

Public Law 93-91

August 14, 1973
[H. R. 8658]

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 June 30, 1974, and for other purposes.

District of
Columbia Appro-
priation Act of
1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending June 30, 1974, and for other purposes, namely:

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

85 Stat. 654.
68 Stat. 102,
108.

For payment to the following funds of the District of Columbia for the fiscal year ending June 30, 1974: \$187,450,000 to the general fund; \$2,555,000 to the water fund; and \$1,528,000 to the sanitary sewage works fund; as authorized by the District of Columbia Revenue Act of 1947, as amended (D.C. Code, sec. 47-2501(a)); and the Act of May 18, 1954 (D.C. Code, sec. 43-1541 and 1611).

LOANS TO THE DISTRICT OF COLUMBIA FOR CAPITAL OUTLAY

D.C. Code
9-220.
D.C. Code
47-2501a note.
D.C. Code
1-1441 note.
D.C. Code
43-1604.
84 Stat. 1930.
D.C. Code
7-133.
D.C. Code
43-1540.
D.C. Code
47-1620.

For loans to the District of Columbia, as authorized by the Act of June 6, 1958 (72 Stat. 183), as amended, the Act of November 3, 1967 (81 Stat. 339, 340), the Act of December 9, 1969 (83 Stat. 321), the Act of May 18, 1954 (68 Stat. 105, 110), the Act of June 2, 1950 (64 Stat. 195), and the Act of June 12, 1960 (74 Stat. 210), \$226,184,000, which together with balances of previous appropriations for this purpose, shall remain available until expended and be advanced upon request of the Commissioner, as follows: To the general fund, \$177,969,000, to the highway fund, \$11,900,000, to the water fund, \$7,067,000, to the sanitary sewage works fund, \$25,000,000, and to the metropolitan area sanitary sewage works fund, \$4,248,000.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided:

GENERAL OPERATING EXPENSES

80 Stat. 416.

General operating expenses, \$67,539,000, of which \$629,700 shall be payable from the highway fund (including \$72,400 from the motor vehicle parking account), \$94,500 from the water fund, and \$67,300 from the sanitary sewage works fund: *Provided*, That, for the purpose of assessing and reassessing real property in the District of Columbia, \$5,000 of the appropriation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not in excess of \$100 per diem: *Provided further*, That not to exceed \$7,500 of this appropriation shall be available for test borings and soil investigations: *Provided further*, That \$2,475,000 of this appropriation (to remain available until expended) shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That not to exceed \$125,000 of this appropriation shall be available for settlement of property damage claims not in excess of \$500 each and personal injury claims not in excess of \$1,000 each: *Provided further*, That not to exceed \$50,000 of any appropriations available to the

District of Columbia may be used to match financial contributions from the Department of Defense to the District of Columbia Office of Civil Defense for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Commissioner.

PUBLIC SAFETY

Public safety, including employment of consulting physicians, diagnosticians, and therapists at rates to be fixed by the Commissioner; cash gratuities of not to exceed \$75 to each released prisoner; purchase of one hundred and ninety-seven passenger motor vehicles for replacement only (including one hundred and ninety-two for police-type use and five for fire-type use without regard to the general purchase price limitation for the current fiscal year but not in excess of \$400 per vehicle for police-type and \$600 per vehicle for fire-type use above such limitation); \$206,357,000, of which \$7,854,600 shall be payable from the highway fund (including \$112,000 from the motor vehicle parking account): *Provided*, That the Police Department is authorized to replace not to exceed twenty-five passenger carrying vehicles, and the Fire Department not to exceed five such vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths the cost of the replacement: *Provided further*, That \$7,821,700 shall be available for reimbursement to the United States for services provided to the District of Columbia by the offices of the United States attorney and the United States marshal for the District of Columbia.

EDUCATION

Education, including provision of insurance, maintenance, and acceptance of not to exceed thirty-one passenger motor vehicles on a loan basis for exclusive use in the driver education program, and the development of national defense education programs, \$198,029,000, of which \$165,100 shall be payable from the highway fund.

