Public Law 96-530
96th 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 September 30, 1981, and for other purposes.

Dec. 15, 1980
[H. R. 8061]

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, 1981, and for other purposes, namely:

District of Columbia Appropriation Act.

Federal Payment to the District of Columbia

For payment to the District of Columbia for the fiscal year ending September 30, 1981, $295,400,000, 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 $8,100,000 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, as amended (D.C. Code 43-1541 and 1611).

For the Federal contribution to the Police Officers and Fire Fighters', Teachers' and Judges' Retirement Funds as authorized by the District of Columbia Retirement Reform Act, Public Law 96-122, approved November 17, 1979 (93 Stat. 866), $52,070,000.

For reimbursement for necessary expenses incurred in connection with inauguration activities as authorized by section 737(b) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, approved December 24, 1973 (87 Stat. 824; D.C. Code, sec. 1-827(b)), $1,330,100.

For reimbursement for necessary expenses incurred in connection with demonstration activities as authorized by section 737(b) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, approved December 24, 1973 (87 Stat. 824; D.C. Code, sec. 1-827(b)), $3,315,000.

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, as amended, $130,567,600, 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 during fiscal year 1981 and within the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed $200,000,000.

D.C. Code 1-121 note.

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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:

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $84,728,900: *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 not to exceed $7,500 of this appropriation shall be available for test borings and soil investigations: *Provided further,* That not to exceed $500,000 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 $5,344,500 of the funds appropriated for the Department of General Services shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $29,111,800: *Provided,* That the Convention Center Board, established by section 3 of the Washington Convention Center Management Act of 1979, effective November 3, 1979 (D.C. Law 3-36; D.C. Code, sec. 9-602) shall reimburse the Auditor of the District of Columbia for all reasonable costs for performance of the annual convention center audit: *Provided further,* That $2,561,600 of the funds appropriated for the Washington Convention Center shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase of one hundred and thirty-five passenger motor vehicles for replacement only (including one hundred and thirty for police-type use and five for fire-type use without regard to the general purchase price limitation for the current fiscal year); $352,705,600, of which $5,850,000 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 District of Columbia Criminal Justice Act, Public Law 93-412, approved September 3, 1974 (D.C. Code, section 11-2601 et seq.) for fiscal year 1981 shall be available for obligations incurred under that Act in each fiscal year since inception in fiscal year 1975: *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: *Provided further,* That $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: *Provided further,* That $1,790,500 of the funds appropriated for the Metropolitan Police Department; $789,500 of the funds appropriated for the Fire Department; $4,157,400 of the funds appropriated for the Department of Corrections; and $3,322,400 of the funds appropriated for the Courts shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $393,956,500, of which $8,750,000 shall be payable from the revenue sharing trust fund, to be allocated as follows: $275,599,700 for the District of Columbia Public Schools; $38,717,200 for the Teachers' Retirement and Annuity Fund; $60,266,600 for the University of the District of Columbia; $14,046,400 for the Public Library; $551,100 for the Commission on the Arts and Humanities; $90,500 for the Educational Institution Licensure Commission; and $4,685,000 for the School Transit Subsidy: *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 and $2,500 for the President of the University of the District of Columbia shall be available from this appropriation for expenditures for official purposes: *Provided further,* That the $38,717,200 of this appropriation allocated for the Teachers' Retirement and Annuity Fund shall be transferred to the Teachers' Retirement and Annuity Fund, in accordance with the provisions of section 7 of An Act for the retirement of public-school teachers in the District of Columbia, approved August 7, 1946 (60 Stat. 879; D.C. Code section 31-727): *Provided further,* That not less than $7,257,800 of this appropriation shall be used exclusively for maintenance of the public schools: *Provided further,* That $29,810,400 of the funds appropriated for the District of Columbia Public Schools, $7,673,800 of the funds appropriated for the University of the District of Columbia, and $2,803,200 of the funds appropriated for the Public Library shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

HUMAN SUPPORT SERVICES

Human support services, including care and treatment of indigent patients in institutions under contracts to be made by the Director of the Department of Human Resources, $381,742,000, of which $8,200,000 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 except for 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, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. 1396 et seq.) and the inpatient rate (excluding the proportionate share for repairs and construction) for services rendered by Saint Elizabeths Hospital for patient care shall be at the per diem rate established pursuant to section 2 of An Act to authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes, approved August 4, 1947 (61 Stat. 751; 24 U.S.C. 168a): *Provided further,* That total reimbursements to D.C. Code 32-406a.

Saint Elizabeths Hospital, including funds from title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. 1396 et seq.) shall not exceed $21,348,700: *Provided further,* That $5,807,100 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further,* That none of the funds appropriated for the summer youth jobs program shall be obligated until the Subcommittees on District of Columbia Appropriations of the House of Representatives and the Senate have approved a plan submitted by the Mayor and the City Council detailing proposed expenditures: *Provided further,* That $2,107,200 of the funds appropriated for the Department of Recreation, $3,121,300 of the funds appropriated for the Department of Human Services, $1,302,000 of the funds appropriated for the District of Columbia General Hospital, and $1,947,600 of the funds appropriated for District of Columbia Obligations shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

TRANSPORTATION SERVICES AND ASSISTANCE

Transportation services and assistance, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and purchase of sixteen passenger-carrying vehicles, for replacement only, $147,919,000, 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: *Provided further,* That $13,743,200 of the funds appropriated for the Department of Transportation and $26,471,400 of the funds appropriated for the Washington Metropolitan Area Transit Authority shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

ENVIRONMENTAL SERVICES AND SUPPLY

Environmental services and supply, $43,126,000, of which $1,000,000 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: *Provided further,* That $10,848,300 of the funds appropriated for the Department of Environmental Services shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

INAUGURAL EXPENSES

For reimbursement for necessary expenses incurred in connection with inauguration activities as authorized by section 737(b) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, approved December 24, 1973 (87 Stat. 824; D.C. Code, sec. 1-827(b)), $1,330,100.

