

**Calendar No. 523**107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2809****[Report No. 107-225]**

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, 2003, and for other purposes.

---

**IN THE SENATE OF THE UNITED STATES**

JULY 26, 2002

Ms. LANDRIEU, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

---

**A BILL**

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, 2003, 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 and related agencies for the fiscal

1 year ending September 30, 2003, and for other purposes,  
2 namely:

3 FEDERAL FUNDS

4 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

5 For a Federal payment to the District of Columbia,  
6 to be deposited into a dedicated account, for a nationwide  
7 program to be administered by the Mayor, for District of  
8 Columbia resident tuition support, \$17,000,000, to remain  
9 available until expended: *Provided*, That such funds, in-  
10 cluding any interest accrued thereon, may be used on be-  
11 half of eligible District of Columbia residents to pay an  
12 amount based upon the difference between in-State and  
13 out-of-State tuition at public institutions of higher edu-  
14 cation, or to pay up to \$2,500 each year at eligible private  
15 institutions of higher education: *Provided further*, That the  
16 awarding of such funds may be prioritized on the basis  
17 of a resident's academic merit, the income and need of  
18 eligible students and such other factors as may be author-  
19 ized: *Provided further*, That the District of Columbia gov-  
20 ernment shall maintain a dedicated account for the Resi-  
21 dent Tuition Support Program that shall consist of the  
22 Federal funds appropriated to the Program in this Act  
23 and any subsequent appropriations, any unobligated bal-  
24 ances from prior fiscal years, and any interest earned in  
25 this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia  
2 Chief Financial Officer who shall use those funds solely  
3 for the purposes of carrying out the Resident Tuition Sup-  
4 port Program: *Provided further*, That the Resident Tuition  
5 Support Program Office and the Office of the Chief Fi-  
6 nancial Officer shall provide a quarterly financial report  
7 to the Committees on Appropriations of the Senate and  
8 House of Representatives for these funds showing, by ob-  
9 ject class, the expenditures made and the purpose there-  
10 for: *Provided further*, That not more than seven percent  
11 of the total amount appropriated for this program may  
12 be used for administrative expenses.

13 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND  
14 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

15 For necessary expenses, as determined by the Mayor  
16 of the District of Columbia in written consultation with  
17 the elected county or city officials of surrounding jurisdic-  
18 tions, \$15,000,000, to remain available until expended, to  
19 reimburse the District of Columbia for the costs of public  
20 safety expenses related to security events in the District  
21 of Columbia and for the costs of providing support to re-  
22 spond to immediate and specific terrorist threats or at-  
23 tacks in the District of Columbia or surrounding jurisdic-  
24 tions: *Provided*, That the Chief Financial Officer of the  
25 District of Columbia shall provide a report, within 15 days

1 of an expenditure, to the President and to the Committees  
2 on Appropriations of the Senate and the House of Rep-  
3 resentatives, detailing any expenditure of these funds for  
4 public safety purposes: *Provided further*, That the Office  
5 of Management and Budget shall, in consultation with the  
6 United States Park Police, the National Park Service, the  
7 Secret Service, the Federal Bureau of Investigation, the  
8 United States Protective Service, the Department of  
9 State, and the General Services Administration, review the  
10 National Capital Planning Commission study on “Design-  
11 ing for Security in the Nation’s Capital” and report to  
12 the Committees on Appropriations of the Senate and  
13 House of Representatives on the steps these agencies will  
14 take to improve the appearance of security measures in  
15 the District of Columbia in accordance with the National  
16 Capital Planning Commission recommendations, no later  
17 than February 5, 2003: *Provided further*, That the report  
18 shall include the recommendations of each agency.

19 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER  
20 OF THE DISTRICT OF COLUMBIA

21 For a Federal payment to the Chief Financial Officer  
22 of the District of Columbia, \$15,000,000, for education,  
23 security, economic development, and health initiatives in  
24 the District of Columbia.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
2 COURTS

3 For salaries and expenses for the District of Colum-  
4 bia Courts, \$173,193,000, to be allocated as follows: for  
5 the District of Columbia Court of Appeals, \$8,551,000,  
6 of which not to exceed \$1,500 is for official reception and  
7 representation expenses; for the District of Columbia Su-  
8 perior Court, \$81,265,000, of which not to exceed \$1,500  
9 is for official reception and representation expenses; for  
10 the District of Columbia Court System, \$39,676,000, of  
11 which not to exceed \$1,500 is for official reception and  
12 representation expenses; and \$42,201,000 for capital im-  
13 provements for District of Columbia courthouse facilities:  
14 *Provided*, That these funds are expended consistent with  
15 the General Services Administration master plan study  
16 and building evaluation report: *Provided further*, That  
17 \$1,500,000, of the funds made available under this head-  
18 ing, shall be deposited into a dedicated account in the U.S.  
19 Treasury and shall remain available until expended, for  
20 a program to be administered by the District of Columbia  
21 Superior Court to provide guardians ad litem to abused  
22 and neglected children: *Provided further*, That such pro-  
23 gram shall develop the capacity to improve the quality,  
24 training and recruitment of guardians ad litem to abused  
25 and neglected children: *Provided further*, That such funds,

1 including any interest accrued thereon, shall be used to  
2 contract with a non-profit organization to act as guardians  
3 ad litem, provide training, technical assistance, and other  
4 such services including infrastructure development as are  
5 necessary to improve the quality of guardian ad litem rep-  
6 resentation to abused and neglected children in the Dis-  
7 trict of Columbia Family Court: *Provided further*, That the  
8 non-profit organization shall have expertise in the fol-  
9 lowing areas: representing children, child welfare, adop-  
10 tion, guardianship, special education and domestic vio-  
11 lence: *Provided further*, That the District of Columbia Su-  
12 perior Court shall establish a dedicated account in the  
13 U.S. Treasury for the Guardian ad Litem Program that  
14 shall consist of the Federal funds appropriated to the Pro-  
15 gram in this Act and any subsequent appropriations, any  
16 necessary funds provided under the heading “Defender  
17 Services in the District of Columbia Courts”, any unobli-  
18 gated balances from prior fiscal years, and any interest  
19 earned in this or any fiscal year: *Provided further*, That  
20 notwithstanding any other provision of law, all amounts  
21 under this heading shall be apportioned quarterly by the  
22 Office of Management and Budget and obligated and ex-  
23 pended in the same manner as funds appropriated for sal-  
24 aries and expenses of other Federal agencies, with payroll  
25 and financial services to be provided on a contractual basis

1 with the General Services Administration (GSA), said  
2 services to include the preparation of monthly financial re-  
3 ports, copies of which shall be submitted directly by GSA  
4 to the President and to the Committees on Appropriations  
5 of the Senate and House of Representatives, the Com-  
6 mittee on Governmental Affairs of the Senate, and the  
7 Committee on Government Reform of the House of Rep-  
8 resentatives: *Provided further*, That funds made available  
9 for capital improvements may remain available until Sep-  
10 tember 30, 2004: *Provided further*, That 30 days after  
11 providing written notice to the Committees on Appropria-  
12 tions of the Senate and House of Representatives, the Dis-  
13 trict of Columbia Courts may reallocate not more than  
14 \$1,000,000 of the funds provided under this heading  
15 among the items and entities funded under such heading:  
16 *Provided further*, That notwithstanding Section 446 of the  
17 District of Columbia Home Rule Act or any provision of  
18 subchapter III of chapter 13 of title 31, United States  
19 Code, the use of interest earned on the Federal payment  
20 made to the District of Columbia Courts under the Dis-  
21 trict of Columbia Appropriations Act, 1998, by the Courts  
22 during fiscal year 1998 shall not constitute a violation of  
23 such Act or such subchapter.



1 trict of Columbia shall use funds provided in this Act  
2 under the heading “Federal Payment to the District of  
3 Columbia Courts” (other than the \$42,201,000 provided  
4 under such heading for capital improvements for District  
5 of Columbia courthouse facilities), to make payments de-  
6 scribed under this heading for obligations incurred during  
7 any fiscal year: *Provided further*, That funds provided  
8 under this heading shall be administered by the Joint  
9 Committee on Judicial Administration in the District of  
10 Columbia: *Provided further*, That notwithstanding any  
11 other provision of law, this appropriation shall be appor-  
12 tioned quarterly by the Office of Management and Budget  
13 and obligated and expended in the same manner as funds  
14 appropriated for expenses of other Federal agencies, with  
15 payroll and financial services to be provided on a contrac-  
16 tual basis with the General Services Administration  
17 (GSA), said services to include the preparation of monthly  
18 financial reports, copies of which shall be submitted di-  
19 rectly by GSA to the President and to the Committees  
20 on Appropriations of the Senate and House of Representa-  
21 tives, the Committee on Governmental Affairs of the Sen-  
22 ate, and the Committee on Government Reform of the  
23 House of Representatives.

## 1 ADMINISTRATIVE PROVISIONS

2 SEC. 1. PAYMENTS FOR REPRESENTATION OF  
3 INDIGENTS. (a) SERVICES OF COUNSEL.—Section 11–  
4 2604, District of Columbia Code, is amended in subsection  
5 (a), by striking “\$65” and inserting “\$75”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 this provision shall apply with respect to cases and pro-  
8 ceedings initiated on or after October 1, 2002.

9 (c) The hourly rate paid to attorneys representing in-  
10 digent defendants in the District of Columbia, subject to  
11 Section 11–2604 and Section 16–2326.01(b) of the Dis-  
12 trict of Columbia Code shall be \$90 per hour, effective  
13 October 1, 2003.

14 SEC. 2. INCLUSION OF COURT EMPLOYEES IN LONG  
15 TERM CARE PROGRAM. (a) Section 9001(1) of Title 5,  
16 United States Code, is amended by adding before the pe-  
17 riod “(other than an employee of the District of Columbia  
18 Courts)”.

19 (b) Section 11–1726, District of Columbia Code, is  
20 amended as follows:

21 (1) in subsection (b)(1), by adding at the end:  
22 “(F) Chapter 90 (relating to long-term care insur-  
23 ance).”.

1 (2) in subsection (c)(1), by adding at the end:

2 “(D) Chapter 90 (relating to long-term care insur-  
3 ance).”.

4 SEC. 3. CRIME VICTIMS COMPENSATION FUND. All  
5 funds from the Crime Victims Compensation Fund, estab-  
6 lished by section 16 of the Victims of Violent Crime Com-  
7 pensation Act of 1996, effective April 9, 1997 (D.C. Law  
8 11–243; D.C. Official Code, sec. 4–514) (“Compensation  
9 Act”), that are designated for outreach activities pursuant  
10 to section 16(d)(2) of the Compensation Act shall be de-  
11 posited in the Crime Victims Assistance Fund, established  
12 by section 16a of the Compensation Act, for the purpose  
13 of outreach activities, and shall remain available until ex-  
14 pended.

15 SEC. 4. TRANSFER OF FINES. Notwithstanding any  
16 other law, the District of Columbia Courts shall transfer  
17 to the D.C. Treasury all fines levied and collected by the  
18 Courts in cases charging Driving Under the Influence and  
19 Driving While Impaired. The transferred funds shall re-  
20 main available until expended and shall be used by the  
21 Office of the Corporation Counsel, for enforcement and  
22 prosecution of District traffic alcohol laws in accordance  
23 with section 10(b)(3) of the District of Columbia Traffic  
24 Control Act, approved March 3, 1925 (43 Stat. 1124;  
25 D.C. Official Code, sec. 50–2201.05(b)(3)).

1        SEC. 5. TRANSFER TO CHILD AND FAMILY SERVICES  
2 AGENCY. Of the amount appropriated as a Federal pay-  
3 ment to the District of Columbia Courts in the Fiscal Year  
4 2002 District of Columbia Appropriations Act (Public  
5 Law 107-96; 115 Stat. 927) that remain available  
6 through September 30, 2003, \$560,000 are hereby trans-  
7 ferred to the District of Columbia Child and Family Serv-  
8 ices Agency for child abuse services.