Section 5533(c) of title 5, United States Code, shall not apply to compensation received by teachers of the public schools of the District of Columbia for employment in a civilian office during the period July 1, 1973, to August 31, 1973.

84 Stat. 1195.

RECREATION

Recreation, \$14,300,000.

HUMAN RESOURCES

Human resources, including reimbursement for services rendered to the District of Columbia by Freedmen's Hospital; and care and treatment of indigent patients in institutions, including those under sectarian control, under contracts to be made by the Director of Human Resources; \$218,443,000: *Provided*, That the inpatient rate and outpatient rate under such contracts, with the exception of Children's Hospital, and for services rendered by Freedmen's Hospital, shall not exceed \$38 per diem and the outpatient rate shall not exceed \$6 per visit; the inpatient rate and outpatient rate for Children's Hospital shall not exceed \$40 per diem and \$6.75 per visit; and the inpatient rate (excluding the proportionate share for repairs and construction) for services rendered by Saint Elizabeths Hospital for patient care shall be \$24.53 per diem: *Provided further*, That total reimbursements to Saint Elizabeths Hospital, including funds from Title XIX of the Social Security Act, shall not exceed the amount for the fiscal year 1970: *Provided further*, That the hospital rates specified herein shall

79 Stat. 343;
86 Stat. 1426.
42 USC 1396.

not apply, beginning July 1, 1969, to services provided to patients who are eligible for such services under the District of Columbia plan for medical assistance under Title XIX of the Social Security Act: *Provided further*, That this appropriation shall be available for the furnishing of medical assistance to individuals sixty-five years of age or older who are residing in the District of Columbia: *Provided further*, That this appropriation shall be available for the treatment, in any institution, under the jurisdiction of the Commissioner and located either within or without the District of Columbia, of individuals found by a court to be chronic alcoholics.

79 Stat. 343;
86 Stat. 1426.
42 USC 1396.

HIGHWAYS AND TRAFFIC

Highways and traffic, including \$162,600 for traffic safety education; \$600 for membership in the American Association of Motor Vehicle Administrators and \$1,500 for membership in the Vehicle Equipment Safety Commission; rental of one passenger-carrying vehicle for use by the Commissioner; and purchase of sixteen passenger motor vehicles for replacement only; \$23,460,200, of which \$17,227,300 shall be payable from the highway fund (including \$640,800 from the motor vehicle parking account): *Provided*, That this appropriation shall not be available for the purchase of driver-training vehicles.

ENVIRONMENTAL SERVICES

Environmental services, \$45,010,000, of which \$11,931,100 shall be payable from the water fund, \$13,629,500 from the sanitary sewage works fund, and \$15,700 from the metropolitan area sanitary sewage works fund.

PERSONAL SERVICES

For pay increases and related retirement costs for general schedule employees, wage board employees, and Public Schools cafeteria employees to be transferred by the Commissioner of the District of Columbia to the appropriations for the fiscal year 1974 from which said employees are properly payable, \$13,782,000, of which \$534,400 shall be payable from the highway fund (including \$6,800 from the motor vehicle parking account), \$501,400 from the water fund, and \$369,200 from the sanitary sewage works fund.

REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with sections 108, 217, and 402 of the Act of May 18, 1954 (68 Stat. 103, 109, and 110), as amended; section 9 of the Act of September 7, 1957 (71 Stat. 619), as amended; section 1 of the Act of June 6, 1958 (72 Stat. 183), as amended; and section 4 of the Act of June 12, 1960 (74 Stat. 211), including interest as required thereby, \$39,633,000, of which \$6,110,100 shall be payable from the highway fund, \$2,041,400 from the water fund, \$1,436,000 from the sanitary sewage works fund, and \$56,700 from the metropolitan area sanitary sewage works fund.

D.C. Code 43-
1540, 43-1616,
7-133.
D.C. Code 2-
1727.
D.C. Code 9-
220.
D.C. Code 43-
1623.

