 Reform Act of 1995 (sec. 31–2853.20, D.C. Code), as
11 amended by subsection (b), is further amended by adding
12 at the end the following new subsection:

13 “(e) PARTICIPATION IN GSA PROGRAMS.—

14 “(1) IN GENERAL.—Notwithstanding any provi-
15 sion of this Act or any other provision of law, a pub-
16 lic charter school may acquire goods and services
17 through the General Services Administration and
18 may participate in programs of the Administration
19 in the same manner and to the same extent as any
20 entity of the District of Columbia government.

21 “(2) PARTICIPATION BY CERTAIN ORGANIZA-
22 TIONS.—A public charter school may delegate to a
23 nonprofit, tax-exempt organization in the District of
24 Columbia the public charter school’s authority under
25 paragraph (1).”.

1 SEC. 121. REPORTING REQUIREMENTS FOR THE
2 DISTRICT OF COLUMBIA PUBLIC SCHOOLS AND THE UNI-
3 VERSITY OF THE DISTRICT OF COLUMBIA. (a) The Super-
4 intendent of the District of Columbia Public Schools
5 (DCPS) and the University of the District of Columbia
6 (UDC) shall each submit to the Committees on Appropria-
7 tions of the House of Representatives and Senate, the
8 Committee on Government Reform of the House of Rep-
9 resentatives, and the Committee on Governmental Affairs
10 of the Senate no later than 15 calendar days after the
11 end of each quarter a report that sets forth—

12 (1) current quarter expenditures and obliga-
13 tions, year-to-date expenditures and obligations, and
14 total fiscal year expenditure projections versus budg-
15 et broken out on the basis of control center, respon-
16 sibility center, and object class, and for all funds,
17 non-appropriated funds, and capital financing;

18 (2) a list of each account for which spending is
19 frozen and the amount of funds frozen, broken out
20 by control center, responsibility center, detailed ob-
21 ject, and for all funding sources;

22 (3) a list of all active contracts in excess of
23 \$10,000 annually, which contains the name of each
24 contractor; the budget to which the contract is
25 charged, broken out on the basis of control center,

1 responsibility center, and agency reporting code; and
2 contract identifying codes used by DCPS and UDC;
3 payments made in the last quarter and year-to-date,
4 the total amount of the contract and total payments
5 made for the contract and any modifications, exten-
6 sions, renewals; and specific modifications made to
7 each contract in the last month;

8 (4) all reprogramming requests and reports
9 that are required to be, and have been, submitted to
10 the Board of Education;

11 (5) all reprogramming requests and reports
12 that have been made by UDC within the last quarter
13 in compliance with applicable law; and

14 (6) changes made in the last quarter to the or-
15 ganizational structure of DCPS and UDC, dis-
16 playing for each entity previous and current control
17 centers and responsibility centers, the names of the
18 organizational entities that have been changed, the
19 name of the staff member supervising each entity af-
20 fected, and the reasons for the structural change.

21 (b) The Superintendent of DCPS and UDC shall an-
22 nually compile an accurate and verifiable report on the
23 positions and employees in the public school system and
24 the university, respectively. The annual report shall—

1 (1) set forth the number of validated schedule
2 A positions in the District of Columbia public
3 schools and UDC for fiscal year 2001, and there-
4 after on full-time equivalent basis, including a com-
5 pilation of all positions by control center, responsi-
6 bility center, funding source, position type, position
7 title, pay plan, grade, and annual salary;

8 (2) set forth a compilation of all employees in
9 the District of Columbia public schools and UDC as
10 of the preceding December 31, verified as to its ac-
11 curacy in accordance with the functions that each
12 employee actually performs, by control center, re-
13 sponsibility center, agency reporting code, program
14 (including funding source), activity, location for ac-
15 counting purposes, job title, grade and classification,
16 annual salary, and position control number; and

17 (3) be submitted to the Congress, the Mayor,
18 the District of Columbia Council, the Consensus
19 Commission, and the Authority, not later than Feb-
20 ruary 15 of each year.

21 (c) No later than November 1, 2000, or within 30
22 calendar days after the date of the enactment of this Act,
23 whichever occurs later, and each succeeding year, the Su-
24 perintendent of DCPS and UDC shall submit to the ap-
25 propriate congressional committees, the Mayor, the Dis-

1 triet of Columbia Council, the Consensus Commission, and
2 the District of Columbia Financial Responsibility and
3 Management Assistance Authority, a revised appropriated
4 funds operating budget for the public school system and
5 UDC for such fiscal year: (1) that is in the total amount
6 of the approved appropriation and that realigns budgeted
7 data for personal services and other-than-personal serv-
8 ices, respectively, with anticipated actual expenditures;
9 and (2) that is in the format of the budget that the Super-
10 intendent of DCPS and UDC submit to the Mayor of the
11 District of Columbia for inclusion in the Mayor's budget
12 submission to the Council of the District of Columbia pur-
13 suant to section 442 of the District of Columbia Home
14 Rule Act (Public Law 93–198; D.C. Code, sec. 47–301).

15 SEC. 122. (a) None of the funds contained in this
16 Act may be made available to pay the fees of an attorney
17 who represents a party who prevails in an action or any
18 attorney who defends any action, including an administra-
19 tive proceeding, brought against the District of Columbia
20 Public Schools under the Individuals with Disabilities
21 Education Act (20 U.S.C. 1400 et seq.) if—

22 (1) the hourly rate of compensation of the at-
23 torney exceeds 250 percent of the hourly rate of
24 compensation under section 11–2604(a), District of
25 Columbia Code; or

1 (2) the maximum amount of compensation of
2 the attorney exceeds 250 percent of the maximum
3 amount of compensation under section 11–
4 2604(b)(1), District of Columbia Code, except that
5 compensation and reimbursement in excess of such
6 maximum may be approved for extended or complex
7 representation in accordance with section 11–
8 2604(c), District of Columbia Code; and

9 (3) in no case may the compensation limits in
10 paragraphs (1) and (2) exceed \$2,500.

11 (b) Notwithstanding the preceding subsection, if the
12 Mayor and the Superintendent of the District of Columbia
13 Public Schools concur in a Memorandum of Under-
14 standing setting forth a new rate and amount of com-
15 pensation, then such new rates shall apply in lieu of the
16 rates set forth in the preceding subsection to both the at-
17 torney who represents the prevailing party and the attor-
18 ney who defends the action.

19 SEC. 123. None of the funds appropriated under this
20 Act shall be expended for any abortion except where the
21 life of the mother would be endangered if the fetus were
22 carried to term or where the pregnancy is the result of
23 an act of rape or incest.

24 SEC. 124. None of the funds made available in this
25 Act may be used to implement or enforce the Health Care

1 Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C.
2 Code, sec. 36–1401 et seq.) or to otherwise implement or
3 enforce any system of registration of unmarried, cohab-
4 iting couples (whether homosexual, heterosexual, or les-
5 bian), including but not limited to registration for the pur-
6 pose of extending employment, health, or governmental
7 benefits to such couples on the same basis that such bene-
8 fits are extended to legally married couples.

9 SEC. 125. The District of Columbia Financial Re-
10 sponsibility and Management Assistance Authority, acting
11 on behalf of the District of Columbia Public Schools
12 (DCPS) in formulating the DCPS budget, the Board of
13 Trustees of the University of the District of Columbia, the
14 Board of Library Trustees, and the Board of Governors
15 of the University of the District of Columbia School of
16 Law shall vote on and approve the respective annual or
17 revised budgets for such entities before submission to the
18 Mayor of the District of Columbia for inclusion in the
19 Mayor’s budget submission to the Council of the District
20 of Columbia in accordance with section 442 of the District
21 of Columbia Home Rule Act (Public Law 93–198; D.C.
22 Code, sec. 47–301), or before submitting their respective
23 budgets directly to the Council.

24 SEC. 126. (a) ACCEPTANCE AND USE OF GRANTS
25 NOT INCLUDED IN CEILING.—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of this Act, the Mayor, in consultation with
3 the Chief Financial Officer, during a control year, as
4 defined in section 305(4) of the District of Columbia
5 Financial Responsibility and Management Assistance
6 Act of 1995 (Public Law 104–8; 109 Stat. 152),
7 may accept, obligate, and expend Federal, private,
8 and other grants received by the District govern-
9 ment that are not reflected in the amounts appro-
10 priated in this Act.