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

12                    (INCLUDING TRANSFER OF FUNDS)

13        For salaries and expenses, including the transfer and  
14 hire of motor vehicles, of the Court Services and Offender  
15 Supervision Agency for the District of Columbia, as au-  
16 thorized by the National Capital Revitalization and Self-  
17 Government Improvement Act of 1997 (Public Law 105-  
18 33; 111 Stat. 712), \$154,707,000 of which not to exceed  
19 \$2,000 is for official receptions related to offender and  
20 defendant support programs; of which \$95,682,000 shall  
21 be for necessary expenses of Community Supervision and  
22 Sex Offender Registration, to include expenses relating to  
23 supervision of adults subject to protection orders or provi-  
24 sion of services for or related to such persons;  
25 \$23,070,000 shall be transferred to the Public Defender

1 Service; and \$35,955,000 shall be available to the Pretrial  
2 Services Agency: *Provided*, That notwithstanding any  
3 other provision of law, all amounts under this heading  
4 shall be apportioned quarterly by the Office of Manage-  
5 ment and Budget and obligated and expended in the same  
6 manner as funds appropriated for salaries and expenses  
7 of other Federal agencies: *Provided further*, That notwith-  
8 standing chapter 12 of title 40, United States Code, the  
9 Director may acquire by purchase, lease, condemnation,  
10 or donation, and renovate as necessary, Building Number  
11 17, 1900 Massachusetts Avenue, Southeast, Washington,  
12 District of Columbia, or such other site as the Director  
13 of the Court Services and Offender Supervision Agency  
14 may determine as appropriate to house or supervise of-  
15 fenders and defendants, with funds made available for this  
16 purpose in Public Law 107-96: *Provided further*, That the  
17 Director is authorized to accept and use gifts in the form  
18 of in-kind contributions of space and hospitality to support  
19 offender and defendant programs, and equipment and vo-  
20 cational training services to educate and train offenders  
21 and defendants: *Provided further*, That the Director shall  
22 keep accurate and detailed records of the acceptance and  
23 use of any gift or donation under the previous proviso,  
24 and shall make such records available for audit and public  
25 inspection.

1 FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL  
2 MEDICAL CENTER

3 For a Federal payment to the Children's National  
4 Medical Center in the District of Columbia, \$5,000,000  
5 for capital and equipment improvements.

6 ST. COLETTA OF GREATER WASHINGTON EXPANSION  
7 PROJECT

8 For a Federal contribution to St. Coletta of Greater  
9 Washington, Inc., for costs associated with the establish-  
10 ment of a day program and comprehensive case manage-  
11 ment services for mentally retarded and multiple-handi-  
12 capped adolescents and adults in the District of Columbia,  
13 including property acquisition and construction,  
14 \$2,000,000.

15 FEDERAL PAYMENT TO THE DEPARTMENT OF  
16 TRANSPORTATION

17 For a Federal Payment to the Department of Trans-  
18 portation in the District of Columbia, \$1,000,000: *Pro-*  
19 *vided*, That such funds will be used to implement Trans-  
20 portation Systems Management initiatives and strategies  
21 recommended in the October 2001 report by the Inter-  
22 agency Task Force of the National Capital Planning Com-  
23 mission in coordination with the National Capital Plan-  
24 ning Commission.

1 FEDERAL PAYMENT FOR ANACOSTIA WATERFRONT  
2 INITIATIVE IN THE DISTRICT OF COLUMBIA

3 For a Federal payment to the District of Columbia  
4 for implementation of the Anacostia Waterfront Initiative,  
5 \$58,000,000, to remain available until expended, of which  
6 \$50,000,000 shall be for the District of Columbia Water  
7 and Sewer Authority for the Combined Sewer Overflow  
8 Long-Term Control Plan, to be used for system design  
9 and upgrades: *Provided*, That the District of Columbia  
10 Water and Sewer Authority provides a 100 percent match  
11 for the fiscal year 2003 Federal contribution of  
12 \$50,000,000 to begin implementing the multi-year Long-  
13 Term Control Plan: *Provided further*, That \$8,000,000 of  
14 the funds made available under this heading, shall be for  
15 environmental and infrastructure costs related to develop-  
16 ment of parks and recreation facilities on the Anacostia  
17 River.

18 FEDERAL PAYMENT FOR CAPITAL INFRASTRUCTURE  
19 DEVELOPMENT

20 For a Federal payment to the District of Columbia  
21 for improvement of city-wide capital infrastructure,  
22 \$15,100,000, of which \$10,000,000 shall be for construc-  
23 tion of interoperable communications infrastructure in the  
24 Unified Communications Center; \$100,000 shall be for  
25 capital improvements of Eastern Market; and \$5,000,000

1 shall be to begin the design and construction of a state-  
 2 of-the-art forensics laboratory.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
 4 FOR FAMILY LITERACY

5 For a Federal payment to the District of Columbia,  
 6 \$4,000,000, shall be for the Family Literacy Program to  
 7 address the needs of literacy-challenged parents while en-  
 8 dowing their children with an appreciation for literacy and  
 9 strengthening familial ties.

10 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
 11 FOR CHARTER SCHOOL FACILITIES

12 For a Federal Payment to the District of Columbia  
 13 for development of Charter School facilities, \$20,000,000,  
 14 to remain available until expended, to be allocated as fol-  
 15 lows:

16 (1) ADMINISTRATION AND SUPPORT.—  
 17 \$1,000,000 for administration and contracting costs  
 18 of the Office of Charter School Financing and Sup-  
 19 port to administer the Credit Enhancement Fund  
 20 for Public Charter Schools, the Direct Loan Pro-  
 21 gram, and other public charter school financing pro-  
 22 grams and support services as requested by the  
 23 Mayor and Council of the District of Columbia.

24 (2) CREDIT ENHANCEMENT FUND FOR PUBLIC  
 25 CHARTER SCHOOLS.—\$5,000,000 to be deposited in,

1 and administered through, the credit enhancement  
2 revolving fund established under section 603(e) of  
3 the Student Loan Marketing Association Reorga-  
4 nization Act of 1996 (Public Law 104–208; 110  
5 Stat. 3009–293), as amended by the Fiscal Year  
6 2002 District of Columbia Appropriations Act (Pub-  
7 lic Law 107–96; 115 Stat. 936) and this Act.

8 (3) DIRECT LOAN FUND FOR CHARTER SCHOOL  
9 IMPROVEMENT.—\$10,000,000 for a Direct Loan  
10 Fund for Charter School Improvement, to be admin-  
11 istered by the Office of Charter School Financing  
12 and Support: *Provided*, That loans distributed to  
13 charter schools from these funds shall not exceed  
14 \$2,000,000 per charter school.

15 (4) PER PUPIL ALLOCATION.—\$4,000,000 shall  
16 be used by the District of Columbia to supplement  
17 the per pupil facilities allocation to public charter  
18 schools in fiscal year 2003: *Provided*, That the per  
19 pupil facilities allocation to public charter schools  
20 shall not be less than \$1,500.

## 21 ADMINISTRATIVE PROVISIONS

22 SEC. 6. CHARTER SCHOOL DEVELOPMENT. Section  
23 603(e) of the Student Loan Marketing Association Reor-  
24 ganization Act of 1996 (Public Law 104–208; 110 Stat.  
25 3009–293), as amended by section 153 of the District of

1 Columbia Appropriations Act, 2000, is amended by insert-  
2 ing the following new paragraphs—

3 “(3) OFFICE OF CHARTER SCHOOL FINANCING  
4 AND SUPPORT.—

5 “(A) ESTABLISHMENT.—There is estab-  
6 lished within the District of Columbia, under  
7 the authority of the Department of Banking  
8 and Financial Institutions, an Office of Public  
9 Charter School Financing and Support.

10 “(B) FUNCTIONS.—The office shall have  
11 the following three functions—

12 “(i) CREDIT ENHANCEMENT FUND.—  
13 To administer the Credit Enhancement  
14 Fund for Public Charter Schools.

15 “(ii) DIRECT LOAN PROGRAM.—To  
16 administer the Direct Loan Program.

17 “(iii) OTHER.—To develop, implement  
18 and provide oversight for other public  
19 charter school financing programs and  
20 support services as requested by the Mayor  
21 and the Council of the District of Colum-  
22 bia.

23 “(C) CONTRACT AUTHORITY.—The func-  
24 tions described in sections (1), (2) and (3) may  
25 be provided by the Office of Public Charter

1 School Financing and Support or under con-  
2 tract with a qualified provider.

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

5 “(A) ADMINISTRATION OF PROGRAM.—The  
6 Credit Enhancement Fund for Charter Schools  
7 shall be administered by the Office of Charter  
8 School Financing and Support.

9 “(B) DISTRIBUTION OF AMOUNTS.—Of the  
10 amounts in the credit enhancement fund estab-  
11 lished under paragraph (2)(B)—

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

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

16 “(5) DIRECT LOAN FUND FOR CHARTER  
17 SCHOOL IMPROVEMENT.—

18 “(A) ESTABLISHMENT.—There is estab-  
19 lished a Direct Loan Fund for Charter School  
20 Improvement.

21 “(B) ADMINISTRATION OF PROGRAM.—The  
22 Direct Loan Fund for Charter School Improve-  
23 ment shall be administered by the Office of  
24 Charter School Financing and Support.

1           “(C) USE OF FUNDS.—Funds distributed  
2 under this paragraph shall be for construction,  
3 purchase, renovation, and maintenance of char-  
4 ter school facilities.

5           “(D) AMOUNT OF LOANS.—Loans distrib-  
6 uted under this paragraph shall not exceed  
7 \$2,000,000 per charter school.

8           “(E) INTEREST AND TERMS.—The Office  
9 of Charter School Financing and Support shall  
10 determine what interest rates and terms apply  
11 to loans granted under this part. In deter-  
12 mining the rates and terms of a loan granted  
13 to a charter school, the Office of Charter School  
14 Financing and Support should do its best to  
15 provide low interest options and flexible terms.

16           “(F) ELIGIBLE ENTITY.—To be eligible for  
17 a loan under this paragraph, an applicant shall  
18 be—

19           “(i) A public charter school approved  
20 pursuant to the School Reform Act by the  
21 Chartering Authority of the District of Co-  
22 lumbia.

23           “(ii) Meeting or exceeding its per-  
24 formance goals as outlined in its origi-  
25 nating charter.

1                   “(G) USE OF PER PUPIL FACILITIES AL-  
2                   LOWANCE IN REPAYMENT OF LOANS.—In re-  
3                   paying a loan granted under this paragraph, a  
4                   debtor may use facility maintenance funds  
5                   granted to them by the District of Columbia  
6                   Public Schools.”.

7           SEC. 7. REPORT TO CONGRESS. No later than April  
8 1, 2003, the Comptroller General of the General Account-  
9 ing Office shall prepare and submit to the Committees on  
10 Appropriations of the Senate and the House of Represent-  
11 atives, a detailed analysis of the national effort to establish  
12 adequate charter school facilities including a comparison  
13 to the efforts in the District of Columbia: *Provided*, That  
14 such report shall include recommendations for establishing  
15 interim facilities from which new charter schools can begin  
16 and remain in operation until the charter schools can ac-  
17 quire permanent facilities, but not more than four years:  
18 *Provided further*, That the report shall examine the tech-  
19 nical assistance to charter school administrators necessary  
20 to acquire permanent facilities once tenure in an interim  
21 facility has concluded: *Provided further*, That in prepara-  
22 tion of this report, the General Accounting Office shall  
23 consult with the General Services Administration, as well  
24 as experts with knowledge of the District of Columbia in  
25 the following specific areas: real estate development, char-

1 ter school management, equity development and manage-  
2 ment, banking, municipal finance, and education: *Provided*  
3 *further*, That the General Accounting Office shall also con-  
4 sult with District of Columbia officials and charter school  
5 experts including, the Mayor, members of the Council, the  
6 Chief Financial Officer, the Superintendent of the District  
7 of Columbia Public Schools, the President of the District  
8 of Columbia Board of Education, the District of Columbia  
9 Public Charter School Board, and the District of Colum-  
10 bia Charter School Consortium: *Provided further*, That the  
11 Mayor of the District of Columbia and the Chairman of  
12 the Council of the District of Columbia shall develop, in  
13 consultation with the Chief Financial Officer of the Dis-  
14 trict of Columbia, the Superintendent of the District of  
15 Columbia Public Schools, the President of the District of  
16 Columbia Board of Education, the District of Columbia  
17 Public Charter School Board, and the District of Colum-  
18 bia Charter School Consortium, as well as representatives  
19 of parents, advocacy groups and the private sector, a plan  
20 for establishing such interim facilities for charter schools  
21 in the District of Columbia: *Provided further*, That such  
22 plan shall include a response to recommendations set forth  
23 by the General Accounting Office report and a proposed  
24 time line for implementation of the plan: *Provided further*,  
25 That the city shall submit this plan to the Committees

1 on Appropriations of the Senate and the House of Rep-  
2 resentatives no later than six months from the time the  
3 General Accounting Office report is received by the Gov-  
4 ernment of the District of Columbia.