DEMONSTRATION EXPENSES

For reimbursement for necessary expenses incurred in connection with demonstration activities as authorized by section 737(b) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, approved December 24, 1973 (87 Stat. 824; D.C. Code, sec. 1-827(b)), $3,315,000.

WATER AND SEWER ENTERPRISE FUND

For establishment of the Water and Sewer Enterprise Fund, $82,190,200: *Provided,* That $14,937,500 of the funds appropriated to the Water and Sewer Enterprise Fund shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

CAPITAL OUTLAY

For construction projects as authorized by An Act Authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; D.C. Code section 43-1510 et seq.); the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 101); An Act To authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; D.C. Code, section 9-220); An Act To amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, as amended, approved August 20, 1958 (72 Stat. 686); and the National Capital Transportation Act of 1969, approved December 9, 1969 (83 Stat. 321; D.C. Code, sections 1-1443 and 9-220(b)(3)); 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, $220,908,400: *Provided,* That $2,813,300 shall be available for project management and $2,516,600 for design by the Director of the Department of General Services or by contract for architectural engineering services, as may be determined by the Mayor, and that the 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 such funds 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, Public Law 90-495, approved August 23, 1968 (82 Stat. 827, D.C. Code, section 7-135 note), for which funds are provided by this paragraph, shall expire on September 30, 1982, 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 43-1601 note.

D.C. Code 40-804.

D.C. Code 1-1441 note.

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5

Consulting services.

U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Vouchers.

SEC. 102. Except as otherwise provided in this Act, 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. 103. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditures, 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 and motorcycle allowances.

SEC. 104. Appropriations in this Act shall be available, when authorized or approved by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided,* That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed from time to time in the Federal Travel Regulations.

Travel expenses and organization dues.

SEC. 105. 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: *Provided,* That the Council of the District of Columbia may expend such funds without authorization by the Mayor.

Taxicab regulation.

SEC. 106. 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.

Judgement payments.

SEC. 107. 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, approved July 16, 1947 (61 Stat. 355; D.C. Code, section 47-1586j), as amended.

D.C. Code 3-204 note.

SEC. 108. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 5(b) of the District of Columbia Public Assistance Act of 1962, approved October 15, 1962 (76 Stat. 915; D.C. Code, section 3-204) and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, Public Law 90-445, approved July 31, 1968 (82 Stat. 462; 42 U.S.C. 3801).

Fiscal year limitation.

SEC. 109. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Overtime and temporary positions, cost limitation.

SEC. 110. 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. 111. 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 $225,000.

Employment limitation. D.C. Code 1-216 note.

SEC. 112. Appropriations in this Act shall not be available, during the fiscal year ending September 30, 1981, 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 35,313: *Provided*, That—

(A) positions within this city employment limitation shall be set aside as the maximum number of permanent, authorized employees as follows: Appropriated positions, 31,005 of which 8,869 shall be for Public Schools; intra-District positions, 1,952; District of Columbia General Hospital, 2,356; and

(B) the District of Columbia Public Schools and the District of Columbia General Hospital shall not exceed their respective employment limitations and are hereby required to report monthly to the Mayor, for the purpose of maintaining controls on city-wide employment, regarding the total number of current employees and the total number of separations and filling of positions within their respective employment limitations; 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. 113. No funds appropriated in this Act 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 or partisan political group during non-school hours.

D.C. annual budget, transmittal to Congress.

SEC. 114. The annual budget for the District of Columbia government for fiscal year 1982 shall be transmitted to the Congress by not later than February 1, 1981. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the government of the District of Columbia whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations or their duly authorized representatives.

SEC. 115. There are hereby appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, section 47-331 et seq.).

SEC. 116. None of the funds contained in this Act shall be made available to pay the salary of any employee of the government of the District of Columbia whose name and salary are not available for public inspection.

Congressional or State legislation, partisan publicity.

SEC. 117. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

Abortion funding.

SEC. 118. None of the Federal funds provided in this Act shall be used to perform abortions except where the life of the mother would

be endangered if the fetus were carried to term; or except for such medical procedures necessary for the victims of rape or incest, when such rape or incest has been reported promptly to a law enforcement agency or public health service. Nor are payments prohibited for drugs or devices to prevent implantation of the fertilized ovum, or for medical procedures necessary for the termination of an ectopic pregnancy.

Short title.

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

Approved December 15, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-1271 (Comm. on Appropriations) and No. 96-1477 (Comm. of Conference).

SENATE REPORT No. 96-969 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 126 (1980):

Sept. 3, considered and passed House.

Nov. 17, considered and passed Senate, amended.

Dec. 2, House agreed to conference report; receded from its disagreement and concurred in certain Senate amendments and in others with amendments.

Dec. 4, Senate agreed to conference report and concurred in House amendments.