11 (2) REQUIREMENT OF CHIEF FINANCIAL OFFI-
12 CER REPORT AND AUTHORITY APPROVAL.—No such
13 Federal, private, or other grant may be accepted, ob-
14 ligated, or expended pursuant to paragraph (1)
15 until—

16 (A) the Chief Financial Officer of the Dis-
17 trict of Columbia submits to the Authority a re-
18 port setting forth detailed information regard-
19 ing such grant; and

20 (B) the Authority has reviewed and ap-
21 proved the acceptance, obligation, and expendi-
22 ture of such grant in accordance with review
23 and approval procedures consistent with the
24 provisions of the District of Columbia Financial

1 Responsibility and Management Assistance Act
2 of 1995.

3 (3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may
4 be obligated or expended from the general fund or
5 other funds of the District government in anticipation of the approval or receipt of a grant under
6 paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private,
7 or other grant not subject to such paragraph.
8
9
10

11 (4) QUARTERLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare
12 a quarterly report setting forth detailed information
13 regarding all Federal, private, and other grants subject to this subsection. Each such report shall be
14 submitted to the Council of the District of Columbia,
15 and to the Committees on Appropriations of the
16 House of Representatives and the Senate, not later
17 than 15 days after the end of the quarter covered
18 by the report.
19
20

21 (b) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of
22 each fiscal quarter starting October 1, 2000, the Authority
23 shall submit a report to the Committees on Appropriations
24
25

1 of the House of Representatives and the Senate, the Com-
2 mittee on Government Reform of the House, and the Com-
3 mittee on Governmental Affairs of the Senate providing
4 an itemized accounting of all non-appropriated funds obli-
5 gated or expended by the Authority for the quarter. The
6 report shall include information on the date, amount, pur-
7 pose, and vendor name, and a description of the services
8 or goods provided with respect to the expenditures of such
9 funds.

10 SEC. 127. If a department or agency of the govern-
11 ment of the District of Columbia is under the administra-
12 tion of a court-appointed receiver or other court-appointed
13 official during fiscal year 2001 or any succeeding fiscal
14 year, the receiver or official shall prepare and submit to
15 the Mayor, for inclusion in the annual budget of the Dis-
16 trict of Columbia for the year, annual estimates of the
17 expenditures and appropriations necessary for the mainte-
18 nance and operation of the department or agency. All such
19 estimates shall be forwarded by the Mayor to the Council,
20 for its action pursuant to sections 446 and 603(c) of the
21 District of Columbia Home Rule Act, without revision but
22 subject to the Mayor's recommendations. Notwithstanding
23 any provision of the District of Columbia Home Rule Act
24 (87 Stat. 774; Public Law 93-198), the Council may com-
25 ment or make recommendations concerning such annual

1 estimates but shall have no authority under such Act to
2 revise such estimates.

3 SEC. 128. (a) RESTRICTIONS ON USE OF OFFICIAL
4 VEHICLES.—Except as otherwise provided in this section,
5 none of the funds made available by this Act or by any
6 other Act may be used to provide any officer or employee
7 of the District of Columbia with an official vehicle unless
8 the officer or employee uses the vehicle only in the per-
9 formance of the officer’s or employee’s official duties. For
10 purposes of this paragraph, the term “official duties” does
11 not include travel between the officer’s or employee’s resi-
12 dence and workplace (except: (1) in the case of an officer
13 or employee of the Metropolitan Police Department who
14 resides in the District of Columbia or is otherwise des-
15 ignated by the Chief of the Department; (2) at the discre-
16 tion of the Fire Chief, an officer or employee of the Dis-
17 trict of Columbia Fire and Emergency Medical Services
18 Department who resides in the District of Columbia and
19 is on call 24 hours a day; (3) the Mayor of the District
20 of Columbia; and (4) the Chairman of the Council of the
21 District of Columbia).

22 (b) INVENTORY OF VEHICLES.—The Chief Financial
23 Officer of the District of Columbia shall submit, by No-
24 vember 15, 2000, an inventory, as of September 30, 2000,
25 of all vehicles owned, leased or operated by the District

1 of Columbia government. The inventory shall include, but
2 not be limited to, the department to which the vehicle is
3 assigned; the year and make of the vehicle; the acquisition
4 date and cost; the general condition of the vehicle; annual
5 operating and maintenance costs; current mileage; and
6 whether the vehicle is allowed to be taken home by a Dis-
7 trict officer or employee and if so, the officer or employee's
8 title and resident location.

9 SEC. 129. (a) SOURCE OF PAYMENT FOR EMPLOY-
10 EES DETAILED WITHIN GOVERNMENT.—For purposes of
11 determining the amount of funds expended by any entity
12 within the District of Columbia government during fiscal
13 year 2001 and each succeeding fiscal year, any expendi-
14 tures of the District government attributable to any officer
15 or employee of the District government who provides serv-
16 ices which are within the authority and jurisdiction of the
17 entity (including any portion of the compensation paid to
18 the officer or employee attributable to the time spent in
19 providing such services) shall be treated as expenditures
20 made from the entity's budget, without regard to whether
21 the officer or employee is assigned to the entity or other-
22 wise treated as an officer or employee of the entity.

23 (b) MODIFICATION OF REDUCTION IN FORCE PROCE-
24 DURES.—Section 2408 of the District of Columbia Gov-
25 ernment Comprehensive Merit Personnel Act of 1978, ef-

1 fective March 3, 1979 (D.C. Law 2–139; D.C. Code, sec.
2 1–625.7), is amended as follows:

3 (1) Subsection (a) is amended by striking “Sep-
4 tember 30, 2000” and inserting “September 30,
5 2000, and each subsequent fiscal year”.

6 (2) Subsection (b) is amended by striking
7 “Prior to February 1, 2000” and inserting “Prior to
8 February 1 of each year”.

9 (3) Subsection (i) is amended by striking
10 “March 1, 2000” and inserting “March 1 of each
11 year”.

12 (4) Subsection (k) is amended by striking “Sep-
13 tember 1, 2000” and inserting “September 1 of each
14 year”.

15 (c) No officer or employee of the District of Columbia
16 government (including any independent agency of the Dis-
17 trict but excluding the District of Columbia Financial Re-
18 sponsibility and Management Assistance Authority, the
19 Metropolitan Police Department, and the Office of the
20 Chief Technology Officer) may enter into an agreement
21 in excess of \$2,500 for the procurement of goods or serv-
22 ices on behalf of any entity of the District government
23 until the officer or employee has conducted an analysis
24 of how the procurement of the goods and services involved
25 under the applicable regulations and procedures of the

1 District government would differ from the procurement of
2 the goods and services involved under the Federal supply
3 schedule and other applicable regulations and procedures
4 of the General Services Administration, including an anal-
5 ysis of any differences in the costs to be incurred and the
6 time required to obtain the goods or services.

7 SEC. 130. Notwithstanding any other provision of
8 law, not later than 120 days after the date that a District
9 of Columbia Public Schools (DCPS) student is referred
10 for evaluation or assessment—

11 (1) the District of Columbia Board of Edu-
12 cation, or its successor, and DCPS shall assess or
13 evaluate a student who may have a disability and
14 who may require special education services; and

15 (2) if a student is classified as having a dis-
16 ability, as defined in section 101(a)(1) of the Indi-
17 viduals with Disabilities Education Act (84 Stat.
18 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the
19 Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.
20 706(8)), the Board and DCPS shall place that stu-
21 dent in an appropriate program of special education
22 services.

23 SEC. 131. (a) COMPLIANCE WITH BUY AMERICAN
24 ACT.—None of the funds made available in this Act may
25 be expended by an entity unless the entity agrees that in

1 expending the funds the entity will comply with the Buy
2 American Act (41 U.S.C. 10a–10c).

3 (b) SENSE OF THE CONGRESS; REQUIREMENT RE-
4 GARDING NOTICE.—

5 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
6 AND PRODUCTS.—In the case of any equipment or
7 product that may be authorized to be purchased
8 with financial assistance provided using funds made
9 available in this Act, it is the sense of the Congress
10 that entities receiving the assistance should, in ex-
11 pending the assistance, purchase only American-
12 made equipment and products to the greatest extent
13 practicable.

14 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
15 In providing financial assistance using funds made
16 available in this Act, the head of each agency of the
17 Federal or District of Columbia government shall
18 provide to each recipient of the assistance a notice
19 describing the statement made in paragraph (1) by
20 the Congress.

21 (c) PROHIBITION OF CONTRACTS WITH PERSONS
22 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
23 If it has been finally determined by a court or Federal
24 agency that any person intentionally affixed a label bear-
25 ing a “Made in America” inscription, or any inscription

1 with the same meaning, to any product sold in or shipped
2 to the United States that is not made in the United
3 States, the person shall be ineligible to receive any con-
4 tract or subcontract made with funds made available in
5 this Act, pursuant to the debarment, suspension, and ineli-
6 gibility procedures described in sections 9.400 through
7 9.409 of title 48, Code of Federal Regulations.

8 SEC. 132. None of the funds contained in this Act
9 may be used for purposes of the annual independent audit
10 of the District of Columbia government (including the Dis-
11 trict of Columbia Financial Responsibility and Manage-
12 ment Assistance Authority) for fiscal year 2001 unless—

13 (1) the audit is conducted by the Inspector
14 General of the District of Columbia pursuant to sec-
15 tion 208(a)(4) of the District of Columbia Procure-
16 ment Practices Act of 1985 (D.C. Code, sec. 1–
17 1182.8(a)(4)); and

18 (2) the audit includes a comparison of audited
19 actual year-end results with the revenues submitted
20 in the budget document for such year and the appro-
21 priations enacted into law for such year.

22 SEC. 133. None of the funds contained in this Act
23 may be used by the District of Columbia Corporation
24 Counsel or any other officer or entity of the District gov-
25 ernment to provide assistance for any petition drive or civil

1 action which seeks to require Congress to provide for vot-
2 ing representation in Congress for the District of Colum-
3 bia.

