Public Law 94–333
94th Congress

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, 1976, and the period ending September 30, 1976, and for other purposes.

June 30, 1976
[H.R. 13965]

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, 1976, and the period ending September 30, 1976, and for other purposes, namely:

District of Columbia Appropriation Act, 1976.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For payment to the District of Columbia for the fiscal year ending June 30, 1976: $248,948,700, 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 $5,688,000 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).

For "Federal payment to the District of Columbia" for the period July 1, 1976, through September 30, 1976: $66,137,600, as authorized by the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93–198, as amended (88 Stat. 793, D.C. Code 47–2501d); and $1,422,000 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, $210,000,000, 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 Act.

D.C. Code 1–101 note.

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year and for the period July 1, 1976, through September 30, 1976, out of the general fund of the District of Columbia, except as otherwise specifically provided:

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

GENERAL OPERATING EXPENSES

General operating expenses, $116,366,400, of which $207,473 shall be available for fiscal year 1973, $6,065,579 shall be available for fiscal year 1974 and $10,103,627 shall be available for fiscal year 1975, of which $4,261,300 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 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 $3,260,800 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 Civil Defense for the purchase of civil defense equipment and supplies approved by the Department of Defense, when authorized by the Mayor: *Provided further*, That not to exceed $42,100 of this appropriation shall remain available until December 31, 1976, for expenses of the District of Columbia Law Revision Commission: *Provided further*, That not to exceed $15,300 of this appropriation shall be available for the payment of stipends and reimbursements to the Commissioners of the District of Columbia Law Revision Commission for expenses incurred prior to the enactment of this Act.

For "General operating expenses" for the period July 1, 1976, through September 30, 1976, $30,111,700, of which $1,065,325 shall be payable from the revenue sharing trust fund: *Provided*, That not to exceed $625 for the Mayor and $625 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 the District of Columbia, $1,250 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 $1,875 of this appropriation shall be available for test borings and soil investigations: *Provided further*, That $837,800 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 $81,250 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 $12,500 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 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), $243,059,100, of which $5,530,500 shall be payable from the revenue sharing trust fund: *Provided*, That $1,300,000 of this appropriation shall be available for fiscal year 1975: *Provided further*, 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 $2,895,000 of this appropriation (to remain available until expended) shall be available for obligations incurred in fiscal year 1975 and fiscal year 1976 for the compensation and reimbursement of attorneys appointed under the District of Columbia Criminal Justice Act of 1974 (Public Law 93-412): *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.

For "Public safety" for the period July 1, 1976, through September 30, 1976, $64,999,500, of which $1,382,625 shall be payable from the revenue sharing trust fund: *Provided*, That not to exceed $50,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime.

EDUCATION

Education, including the development of national defense education programs, $237,325,900, of which $8,149,000 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.

For "Education" for the period July 1, 1976, through September 30, 1976, including the development of national defense education programs, $47,465,200, of which $2,037,250 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 $250 for the Superintendent of Schools, $250 for the President of Federal City College, and $250 for the President of Washington Technical Institute shall be available from this appropriation for expenditures for official purposes.

RECREATION

Recreation, $16,520,000, of which $208,200 shall be payable from the revenue sharing trust fund.

For "Recreation" for the period July 1 ,1976, through September 30, 1976, $4,956,000, of which $52,050 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, $264,074,500, of which $7,500,000 shall be payable from the revenue sharing trust fund: *Provided*, That the inpatient rate and outpatient 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, 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.

42 USC 1396.

For "Human resources" for the period July 1, 1976, through September 30, 1976, including care and treatment of indigent patients in institutions under contracts to be made by the Director of the Department of Human Resources, $74,871,000 including $333,500 for the improvement of care and treatment of the mentally retarded at Forest Haven, of which $1,875,000 shall be payable from the revenue sharing trust fund: *Provided*, That the inpatient rate and outpatient 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, 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.

