Public Law 94-446
94th Congress

An Act

Oct. 1, 1976
[H.R. 15193]

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, 1977, and for other purposes.

District of Columbia Appropriation Act, 1977.

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 September 30, 1977, and for other purposes, namely:

TITLE I—DISTRICT OF COLUMBIA

Federal Payment to the District of Columbia

For payment to the District of Columbia for the fiscal year ending September 30, 1977, $259,797,400, as authorized by the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code 47-2501d); and $2,707,000 in lieu of reimbursements for charges for water and water services and sanitary sewer services furnished to facilities of the United States Government as authorized by the Act of May 18, 1954 (D.C. Code 43-1541 and 1611).

Loans to the District of Columbia for Capital Outlay

For loans to the District of Columbia, as authorized by the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, $101,292,000, which together with balances of previous appropriations for this purpose, shall remain available until expended and be advanced upon request of the Mayor: *Provided*, That notwithstanding any other provision of law, the Mayor is authorized to accept loans for the District from the United States Treasury, and the Secretary of the Treasury is authorized to lend the Mayor such sums as the Mayor may determine are required for financing capital projects for which appropriations are authorized in this title.

D.C. Code 1-121 note.

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

General operating expenses, $84,453,300, of which $799,300 shall be payable from the revenue sharing trust fund: *Provided*, That not to exceed $2,500 for the Mayor and $2,500 for the Chairman of the Council of the District of Columbia shall be available from this appropriation for expenditures for official purposes: *Provided further*, That, for the purpose of assessing and reassessing real property in

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the District of Columbia, $5,000 of this 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 $4,480,700 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 $325,000 of this appropriation shall be available for settlement of property damage claims not in excess of $1,500 each and personal injury claims not in excess of $5,000 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 Emergency Preparedness for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Mayor.

PUBLIC SAFETY

Public safety, including purchase of two hundred and sixty-five passenger motor vehicles for replacement only (including two hundred and sixty for police-type use and five for fire-type use without regard to the general purchase price limitation for the current fiscal year); $247,160,400, of which $5,530,400 shall be payable from the revenue sharing trust fund: *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 funds appropriated for expenses under the Criminal Justice Act of 1974 (Public Law 93-412) for fiscal year 1977 shall be available for obligations incurred under that Act in fiscal year 1975 and fiscal year 1976: *Provided further*, That not to exceed $200,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime.

D.C. Code 11-2601 note.

EDUCATION

Education, including the development of national defense education programs, $245,287,700, of which $5,179,800 shall be payable from the revenue sharing trust fund: *Provided*, That the District of Columbia Public Schools are authorized to accept not to exceed thirty-one motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed $1,000 for the Superintendent of Schools, $1,000 for the President of Federal City College, and $1,000 for the President of Washington Technical Institute shall be available from this appropriation for expenditures for official purposes.

RECREATION

Recreation, $17,674,400, of which $208,200 shall be payable from the revenue sharing trust fund.

HUMAN RESOURCES

Human Resources, including care and treatment of indigent patients in institutions under contracts to be made by the Director of the

Department of Human Resources, $268,475,600, of which $6,520,000 shall be payable from the revenue sharing trust fund: *Provided*, That the inpatient rate under such contracts shall not exceed $76 per diem and the outpatient rate shall not exceed $12 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 $25.18 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 not apply, begining 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 $13,733,000 of this appropriation shall be available for care and treatment of the mentally retarded at Forest Haven.

42 USC 1396.

TRANSPORTATION

Transportation, including rental of one passenger-carrying vehicle for use by the Mayor, $54,182,600, of which $6,262,300 shall be payable from the revenue sharing trust fund: *Provided*, That this appropriation shall not be available for the purchase of driver-training vehicles.

ENVIRONMENTAL SERVICES

Environmental services, $69,036,000, of which $1,500,000 shall be payable from the revenue sharing trust fund: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses with four or more apartments, or from any building or connected group of buildings operating as a rooming or boarding house as defined in the housing regulations of the District of Columbia.

PERSONAL SERVICES

For pay increases and related costs for police officers, firefighters and teachers, to be transferred by the Mayor of the District of Columbia to the appropriations for the fiscal year 1977 from which said employees are properly payable, $16,245,000.

SETTLEMENT OF CLAIMS AND SUITS

For payment of property damage claims in excess of $500 and of personal injury claims in excess of $1,000, approved by the Mayor in accordance with the provisions of the Act of February 11, 1929, as amended (45 Stat. 1160; 46 Stat. 500; 65 Stat. 131), $166,600.

D.C. Code 1-902 to 1-906.

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,

87 Stat. 832.
D.C. Code 43-1540, 43-1616, 7-133.
D.C. Code 2-1727.

1958 (72 Stat. 183), as amended; section 4 of the Act of June 12, 1960 (74 Stat. 211), as amended; and section 723 of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198), as amended, including interest as required thereby, $80,839,100: *Provided*, That there are hereby appropriated from the funds of the District of Columbia such sums as may be necessary to repay funds borrowed under the provisions of sections 471 and 472 of Public Law 93-198: *Provided further*, That the District is authorized to repay outstanding loans from the United States Treasury with funds received from the sale of general obligation bonds authorized for such purpose.