4 SEC. 134. None of the funds contained in this Act
5 may be used to transfer or confine inmates classified above
6 the medium security level, as defined by the Federal Bu-
7 reau of Prisons classification instrument, to the Northeast
8 Ohio Correctional Center located in Youngstown, Ohio.

9 SEC. 135. Subsection 3(e) of Public Law 104–21
10 (D.C. Code sec. 7–134.2(e)) is amended to read as follows:

11 “(e) INSPECTOR GENERAL AUDIT.—Not later than
12 February 1, 2001, and each February 1 thereafter, the
13 Inspector General of the District of Columbia shall audit
14 the financial statements of the District of Columbia High-
15 way Trust Fund for the preceding fiscal year and shall
16 submit to Congress a report on the results of such audit.
17 Not later than May 31, 2001, and each May 31 thereafter,
18 the Inspector General shall examine the statements fore-
19 casting the conditions and operations of the Trust Fund
20 for the next 5 fiscal years commencing on the previous
21 October 1 and shall submit to Congress a report on the
22 results of such examination.”.

23 SEC. 136. No later than November 1, 2000, or within
24 30 calendar days after the date of the enactment of this
25 Act, whichever occurs later, the Chief Financial Officer

1 of the District of Columbia shall submit to the appropriate
2 committees of Congress, the Mayor, and the District of
3 Columbia Financial Responsibility and Management As-
4 sistance Authority a revised appropriated funds operating
5 budget in the format of the budget that the District of
6 Columbia government submitted pursuant to section 442
7 of the District of Columbia Home Rule Act (Public Law
8 93–198; D.C. Code, sec. 47–301), for all agencies of the
9 District of Columbia government for such fiscal year that
10 is in the total amount of the approved appropriation and
11 that realigns all budgeted data for personal services and
12 other-than-personal-services, respectively, with anticipated
13 actual expenditures.

14 SEC. 137. (a) None of the funds contained in this
15 Act may be used for any program of distributing sterile
16 needles or syringes for the hypodermic injection of any ille-
17 gal drug.

18 (b) Any individual or entity who receives any funds
19 contained in this Act and who carries out any program
20 described in subsection (a) shall account for all funds used
21 for such program separately from any funds contained in
22 this Act.

23 SEC. 138. (a) RESTRICTIONS ON LEASES.—Upon the
24 expiration of the 60-day period that begins on the date
25 of the enactment of this Act, none of the funds contained

1 in this Act may be used to make rental payments under
2 a lease for the use of real property by the District of Co-
3 lumbia government (including any independent agency of
4 the District) unless the lease and an abstract of the lease
5 have been filed (by the District of Columbia or any other
6 party to the lease) with the central office of the Deputy
7 Mayor for Economic Development, in an indexed registry
8 available for public inspection.

9 (b) ADDITIONAL RESTRICTIONS ON CURRENT
10 LEASES.—

11 (1) IN GENERAL.—Upon the expiration of the
12 60-day period that begins on the date of the enact-
13 ment of this Act, in the case of a lease described in
14 paragraph (3), none of the funds contained in this
15 Act may be used to make rental payments under the
16 lease unless the lease is included in periodic reports
17 submitted by the Mayor and Council of the District
18 of Columbia to the Committees on Appropriations of
19 the House of Representatives and Senate describing
20 for each such lease the following information:

21 (A) The location of the property involved,
22 the name of the owners of record according to
23 the land records of the District of Columbia,
24 the name of the lessors according to the lease,
25 the rate of payment under the lease, the period

1 of time covered by the lease, and the conditions
2 under which the lease may be terminated.

3 (B) The extent to which the property is or
4 is not occupied by the District of Columbia gov-
5 ernment as of the end of the reporting period
6 involved.

7 (C) If the property is not occupied and uti-
8 lized by the District government as of the end
9 of the reporting period involved, a plan for oc-
10 cupying and utilizing the property (including
11 construction or renovation work) or a status
12 statement regarding any efforts by the District
13 to terminate or renegotiate the lease.

14 (2) TIMING OF REPORTS.—The reports de-
15 scribed in paragraph (1) shall be submitted for each
16 calendar quarter (beginning with the quarter ending
17 December 31, 2000) not later than 20 days after the
18 end of the quarter involved, plus an initial report
19 submitted not later than 60 days after the date of
20 the enactment of this Act, which shall provide infor-
21 mation as of the date of the enactment of this Act.

22 (3) LEASES DESCRIBED.—A lease described in
23 this paragraph is a lease in effect as of the date of
24 the enactment of this Act for the use of real prop-
25 erty by the District of Columbia government (includ-

1 ing any independent agency of the District) which is
2 not being occupied by the District government (in-
3 cluding any independent agency of the District) as
4 of such date or during the 60-day period which be-
5 gins on the date of the enactment of this Act.

6 SEC. 139. (a) MANAGEMENT OF EXISTING DISTRICT
7 GOVERNMENT PROPERTY.—Upon the expiration of the
8 60-day period that begins on the date of the enactment
9 of this Act, none of the funds contained in this Act may
10 be used to enter into a lease (or to make rental payments
11 under such a lease) for the use of real property by the
12 District of Columbia government (including any inde-
13 pendent agency of the District) or to purchase real prop-
14 erty for the use of the District of Columbia government
15 (including any independent agency of the District) or to
16 manage real property for the use of the District of Colum-
17 bia (including any independent agency of the District) un-
18 less the following conditions are met:

19 (1) The Mayor and Council of the District of
20 Columbia certify to the Committees on Appropria-
21 tions of the House of Representatives and Senate
22 that existing real property available to the District
23 (whether leased or owned by the District govern-
24 ment) is not suitable for the purposes intended.

1 (2) Notwithstanding any other provisions of
2 law, there is made available for sale or lease all real
3 property of the District of Columbia that the Mayor
4 from time-to-time determines is surplus to the needs
5 of the District of Columbia, unless a majority of the
6 members of the Council override the Mayor's deter-
7 mination during the 30-day period which begins on
8 the date the determination is published.

9 (3) The Mayor and Council implement a pro-
10 gram for the periodic survey of all District property
11 to determine if it is surplus to the needs of the Dis-
12 trict.

13 (4) The Mayor and Council within 60 days of
14 the date of the enactment of this Act have filed with
15 the Committees on Appropriations of the House of
16 Representatives and Senate, the Committee on Gov-
17 ernment Reform of the House of Representatives,
18 and the Committee on Governmental Affairs of the
19 Senate a report which provides a comprehensive plan
20 for the management of District of Columbia real
21 property assets, and are proceeding with the imple-
22 mentation of the plan.

23 (b) TERMINATION OF PROVISIONS.—If the District
24 of Columbia enacts legislation to reform the practices and
25 procedures governing the entering into of leases for the

1 use of real property by the District of Columbia govern-
2 ment and the disposition of surplus real property of the
3 District government, the provisions of subsection (a) shall
4 cease to be effective upon the effective date of the legisla-
5 tion.

6 SEC. 140. None of the funds contained in this Act
7 may be used after the expiration of the 60-day period that
8 begins on the date of the enactment of this Act to pay
9 the salary of any chief financial officer of any office of
10 the District of Columbia government (including the Dis-
11 trict of Columbia Financial Responsibility and Manage-
12 ment Assistance Authority and any independent agency of
13 the District) who has not filed a certification with the
14 Mayor and the Chief Financial Officer of the District of
15 Columbia that the officer understands the duties and re-
16 strictions applicable to the officer and the officer's agency
17 as a result of this Act (and the amendments made by this
18 Act), including any duty to prepare a report requested ei-
19 ther in the Act or in any of the reports accompanying the
20 Act and the deadline by which each report must be sub-
21 mitted, and the District's Chief Financial Officer shall
22 provide to the Committees on Appropriations of the Sen-
23 ate and the House of Representatives by the tenth day
24 after the end of each quarter a summary list showing each

1 report, the due date and the date submitted to the Com-
2 mittees.

3 SEC. 141. The proposed budget of the government
4 of the District of Columbia for fiscal year 2002 that is
5 submitted by the District to Congress shall specify poten-
6 tial adjustments that might become necessary in the event
7 that the operational improvements savings, including man-
8 aged competition, and management reform savings
9 achieved by the District during the year do not meet the
10 level of management savings projected by the District
11 under the proposed budget.

12 SEC. 142. In submitting any document showing the
13 budget for an office of the District of Columbia govern-
14 ment (including an independent agency of the District)
15 that contains a category of activities labeled as “other”,
16 “miscellaneous”, or a similar general, nondescriptive term,
17 the document shall include a description of the types of
18 activities covered in the category and a detailed breakdown
19 of the amount allocated for each such activity.

20 SEC. 143. (a) None of the funds contained in this
21 Act may be used to enact or carry out any law, rule, or
22 regulation to legalize or otherwise reduce penalties associ-
23 ated with the possession, use, or distribution of any sched-
24 ule I substance under the Controlled Substances Act (21
25 U.S.C. 802) or any tetrahydrocannabinols derivative.

1 (b) The Legalization of Marijuana for Medical Treat-
 2 ment Initiative of 1998, also known as Initiative 59, ap-
 3 proved by the electors of the District of Columbia on No-
 4 vember 3, 1998, shall not take effect.