5       SEC. 8. SURPLUS BUILDINGS. The Mayor of the Dis-  
6 trict of Columbia and the Chairman of the Council of the  
7 District of Columbia, in consultation with the General  
8 Services Administration, shall conduct an assessment of  
9 all buildings currently held in surplus and those that  
10 might be made available within one year of the date of  
11 enactment of this Act: *Provided*, That such assessment in-  
12 clude a survey of the space available, a listing of appro-  
13 priate uses, a listing of potential occupants, and the ren-  
14 ovations or construction necessary to accommodate pro-  
15 posed uses: *Provided further*, That within 180 days of en-  
16 actment, the Mayor shall report to the Committees on Ap-  
17 propriations of the Senate and the House of Representa-  
18 tives the findings of such assessment along with a plan  
19 for occupying at least 50 percent of the space available  
20 at the time such report is submitted: *Provided further*,  
21 That assignments of space included in this plan shall be  
22 in compliance with preferences outlined in the D.C. School  
23 Reform Act.

24       SEC. 9. CLOSURE OF LOW PERFORMING CHARTER  
25 SCHOOLS. The Mayor of the District of Columbia and the

1 Chairman of the Council of the District of Columbia shall  
2 report to the Committees on Appropriations of the Senate  
3 and the House of Representatives no later than August  
4 26, 2002, detailing the actions taken to close poor per-  
5 forming charter schools in the District of Columbia: *Pro-*  
6 *vided*, That such report shall detail the reasons necessi-  
7 tating the closure of such poor performing charter schools,  
8 the process, steps taken in effecting that closure and the  
9 delay, if any, in such closure.

10 SEC. 10. INCENTIVES TO PROMOTE THE ADOPTION  
11 OF CHILDREN. The Mayor of the District of Columbia,  
12 in administering funds provided under the heading “Fed-  
13 eral Payment for Incentives for Adoption of Children” in  
14 Public Law 106–113 (113 Stat. 1501), approved Novem-  
15 ber 29, 1999, as modified by Public Law 107–96 (115  
16 Stat. 924), approved December 21, 2001, shall establish  
17 and fulfill the following performance measures within nine  
18 months of the date of enactment of this Act: (i) the Chief  
19 Financial Officer of the District of Columbia shall certify  
20 that not less than 50 percent of the funds provided for  
21 attorney fees and home studies have been expended; (ii)  
22 the Mayor shall establish an outreach program to inform  
23 adoptive families and children without parents about the  
24 scholarship fund established with these funds; (iii) the  
25 Mayor shall establish the location, necessary personnel

1 and mission of the adoptive family resource center in the  
2 District of Columbia; (iv) the Mayor shall identify not less  
3 than 25 percent of the eligible children in the District of  
4 Columbia foster care system with special needs and obli-  
5 gate not less than 25 percent of the funds provided in  
6 Public Law 106–113 (113 Stat. 1501) for adoption incen-  
7 tives and support for children with special needs: *Provided,*  
8 That the Mayor of the District of Columbia and the Chair-  
9 man of the Council of the District of Columbia shall pro-  
10 vide quarterly reports beginning on the date of enactment  
11 of this Act to the Committees on Appropriations of the  
12 Senate and the House of Representatives, detailing the ex-  
13 penditure of funds provided for the promotion of adoption  
14 and performance in actually promoting adoption; and (v)  
15 the Mayor and Child and Family Services Agency of the  
16 District of Columbia shall increase the number of waiting  
17 children listed in the Child and Family Services Agency  
18 of the District of Columbia adoption photo-listing by 75  
19 percent.

20 SEC. 11. SPECIAL EDUCATION ACCOUNTABILITY.

21 The Chief Financial Officer of the District of Columbia  
22 shall require attorneys in special education cases brought  
23 under the Individuals with Disabilities Act (IDEA) in the  
24 District of Columbia to certify in writing that the attorney  
25 or representative rendered any and all services for which

1 they receive awards, including those received under a set-  
 2 tlement agreement or as part of an administrative pro-  
 3 ceeding, under the IDEA from the District of Columbia:  
 4 *Provided*, That as part of the certification, the Chief Fi-  
 5 nancial Officer of the District of Columbia require all at-  
 6 torneys in IDEA cases to disclose any financial, corporate,  
 7 legal, memberships on boards of directors, or other rela-  
 8 tionships with any special education diagnostic services,  
 9 schools, or other special education service providers to  
 10 which the attorneys have referred any clients as part of  
 11 this certification: *Provided further*, That the Chief Finan-  
 12 cial Officer shall prepare and submit quarterly reports to  
 13 the Committees on Appropriations of the Senate and the  
 14 House of Representatives on the certification of and the  
 15 amount paid by the government of the District of Colum-  
 16 bia, including the District of Columbia Public Schools, to  
 17 attorneys in cases brought under IDEA: *Provided further*,  
 18 That the Inspector General of the District of Columbia  
 19 may conduct investigations to determine the accuracy of  
 20 the certifications.

21                   DISTRICT OF COLUMBIA FUNDS

22                               OPERATING EXPENSES

23                                       DIVISION OF EXPENSES

24           The following amounts are appropriated for the Dis-  
 25 trict of Columbia for the current fiscal year out of the

1 general fund of the District of Columbia, except as other-  
2 wise specifically provided: *Provided*, That notwithstanding  
3 any other provision of law, except as provided in section  
4 450A of the District of Columbia Home Rule Act and sec-  
5 tion 119 of this Act (Public Law 93–198; D.C. Official  
6 Code, sec. 1–204.50a), the total amount appropriated in  
7 this Act for operating expenses for the District of Colum-  
8 bia for fiscal year 2003 under this heading shall not ex-  
9 ceed the lesser of the sum of the total revenues of the  
10 District of Columbia for such fiscal year or  
11 \$7,419,886,780 (of which \$3,783,948,000 shall be from  
12 local funds, \$1,824,578,000 shall be from Federal funds,  
13 and \$879,813,000 shall be from private and other funds)  
14 and \$156,121,000 from intra-District funds: *Provided fur-*  
15 *ther*, That this amount may be increased by proceeds of  
16 one-time transactions, which are expended for emergency  
17 or unanticipated operating or capital needs: *Provided fur-*  
18 *ther*, That such increases shall be approved by enactment  
19 of local District law and shall comply with all reserve re-  
20 quirements contained in the District of Columbia Home  
21 Rule Act as amended by this Act: *Provided further*, That  
22 the Chief Financial Officer of the District of Columbia  
23 shall take such steps as are necessary to assure that the  
24 District of Columbia meets these requirements, including  
25 the apportioning by the Chief Financial Officer of the ap-

1 appropriations and funds made available to the District dur-  
2 ing fiscal year 2003, except that the Chief Financial Offi-  
3 cer may not reprogram for operating expenses any funds  
4 derived from bonds, notes, or other obligations issued for  
5 capital projects.

6 GOVERNMENTAL DIRECTION AND SUPPORT

7 Governmental direction and support, \$295,136,000  
8 (including \$225,234,000 from local funds, \$51,554,000  
9 from Federal funds, and \$18,348,000 from other funds):  
10 *Provided*, That not to exceed \$2,500 for the Mayor,  
11 \$2,500 for the Chairman of the Council of the District  
12 of Columbia, and \$2,500 for the City Administrator shall  
13 be available from this appropriation for official purposes,  
14 and \$2,500 for the Office of the Chief Financial Officer:  
15 *Provided further*, That any program fees collected from the  
16 issuance of debt shall be available for the payment of ex-  
17 penses of the debt management program of the District  
18 of Columbia: *Provided further*, That no revenues from  
19 Federal sources shall be used to support the operations  
20 or activities of the Statehood Commission and Statehood  
21 Compact Commission: *Provided further*, That the District  
22 of Columbia shall identify the sources of funding for Ad-  
23 mission to Statehood from its own locally-generated reve-  
24 nues: *Provided further*, That notwithstanding any other  
25 provision of law, or Mayor's Order 86-45, issued March

1 18, 1986, the Office of the Chief Technology Officer's del-  
2 egated small purchase authority shall be \$500,000: *Pro-*  
3 *vided further*, That the District of Columbia government  
4 may not require the Office of the Chief Technology Officer  
5 to submit to any other procurement review process, or to  
6 obtain the approval of or be restricted in any manner by  
7 any official or employee of the District of Columbia gov-  
8 ernment, for purchases that do not exceed \$500,000: *Pro-*  
9 *vided further*, That of all funds in the District of Columbia  
10 Antitrust Fund established pursuant to section 2 of the  
11 District of Columbia Antitrust Act of 1980, effective  
12 March 5, 1981 (D.C. Law 3-169; D.C. Official Code § 28-  
13 4516), an amount not to exceed \$500,000, of all funds  
14 in the Antifraud Fund established pursuant to section 820  
15 of the District of Columbia Procurement Practices Act of  
16 1985, effective February 21, 1986 (D.C. Law 6-85; D.C.  
17 Official Code § 2-308.20), an amount not to exceed  
18 \$100,000, and of all funds in the District of Columbia  
19 Consumer Protection Fund established pursuant to sec-  
20 tion 1402 of the District of Columbia Budget Support Act  
21 for Fiscal Year 2001, effective October 19, 2000 (D.C.  
22 Law 13-172; D.C. Official Code § 28-3911), an amount  
23 not to exceed \$910,000, are hereby made available for the  
24 use of the Office of the Corporation Counsel of the District  
25 of Columbia until September 30, 2004, in accordance with

1 the statutes that established these funds: *Provided further*,  
 2 That \$15,000,000, from funds appropriated earlier in this  
 3 Act as a Federal Payment to the Chief Financial Officer  
 4 of the District of Columbia, shall be administered by the  
 5 Chief Financial Officer for education, security, economic  
 6 development, and health initiatives in the District of Co-  
 7 lumbia.

8           ECONOMIC DEVELOPMENT AND REGULATION

9           Economic development and regulation, \$258,539,000  
 10 (including \$64,553,000 from local funds, \$97,796,000  
 11 from Federal funds, and \$96,190,000 from other funds),  
 12 of which \$15,000,000 collected by the District of Colum-  
 13 bia in the form of BID tax revenue shall be paid to the  
 14 respective BIDs pursuant to the Business Improvement  
 15 Districts Act of 1996 (D.C. Law 11–134; D.C. Official  
 16 Code, sec. 2–1215.01 et seq.), and the Business Improve-  
 17 ment Districts Amendment Act of 1997 (D.C. Law 12–  
 18 26; D.C. Official Code, sec. 2–1215.15 et seq.): *Provided*,  
 19 That such funds are available for acquiring services pro-  
 20 vided by the General Services Administration: *Provided*  
 21 *further*, That Business Improvement Districts shall be ex-  
 22 empt from taxes levied by the District of Columbia: *Pro-*  
 23 *vided further*, That \$725,400, of which no amount may  
 24 be expended for administrative expenses, shall be available  
 25 to Department of Employment Services when the Council

1 Committee on Public Services approves a spending plan  
2 prepared and submitted, by the agency, to the Committee  
3 on Public Services for its approval.