CAPITAL OUTLAY

For reimbursement to the United States of funds loaned in compliance with the Act of August 7, 1946 (60 Stat. 896), as amended, and payments under the Act of July 2, 1954 (68 Stat. 443), construction projects as authorized by the Acts of April 22, 1904 (33 Stat. 244), May 18, 1954 (68 Stat. 105, 110), June 6, 1958 (72 Stat. 183), August 20, 1958 (72 Stat. 686), and the Act of December 9, 1969 (83

72 Stat. 15.

D.C. Code 43-
1510, 7-133, 9-
220, 40-804.

Stat. 321); including acquisition of sites; preparation of plans and specifications; conducting preliminary surveys; erection of structures, including building improvement and alteration and treatment of grounds; to remain available until expended, \$128,178,000, of which \$9,142,300 shall be payable from the highway fund, \$9,440,000 from the water fund, and \$1,100,000 from the sanitary sewage works fund: *Provided*, That \$9,211,100 shall be available for construction services by the Director of the Department of General Services or by contract for architectural engineering services, as may be determined by the Commissioner, and the funds for the use of the Director of the Department of General Services shall be advanced to the appropriation account, "Construction Services, Department of General Services": *Provided further*, 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 (Public Law 90-495, approved August 23, 1968), for which funds are provided by this paragraph, shall expire on June 30, 1975, except authorizations for projects as to which funds have been obligated in whole or in part prior to such date. Upon expiration of any such project authorization the funds provided herein for such project shall lapse.

D.C. Code
1-441 note.

82 Stat. 827.
D.C. Code
7-135 note.

GENERAL PROVISIONS

SEC. 1. Except as otherwise provided herein, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

Vouchers.

SEC. 2. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Maximum allow-
ances.

SEC. 3. Appropriations in this Act shall be available, when authorized or approved by the Commissioner, for allowances for privately owned automobiles used for the performance of official duties at 10 cents per mile but not to exceed \$35 a month for each automobile, unless otherwise therein specifically provided, except that one hundred and thirteen (eighteen for venereal disease investigators in the Department of Human Resources) such allowances at not more than \$550 each per annum may be authorized or approved by the Commissioner.

Automobile
allowances.

SEC. 4. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Commissioner.

Travel ex-
penses; organi-
zation dues.

SEC. 5. Appropriations in this Act shall not be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Service Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Service Commission.

Taxicabs, re-
strictions.

SEC. 6. Appropriations in this Act shall not be available for the payment of rates for electric current for street lighting in excess of 2 cents per kilowatt-hour for current consumed.

Street lighting.

SEC. 7. All passenger motor vehicles (including watercraft) owned by the District of Columbia shall be operated and utilized in conform-

Vehicle use.

31 USC 638a.

ity with section 16 of the Act of August 2, 1946 (60 Stat. 810), and shall be under the direction and control of the Commissioner, who may from time to time alter or change the assignment for use thereof or direct the alteration of interchangeable use of any of the same by officers and employees of the District, except as otherwise provided in this Act. "Official purposes" as used in the section 16 shall not apply to the Commissioner or in cases of officers and employees the character of whose duties make such transportation necessary, but only as to such latter cases when approved by the Commissioner.

Snow and ice control.

SEC. 8. Appropriations contained in this Act for highways and traffic and environmental services shall be available for snow and ice control work when ordered by the Commissioner in writing.

Judgment payments.

SEC. 9. There are hereby appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments which have been entered against the government of the District of Columbia, including refunds authorized by section 10 of the Act approved April 23, 1924 (43 Stat. 108): *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of paragraph 3, subsection (c) of section 11 of Title XII of the District of Columbia Income and Franchise Tax Act of 1947, as amended.

D.C. Code 47-1910 note.

70 Stat. 78.
D.C. Code 47-1586j.

74 Stat. 17.

SEC. 10. Except as otherwise provided herein, limitations and legislative provisions contained in the District of Columbia Appropriation Act, 1961, shall be applicable during the current fiscal year: *Provided*, That the limitation for "Construction Services, Department of General Services" shall, during the current fiscal year, be 10 per centum of appropriations for all construction projects: *Provided further*, That the limitation on expenditure of funds by the Chief of Police for prevention and detection of crime during the current fiscal year shall be \$200,000: *Provided further*, That during the current fiscal year, the limitation with respect to a central heating system, under the heading "Department of Sanitary Engineering", shall not be applicable.