5 SEC. 144. Notwithstanding any other provision of
 6 law, the Mayor of the District of Columbia is hereby solely
 7 authorized to allocate the District’s limitation amount of
 8 qualified zone academy bonds (established pursuant to 26
 9 U.S.C. 1397E) among qualified zone academies within the
 10 District.

11 SEC. 145. (a) Section 11232 of the Balanced Budget
 12 Act of 1997 (sec. 24–1232, D.C. Code) is amended—

13 (1) by redesignating subsections (f) through (i)
 14 as subsections (g) through (j); and

15 (2) by inserting after subsection (e) the fol-
 16 lowing new subsection:

17 “(f) TREATMENT AS FEDERAL EMPLOYEES.—

18 “(1) IN GENERAL.—The Trustee and employees
 19 of the Trustee who are not covered under subsection
 20 (e) shall be treated as employees of the Federal Gov-
 21 ernment solely for purposes of the following provi-
 22 sions of title 5, United States Code:

23 “(A) Chapter 83 (relating to retirement).

24 “(B) Chapter 84 (relating to the Federal
 25 Employees’ Retirement System).

1 “(C) Chapter 87 (relating to life insur-
2 ance).

3 “(D) Chapter 89 (relating to health insur-
4 ance).

5 “(2) EFFECTIVE DATES OF COVERAGE.—The
6 effective dates of coverage of the provisions of para-
7 graph (1) are as follows:

8 “(A) In the case of the Trustee and em-
9 ployees of the Office of the Trustee and the Of-
10 fice of Adult Probation, August 5, 1997, or the
11 date of appointment, whichever is later.

12 “(B) In the case of employees of the Office
13 of Parole, October 11, 1998, or the date of ap-
14 pointment, whichever is later.

15 “(C) In the case of employees of the Pre-
16 trial Services Agency, January 3, 1999, or the
17 date of appointment, whichever is later.

18 “(3) RATE OF CONTRIBUTIONS.—The Trustee
19 shall make contributions under the provisions re-
20 ferred to in paragraph (1) at the same rates applica-
21 ble to agencies of the Federal Government.

22 “(4) REGULATIONS.—The Office of Personnel
23 Management shall issue such regulations as are nec-
24 essary to carry out this subsection.”.

1 (b) The amendment made by subsection (a) shall take
2 effect as if included in the enactment of title XI of the
3 Balanced Budget Act of 1997.

4 SEC. 146. It is the sense of the Congress that the
5 District of Columbia Financial Responsibility and Man-
6 agement Assistance Authority should quickly complete the
7 sale of the Franklin School property, a property which has
8 been vacant for over 20 years.

9 SEC. 147. Nothing in this Act may be construed to
10 prevent the Council or Mayor of the District of Columbia
11 from addressing the issue of the provision of contraceptive
12 coverage by health insurance plans, but it is the intent
13 of Congress that any legislation enacted on such issue
14 should include a “conscience clause” which provides excep-
15 tions for religious beliefs and moral convictions.

16 SEC. 148. (a) Chapter 23 of title 11, District of Co-
17 lumbia, is hereby repealed.

18 (b) The table of chapters for title 11, District of Co-
19 lumbia, is amended by striking the item relating to chap-
20 ter 23.

21 (c) The amendments made by this section shall take
22 effect on the date on which legislation enacted by the
23 Council of the District of Columbia to establish the Office
24 of the Chief Medical Examiner in the executive branch of
25 the government of the District of Columbia takes effect.

PROMPT PAYMENT OF APPOINTED COUNSEL

SEC. 149. (a) ASSESSMENT OF INTEREST FOR DELAYED PAYMENTS.—If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

(b) PAYMENTS DESCRIBED.—A payment described in this subsection is—

(1) a payment authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act);

(2) a payment for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code; or

(3) a payment for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardian-

1 ship, Protective Proceedings, and Durable Power of
2 Attorney Act of 1986).

3 (c) STANDARDS FOR SUBMISSION OF COMPLETED
4 VOUCHERS.—The chief judges of the Superior Court of
5 the District of Columbia and the District of Columbia
6 Court of Appeals shall establish standards and criteria for
7 determining whether vouchers submitted for claims for
8 payments described in subsection (b) are complete, and
9 shall publish and make such standards and criteria avail-
10 able to attorneys who practice before such Courts.

11 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed to require the assessment of inter-
13 est against any claim (or portion of any claim) which is
14 denied by the Court involved.

15 (e) EFFECTIVE DATE.—This section shall apply with
16 respect to claims received by the Superior Court of the
17 District of Columbia or the District of Columbia Court
18 of Appeals after the expiration of the 90-day period which
19 begins on the date of the enactment of this Act.

20 SEC. 150. (a) Effective 120 days after the date of
21 the enactment of this Act, it shall be unlawful for any
22 person to distribute any needle or syringe for the hypo-
23 dermic injection of any illegal drug in any area of the Dis-
24 trict of Columbia which is within 1,000 feet of a public
25 or private elementary or secondary school (including a

1 public charter school). It is stipulated that based on a sur-
2 vey by the Metropolitan Police Department of the District
3 of Columbia that sites at 4th Street Northeast and Rhode
4 Island Avenue Northeast, Southern Avenue Southeast and
5 Central Avenue Southeast, 1st Street Southeast and M
6 Street Southeast, 21st Street Northeast and H Street
7 Northeast, Minnesota Avenue Northeast and Clay Place
8 Northeast, and 15th Street Southeast and Ives Street
9 Southeast are outside the 1,000-foot perimeter. Sites at
10 North Capitol Street and New York Avenue Northeast,
11 Division Avenue Northeast and Foote Street Northeast,
12 Georgia Avenue Northwest and New Hampshire Avenue
13 Northwest, and 15th Street Northeast and A Street
14 Northeast are found to be within the 1,000-foot perimeter.

15 (b) The Public Housing Police of the District of Co-
16 lumbia Housing Authority shall prepare a monthly report
17 on activity involving illegal drugs at or near any public
18 housing site where a needle exchange program is con-
19 ducted, and shall submit such reports to the Executive Di-
20 rector of the District of Columbia Housing Authority, who
21 shall submit them to the Committees on Appropriations
22 of the House of Representatives and Senate. The Execu-
23 tive Director shall ascertain any concerns of the residents
24 of any public housing site about any needle exchange pro-
25 gram conducted on or near the site, and this information

1 shall be included in these reports. The District of Colum-
 2 bia Government shall take appropriate action to require
 3 relocation of any such program if so recommended by the
 4 police or by a significant number of residents of such site.

5 FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW
 6 BANNING POSSESSION OF TOBACCO PRODUCTS BY
 7 MINORS

8 SEC. 151. (a) CONTRIBUTION.—There is hereby ap-
 9 propriated a Federal contribution of \$100,000 to the Met-
 10 ropolitan Police Department of the District of Columbia,
 11 effective upon the enactment by the District of Columbia
 12 of a law which reads as follows:

13 **“SECTION 1. BAN ON POSSESSION OF TOBACCO PRODUCTS**
 14 **BY MINORS.**

15 “(a) IN GENERAL.—It shall be unlawful for any indi-
 16 vidual under 18 years of age to possess any cigarette or
 17 other tobacco product in the District of Columbia.

18 “(b) EXCEPTIONS.—

19 “(1) POSSESSION IN COURSE OF EMPLOY-
 20 MENT.—Subsection (a) shall not apply with respect
 21 to an individual making a delivery of cigarettes or
 22 tobacco products in pursuance of employment.

23 “(2) PARTICIPATION IN LAW ENFORCEMENT
 24 OPERATION.—Subsection (a) shall not apply with re-
 25 spect to an individual possessing products in the

1 course of a valid, supervised law enforcement oper-
2 ation.

3 “(c) PENALTIES.—Any individual who violates sub-
4 section (a) shall be subject to the following penalties:

5 “(1) For any violation, the individual may be
6 required to perform community service or attend a
7 tobacco cessation program.

8 “(2) Upon the first violation, the individual
9 shall be subject to a civil penalty not to exceed \$50.

10 “(3) Upon the second and each subsequent vio-
11 lation, the individual shall be subject to a civil pen-
12 alty not to exceed \$100.

13 “(4) Upon the third and each subsequent viola-
14 tion, the individual may have his or her driving
15 privileges in the District of Columbia suspended for
16 a period of 90 consecutive days.”.

17 (b) USE OF CONTRIBUTION.—The Metropolitan Po-
18 lice Department shall use the contribution made under
19 subsection (a) to enforce the law referred to in such sub-
20 section.

21 SEC. 152. Nothing in this Act bars the District of
22 Columbia Corporation Counsel from reviewing or com-
23 menting on briefs in private lawsuits, or from consulting
24 with officials of the District government regarding such
25 lawsuits.

1 SEC. 153. (a) Nothing in the Federal Grant and Co-
2 operative Agreements Act of 1977 (31 U.S.C. 6301 et
3 seq.) may be construed to prohibit the Administrator of
4 the Environmental Protection Agency from negotiating
5 and entering into cooperative agreements and grants au-
6 thorized by law which affect real property of the Federal
7 Government in the District of Columbia if the principal
8 purpose of the cooperative agreement or grant is to pro-
9 vide comparable benefits for Federal and non-Federal
10 properties in the District of Columbia.