4 PUBLIC SAFETY AND JUSTICE

5 Public safety and justice, \$639,892,000 (including  
6 \$620,039,000 from local funds, \$11,329,000 from Federal  
7 funds, and \$8,524,000 from other funds): *Provided*, That  
8 not to exceed \$500,000 shall be available from this appro-  
9 priation for the Chief of Police for the prevention and de-  
10 tection of crime: *Provided further*, That not less than  
11 \$240,000 shall be for the Corrections Information Coun-  
12 cil, established by section 11201(g) of the National Capital  
13 Revitalization and Self-Government Improvement Act of  
14 1997, approved August 5, 1997 (111 Stat. 736; D.C. Offi-  
15 cial Code, sec. 24–101(h)), to support its operations and  
16 perform its duties; not less than \$169,000 shall be for the  
17 Criminal Justice Coordinating Council, established by the  
18 Criminal Justice Coordinating Council for the District of  
19 Columbia Establishment Act of 2001, effective October 3,  
20 2001 (D.C. Law 14–28; D.C. Official Code, sec. 22–4231  
21 et seq.), to support its operations and perform its duties:  
22 *Provided further*, That the Mayor shall reimburse the Dis-  
23 trict of Columbia National Guard for expenses incurred  
24 in connection with services that are performed in emer-  
25 gencies by the National Guard in a militia status and are

1 requested by the Mayor, in amounts that shall be jointly  
2 determined and certified as due and payable for these  
3 services by the Mayor and the Commanding General of  
4 the District of Columbia National Guard: *Provided further*,  
5 That such sums as may be necessary for reimbursement  
6 to the District of Columbia National Guard under the pre-  
7 ceding proviso shall be available from this appropriation,  
8 and the availability of the sums shall be deemed as consti-  
9 tuting payment in advance for emergency services in-  
10 volved.

11 PUBLIC EDUCATION SYSTEM

12 (INCLUDING TRANSFER OF FUNDS)

13 Public education system, including the development  
14 of national defense education programs, \$1,220,201,000  
15 (including \$980,206,000 from local funds, \$208,870,000  
16 from Federal funds, \$31,525,000 from other funds), and  
17 an additional amount, not to exceed \$27,000,000, which  
18 may be transferred from the Medicaid and Special Edu-  
19 cation Reform Fund, established by the Medicaid and Spe-  
20 cial Education Reform Fund Establishment Act of 2002,  
21 approved by the Council of the District of Columbia on  
22 1st reading on May 7, 2002 (Bill 14–609): to be allocated  
23 as follows:

24 (1) PUBLIC SCHOOLS FOR THE DISTRICT OF  
25 COLUMBIA.—\$903,157,000 (including \$743,715,000

1 from local funds, \$147,800,000 from Federal funds,  
2 \$11,642,000 from other funds, for the public schools  
3 of the District of Columbia), and an additional  
4 amount, not to exceed \$27,000,000 in local funds,  
5 which may be transferred from the Medicaid and  
6 Special Education Reform Fund, established by the  
7 Medicaid and Special Education Reform Fund Es-  
8 tablishment Act of 2002, approved by the Council of  
9 the District of Columbia on 1st reading on May 7,  
10 2002 (Bill 14–609): *Provided*, That notwithstanding  
11 any other provision of law, rule, or regulation, the  
12 evaluation process and instruments for evaluating  
13 District of Columbia Public School employees shall  
14 be a non-negotiable item for collective bargaining  
15 purposes: *Provided further*, That this appropriation  
16 shall not be available to subsidize the education of  
17 any nonresident of the District of Columbia at any  
18 District of Columbia public elementary and sec-  
19 ondary school during fiscal year 2003 unless the  
20 nonresident pays tuition to the District of Columbia  
21 at a rate that covers 100 percent of the costs in-  
22 curred by the District of Columbia which are attrib-  
23 utable to the education of the nonresident (as estab-  
24 lished by the Superintendent of the District of Co-  
25 lumbia Public Schools): *Provided further*, That not-

1 withstanding the amounts otherwise provided under  
2 this heading or any other provision of law, there  
3 shall be appropriated to the District of Columbia  
4 Public Schools on July 1, 2003, an amount equal to  
5 10 percent of the total amount provided for the Dis-  
6 trict of Columbia Public Schools in the proposed  
7 budget of the District of Columbia for fiscal year  
8 2004 (as submitted to Congress), and the amount of  
9 such payment shall be chargeable against the final  
10 amount provided for the District of Columbia Public  
11 Schools under the District of Columbia Appropria-  
12 tions Act, 2004: *Provided further*, That the District  
13 of Columbia Public Schools shall not spend less than  
14 \$496,000,000 in the “Schools” responsibility cen-  
15 ters, including 5100 (Elementary Schools), 6300  
16 (Middle/Junior High Schools), 7100 (Senior High  
17 Schools), and 7700 (Charter and Private Schools):  
18 *Provided further*, That \$16,800,000 shall be for ne-  
19 gotiated teacher wage increases.

20 (2) THE STATE EDUCATION OFFICE.—  
21 \$49,687,000 (including \$22,594,000 from local  
22 funds, \$26,917,000 from Federal funds, \$176,000  
23 from other funds), shall be available for the State  
24 Education Office: *Provided*, That of the amounts  
25 provided to the State Education Office, \$500,000

1 from local funds shall remain available until June  
2 30, 2004 for an audit of the student enrollment of  
3 each District of Columbia Public School and of each  
4 public charter school.

5 (3) THE DISTRICT OF COLUMBIA PUBLIC CHAR-  
6 TER SCHOOLS.—\$132,865,000 from local funds shall  
7 be available for public charter schools: *Provided*,  
8 That there shall be quarterly disbursement of funds  
9 to the District of Columbia public charter schools,  
10 with the first payment to occur within 15 days of  
11 the beginning of each fiscal year: *Provided further*,  
12 That if the entirety of this allocation has not been  
13 provided as payments to any public charter school  
14 currently in operation through the per pupil funding  
15 formula, the funds shall be available in accordance  
16 with the School Reform Act of 1995 (Public Law  
17 105–100, sec. 172; D.C. Official Code, sec. 38–  
18 1804.03(b)(2)): *Provided further*, That of the  
19 amounts made available to public charter schools,  
20 \$25,000 shall be made available to the Office of the  
21 Chief Financial Officer as authorized by D.C. Offi-  
22 cial Code, sec. 38–1804.03(b)(6): *Provided further*,  
23 That \$589,000 of this amount shall be available to  
24 the District of Columbia Public Charter School  
25 Board for administrative costs: *Provided further*,

1 That notwithstanding the amounts otherwise pro-  
2 vided under this heading or any other provision of  
3 law, there shall be appropriated to the District of  
4 Columbia public charter schools on July 1, 2003, an  
5 amount equal to 25 percent of the total amount pro-  
6 vided for payments to public charter schools in the  
7 proposed budget of the District of Columbia for fis-  
8 cal year 2004 (as submitted to Congress), and the  
9 amount of such payment shall be chargeable against  
10 the final amount provided for such payments under  
11 the District of Columbia Appropriations Act, 2004.

12 (4) THE UNIVERSITY OF THE DISTRICT OF CO-  
13 LUMBIA.—\$83,990,000 (including \$52,272,000 from  
14 local funds, \$12,668,000 from Federal funds, and  
15 \$19,050,000 from other funds) shall be available for  
16 the University of the District of Columbia: *Provided,*  
17 That this appropriation shall not be available to sub-  
18 sidize the education of nonresidents of the District  
19 of Columbia at the University of the District of Co-  
20 lumbia, unless the Board of Trustees of the Univer-  
21 sity of the District of Columbia adopts, for the fiscal  
22 year ending September 30, 2003, a tuition rate  
23 schedule that will establish the tuition rate for non-  
24 resident students at a level no lower than the non-  
25 resident tuition rate charged at comparable public

1 institutions of higher education in the metropolitan  
2 area: *Provided further*, That notwithstanding the  
3 amounts otherwise provided under this heading or  
4 any other provision of law, there shall be appro-  
5 priated to the University of the District of Columbia  
6 on July 1, 2003, an amount equal to 10 percent of  
7 the total amount provided for the University of the  
8 District of Columbia in the proposed budget of the  
9 District of Columbia for fiscal year 2004 (as sub-  
10 mitted to Congress), and the amount of such pay-  
11 ment shall be chargeable against the final amount  
12 provided for the University of the District of Colum-  
13 bia under the District of Columbia Appropriations  
14 Act, 2004: *Provided further*, That not to exceed  
15 \$2,500 for the President of the University of the  
16 District of Columbia shall be available from this ap-  
17 propriation for official purposes.

18 (5) THE DISTRICT OF COLUMBIA PUBLIC LI-  
19 BRARY.—\$28,150,000 (including \$27,003,000 from  
20 local funds, \$610,000 from Federal funds and  
21 \$537,000 other funds) shall be available for the  
22 Public Library: *Provided*, That not to exceed \$2,000  
23 for the Public Librarian shall be available from this  
24 appropriation for official purposes.

1           (6) THE COMMISSION ON THE ARTS AND HU-  
 2           MANITIES.—\$2,352,000 (including \$1,757,000 from  
 3           local funds, \$475,000 from Federal funds and  
 4           \$120,000 from other funds) shall be available for  
 5           the Commission on the Arts and Humanities.

6           (7) CHARTER SCHOOL FACILITIES.—  
 7           \$20,000,000, from funds appropriated earlier in this  
 8           Act as a Federal Payment, to remain available until  
 9           expended, for development of Charter School facili-  
 10          ties in the District of Columbia.

11                           ADMINISTRATIVE PROVISION

12          SEC. 12. CHARTER SCHOOL FUND. The School Re-  
 13          form Act of 1995, approved November 19, 1997 (Public  
 14          Law 105–100, sec. 172; 111 Stat. 2191; D.C. Official  
 15          Code, sec. 38–1804.03(b)), is amended to read as follows:

16          “(b) PAYMENTS TO CHARTER SCHOOLS.—

17                  “(1) ESTABLISHMENT OF FUND.—The fund  
 18                  previously established in the general fund of the Dis-  
 19                  trict of Columbia known as the ‘New Charter School  
 20                  Fund’ shall now be known as the ‘Charter School  
 21                  Fund’.

22                  “(2) CONTENTS OF FUND.—The Charter  
 23                  School Fund shall consist of:

24                          “(A) unexpended and unobligated amounts  
 25                          appropriated from local funds for public charter

1 schools for each fiscal year that reverted to the  
 2 general fund of the District of Columbia: *Pro-*  
 3 *vided*, That the amount of funds deposited shall  
 4 not be an amount greater than is necessary to  
 5 reach a balance of \$10,000,000 from the fiscal  
 6 year 2002 appropriation, and \$5,000,000 from  
 7 fiscal year 2003 and succeeding years appro-  
 8 priation; and

9 “(B) any interest earned on such amounts,  
 10 to carry out the purposes described in para-  
 11 graph (3) of this subsection.

12 “(3) PURPOSES OF FUND.—The Charter School  
 13 Fund shall be used to carry out the activities to as-  
 14 sist public charter schools in the District of Colum-  
 15 bia in providing funding in such cases where the  
 16 total audited enrollment, including enrollment in  
 17 special needs categories, exceeds that of the student  
 18 enrollment on which the annual appropriation is  
 19 based in that fiscal year.

20 “(4) EXPENDITURES FROM FUND.—

21 “(A) EXPENDITURES FROM THE FUND  
 22 FOR ENROLLMENT IN EXCESS OF ANNUAL PUB-  
 23 LIC CHARTER SCHOOL PROJECTIONS.—Funds  
 24 shall be available from the Charter School Fund  
 25 for any public charter school operating in that

1 fiscal year, in such cases where the total au-  
 2 dited enrollment, including enrollment in special  
 3 needs categories, exceeds that of the student  
 4 enrollment on which the annual appropriation is  
 5 based in that fiscal year.

6 “(B) FORM OF PAYMENT.—Payments  
 7 under this subsection shall be made by elec-  
 8 tronic funds transfer from the Charter School  
 9 Fund to a bank designated by a public charter  
 10 school.

11 “(5) AUTHORIZATION OF APPROPRIATIONS.—  
 12 There are authorized to be appropriated to the Chief  
 13 Financial Officer of the District of Columbia such  
 14 sums as may be necessary to carry out the purposes  
 15 of this subsection for each fiscal year.”.