TRANSPORTATION

Transportation, including rental of one passenger-carrying vehicle for use by the Mayor, and purchase of forty-six passenger motor vehicles, of which forty-three shall be for replacement only; $26,919,400, of which $2,500,000 shall be payable from the revenue sharing trust fund: *Provided*, That this appropriation shall not be available for the purchase of driver-training vehicles.

For "Transportation" for the period July 1, 1976, through September 30, 1976, including rental of one passenger-carrying vehicle for use by the Mayor; $6,915,600, of which $625,000 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, $63,492,300, 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.

For "Environmental services" for the period July 1, 1976, through September 30, 1976, $16,311,200, of which $375,000 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 1976 from which said employees are properly payable, $10,000,000.

For pay increases and related costs for Police officers, Firefighters and Teachers for the period July 1, 1976, through September 30, 1976, to be transferred by the Mayor of the District of Columbia to the appropriations for the period July 1, 1976, through September 30, 1976, from which said employees are properly payable, $2,500,000.

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), $304,500.

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, 1958 (72 Stat. 183), as amended; and section 4 of the Act of June 12, 1960 (74 Stat. 211), as amended, including interest as required thereby, $63,380,600: *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 its first issue of general obligation bonds.

D.C. Code 43-1540, 43-1616, 7-133. D.C. Code 2-1727. D.C. Code 9-220. D.C. Code 43-1623. D.C. Code 47-247, 47-248. D.C. Code 47-241 note.

BICENTENNIAL SERVICES

For bicentennial services and related costs, $700,000, to be available solely for District of Columbia bicentennial activities (to remain available until September 30, 1977) and to be transferred by the Mayor of the District of Columbia to the applicable appropriations from which such services are properly payable.

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 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, $117,706,500: *Provided*, That $3,445,700 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: *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, 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.

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

D.C. Code 7-135 note.

GENERAL PROVISIONS

Vouchers.

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.

Maximum allowances.

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.

Automobile allowances.

SEC. 3. Appropriations in this Act 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 and organization dues.

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 Mayor.

Taxicabs, restrictions.

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.

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

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.

Judgment payments.

SEC. 7. 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.

SEC. 8. 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).

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

Fiscal year limitation.

SEC. 9. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein, except as provided in section 204 of the Supplemental Appropriation Act, 1975 (Public Law 93-554).

88 Stat. 1771.

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

SEC. 10. 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 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 Act, 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. 11. Not to exceed 4½ per centum of the total of all funds appropriated by this Act for personal compensation may be used to pay the cost of overtime or temporary positions.

Travel expenditure limitation.

SEC. 12. The total expenditure of funds appropriated by this Act for authorized travel and per diem costs outside of the District of Columbia, Maryland, and Virginia shall not exceed $210,000 for fiscal year 1976 and $52,500 for the period July 1, 1976, through September 30, 1976.

Number of employees. D.C. Code 1-216 note.

SEC. 13. Appropriations in this Act shall not be available, during the fiscal year ending June 30, 1976, and for the period July 1, 1976, through September 30, 1976, 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 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.

Partisan political activities.

SEC. 14. 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 groups during non-school hours.

SEC. 15. Appropriations in this Act shall be available for services as authorized by 5 U.S.C. 3109, at rates to be fixed by the Mayor.

Space and service charges.

SEC. 16. No part of any appropriation contained in this Act shall be available for paying to the Administrator of the General Services Administration in excess of 90 per centum of the standard level user charge established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended, for space and services.

40 USC 490.

Short title.

This Act may be cited as the "District of Columbia Appropriation Act, 1976".

Approved June 30, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-1185 (Comm. on Appropriations and No. 94-1293 (Comm. of Conference).

SENATE REPORT No. 94-943 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 122 (1976):

May 26, considered and passed House.

June 17, considered and passed Senate, amended.

June 28, House agreed to conference report; receded and concurred in a Senate amendment; receded and concurred with amendments in certain other Senate amendments.

June 29, Senate agreed to conference report; concurred in House amendments.