11 (b) Subsection (a) shall apply with respect to fiscal
12 year 2001 and each succeeding fiscal year.

13 SEC. 154. (a) IN GENERAL.—The District of Colum-
14 bia Home Rule Act, as amended by section 159(a) of this
15 Act, is further amended by inserting after section 450A
16 the following new section:

17 “COMPREHENSIVE FINANCIAL MANAGEMENT POLICY

18 “SEC. 450B. (a) COMPREHENSIVE FINANCIAL MAN-
19 AGEMENT POLICY.—The District of Columbia shall con-
20 duct its financial management in accordance with a com-
21 prehensive financial management policy.

22 “(b) CONTENTS OF POLICY.—The comprehensive fi-
23 nancial management policy shall include, but not be lim-
24 ited to, the following:

25 “(1) A cash management policy.

26 “(2) A debt management policy.

1 “(3) A financial asset management policy.

2 “(4) An emergency reserve management policy
3 in accordance with section 450A(a).

4 “(5) A contingency reserve management policy
5 in accordance with section 450A(b).

6 “(6) A policy for determining real property tax
7 exemptions for the District of Columbia.

8 “(c) ANNUAL REVIEW.—The comprehensive financial
9 management policy shall be reviewed at the end of each
10 fiscal year by the Chief Financial Officer who shall—

11 “(1) not later than July 1 of each year, submit
12 any proposed changes in the policy to the Mayor and
13 (in the case of a fiscal year which is a control year,
14 as defined in section 305(4) of the District of Co-
15 lumbia Financial Responsibility and Management
16 Assistance Act of 1995) the District of Columbia Fi-
17 nancial Responsibility and Management Assistance
18 Authority (Authority) for review;

19 “(2) not later than August 1 of each year, after
20 consideration of any comments received under para-
21 graph (1), submit the changes to the Council of the
22 District of Columbia (Council) for approval; and

23 “(3) not later than September 1 of each year,
24 notify the Committees on Appropriations of the Sen-
25 ate and House of Representatives, the Committee on

1 Government Reform of the House of Representa-
2 tives, and the Committee on Governmental Affairs of
3 the Senate of any changes enacted by the Council.

4 “(d) PROCEDURE FOR DEVELOPMENT OF FIRST
5 COMPREHENSIVE FINANCIAL MANAGEMENT POLICY.—

6 “(1) CHIEF FINANCIAL OFFICER.—Not later
7 than April 1, 2001, the Chief Financial Officer shall
8 submit to the Mayor an initial proposed comprehen-
9 sive financial management policy for the District of
10 Columbia pursuant to this section.

11 “(2) COUNCIL.—Following review and comment
12 by the Mayor, not later than May 1, 2001, the Chief
13 Financial Officer shall submit the proposed financial
14 management policy to the Council for its prompt re-
15 view and adoption.

16 “(3) AUTHORITY.—Upon adoption of the finan-
17 cial management policy under paragraph (2), the
18 Council shall immediately submit the policy to the
19 Authority for a review of not to exceed 30 days.

20 “(4) CONGRESS.—Following review of the fi-
21 nancial management policy by the Authority under
22 paragraph (3), the Authority shall submit the policy
23 to the Committees on Appropriations of the Senate
24 and House of Representatives, the Committee on
25 Government Reform of the House of Representa-

1 tives, and the Committee on Governmental Affairs of
 2 the Senate for review, and the policy shall take ef-
 3 fect 30 days after the date the policy is submitted
 4 under this paragraph.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
 6 for the District of Columbia Home Rule Act is amended
 7 by inserting after the item relating to section 450A the
 8 following new item:

“Sec. 450B. Comprehensive financial management policy.”.

9 (c) EFFECTIVE DATE.—This section and the amend-
 10 ments made by this section shall take effect on October
 11 1, 2000.

12 APPOINTMENT AND DUTIES OF CHIEF FINANCIAL
 13 OFFICER

14 SEC. 155. (a) APPOINTMENT AND DISMISSAL.—Sec-
 15 tion 424(b) of the District of Columbia Home Rule Act
 16 (sec. 47–317.2, D.C. Code) is amended—

17 (1) in paragraph (1)(B), by adding at the end
 18 the following: “Upon confirmation by the Council,
 19 the name of the Chief Financial Officer shall be sub-
 20 mitted to the Committees on Appropriations of the
 21 Senate and House of Representatives, the Com-
 22 mittee on Governmental Affairs of the Senate, and
 23 the Committee on Government Reform of the House
 24 of Representatives for a 30-day period of review and
 25 comment before the appointment takes effect.”; and

(2) in paragraph (2)(B), by striking the period at the end and inserting the following: “upon dismissal by the Mayor and approval of that dismissal by a $\frac{2}{3}$ vote of the Council. Upon approval of the dismissal by the Council, notice of the dismissal shall be submitted to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives for a 30-day period of review and comment before the dismissal takes effect.”.

(b) FUNCTIONS.—

(1) IN GENERAL.—Section 424(c) of such Act (sec. 47–317.3, D.C. Code) is amended—

(A) in the heading, by striking “DURING A CONTROL YEAR”;

(B) in the matter preceding paragraph (1), by striking “During a control year, the Chief Financial Officer” and inserting “The Chief Financial Officer”;

(C) in paragraph (1), by striking “Preparing” and inserting “During a control year, preparing”;

1 (D) in paragraph (3), by striking “Assur-
2 ing” and inserting “During a control year, as-
3 suring”;

4 (E) in paragraph (5), by striking “With
5 the approval” and all that follows through “the
6 Council—” and inserting “Preparing and sub-
7 mitting to the Mayor and the
8 Council, with the approval of the Authority dur-
9 ing a control year—”;

10 (F) in paragraph (11), by striking “or the
11 Authority” and inserting “(or by the Authority
12 during a control year)”; and

13 (G) by adding at the end the following new
14 paragraphs:

15 “(18) Exercising responsibility for the adminis-
16 tration and supervision of the District of Columbia
17 Treasurer (except that the Chief Financial Officer
18 may delegate any portion of such responsibility as
19 the Chief Financial Officer considers appropriate
20 and consistent with efficiency).

21 “(19) Administering all borrowing programs of
22 the District government for the issuance of long-
23 term and short-term indebtedness.

24 “(20) Administering the cash management pro-
25 gram of the District government, including the in-

1 vestment of surplus funds in governmental and non-
2 governmental interest-bearing securities and ac-
3 counts.

4 “(21) Administering the centralized District
5 government payroll and retirement systems.

6 “(22) Governing the accounting policies and
7 systems applicable to the District government.

8 “(23) Preparing appropriate annual, quarterly,
9 and monthly financial reports of the accounting and
10 financial operations of the District government.

11 “(24) Not later than 120 days after the end of
12 each fiscal year, preparing the complete financial
13 statement and report on the activities of the District
14 government for such fiscal year, for the use of the
15 Mayor under section 448(a)(4).”.

16 (2) CONFORMING AMENDMENTS.—Section 424
17 of such Act (sec. 47–317.1 et seq., D.C. Code) is
18 amended—

19 (A) by striking subsection (d);

20 (B) in subsection (e)(2), by striking “or
21 subsection (d)”; and

22 (C) by redesignating subsections (e) and
23 (f) as subsections (d) and (e), respectively.

24 SEC. 156. (a) Notwithstanding the provisions of the
25 District of Columbia Government Comprehensive Merit

1 Personnel Act of 1978 (D.C. Law 2–139; D.C. Code 1–
2 601.1 et seq.), or any other District of Columbia law, stat-
3 ute, regulation, the provisions of the District of Columbia
4 Personnel Manual, or the provisions of any collective bar-
5 gaining agreement, employees of the District of Columbia
6 government will only receive compensation for overtime
7 work in excess of 40 hours per week (or other applicable
8 tour of duty) of work actually performed, in accordance
9 with the provisions of the Fair Labor Standards Act, 29
10 U.S.C. § 201 et seq.

11 (b) Subsection (a) of this section shall be effective
12 December 27, 1996. The Resolution and Order of the
13 District of Columbia Financial Responsibility and Man-
14 agement Assistance Authority, dated December 27, 1996,
15 is hereby ratified and approved and shall be given full
16 force and effect.

17 SEC. 157. (a) IN GENERAL.—Notwithstanding sec-
18 tion 503 of Public Law 100–71 and as provided in sub-
19 section (b), the Court Services and Offender Supervision
20 Agency for the District of Columbia (in this section re-
21 ferred to as the “agency”) may implement and administer
22 the Drug Free Workplace Program of the agency, dated
23 July 28, 2000, for employment applicants of the agency.

24 (b) EFFECTIVE PERIOD.—The waiver provided by
25 subsection (a) shall—

1 (1) take effect on enactment; and

2 (2) terminate on the date the Department of
3 Health and Human Services approves the drug pro-
4 gram of the agency pursuant to section 503 of Pub-
5 lic Law 100–71 or 12 months after the date referred
6 to in paragraph (1), whichever is later.