#### 16 HUMAN SUPPORT SERVICES

17 (INCLUDING TRANSFER OF FUNDS)

18 Human support services, \$2,500,297,000 (including  
 19 \$1,069,630,000 from local funds, \$1,377,680,000 from  
 20 Federal funds, and \$52,987,000 from other funds): *Pro-*  
 21 *vided*, That an additional amount of \$23,867,000 from  
 22 funds appropriated in this Act under the heading “To-  
 23 bacco Settlement Trust Fund Transfer Payment”, which  
 24 may be transferred from the Medicaid and Special Edu-  
 25 cation Reform Fund, established by the Medicaid and Spe-

1 cial Education Reform Fund Establishment Act of 2002,  
2 approved by the Council of the District of Columbia on  
3 1st reading on May 7, 2002 (Bill 14–609), of which, not  
4 to exceed, \$7,072,000 for Child and Family Services,  
5 \$5,795,000 for the Department of Human Services, and  
6 \$1,000,000 for the Department of Health: *Provided fur-*  
7 *ther*, That \$49,867,000, to remain available until ex-  
8 pended, shall be deposited in the Medicaid and Special  
9 Education Reform Fund for the purpose of ensuring there  
10 are adequate resources available to support Medicaid costs  
11 and revenue shortfalls: *Provided further*, That  
12 \$27,959,000, to remain available until expended, shall be  
13 available solely for District of Columbia employees’ dis-  
14 ability compensation: *Provided further*, That \$7,000,000,  
15 to remain available until expended, shall be deposited in  
16 the Addiction Recovery Fund, established pursuant to sec-  
17 tion 5 of the Choice in Drug Treatment Act of 2000, effec-  
18 tive July 8, 2000 (D.C. Law 13–146; D.C. Official Code,  
19 sec. 7–3004), and used exclusively for the purpose of the  
20 Drug Treatment Choice Program, established pursuant to  
21 section 4 of the Choice in Drug Treatment Act of 2000  
22 (D.C. Law 13–146; D.C. Official Code, sec. 7–3003): *Pro-*  
23 *vided further*, That no less than \$2,000,000 shall be avail-  
24 able exclusively for the purpose of funding the pilot sub-  
25 stance abuse program for youths 16 through 21 years of

1 age established by section 4212 of the Pilot Substance  
2 Abuse Program for Youth Act of 2001, effective October  
3 3, 2001 (D.C. Law 14–28; D.C. Official Code, sec. 7–  
4 3101): *Provided further*, That \$7,309,000 of this appro-  
5 priation, to remain available until expended, shall be de-  
6 posited in the Interim Disability Assistance Fund to be  
7 used exclusively for the Interim Disability Assistance pro-  
8 gram established by section 201 of the District of Colum-  
9 bia Public Assistance Act of 1982, effective April 6, 1982  
10 (D.C. Law 4–101; D.C. Official Code, sec. 4–202.01), and  
11 the purposes for that program set forth in section 407  
12 of the District of Columbia Public Assistance Act of 1982,  
13 effective April 3, 2001 (D.C. Law 13–252; D.C. Official  
14 Code, sec. 4–204.07): *Provided further*, That no less than  
15 \$500,000 shall be available exclusively for the Mobile Cri-  
16 sis Intervention Program for Kids: *Provided further*, That  
17 the paragraph under the heading “Human Support Serv-  
18 ices” in Public Law 107–96, approved December 21,  
19 2001, is amended to add the following: “: *Provided further*,  
20 That \$2,468,000 shall remain available until expended for  
21 Interim Disability Assistance”: *Provided further*, That  
22 \$4,000,000, from funds previously appropriated in this  
23 Act as a Federal Payment for Family Literacy, shall be  
24 used for the Family Literacy Program in the District of  
25 Columbia.

## 1 PUBLIC WORKS

2 Public works, including rental of one passenger-car-  
3 rying vehicle for use by the Mayor and three passenger-  
4 carrying vehicles for use by the Council of the District of  
5 Columbia and leasing of passenger-carrying vehicles,  
6 \$324,828,000 (including \$309,834,000 from local funds,  
7 \$4,669,000 from Federal funds, and \$10,325,000 from  
8 other funds): *Provided*, That this appropriation shall not  
9 be available for collecting ashes or miscellaneous refuse  
10 from hotels and places of business.

## 11 WORKFORCE INVESTMENTS

12 For workforce investments, \$54,186,000 from local  
13 funds, to be transferred by the Mayor of the District of  
14 Columbia within the various appropriation headings in  
15 this Act for which employees are properly payable.

## 16 RESERVE

17 For replacement of funds expended, if any, during  
18 fiscal year 2002 from the Reserve established by section  
19 202(j) of the District of Columbia Financial Responsibility  
20 and Management Assistance Act of 1995, Public Law  
21 104–8, \$70,000,000 from local funds.

## 22 EMERGENCY AND CONTINGENCY RESERVE FUNDS

23 For the Emergency and Contingency Reserve Funds  
24 established under section 450A(b) of the District of Co-  
25 lumbia Home Rule Act (Public Law 93–198; D.C. Official

1 Code, sec. 1–204.50a(b)), the Mayor may deposit from  
2 local funds the proceeds required to maintain balance re-  
3 quirements pursuant to section 159(a) of Public Law 106–  
4 522 and section 404(c) of Public Law 106–554.

5           REPAYMENT OF LOANS AND INTEREST

6           For payment of principal, interest, and certain fees  
7 directly resulting from borrowing by the District of Co-  
8 lumbia to fund District of Columbia capital projects as  
9 authorized by sections 462, 475, and 490 of the District  
10 of Columbia Home Rule Act (Public Law 93–198; D.C.  
11 Official Code, secs. 1–204.62, 1–204.75, 1–204.90),  
12 \$267,451,000 from local funds: *Provided*, That for equip-  
13 ment leases, the Mayor may finance \$14,300,000 of equip-  
14 ment cost, plus cost of issuance not to exceed 2 percent  
15 of the par amount being financed on a lease purchase  
16 basis with a maturity not to exceed 5 years.

17          REPAYMENT OF GENERAL FUND RECOVERY DEBT

18          For the purpose of eliminating the \$331,589,000  
19 general fund accumulated deficit as of September 30,  
20 1990, \$39,300,000 from local funds, as authorized by sec-  
21 tion 461(a) of the District of Columbia Home Rule Act,  
22 (105 Stat. 540; D.C. Official Code, sec. 1–204.61(a)).

23          PAYMENT OF INTEREST ON SHORT-TERM BORROWING

24          For payment of interest on short-term borrowing,  
25 \$1,000,000 from local funds.

## 1 WILSON BUILDING

2 For expenses associated with the John A. Wilson  
3 Building, \$4,194,000 from local funds.

## 4 NON-DEPARTMENTAL AGENCY

5 To account for anticipated costs that cannot be allo-  
6 cated to specific agencies during the development of the  
7 proposed budget including anticipated employee health in-  
8 surance cost increases and contract security costs,  
9 \$5,799,000 from local funds.

## 10 CERTIFICATES OF PARTICIPATION

11 For principal and interest payments on the District's  
12 Certificates of Participation, issued to finance the ground  
13 lease underlying the building located at One Judiciary  
14 Square \$7,950,000 from local funds.

## 15 SETTLEMENTS AND JUDGMENTS

16 For making refunds and for the payment of legal set-  
17 tlements or judgments that have been entered against the  
18 District of Columbia government \$22,822,000: *Provided*,  
19 That this appropriation shall not be construed as modi-  
20 fying or affecting the provisions of section 103 of this Act.

## 21 TOBACCO SETTLEMENT TRUST FUND TRANSFER

## 22 PAYMENT

23 Subject to the issuance of bonds to pay the purchase  
24 price of the District of Columbia's right, title, and interest  
25 in and to the Master Settlement Agreement, and con-



1 in the District of Columbia and for the costs of providing  
2 support to respond to immediate and specific terrorist  
3 threats or attacks in the District of Columbia or sur-  
4 rounding jurisdictions: *Provided*, That the Chief Financial  
5 Officer of the District of Columbia shall provide a report,  
6 within 15 days of an expenditure, to the President and  
7 to the Committees on Appropriations of the Senate and  
8 the House of Representatives, detailing any expenditure  
9 of these funds for public safety purposes.

10 **PAY-AS-YOU-GO CAPITAL**

11 For Pay-As-You-Go Capital funds in lieu of capital  
12 financing, \$16,750,000, to be transferred to the Capital  
13 Fund, subject to the “Criteria for Spending Pay-as-You-  
14 Go Funding Amendment Act of 2002, approved by the  
15 Council of the District of Columbia on 1st reading, May  
16 7, 2002 (Title 34 of Bill 14–609). Pursuant to that Act,  
17 there are authorized to be transferred from Pay-As-You-  
18 Go Capital funds to other headings of this Act, as nec-  
19 essary to carry out the purposes of that Act.

20 **CAPITAL INFRASTRUCTURE DEVELOPMENT**

21 For improvement of city-wide capital infrastructure  
22 in the District of Columbia, \$15,100,000, from funds ap-  
23 propriated earlier in this Act as a Federal payment, of  
24 which \$10,000,000 shall be for construction of interoper-  
25 able communications infrastructure in the Unified Com-

1 munications Center; \$100,000 shall be for capital im-  
2 provements of Eastern Market; \$5,000,000 shall be to  
3 begin the design and construction of a state-of-the-art  
4 forensics laboratory.

5 ADMINISTRATIVE PROVISIONS

6 SEC. 13. UNRESTRICTED FUND BALANCE. (a) The  
7 amount appropriated by this Act may be increased by  
8 funds as identified in the comprehensive annual financial  
9 report for fiscal year 2003 as the District of Columbia's  
10 unrestricted fund balance.

11 (b) CONDITIONS ON USE.—The District of Columbia  
12 may obligate or expend these amounts only in accordance  
13 with the following conditions:

14 (1) PURPOSE.—The District of Columbia may  
15 only use these funds for the following expenditures:

16 (A) Unanticipated one-time expenditures;

17 (B) To address potential deficits;

18 (C) Debt Reduction; and

19 (D) Unanticipated Program needs.

20 (2) CERTIFICATION BY THE CHIEF FINANCIAL  
21 OFFICER.—The Chief Financial Officer of the Dis-  
22 trict of Columbia shall certify that:

23 (A) The use of the amounts is not antici-  
24 pated to have a negative impact on the District

1 of Columbia's long-term financial, fiscal, and  
2 economic vitality.

3 (B) That the amounts are available and  
4 that use of the funds is not anticipated to cause  
5 the need for short-term borrowing within the  
6 current fiscal year.

7 (C) Such funds are either being used to  
8 address potential deficits or are not required to  
9 address potential deficits.

10 (3) LOCAL LAW.—The amounts shall be obli-  
11 gated or expended in accordance with laws enacted  
12 by the Council in support of each such obligation or  
13 expenditure.

14 (4) RECEIVERSHIP.—The amounts may not be  
15 used to fund the agencies of the District of Colum-  
16 bia government under court ordered receivership.

17 (5) NOTICE REQUIREMENT.—The amounts may  
18 be obligated or expended only if the Mayor notifies  
19 the Committees on Appropriations of the House of  
20 Representatives and Senate in writing 30 days in  
21 advance of any obligation or expenditure.

22 (6) AVAILABILITY OF FUNDS.—Funds shall re-  
23 main available until expended.

24 (c) PREPARATION OF FUTURE YEAR BUDGETS.—  
25 Section 103 of the District of Columbia Home Rule Act,

1 approved December 24, 1973 (Public Law 93–198; D.C.  
2 Official Code, sec. 1–201.03), is amended as follows:

3 (1) Paragraph (14) is amended to read as fol-  
4 lows:

5 “(14) The term ‘resources’ means revenues,  
6 balances, fund balance, enterprise or other revolving  
7 funds, and funds realized from borrowing.”.

8 (2) A new paragraph (16) is added to read as  
9 follows:

10 “(16) The term ‘fund balance’ means an  
11 amount from the funds identified in the comprehen-  
12 sive annual financial report as the District of Co-  
13 lumbia’s unrestricted fund balance, such amount to  
14 be no greater than the amount the Chief Financial  
15 Officer of the District of Columbia certifies as not  
16 anticipated to have a negative impact on the District  
17 of Columbia’s long-term financial, fiscal, and eco-  
18 nomic vitality, and that the use of the funds is not  
19 anticipated to cause the need for short-term bor-  
20 rowing within the fiscal year.”.