76 Stat. 915.
D.C. Code 3-204.86 Stat. 532.
42 USC 3801note.
Fiscal year limitation.

SEC. 11. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of subsection (b) of section 5 of the District of Columbia Public Assistance Act of 1962 and for the non-Federal share of funds necessary to qualify for Federal assistance under the Act of July 31, 1968 (Public Law 90-445).

SEC. 12. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Chauffeur compensation, limitation.

SEC. 13. No part of any funds appropriated by this Act shall be used to pay the compensation (whether by contract or otherwise) of any individual for performing services as a chauffeur or driver for any designated officer or employee of the District of Columbia government (other than the Commissioner of the District of Columbia, Chief of Police and Fire Chief), or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of any such officer or employee (other than the Commissioner of the District of Columbia, Chief of Police and Fire Chief). No part of any funds appropriated by this Act, in excess of \$12,000 in the aggregate, shall, in any fiscal year, be used to pay the compensation (whether by contract or otherwise) of individuals for performing services as a chauffeur or driver for the Commissioner of the District of Columbia, or for performing services as a chauffeur or driver of a motor vehicle assigned for the personal or individual use of the Commissioner of the District of Columbia.

SEC. 14. Not to exceed 4½ per centum of the total of all funds appropriated by this Act for personal compensation (except temporary positions provided for the Department of Corrections in this Act) may be used to pay the cost of overtime or temporary positions.

Overtime or temporary positions, cost limitation.

SEC. 15. The total expenditure of funds appropriated by this Act for authorized travel and per diem costs outside the District of Columbia, Maryland, and Virginia shall not exceed \$210,000.

Travel expenditure, limitation.

SEC. 16. Appropriations in this Act shall not be available, during the fiscal year ending June 30, 1974, for the compensation of any person appointed—

(1) as a full-time employee to a permanent, authorized position in the government of the District of Columbia during any month when the number of such employees is greater than 39,619; or

(2) as a temporary or part-time employee in the government of the District of Columbia during any month in which the number of such employees exceeds the number of such employees for the same month of the preceding fiscal year, except temporary employees provided for the Department of Corrections in this Act.

SEC. 17. No funds appropriated herein for the government of the District of Columbia for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community group during nonschool hours.

SEC. 18. Appropriations in this Act shall be available for services as authorized by 5 U.S.C. 3109.

80 Stat. 416.
Short title.

This Act may be cited as the "District of Columbia Appropriation Act of 1974".

Approved August 14, 1973.

Public Law 93-92

AN ACT

August 14, 1973

[H. R. 6713]

To amend the District of Columbia Election Act regarding the times for filing certain petitions, regulating the primary election for Delegate from the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Election Act (D.C. Code, secs. 1-1101—1-1115) is amended as follows:

District of Columbia Election Act, amendments.

(1) Clause (A) of paragraph (2) of section 2 of such Act (D.C. Code, sec. 1-1102) is amended to read as follows: "(A) who resides or is domiciled in the District and who does not claim voting residence or right to vote in any State or territory;"

75 Stat. 820;
85 Stat. 788.

(2) Subsection (a) of section 5 of such Act (D.C. Code, sec. 1-1105) is amended by (A) striking out "and" at the end of paragraph (7), (B) redesignating paragraph (8) as paragraph (9), and (C) inserting immediately after paragraph (7) the following:

Regulations.
69 Stat. 700;
75 Stat. 817.

"(8) prescribe such regulations as it considers necessary in order to carry out the purposes of this Act; and".

(3) Paragraph (1) of subsection (b) of section 5 of such Act (D.C. Code, sec. 1-1105) is amended by striking out "after the first Monday".

85 Stat. 789.

(4) Paragraphs (2) and (3) of subsection (b) of section 5 of such Act (D.C. Code, sec. 1-1105) are each amended by striking out "forty-five" wherever it appears and inserting in lieu thereof "sixty".