7 SEC. 158. Commencing October 1, 2000, the Mayor
8 of the District of Columbia shall submit to the Senate and
9 House Committees on Appropriations, the Senate Govern-
10 mental Affairs Committee, and the House Government
11 Reform Committee quarterly reports addressing the fol-
12 lowing issues: (1) crime, including the homicide rate, im-
13 plementation of community policing, the number of police
14 officers on local beats, and the closing down of open-air
15 drug markets; (2) access to drug abuse treatment, includ-
16 ing the number of treatment slots, the number of people
17 served, the number of people on waiting lists, and the ef-
18 fectiveness of treatment programs; (3) management of pa-
19 rolees and pre-trial violent offenders, including the num-
20 ber of halfway house escapes and steps taken to improve
21 monitoring and supervision of halfway house residents to
22 reduce the number of escapes to be provided in consulta-
23 tion with the Court Services and Offender Supervision
24 Agency; (4) education, including access to special edu-
25 cation services and student achievement to be provided in

1 consultation with the District of Columbia Public Schools;
 2 (5) improvement in basic District services, including rat
 3 control and abatement; (6) application for and manage-
 4 ment of Federal grants, including the number and type
 5 of grants for which the District was eligible but failed to
 6 apply and the number and type of grants awarded to the
 7 District but which the District failed to spend the amounts
 8 received; and (7) indicators of child well-being.

9 RESERVE FUNDS

10 SEC. 159. (a) ESTABLISHMENT OF RESERVE
 11 FUNDS.—

12 (1) IN GENERAL.—The District of Columbia
 13 Home Rule Act is amended by inserting after sec-
 14 tion 450 the following new section:

15 “RESERVE FUNDS

16 “SEC. 450A. (a) EMERGENCY RESERVE FUND.—

17 “(1) IN GENERAL.—There is established an
 18 emergency cash reserve fund (in this subsection re-
 19 ferred to as the ‘emergency reserve fund’) as an in-
 20 terest-bearing account (separate from other accounts
 21 in the General Fund) into which the Mayor shall de-
 22 posit in cash not later than February 15 of each fis-
 23 cal year (or not later than October 1, 2000, in the
 24 case of fiscal year 2001) such amount as may be re-
 25 quired to maintain a balance in the fund of at least
 26 4 percent of the total budget appropriated for oper-

1 ating expenditures for such fiscal year which is de-
 2 rived from local funds (or, in the case of fiscal years
 3 prior to fiscal year 2004, such amount as may be re-
 4 quired to maintain a balance in the fund of at least
 5 the minimum emergency reserve balance for such
 6 fiscal year, as determined under paragraph (2)).

7 “(2) DETERMINATION OF MINIMUM EMER-
 8 GENCY RESERVE BALANCE.—

9 “(A) IN GENERAL.—The ‘minimum emer-
 10 gency reserve balance’ with respect to a fiscal
 11 year is the amount equal to the applicable per-
 12 centage of the total budget appropriated for op-
 13 erating expenditures for such fiscal year which
 14 is derived from local funds.

15 “(B) APPLICABLE PERCENTAGE DE-
 16 FINED.—In subparagraph (A), the ‘applicable
 17 percentage’ with respect to a fiscal year means
 18 the following:

19 “(i) For fiscal year 2001, 1 percent.

20 “(ii) For fiscal year 2002, 2 percent.

21 “(iii) For fiscal year 2003, 3 percent.

22 “(3) INTEREST.—Interest earned on the emer-
 23 gency reserve fund shall remain in the account and
 24 shall only be withdrawn in accordance with para-
 25 graph (4).

1 “(4) CRITERIA FOR USE OF AMOUNTS IN EMER-
2 GENCY RESERVE FUND.—The Chief Financial Offi-
3 cer, in consultation with the Mayor, shall develop a
4 policy to govern the emergency reserve fund which
5 shall include (but which may not be limited to) the
6 following requirements:

7 “(A) The emergency reserve fund may be
8 used to provide for unanticipated and non-
9 recurring extraordinary needs of an emergency
10 nature, including a natural disaster or calamity
11 as defined by section 102 of the Robert T. Staf-
12 ford Disaster Relief and Emergency Assistance
13 Act (Public Law 100–707) or unexpected obli-
14 gations by Federal law.

15 “(B) The emergency reserve fund may also
16 be used in the event of a State of Emergency
17 as declared by the Mayor pursuant to section 5
18 of the District of Columbia Public Emergency
19 Act of 1980 (sec. 6–1504, D.C. Code).

20 “(C) The emergency reserve fund may not
21 be used to fund—

22 “(i) any department, agency, or office
23 of the Government of the District of Co-
24 lumbia which is administered by a receiver
25 or other official appointed by a court;

1 “(ii) shortfalls in any projected reduc-
2 tions which are included in the budget pro-
3 posed by the District of Columbia for the
4 fiscal year; or

5 “(iii) settlements and judgments made
6 by or against the Government of the Dis-
7 trict of Columbia.

8 “(5) ALLOCATION OF EMERGENCY CASH RE-
9 SERVE FUNDS.—Funds may be allocated from the
10 emergency reserve fund only after—

11 “(A) an analysis has been prepared by the
12 Chief Financial Officer of the availability of
13 other sources of funding to carry out the pur-
14 poses of the allocation and the impact of such
15 allocation on the balance and integrity of the
16 emergency reserve fund; and

17 “(B) with respect to fiscal years beginning
18 with fiscal year 2005, the contingency reserve
19 fund established by subsection (b) has been pro-
20 jected by the Chief Financial Officer to be ex-
21 hausted at the time of the allocation.

22 “(6) NOTICE.—The Mayor, the Council, and (in
23 the case of a fiscal year which is a control year, as
24 defined in section 305(4) of the District of Columbia
25 Financial Responsibility and Management Assistance

1 Act of 1995) the District of Columbia Financial Re-
2 sponsibility and Management Assistance Authority
3 shall notify the Committees on Appropriations of the
4 Senate and House of Representatives in writing not
5 more than 30 days after the expenditure of funds
6 from the emergency reserve fund.

7 “(7) REPLENISHMENT.—The District of Co-
8 lumbia shall appropriate sufficient funds each fiscal
9 year in the budget process to replenish any amounts
10 allocated from the emergency reserve fund during
11 the preceding fiscal year by the following fiscal year.
12 Once the emergency reserve equals 4 percent of total
13 budget appropriated from local funds for operating
14 expenditures for the fiscal year, the District of Co-
15 lumbia shall appropriate sufficient funds each fiscal
16 year in the budget process to replenish any amounts
17 allocated from the emergency reserve fund during
18 the preceding year to maintain a balance of at least
19 4 percent of total funds appropriated from local
20 funds for operating expenditures by the following fis-
21 cal year.

22 “(b) CONTINGENCY RESERVE FUND.—

23 “(1) IN GENERAL.—There is established a con-
24 tingency cash reserve fund (in this subsection re-
25 ferred to as the ‘contingency reserve fund’) as an in-

1 terest-bearing account (separate from other accounts
2 in the General Fund) into which the Mayor shall de-
3 posit in cash not later than October 1 of each fiscal
4 year (beginning with fiscal year 2005) such amount
5 as may be required to maintain a balance in the
6 fund of at least 3 percent of the total budget appro-
7 priated for operating expenditures for such fiscal
8 year which is derived from local funds (or, in the
9 case of fiscal years prior to fiscal year 2007, such
10 amount as may be required to maintain a balance in
11 the fund of at least the minimum contingency re-
12 serve balance for such fiscal year, as determined
13 under paragraph (2)).

14 “(2) DETERMINATION OF MINIMUM CONTIN-
15 GENCY RESERVE BALANCE.—

16 “(A) IN GENERAL.—The ‘minimum contin-
17 gency reserve balance’ with respect to a fiscal
18 year is the amount equal to the applicable per-
19 centage of the total budget appropriated from
20 local funds for operating expenditures for such
21 fiscal year which is derived from local funds.

22 “(B) APPLICABLE PERCENTAGE DE-
23 FINED.—In subparagraph (A), the ‘applicable
24 percentage’ with respect to a fiscal year means
25 the following:

1 “(i) For fiscal year 2005, 1 percent.

2 “(ii) For fiscal year 2006, 2 percent.

3 “(3) INTEREST.—Interest earned on the contin-
4 gency reserve fund shall remain in the account and
5 may only be withdrawn in accordance with para-
6 graph (4).

7 “(4) CRITERIA FOR USE OF AMOUNTS IN CON-
8 TINGENCY RESERVE FUND.—The Chief Financial
9 Officer, in consultation with the Mayor, shall develop
10 a policy governing the use of the contingency reserve
11 fund which shall include (but which may not be lim-
12 ited to) the following requirements:

13 “(A) The contingency reserve fund may
14 only be used to provide for nonrecurring or un-
15 foreseen needs that arise during the fiscal year,
16 including expenses associated with unforeseen
17 weather or other natural disasters, unexpected
18 obligations created by Federal law or new pub-
19 lic safety or health needs or requirements that
20 have been identified after the budget process
21 has occurred, or opportunities to achieve cost
22 savings.

23 “(B) The contingency reserve fund may be
24 used, if needed, to cover revenue shortfalls ex-
25 perienceed by the District government for 3 con-

1 secutive months (based on a 2 month rolling av-
2 erage) that are 5 percent or more below the
3 budget forecast.

4 “(C) The contingency reserve fund may
5 not be used to fund any shortfalls in any pro-
6 jected reductions which are included in the
7 budget proposed by the District of Columbia for
8 the fiscal year.