21 SEC. 14. FIFTY MODIFIED CALENDAR DAY BUDGET  
22 REVIEW PERIOD. Section 446 of Part D of Title IV of  
23 the District of Columbia Home Rule Act, approved De-  
24 cember 24, 1973 (87 Stat. 777; D.C. Official Code, sec.  
25 1–204.46), is amended by striking the phrase “within 50

1 calendar days” and inserting the phrase “within 50 cal-  
2 endar days, excluding days of Council recess,” in its place.

3       SEC. 15. CHARTER SCHOOL FUND TRANSFER. Not-  
4 withstanding any other provision of law, \$5,000,000 from  
5 the New Charter School Fund (renamed by this Act,  
6 “Charter School Fund”), established pursuant to the  
7 School Reform Act of 1995 (Public Law 105–100, sec.  
8 172; 111 Stat. 2191, 2192, 2193; D.C. Official Code, sec.  
9 38–1804.03(b)), shall be deposited, not later than Janu-  
10 ary 1, 2003, into the credit enhancement revolving fund,  
11 established pursuant to the Student Loan Marketing As-  
12 sociation Reorganization Act of 1996 (Public Law 104–  
13 208; 110 Stat. 3009–293, as amended by Public Law  
14 107–96, Fiscal Year 2002 District of Columbia Appro-  
15 priations Act).

16       SEC. 16. OFFICE OF INSPECTOR GENERAL RESI-  
17 DENCY. Section 906 of the District of Columbia Govern-  
18 ment Comprehensive Merit Personnel Act of 1978, effec-  
19 tive March 3, 1979 (D.C. Law 2–139; D.C. Official Code,  
20 sec. 1–609.06), is amended by adding a new subsection  
21 (i) to read as follows:

22                               “(i)(1) The Office of Personnel shall  
23                               have the authority to grant to employees of  
24                               the Office of the Inspector General waivers  
25                               of the requirements of subsections (a) and

1 (b) of this section for positions and new  
2 hires in the Office of the Inspector General  
3 when those positions or hires present ex-  
4 ceptional circumstances for appointees or  
5 hires in hard to fill positions.

6 “(2) In order to receive a waiver of  
7 subsections (a) and (b) of this section for  
8 new hires, the Office of the Inspector Gen-  
9 eral shall demonstrate that the position to  
10 be filled and the circumstances of the pro-  
11 spective new hire meet the requirements of  
12 ‘hard to fill position’ or ‘exceptional cir-  
13 cumstances’ as defined by paragraph (3) of  
14 this section.

15 “(3) For the purposes of this sub-  
16 section, the term:

17 “(A) ‘Exceptional circumstances’  
18 means conditions or facts that are un-  
19 common, deviate from or do not con-  
20 form to the norm, or are beyond the  
21 willful control of the prospective new  
22 hire, which are presented to the per-  
23 sonnel authority by the Inspector  
24 General when seeking to hire an indi-  
25 vidual to fill a position in the Ex-

1           cepted or Executive Service, and  
2           which conditions or facts shall be con-  
3           sidered by the personnel authority in  
4           determining the reasonableness of  
5           granting a waiver of the domicile re-  
6           quirement pursuant to §§ 906 and  
7           1059 of the District of Columbia  
8           Comprehensive Merit Personnel Act of  
9           1978, effective March 3, 1979 (D.C.  
10          Law 2-139; D.C. Official Code, sec.  
11          1-601.01 et seq.); and

12                   “(B) ‘Hard to fill position’ means  
13           a position so designated by the per-  
14           sonnel authority on the basis of dem-  
15           onstrated recruitment and retention  
16           problems inherent in the position due  
17           to the uniqueness of the duties and  
18           responsibilities and the unusual com-  
19           bination of highly specialized quali-  
20           fication requirements for the posi-  
21           tion.”.

22          SEC. 17. REPROGRAMMING DURING FISCAL YEAR  
23          THAT IS NOT A CONTROL YEAR. Section 47-363(a-1) of  
24          the District of Columbia Official Code is amended by add-  
25          ing new paragraphs (3), (4), and (5) to read as follows:

1           “(3)(A) After the adoption of the annual budg-  
2           et for a fiscal year that is not a control year, no re-  
3           programming of amounts in the budget may occur  
4           unless:

5                   “(i) The Mayor submits a request for such  
6                   reprogramming to the Chief Financial Officer  
7                   of the District of Columbia;

8                   “(ii) The Chief Financial Officer transmits  
9                   to the Council a statement certifying the avail-  
10                  ability of the funds for such reprogramming  
11                  and containing an analysis of the effect of the  
12                  proposed reprogramming on the financial plan  
13                  and budget for the fiscal year; and

14                  “(iii) The Council approves the request  
15                  after receiving the statement described in sub-  
16                  subparagraph (ii) of this subparagraph from  
17                  the Chief Financial Officer.

18           “(B) If the Chief Financial Officer does not  
19           transmit to the Council the statement described in  
20           subparagraph (A)(ii) of this paragraph during the  
21           15-day period, which begins on the date the Chief  
22           Financial Officer receives the request for reprogram-  
23           ming from the Mayor, the Chief Financial Officer  
24           shall be deemed to have transmitted the statement  
25           to the Council. With written notice to the Mayor and

1 Council, the Chief Financial Officer may extend the  
2 time period to transmit the statement and analysis  
3 to the Council, not to exceed 10 additional days.

4 “(4) After the adoption of the annual budget  
5 for a fiscal year that is a non-control year, no re-  
6 programming of amounts in the budget may occur  
7 unless the Mayor submits to the Council a request  
8 for such reprogramming and the Council approves  
9 the request, but only if any additional expenditures  
10 provided under such request for an activity are off-  
11 set by reductions in expenditures for another activ-  
12 ity.

13 “(5) For the purposes of this subsection, the  
14 term control year has the meaning given such term  
15 in section 305(4) of the District of Columbia Finan-  
16 cial Responsibility and Management Assistance Act  
17 of 1995, approved April 17, 1995 (109 Stat. 152;  
18 D.C. Official Code, sec. 47-393(4)).”.

19 SEC. 18. COLLECTIVE BARGAINING REPRESENTA-  
20 TION. From the funds appropriated under this act, any  
21 agency of the District government may transfer to the Of-  
22 fice of Labor Relations and Collective Bargaining  
23 (OLRCB) such amounts as may be necessary to pay for  
24 representation by OLRCB in third-party cases, griev-  
25 ances, and dispute resolution, pursuant to an intra-District

1 trict agreement with OLRCB. These amounts shall be  
2 available for use by OLRCB to reimburse the cost of pro-  
3 viding the representation.

4       SEC. 19. DISTRICT OF COLUMBIA PUBLIC SCHOOLS  
5 BUDGET. Section 452 of the District of Columbia Home  
6 Rule Act, approved December 24, 1973 (87 Stat. 803;  
7 D.C. Official Code, sec. 1-204.52), is amended as follows:

8           (1) The existing language is designated as sub-  
9       section (a).

10          (2) New subsections (b) and (c) are added to  
11       read as follows:

12       “(b) By March 1 of each year, or no later than the  
13 Mayor’s annual submission of the budget pursuant to sec-  
14 tion 442, the Board of Education shall submit to the  
15 Council a budget detailing how the Mayor’s proposed  
16 budget for the District of Columbia Public Schools shall  
17 be spent. The Board’s submission shall allocate all monies  
18 by responsibility center and object class.

19       “(c) The submission shall also include a presentation  
20 that specifies the monies budgeted for each school. In  
21 order that the Council and the public may know the total-  
22 ity of funds, goods, and services that will be provided di-  
23 rectly to the local schools, the presentation shall specify  
24 (1) the funds available to each school, for which the deci-  
25 sion to spend is made by the school’s local school restruc-

1 turing team, and (2) any other responsibility center funds,  
 2 the spending of which directly benefits local schools (e.g.,  
 3 textbooks, substitute teachers, transportation, mainte-  
 4 nance/engineers, nurses, teachers salaries).”.

5       SEC. 20. FISCAL YEAR MODIFICATION FOR THE UNI-  
 6 VERSITY OF THE DISTRICT OF COLUMBIA. The third sen-  
 7 tence of section 441 of the District of Columbia Home  
 8 Rule Act, approved December 24, 1973 (87 Stat. 798;  
 9 D.C. Official Code, sec. 1-204.41), is amended to read  
 10 as follows: “However, the fiscal year for the Armory Board  
 11 shall begin on the first day of January and shall end on  
 12 the thirty-first day of December of each calendar year,  
 13 and, beginning the first day of July 2002, the fiscal year  
 14 for the University of the District of Columbia shall begin  
 15 on the first day of July and end on the thirtieth day of  
 16 June of each calendar year.”.

## 17           ENTERPRISE AND OTHER FUNDS

### 18                   WATER AND SEWER AUTHORITY

19       For operation of the Water and Sewer Authority,  
 20 \$253,743,000 from other funds of which \$18,093,000  
 21 shall be apportioned for repayment to the District’s debt  
 22 service fund for repayment of loans and interest incurred  
 23 on capital improvement projects.

24       For construction projects, \$342,458,000, in the fol-  
 25 lowing capital programs: \$213,669,000 for the Blue

1 Plains Wastewater Treatment Plant, \$24,539,000 for the  
2 sewer program, \$56,561,000 for the combined sewer pro-  
3 gram, of which \$50,000,000 is from funds appropriated  
4 earlier in this Act as a Federal Payment for Anacostia  
5 Waterfront Initiative, \$5,635,000 for the stormwater pro-  
6 gram, \$34,054,000 for the water program, \$8,000,000 for  
7 the capital equipment program: *Provided*, That the re-  
8 quirements and restrictions that are applicable to general  
9 fund capital improvements projects and set forth in this  
10 Act under the Capital Outlay appropriation account shall  
11 apply to projects approved under this appropriation ac-  
12 count.

#### 13 WASHINGTON AQUEDUCT

14 For operation of the Washington Aqueduct,  
15 \$57,847,000 from other funds.

#### 16 STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

17 For operation of the Stormwater Permit Compliance  
18 Enterprise Fund, \$3,100,000 from other funds.

#### 19 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

20 For the Lottery and Charitable Games Enterprise  
21 Fund, established by the District of Columbia Appropria-  
22 tion Act, 1982 (95 Stat. 1174, 1175; Public Law 97-91),  
23 for the purpose of implementing the Law to Legalize Lot-  
24 teries, Daily Numbers Games, and Bingo and Raffles for  
25 Charitable Purposes in the District of Columbia (D.C.

1 Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and  
2 sec. 22–1716 et seq.), \$232,881,000: *Provided*, That the  
3 District of Columbia shall identify the source of funding  
4 for this appropriation title from the District’s own locally  
5 generated revenues: *Provided further*, That no revenues  
6 from Federal sources shall be used to support the oper-  
7 ations or activities of the Lottery and Charitable Games  
8 Control Board.

9           SPORTS AND ENTERTAINMENT COMMISSION

10       For the Sports and Entertainment Commission,  
11 \$23,510,000, of which \$15,510,000 is from other funds  
12 and \$8,000,000 is from funds appropriated earlier in this  
13 Act as a Federal Payment for Anacostia Waterfront Ini-  
14 tiative.

15           DISTRICT OF COLUMBIA RETIREMENT BOARD

16       For the District of Columbia Retirement Board, es-  
17 tablished by section 121 of the District of Columbia Re-  
18 tirement Reform Act of 1979 (93 Stat. 866; D.C. Official  
19 Code, sec. 1–711), \$13,388,000 from the earnings of the  
20 applicable retirement funds to pay legal, management, in-  
21 vestment, and other fees and administrative expenses of  
22 the District of Columbia Retirement Board: *Provided*,  
23 That the District of Columbia Retirement Board shall pro-  
24 vide to the Congress and to the Council of the District  
25 of Columbia a quarterly report of the allocations of

1 charges by fund and of expenditures of all funds: *Provided*  
2 *further*, That the District of Columbia Retirement Board  
3 shall provide the Mayor, for transmittal to the Council of  
4 the District of Columbia, an itemized accounting of the  
5 planned use of appropriated funds in time for each annual  
6 budget submission and the actual use of such funds in  
7 time for each annual audited financial report.