D.C. Code 9-220. D.C. Code 43-1623. D.C. Code 1-121 note. D.C. Code 47-247, 47-248. D.C. Code 47-241 note.

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, 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 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, $36,586,700: *Provided*, That $1,854,600 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 Mayor, 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*, That the amount appropriated to the Construction Services Fund, Department of General Services, be limited, during the current fiscal year, to ten per centum of appropriations for all construction projects, except for Project Numbered 24-99, Permanent Improvements, for which construction services shall be limited to twenty per centum of the appropriation: *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 September 30, 1978, 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: *Provided further*, That $1,292,000 is hereby appropriated for the completion of the Sursum Corda Neighborhood Center; $900,000 shall be for the completion of the Sursum Corda Neighborhood Center to be repaid to the city out of funds raised by Sursum Corda, Inc., through fundraising activities: *And provided further*, That all sums so collected be applied to the cost of construction with a corresponding reduction in, or refund of, appropriated District of Columbia funds; and $392,000 shall be for equipment for the center.

72 Stat. 15. D.C. Code 43-1510, 43-1604, 7-133, 9-220, 40-804, 1-1441 note. D.C. Code 7-135 note.

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

SEC. 102. Except as otherwise provided in this title, all vouchers covering expenditures of appropriations contained in this title shall be audited before payment by the designated certifying official and

Vouchers, audit.

the vouchers as approved shall be paid by checks issued by the designated disbursing official.

Maximum allowances.

SEC. 103. Whenever in this title 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.

Automobile allowances.

SEC. 104. Appropriations in this title shall be available, when authorized or approved by the Mayor, for allowances for privately owned conveyances used for the performance of official duties at 13 cents per mile but not to exceed $45 a month for each automobile and at 8 cents per mile but not to exceed $30 a month for each motorcycle, unless otherwise therein specifically provided, except that one hundred and thirteen (eighteen for venereal disease investigators in the Department of Human Resources) such automobile allowances at not more than $715 each per annum may be authorized or approved by the Mayor.

Travel expenses; organization dues.

SEC. 105. Appropriations in this title 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 Mayor.

Taxicabs, restrictions.

SEC. 106. Appropriations in this title 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.

Street lighting.
D.C. Code 7-701 note.

SEC. 107. Appropriations in this title 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.

Judgment payments.

SEC. 108. 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: *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 47-1586j.
D.C. Code 3-204 note.

SEC. 109. Appropriations in this title 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).

D.C. Code 3-204 note.
42 USC 3801 note.

Fiscal year limitation.

SEC. 110. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Chauffeur compensation.
D.C. Code 40-501a note.

SEC. 111. No part of any funds appropriated by this title 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 Mayor 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 Mayor of the District of Columbia, Chief of Police and Fire Chief). No part of any funds appropriated by this title, in excess of $1,000 per month in the aggregate ($12,000 per annum) shall be used to pay the compensation (whether by contract or otherwise) of individuals for performing services as a chauffeur or driver for the Mayor 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 Mayor of the District of Columbia.

Overtime or temporary positions, cost limitation.

SEC. 112. Not to exceed 4½ per centum of the total of all funds appropriated by this title for personal compensation may be used to pay the cost of overtime or temporary positions.

Travel expenditure, limitation.

SEC. 113. The total expenditure of funds appropriated by this title for authorized travel and per diem costs outside the District of Columbia, Maryland, and Virginia shall not exceed $210,000.

D.C. Code 1-216 note.

SEC. 114. Appropriations in this title shall not be available, during the fiscal year ending September 30, 1977, for the compensation of any person appointed—

(1) as 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 35,145, exclusive of positions initially authorized or funded by this title; and exclusive of the 20 positions approved in the transition period for Forest Haven, Department of Human Resources; 28 positions approved in fiscal year 1976 for Tax Administration, Department of Finance and Revenue; and 303 positions approved in fiscal year 1976 for the District of Columbia General Hospital, Department of Human Resources; 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.

Partisan political activities.

SEC. 115. No funds appropriated in this title, 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 non-school hours.

SEC. 116. Appropriations in this title shall be available for services as authorized by 5 U.S.C. 3109, at rates to be fixed by the Mayor.

SEC. 117. No part of any funds appropriated to the District of Columbia government for fiscal year 1977 shall be available for, or may be used to pay the compensation (whether by contract or otherwise) of any person for performing services normally performed by a public affairs officer, public relations officer, or community services officer, unless approved by a resolution adopted by the Council of the District of Columbia.

Short title.

This Act may be cited as the "District of Columbia Appropriation Act, 1977".

TITLE II—DEPARTMENT OF TRANSPORTATION

Ante, p. 1171.

Funds provided for the Coast Guard's Pollution Fund in Public Law 94-387, shall become available immediately upon enactment of this legislation into law.

Approved October 1, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-1415 (Comm. on Appropriations) and 94-1500 (Comm. of Conference).

SENATE REPORT No. 94-1167 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 122 (1976):

Aug. 24, considered and passed House.

Aug. 30, considered and passed Senate, amended.

Sept. 17, House agreed to conference report, receded and concurred in certain Senate amendments with amendments.

Sept. 21, Senate agreed to conference report; concurred in House amendments.