9 “(5) ALLOCATION OF CONTINGENCY CASH RE-
10 SERVE.—Funds may be allocated from the contin-
11 gency reserve fund only after an analysis has been
12 prepared by the Chief Financial Officer of the avail-
13 ability of other sources of funding to carry out the
14 purposes of the allocation and the impact of such al-
15 location on the balance and integrity of the contin-
16 gency reserve fund.

17 “(6) REPLENISHMENT.—The District of Co-
18 lumbia shall appropriate sufficient funds each fiscal
19 year in the budget process to replenish any amounts
20 allocated from the contingency reserve fund during
21 the preceding fiscal year by the following fiscal year.
22 Once the contingency reserve equals 3 percent of
23 total funds appropriated from local funds for oper-
24 ating expenditures, the District of Columbia shall
25 appropriate sufficient funds each fiscal year in the

1 budget process to replenish any amounts allocated
2 from the contingency reserve fund during the pre-
3 ceding year to maintain a balance of at least 3 per-
4 cent of total funds appropriated from local funds for
5 operating expenditures by the following fiscal year.

6 “(c) QUARTERLY REPORTS.—The Chief Financial
7 Officer shall submit a quarterly report to the Mayor, the
8 Council, the District of Columbia Financial Responsibility
9 and Management Assistance Authority (in the case of a
10 fiscal year which is a control year, as defined in section
11 305(4) of the District of Columbia Financial Responsi-
12 bility and Management Assistance Act of 1995), and the
13 Committees on Appropriations of the Senate and House
14 of Representatives that includes a monthly statement on
15 the balance and activities of the contingency and emer-
16 gency reserve funds.”.

17 (2) CLERICAL AMENDMENT.—The table of con-
18 tents for the District of Columbia Home Rule Act is
19 amended by inserting after the item relating to sec-
20 tion 450 the following new item:

“Sec. 450A. Reserve funds.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) CURRENT RESERVE FUND.—Section 202(j)
23 of the District of Columbia Financial Responsibility
24 and Management Assistance Act of 1995 (sec. 47–
25 392.2(j), D.C. Code) is amended—

1 (A) in paragraph (1), by striking “Begin-
 2 ning with fiscal year 2000, the plan or budget
 3 submitted pursuant to this Act” and inserting
 4 “For each of the fiscal years 2000 through
 5 2004, the budget of the District government for
 6 the fiscal year”; and

7 (B) by adding at the end the following new
 8 paragraph:

9 “(4) REPLENISHMENT.—Any amount of the re-
 10 serve funds which is expended in one fiscal year
 11 shall be replenished in the reserve funds from the
 12 following fiscal year appropriations to maintain the
 13 \$150,000,000 balance.”.

14 (2) POSITIVE FUND BALANCE.—Section 202(k)
 15 of such Act (sec. 47–392.2(k), D.C. Code) is re-
 16 pealed.

17 (c) EFFECTIVE DATE.—This section and the amend-
 18 ments made by this section shall take effect on October
 19 1, 2000.

20 TREATMENT OF REVENUE BONDS SECURED BY TOBACCO
 21 SETTLEMENT PAYMENTS

22 SEC. 160. (a) PERMITTING COUNCIL TO DELEGATE
 23 AUTHORITY TO ISSUE BONDS.—

24 (1) IN GENERAL.—Section 490 of the District
 25 of Columbia Home Rule Act (sec. 47–334, D.C.
 26 Code) is amended—

1 (A) by redesignating subsections (i)
2 through (m) as subsections (j) through (n), re-
3 spectively; and

4 (B) by inserting after subsection (h) the
5 following new subsection:

6 “(i)(1) The Council may delegate to the District of
7 Columbia Tobacco Settlement Financing Corporation
8 (hereafter in this subsection referred to as the “Corpora-
9 tion”) established pursuant to the Tobacco Settlement Fi-
10 nancing Act of 2000 the authority of the Council under
11 subsection (a) to issue revenue bonds, notes, and other ob-
12 ligations which are used to borrow money to finance or
13 assist in the financing or refinancing of capital projects
14 and other undertakings of the District of Columbia and
15 which are payable solely from and secured by payments
16 under the Master Tobacco Settlement Agreement. The
17 Corporation may exercise authority delegated to it by the
18 Council as described in the first sentence of this para-
19 graph (whether such delegation is made before or after
20 the date of the enactment of this subsection) only in ac-
21 cordance with this subsection and the provisions of the
22 Tobacco Settlement Financing Act of 2000.

23 “(2) Revenue bonds, notes, and other obligations
24 issued by the Corporation under a delegation of authority
25 described in paragraph (1) shall be issued by resolution

1 of the Corporation, and any such resolution shall not be
2 considered to be an act of the Council.

3 “(3) The fourth sentence of section 446 shall not
4 apply to—

5 “(A) any amount (including the amount of any
6 accrued interest or premium) obligated or expended
7 from the proceeds of the sale of any revenue bond,
8 note, or other obligation issued pursuant to this sub-
9 section;

10 “(B) any amount obligated or expended for the
11 payment of the principal of, interest on, or any pre-
12 mium for any revenue bond, note, or other obligation
13 issued pursuant to this subsection;

14 “(C) any amount obligated or expended to se-
15 cure any revenue bond, note, or other obligation
16 issued pursuant to this subsection; or

17 “(D) any amount obligated or expended for re-
18 pair, maintenance, and capital improvements to fa-
19 cilities financed pursuant to this subsection.

20 “(4) In this subsection, the term ‘Master Tobacco
21 Settlement Agreement’ means the settlement agreement
22 (and related documents), as may be amended from time
23 to time, entered into on November 23, 1998, by the Dis-
24 trict of Columbia and leading United States tobacco prod-
25 uct manufacturers.”.

1 (2) CONFORMING AMENDMENT.—The fourth
2 sentence of section 446 of such Act (sec. 47–304,
3 D.C. Code) is amended by striking “and (h)(3)” and
4 inserting “(h)(3), and (i)(3)”.

5 (b) WAIVER OF CONGRESSIONAL REVIEW PERIOD
6 FOR TOBACCO SETTLEMENT FINANCING ACT.—Notwith-
7 standing section 602(c)(1) of the District of Columbia
8 Home Rule Act (sec. 1–233(c)(1), D.C. Code), the To-
9 bacco Settlement Financing Act of 2000 (title XXXVII
10 of D.C. Act 13–375, as amended by section 8(e) of D.C.
11 Act 13–387) shall take effect on the date of the enactment
12 of such Act or the date of the enactment of this Act,
13 whichever is later.

14 SEC. 161. Section 603(e) of the Student Loan Mar-
15 keting Association Reorganization Act of 1996 (Public
16 Law 104–208; 110 Stat. 3009–293), as amended by sec-
17 tion 153 of the District of Columbia Appropriations Act,
18 2000, is amended—

19 (1) by amending the second sentence of para-
20 graph (2)(B) to read as follows: “Of such amounts
21 and proceeds, \$5,000,000 shall be set aside for a
22 credit enhancement fund for public charter schools
23 in the District of Columbia, to be administered and
24 disbursed in accordance with paragraph (3).”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(3) CREDIT ENHANCEMENT FUND FOR PUBLIC
4 CHARTER SCHOOLS.—

5 “(A) DISTRIBUTION OF AMOUNTS.—Of the
6 amounts in the credit enhancement fund estab-
7 lished under paragraph (2)(B)—

8 “(i) 50 percent shall be used to make
9 grants under subparagraph (B); and

10 “(ii) 50 percent shall be used to make
11 grants under subparagraph (C).

12 “(B) GRANTS TO ELIGIBLE NONPROFIT
13 CORPORATIONS.—

14 “(i) IN GENERAL.—Using the
15 amounts described in subparagraph (A)(i),
16 not later than 1 year after the date of the
17 enactment of the District of Columbia Ap-
18 propriations Act, 2001, the Mayor of the
19 District of Columbia shall make and dis-
20 burse grants to eligible nonprofit corpora-
21 tions to carry out the purposes described
22 in subparagraph (E).

23 “(ii) ADMINISTRATION.—The Mayor
24 shall administer the program of grants
25 under this subparagraph, except that if the

1 committee described in subparagraph
2 (C)(iii) is in operation and is fully func-
3 tional prior to the date the Mayor makes
4 the grants, the Mayor may delegate the ad-
5 ministration of the program to the com-
6 mittee.

7 “(C) OTHER GRANTS.—

8 “(i) IN GENERAL.—Using the
9 amounts described in subparagraph (A)(ii),
10 the Mayor of the District of Columbia shall
11 make grants to entities to carry out the
12 purposes described in subparagraph (E).

13 “(ii) PARTICIPATION OF SCHOOLS.—A
14 public charter school in the District of Co-
15 lumbia may receive a grant under this sub-
16 paragraph to carry out the purposes de-
17 scribed in subparagraph (E) in the same
18 manner as other entities receiving grants
19 to carry out such activities.