8 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

9 For the Washington Convention Center Enterprise  
10 Fund, \$78,700,000 from other funds.

11 NATIONAL CAPITAL REVITALIZATION CORPORATION

12 For the National Capital Revitalization Corporation,  
13 \$6,745,000 from other funds.

14 CAPITAL OUTLAY

15 (INCLUDING RESCISSIONS)

16 For construction projects, an increase of  
17 \$1,235,518,908 of which \$253,991,128 shall be from a  
18 rescission from local funds appropriated under this head-  
19 ing in prior fiscal years, for a net amount of \$981,527,780  
20 to remain available until expended: *Provided*, That funds  
21 for use of each capital project implementing agency shall  
22 be managed and controlled in accordance with all proce-  
23 dures and limitations established under the Financial  
24 Management System: *Provided further*, That all funds pro-  
25 vided by this appropriation title shall be available only for



1 modifying or affecting the provisions of section 11(c)(3)  
2 of title XII of the District of Columbia Income and Fran-  
3 chise Tax Act of 1947 (70 Stat. 78; Public Law 84-460;  
4 D.C. Code, sec. 47-1812.11(c)(3)).

5       SEC. 104. No part of any appropriation contained in  
6 this Act shall remain available for obligation beyond the  
7 current fiscal year unless expressly so provided herein.

8       SEC. 105. No funds appropriated in this Act for the  
9 District of Columbia government for the operation of edu-  
10 cational institutions, the compensation of personnel, or for  
11 other educational purposes may be used to permit, encour-  
12 age, facilitate, or further partisan political activities.  
13 Nothing herein is intended to prohibit the availability of  
14 school buildings for the use of any community or partisan  
15 political group during non-school hours.

16       SEC. 106. None of the funds appropriated in this Act  
17 shall be made available to pay the salary of any employee  
18 of the District of Columbia government whose name, title,  
19 grade, and salary are not available for inspection by the  
20 House and Senate Committees on Appropriations, the  
21 House Committee on Government Reform, the Senate  
22 Committee on Governmental Affairs, and the Council of  
23 the District of Columbia, or their duly authorized rep-  
24 resentative.

1        SEC. 107. (a) Except as provided in subsection (b),  
2 no part of this appropriation shall be used for publicity  
3 or propaganda purposes or implementation of any policy  
4 including boycott designed to support or defeat legislation  
5 pending before Congress or any State legislature.

6        (b) The District of Columbia may use local funds pro-  
7 vided in this Act to carry out lobbying activities on any  
8 matter other than—

9            (1) the promotion or support of any boycott; or

10           (2) statehood for the District of Columbia or  
11 voting representation in Congress for the District of  
12 Columbia.

13        (c) Nothing in this section may be construed to pro-  
14 hibit any elected official from advocating with respect to  
15 any of the issues referred to in subsection (b).

16        SEC. 108. At the start of the fiscal year, the Mayor  
17 shall develop an annual plan, by quarter and by project,  
18 for capital outlay borrowings: *Provided*, That within a rea-  
19 sonable time after the close of each quarter, the Mayor  
20 shall report to the Council of the District of Columbia and  
21 the Congress the actual borrowings and spending progress  
22 compared with projections.

23        SEC. 109. (a) None of the funds provided under this  
24 Act to the agencies funded by this Act, both Federal and  
25 District government agencies, that remain available for

1 obligation or expenditure in fiscal year 2003, or provided  
2 from any accounts in the Treasury of the United States  
3 derived by the collection of fees available to the agencies  
4 funded by this Act, shall be available for obligation or ex-  
5 penditure for an agency through a reprogramming of  
6 funds which: (1) creates new programs; (2) eliminates a  
7 program, project, or responsibility center; (3) establishes  
8 or changes allocations specifically denied, limited or in-  
9 creased by Congress in this Act; (4) increases funds or  
10 personnel by any means for any program, project, or re-  
11 sponsibility center for which funds have been denied or  
12 restricted; (5) reestablishes through reprogramming any  
13 program or project previously deferred through re-  
14 programming; (6) augments existing programs, projects,  
15 or responsibility centers through a reprogramming of  
16 funds in excess of \$1,000,000 or 10 percent, whichever  
17 is less; or (7) increases by 20 percent or more personnel  
18 assigned to a specific program, project or responsibility  
19 center; unless the Committees on Appropriations of both  
20 the Senate and House of Representatives are notified in  
21 writing 30 days in advance of any reprogramming as set  
22 forth in this section.

23       (b) None of the local funds contained in this Act may  
24 be available for obligation or expenditure for an agency  
25 through a transfer of any local funds from one appropria-

1 tion heading to another unless the Committees on Appro-  
2 priations of the Senate and House of Representatives are  
3 notified in writing 30 days in advance of the transfer, ex-  
4 cept that in no event may the amount of any funds trans-  
5 ferred exceed four percent of the local funds in the appro-  
6 priation.

7       SEC. 110. Consistent with the provisions of 31 U.S.C.  
8 1301(a), appropriations under this Act shall be applied  
9 only to the objects for which the appropriations were made  
10 except as otherwise provided by law.

11       SEC. 111. Notwithstanding any other provisions of  
12 law, the provisions of the District of Columbia Govern-  
13 ment Comprehensive Merit Personnel Act of 1978 (D.C.  
14 Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.),  
15 enacted pursuant to section 422(3) of the District of Co-  
16 lumbia Home Rule Act (87 Stat. 790; Public Law 93–  
17 198; D.C. Official Code, sec. 1–204.22(3)), shall apply  
18 with respect to the compensation of District of Columbia  
19 employees: *Provided*, That for pay purposes, employees of  
20 the District of Columbia government shall not be subject  
21 to the provisions of title 5, United States Code.

22       SEC. 112. REVENUE ESTIMATES. No later than 30  
23 days after the end of the first quarter of the fiscal year  
24 ending September 30, 2003, the Mayor of the District of  
25 Columbia shall submit to the Council of the District of

1 Columbia the new fiscal year 2003 revenue estimates as  
2 of the end of the first quarter of fiscal year 2003. These  
3 estimates shall be used in the budget request for the fiscal  
4 year ending September 30, 2004. The officially revised es-  
5 timates at midyear shall be used for the midyear report.

6       SEC. 113. No sole source contract with the District  
7 of Columbia government or any agency thereof may be re-  
8 newed or extended without opening that contract to the  
9 competitive bidding process as set forth in section 303 of  
10 the District of Columbia Procurement Practices Act of  
11 1985 (D.C. Law 6–85; D.C. Code, sec. 2–303.03), except  
12 that the District of Columbia government or any agency  
13 thereof may renew or extend sole source contracts for  
14 which competition is not feasible or practical: *Provided*,  
15 That the determination as to whether to invoke the com-  
16 petitive bidding process has been made in accordance with  
17 duly promulgated rules and procedures and said deter-  
18 mination has been reviewed and certified by the Chief Fi-  
19 nancial Officer of the District of Columbia.

20       SEC. 114. (a) In the event a sequestration order is  
21 issued pursuant to the Balanced Budget and Emergency  
22 Deficit Control Act of 1985 (99 Stat. 1037; Public Law  
23 99–177), after the amounts appropriated to the District  
24 of Columbia for the fiscal year involved have been paid  
25 to the District of Columbia, the Mayor of the District of

1 Columbia shall pay to the Secretary of the Treasury, with-  
2 in 15 days after receipt of a request therefor from the  
3 Secretary of the Treasury, such amounts as are seques-  
4 tered by the order: *Provided*, That the sequestration per-  
5 centage specified in the order shall be applied proportion-  
6 ately to each of the Federal appropriation accounts in this  
7 Act that are not specifically exempted from sequestration  
8 by such Act.

9 (b) For purposes of the Balanced Budget and Emer-  
10 gency Deficit Control Act of 1985 (99 Stat. 1037; Public  
11 Law 99–177), the term “program, project, and activity”  
12 shall be synonymous with and refer specifically to each  
13 account appropriating Federal funds in this Act, and any  
14 sequestration order shall be applied to each of the ac-  
15 counts rather than to the aggregate total of those ac-  
16 counts: *Provided*, That sequestration orders shall not be  
17 applied to any account that is specifically exempted from  
18 sequestration by the Balanced Budget and Emergency  
19 Deficit Control Act of 1985.

20 SEC. 115. ACCEPTANCE AND USE OF GIFTS. (a) AP-  
21 PROVAL BY MAYOR.—

22 (1) IN GENERAL.—An entity of the District of  
23 Columbia government may accept and use a gift or  
24 donation during fiscal year 2003 if—

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

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

6           (2) EXCEPTION FOR COUNCIL AND COURTS.—

7           The Council of the District of Columbia and the  
8           District of Columbia courts may accept and use gifts  
9           without prior approval by the Mayor.

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

15          (c) INDEPENDENT AGENCIES INCLUDED.—For the  
16          purposes of this section, the term “entity of the District  
17          of Columbia government” includes an independent agency  
18          of the District of Columbia.

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

24          SEC. 116. None of the Federal funds provided in this  
25          Act may be used by the District of Columbia to provide

1 for salaries, expenses, or other costs associated with the  
2 offices of United States Senator or United States Rep-  
3 resentative under section 4(d) of the District of Columbia  
4 Statehood Constitutional Convention Initiatives of 1979  
5 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

6       SEC. 117. None of the funds appropriated under this  
7 Act shall be expended for any abortion except where the  
8 life of the mother would be endangered if the fetus were  
9 carried to term or where the pregnancy is the result of  
10 an act of rape or incest.

11       SEC. 118. None of the Federal funds made available  
12 in this Act may be used to implement or enforce the  
13 Health Care Benefits Expansion Act of 1992 (D.C. Law  
14 9–114; D.C. Official Code, sec. 32–701 et seq.) or to oth-  
15 erwise implement or enforce any system of registration of  
16 unmarried, cohabiting couples, including but not limited  
17 to registration for the purpose of extending employment,  
18 health, or governmental benefits to such couples on the  
19 same basis that such benefits are extended to legally mar-  
20 ried couples.

21       SEC. 119. ACCEPTANCE AND USE OF GRANTS AND  
22 OTHER FUNDS NOT INCLUDED IN CEILING. (a) IN GEN-  
23 ERAL.—Notwithstanding any other provision of this Act,  
24 the Mayor, in consultation with the Chief Financial Offi-  
25 cer may accept, obligate, and expend Federal, private, and

1 other grants and other funds received by the District gov-  
2 ernment that are not reflected in the amounts appro-  
3 priated in this Act.

4 (b) REQUIREMENTS.—

5 (1) CHIEF FINANCIAL OFFICER REPORT AND  
6 COUNCIL APPROVAL FOR GRANTS.—

7 (A) No such Federal, private, or other  
8 grant may be accepted, obligated, or expended  
9 pursuant to subsection (a) until—

10 (i) the Chief Financial Officer of the  
11 District of Columbia submits to the Coun-  
12 cil a report setting forth detailed informa-  
13 tion regarding such grant; and

14 (ii) the Council has reviewed and ap-  
15 proved the acceptance, obligation, and ex-  
16 penditure of such grant.

17 (B) For purposes of subparagraph (A)(ii),  
18 the Council shall be deemed to have reviewed  
19 and approved the acceptance, obligation, and  
20 expenditure of a grant if—

21 (i) no written notice of disapproval is  
22 filed with the Secretary of the Council  
23 within 14 calendar days of the receipt of  
24 the report from the Chief Financial Officer  
25 under subparagraph (A)(i); or

1                   (ii) if such a notice of disapproval is  
2                   filed within such deadline, the Council does  
3                   not by resolution disapprove the accept-  
4                   ance, obligation, or expenditure of the  
5                   grant within 30 calendar days of the initial  
6                   receipt of the report from the Chief Finan-  
7                   cial Officer under subparagraph (A)(i).