20 “(iii) ADMINISTRATION THROUGH
21 COMMITTEE.—The Mayor shall carry out
22 this subparagraph through the committee
23 appointed by the Mayor under the second
24 sentence of paragraph (2)(B) (as in effect
25 prior to the enactment of the District of

1 Columbia Appropriations Act, 2001). The
2 committee may enter into an agreement
3 with a third party to carry out its respon-
4 sibilities under this subparagraph.

5 “(iv) CAP ON ADMINISTRATIVE
6 COSTS.—Not more than 10 percent of the
7 funds available for grants under this sub-
8 paragraph may be used to cover the ad-
9 ministrative costs of making grants under
10 this subparagraph.

11 “(D) SPECIAL RULE REGARDING ELIGI-
12 BILITY OF NONPROFIT CORPORATIONS.—In
13 order to be eligible to receive a grant under this
14 paragraph, a nonprofit corporation must pro-
15 vide appropriate certification to the Mayor or to
16 the committee described in subparagraph
17 (C)(iii) (as the case may be) that it is duly au-
18 thorized by two or more public charter schools
19 in the District of Columbia to act on their be-
20 half in obtaining financing (or in assisting them
21 in obtaining financing) to cover the costs of ac-
22 tivities described in subparagraph (E)(i).

23 “(E) PURPOSES OF GRANTS.—

24 “(i) IN GENERAL.—The recipient of a
25 grant under this paragraph shall use the

1 funds provided under the grant to carry
2 out activities to assist public charter
3 schools in the District of Columbia in—

4 “(I) obtaining financing to ac-
5 quire interests in real property (in-
6 cluding by purchase, lease, or dona-
7 tion), including financing to cover
8 planning, development, and other inci-
9 dental costs;

10 “(II) obtaining financing for con-
11 struction of facilities or the renova-
12 tion, repair, or alteration of existing
13 property or facilities (including the
14 purchase or replacement of fixtures
15 and equipment), including financing
16 to cover planning, development, and
17 other incidental costs; and

18 “(III) enhancing the availability
19 of loans (including mortgages) and
20 bonds.

21 “(ii) NO DIRECT FUNDING FOR
22 SCHOOLS.—Funds provided under a grant
23 under this subparagraph may not be used
24 by a recipient to make direct loans or
25 grants to public charter schools.”.

1 SEC. 162. (a) EXCLUSIVE AUTHORITY OF MAYOR.—
2 Notwithstanding section 451 of the District of Columbia
3 Home Rule Act or any other provision of District of Co-
4 lumbia or Federal law to the contrary, the Mayor of the
5 District of Columbia shall have the exclusive authority to
6 approve and execute leases of the Washington Marina and
7 the Washington municipal fish wharf with the existing les-
8 sees thereof for an initial term of 30 years, together with
9 such other terms and conditions (including renewal op-
10 tions) as the Mayor deems appropriate.

11 (b) DEFINITIONS.—In this section—

12 (1) the term “Washington Marina” means the
13 portions of Federal property in the Southwest quad-
14 rant of the District of Columbia within Lot 848 in
15 Square 473, the unassessed Federal real property
16 adjacent to Lot 848 in Square 473, and riparian
17 rights appurtenant thereto; and

18 (2) the term “Washington municipal fish
19 wharf” means the water frontage on the Potomac
20 River lying south of Water Street between 11th and
21 12th Streets, including the buildings and wharves
22 thereon.

23 SEC. 163. Section 11201(g)(4)(A) of the National
24 Capital Revitalization and Self-Government Improvement

1 Act of 1997 (D.C. Code, sec. 24–1201(g)(4)(A)) is
2 amended—

3 (1) by redesignating clauses (vi) through (ix) as
4 clauses (vii) through (x), respectively; and

5 (2) by inserting after clause (v) the following:

6 “(vi) immediately upon completing the
7 remediation required under clause (ii) (but
8 in no event later than June 1, 2003),
9 transfer any property located south of
10 Silverbrooke Road which is identified for
11 use for educational purposes in the Fairfax
12 County reuse plan to the County, without
13 consideration, subject to the condition that
14 the County use the property only for edu-
15 cational purposes;”.

16 SEC. 164. (a) Section 208(a) of the District of Co-
17 lumbia Procurement Practices Act of 1985 (sec. 1–
18 1182.8(a), D.C. Code) is amended—

19 (1) in paragraph (4)(A), by striking “the same
20 auditor)” and inserting “the same auditor, except as
21 may be provided in paragraph (5)); and

22 (2) by adding at the end the following new
23 paragraph:

24 “(5) Notwithstanding paragraph (4)(A), an auditor
25 who is a subcontractor to the auditor who audited the fi-

1 nancial statement and report described in paragraph
2 (3)(H) for a fiscal year may audit the financial statement
3 and report for any succeeding fiscal year (as either the
4 prime auditor or as a subcontractor to another auditor)
5 if—

6 “(A) such subcontractor is not a signatory to
7 the statement and report for the previous fiscal year;

8 “(B) the prime auditor reviewed and approved
9 the work of the subcontractor on the statement and
10 report for the previous fiscal year; and

11 “(C) the subcontractor is not an employee of
12 the prime contractor or of an entity owned, man-
13 aged, or controlled by the prime contractor.”.

14 (b) The amendment made by subsection (a) shall
15 apply with respect to financial statements and reports for
16 activities of the District of Columbia Government for fiscal
17 years beginning with fiscal year 2001.

18 SEC. 165. Section 11201(g) of the National Capital
19 Revitalization and Self-Government Improvement Act of
20 1997 (D.C. Code, sec. 24–1201(g)) is amended by adding
21 at the end the following new paragraph:

22 “(6) MEADOWOOD FARM LAND EXCHANGE.—

23 “(A) IN GENERAL.—If, not later than Jan-
24 uary 15, 2001, Fairfax County, Virginia, agrees
25 to convey fee simple title to the property on

1 Mason Neck in excess of 800 acres depicted on
2 the map dated June 2000, on file in the Office
3 of the Director of the Bureau of Land Manage-
4 ment, Eastern States (hereafter in this para-
5 graph referred to as ‘Meadowood Farm’) to the
6 Secretary of the Interior, then the Adminis-
7 trator of General Services shall agree to convey
8 to Fairfax County, Virginia, fee simple title to
9 the property located at the Lorton Correctional
10 Complex north of Silverbrook Road, and con-
11 sisting of more than 200 acres identified in the
12 Fairfax County Reuse Plan, dated July 26,
13 1999, as land available for residential develop-
14 ment in Land Units 1 and 2 (hereafter in this
15 paragraph referred to as the ‘Laurel Hill Resi-
16 dential Land’), the actual exchange to occur no
17 later than December 31, 2001.

18 “(B) TERMS AND CONDITIONS.—(i) When
19 Fairfax County transfers fee simple title to
20 Meadowood Farm to the Secretary of the Inte-
21 rior, the Administrator of General Services shall
22 simultaneously transfer to the County the Lau-
23 rel Hill Residential Land.

24 “(ii) The transfer of property to Fairfax
25 County, Virginia, under clause (i) shall be sub-

1 ject to such terms and conditions that the Ad-
2 ministrator of General Services considers to be
3 appropriate to protect the interests of the
4 United States.

5 “(iii) Any proceeds derived from the sale of
6 the Laurel Hill Residential Land by Fairfax
7 County that exceed the County’s cost of acquir-
8 ing, financing (which shall be deemed a County
9 cost from the time of financing of the
10 Meadowood Farm acquisition to the receipt of
11 proceeds of the sale or sales of the Laurel Hill
12 Residential Land until such time as the pro-
13 ceeds of such sale or sales exceed the acquisi-
14 tion and financing costs of Meadowood Farm to
15 the County), preparing, and conveying
16 Meadowood Farm and costs incurred for im-
17 proving, preparing, and conveying the Laurel
18 Hill Residential Land shall be remitted to the
19 United States and deposited into the special
20 fund established pursuant to paragraph
21 (4)(A)(viii).

22 “(C) MANAGEMENT OF PROPERTY.—The
23 property transferred to the Secretary of the In-
24 terior under this section shall be managed by

1 the Bureau of Land Management for public use
2 and recreation purposes.”.

3 SEC. 166. Section 158(b) of the District of Columbia
4 Appropriations Act, 2000 (Public Law 106–113; 113 Stat.
5 1527) is amended to read as follows:

6 “(b) SOURCE OF FUNDS; TRANSFER.—An amount
7 not to exceed \$5,000,000 from the National Highway Sys-
8 tem funds apportioned to the District of Columbia under
9 section 104 of title 23, United States Code, may be used
10 for purposes of carrying out the project under subsection
11 (a).”.

12 SEC. 167. The explanatory language contained in the
13 Joint Explanatory Statement of the Committee of Con-
14 ference for District of Columbia Appropriations contained
15 in the Conference Report to accompany H.R. 4942 of the
16 106th Congress shall be considered to constitute a joint
17 explanatory statement of a committee of conference for
18 the provisions in this Act. References in this joint state-
19 ment to the conference agreement mean the provisions in
20 this Act, references to the House bill mean the House
21 passed version of H.R. 4942, and references to the Senate
22 bill mean the Senate passed amendment to H.R. 4942.

1 This Act may be cited as the “District of Columbia
2 Appropriations Act, 2001”.

Passed the House of Representatives November 14,
2000.

Attest:

JEFF TRANDAHL,

Clerk.