8                   (2) CERTIFICATION OF CHIEF FINANCIAL OF-  
9                   FICER AND NOTIFICATION OF COMMITTEES FOR  
10                  OTHER FUNDS.—No funds which are not grants  
11                  may be accepted, obligated, or expended pursuant to  
12                  subsection (a)—

13                   (A) unless the Chief Financial Officer of  
14                   the District of Columbia certifies that the funds  
15                   are available and are not required to address  
16                   potential deficits; and

17                   (B) until the expiration of the 14-day pe-  
18                   riod which begins on the date the Mayor noti-  
19                   fies the Committees on Appropriations of the  
20                   House of Representatives and Senate of the ac-  
21                   ceptance, obligation, and expenditure of such  
22                   funds.

23                  (c) PROHIBITION ON SPENDING IN ANTICIPATION OF  
24                  APPROVAL OR RECEIPT.—No amount may be obligated or  
25                  expended from the general fund or other funds of the Dis-

1 triet government in anticipation of the approval or receipt  
2 of a grant or other funds under this section in anticipation  
3 of the approval or receipt of a Federal, private, or other  
4 grant or other funds not subject to this section.

5 (d) QUARTERLY REPORTS.—The Chief Financial Of-  
6 ficer of the District of Columbia shall prepare a quarterly  
7 report setting forth detailed information regarding all  
8 Federal, private, and other grants subject to this section.  
9 Each such report shall be submitted to the Council of the  
10 District of Columbia, and to the Committees on Appro-  
11 priations of the House of Representatives and the Senate,  
12 not later than 15 days after the end of the quarter covered  
13 by the report.

14 SEC. 120. (a) RESTRICTIONS ON USE OF OFFICIAL  
15 VEHICLES.—Except as otherwise provided in this section,  
16 none of the funds made available by this Act or by any  
17 other Act may be used to provide any officer or employee  
18 of the District of Columbia with an official vehicle unless  
19 the officer or employee uses the vehicle only in the per-  
20 formance of the officer’s or employee’s official duties. For  
21 purposes of this paragraph, the term “official duties” does  
22 not include travel between the officer’s or employee’s resi-  
23 dence and workplace (except: (1) in the case of an officer  
24 or employee of the Metropolitan Police Department who  
25 resides in the District of Columbia or is otherwise des-

1 ignited by the Chief of the Department; (2) at the discre-  
2 tion of the Fire Chief, an officer or employee of the Dis-  
3 trict of Columbia Fire and Emergency Medical Services  
4 Department who resides in the District of Columbia and  
5 is on call 24 hours a day; (3) the Mayor of the District  
6 of Columbia; and (4) the Chairman of the Council of the  
7 District of Columbia).

8       (b) INVENTORY OF VEHICLES.—The Chief Financial  
9 Officer of the District of Columbia shall submit, by No-  
10 vember 15, 2002, an inventory, as of September 30, 2002,  
11 of all vehicles owned, leased or operated by the District  
12 of Columbia government. The inventory shall include, but  
13 not be limited to, the department to which the vehicle is  
14 assigned; the year and make of the vehicle; the acquisition  
15 date and cost; the general condition of the vehicle; annual  
16 operating and maintenance costs; current mileage; and  
17 whether the vehicle is allowed to be taken home by a Dis-  
18 trict officer or employee and if so, the officer or employee's  
19 title and resident location.

20       (c) No officer or employee of the District of Columbia  
21 government (including any independent agency of the Dis-  
22 trict but excluding the Office of the Chief Technology Offi-  
23 cer, the Chief Financial Officer of the District of  
24 Columbia, and the Metropolitan Police Department) may  
25 enter into an agreement in excess of \$2,500 for the pro-

1 curement of goods or services on behalf of any entity of  
2 the District government until the officer or employee has  
3 conducted an analysis of how the procurement of the  
4 goods and services involved under the applicable regula-  
5 tions and procedures of the District government would dif-  
6 fer from the procurement of the goods and services in-  
7 volved under the Federal supply schedule and other appli-  
8 cable regulations and procedures of the General Services  
9 Administration, including an analysis of any differences  
10 in the costs to be incurred and the time required to obtain  
11 the goods or services.

12       SEC. 121. Notwithstanding any other provision of  
13 law, not later than 120 days after the date that a District  
14 of Columbia Public Schools (DCPS) student is referred  
15 for evaluation or assessment—

16           (1) the District of Columbia Board of Edu-  
17 cation, or its successor, and DCPS shall assess or  
18 evaluate a student who may have a disability and  
19 who may require special education services; and

20           (2) if a student is classified as having a dis-  
21 ability, as defined in section 101(a)(1) of the Indi-  
22 viduals with Disabilities Education Act (84 Stat.  
23 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the  
24 Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.  
25 706(8)), the Board and DCPS shall place that stu-

1       dent in an appropriate program of special education  
2       services.

3       SEC. 122. (a) COMPLIANCE WITH BUY AMERICAN  
4       ACT.—No funds appropriated in this Act may be made  
5       available to any person or entity that violates the Buy  
6       American Act (41 U.S.C. 10a–10c).

7       (b) SENSE OF THE CONGRESS; REQUIREMENT RE-  
8       GARDING NOTICE.—

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

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

1           (c) PROHIBITION OF CONTRACTS WITH PERSONS  
2 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
3 If it has been finally determined by a court or Federal  
4 agency that any person intentionally affixed a label bear-  
5 ing a “Made in America” inscription, or any inscription  
6 with the same meaning, to any product sold in or shipped  
7 to the United States that is not made in the United  
8 States, the person shall be ineligible to receive any con-  
9 tract or subcontract made with funds made available in  
10 this Act, pursuant to the debarment, suspension, and ineli-  
11 gibility procedures described in sections 9.400 through  
12 9.409 of title 48, Code of Federal Regulations.

13           SEC. 123. None of the funds contained in this Act  
14 may be used for purposes of the annual independent audit  
15 of the District of Columbia government for fiscal year  
16 2003 unless—

17           (1) the audit is conducted by the Inspector  
18           General of the District of Columbia, in coordination  
19           with the Chief Financial Officer of the District of  
20           Columbia, pursuant to section 208(a)(4) of the Dis-  
21           trict of Columbia Procurement Practices Act of  
22           1985 (D.C. Official Code, sec. 2–302.8); and

23           (2) the audit includes as a basic financial state-  
24           ment a comparison of audited actual year-end re-  
25           sults with the revenues submitted in the budget doc-

1        ument for such year and the appropriations enacted  
2        into law for such year using the format, terminology,  
3        and classifications contained in the law making the  
4        appropriations for the year and its legislative his-  
5        tory.

6        SEC. 124. None of the Federal funds contained in  
7        this Act may be used by the District of Columbia Corpora-  
8        tion Counsel or any other officer or entity of the District  
9        government to provide assistance for any petition drive or  
10       civil action which seeks to require Congress to provide for  
11       voting representation in Congress for the District of Co-  
12       lumbia.

13       SEC. 125. (a) None of the Federal funds contained  
14       in this Act may be used for any program of distributing  
15       sterile needles or syringes for the hypodermic injection of  
16       any illegal drug.

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

22       SEC. 126. None of the funds contained in this Act  
23       may be used after the expiration of the 60-day period that  
24       begins on the date of the enactment of this Act to pay  
25       the salary of any chief financial officer of any office of

1 the District of Columbia government (including any inde-  
2 pendent agency of the District) who has not filed a certifi-  
3 cation with the Mayor and the Chief Financial Officer of  
4 the District of Columbia that the officer understands the  
5 duties and restrictions applicable to the officer and the  
6 officer's agency as a result of this Act (and the amend-  
7 ments made by this Act), including any duty to prepare  
8 a report requested either in the Act or in any of the re-  
9 ports accompanying the Act and the deadline by which  
10 each report must be submitted, and the District's Chief  
11 Financial Officer shall provide to the Committees on Ap-  
12 propriations of the Senate and the House of Representa-  
13 tives by the 10th day after the end of each quarter a sum-  
14 mary list showing each report, the due date and the date  
15 submitted to the committees.

16       SEC. 127. (a) None of the funds contained in this  
17 Act may be used to enact or carry out any law, rule, or  
18 regulation to legalize or otherwise reduce penalties associ-  
19 ated with the possession, use, or distribution of any sched-  
20 ule I substance under the Controlled Substances Act (21  
21 U.S.C. 802) or any tetrahydrocannabinols derivative.

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

1        SEC. 128. Nothing in this Act may be construed to  
2 prevent the Council or Mayor of the District of Columbia  
3 from addressing the issue of the provision of contraceptive  
4 coverage by health insurance plans, but it is the intent  
5 of Congress that any legislation enacted on such issue  
6 should include a “conscience clause” which provides excep-  
7 tions for religious beliefs and moral convictions.

8                    PROMPT PAYMENT OF APPOINTED COUNSEL

9        SEC. 129. (a) ASSESSMENT OF INTEREST FOR DE-  
10 LAYED PAYMENTS.—If the Superior Court of the District  
11 of Columbia or the District of Columbia Court of Appeals  
12 does not make a payment described in subsection (b) prior  
13 to the expiration of the 45-day period which begins on the  
14 date the Court receives a completed voucher for a claim  
15 for the payment, interest shall be assessed against the  
16 amount of the payment which would otherwise be made  
17 to take into account the period which begins on the day  
18 after the expiration of such 45-day period and which ends  
19 on the day the Court makes the payment.

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

22                    (1) a payment authorized under section 11–  
23 2604 and section 11–2605, D.C. Code (relating to  
24 representation provided under the District of Colum-  
25 bia Criminal Justice Act);

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

5           (3) a payment for counsel authorized under sec-  
6           tion 21–2060, D.C. Code (relating to representation  
7           provided under the District of Columbia Guardian-  
8           ship, Protective Proceedings, and Durable Power of  
9           Attorney Act of 1986).

10          (c) STANDARDS FOR SUBMISSION OF COMPLETED  
11          VOUCHERS.—The chief judges of the Superior Court of  
12          the District of Columbia and the District of Columbia  
13          Court of Appeals shall establish standards and criteria for  
14          determining whether vouchers submitted for claims for  
15          payments described in subsection (b) are complete, and  
16          shall publish and make such standards and criteria avail-  
17          able to attorneys who practice before such Courts.

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

22          (e) EFFECTIVE DATE.—This section shall apply with  
23          respect to claims received by the Superior Court of the  
24          District of Columbia or the District of Columbia Court  
25          of Appeals during fiscal year 2003, and claims received

1 previously that remain unpaid at the end of fiscal year  
2 2002, and would have qualified for interest payment under  
3 this section.

4       SEC. 130. The Mayor of the District of Columbia  
5 shall submit to the Senate and House Committees on Ap-  
6 propriations, the Senate Governmental Affairs Committee,  
7 and the House Government Reform Committee quarterly  
8 reports addressing the following issues: (1) crime, includ-  
9 ing the homicide rate, implementation of community polic-  
10 ing, the number of police officers on local beats, and the  
11 closing down of open-air drug markets; (2) access to drug  
12 abuse treatment, including the number of treatment slots,  
13 the number of people served, the number of people on  
14 waiting lists, and the effectiveness of treatment programs;  
15 (3) management of parolees and pre-trial violent offend-  
16 ers, including the number of halfway house escapes and  
17 steps taken to improve monitoring and supervision of half-  
18 way house residents to reduce the number of escapes to  
19 be provided in consultation with the Court Services and  
20 Offender Supervision Agency; (4) education, including ac-  
21 cess to special education services and student achievement  
22 to be provided in consultation with the District of Colum-  
23 bia Public Schools; (5) improvement in basic District serv-  
24 ices, including rat control and abatement; (6) application  
25 for and management of Federal grants, including the

1 number and type of grants for which the District was eligi-  
2 ble but failed to apply and the number and type of grants  
3 awarded to the District but for which the District failed  
4 to spend the amounts received; and (7) indicators of child  
5 well-being.

6       SEC. 131. Nothing in this Act bars the District of  
7 Columbia Corporation Counsel from reviewing or com-  
8 menting on briefs in private lawsuits, or from consulting  
9 with officials of the District government regarding such  
10 lawsuits.

11       SEC. 132. No later than 30 calendar days after the  
12 date of the enactment of this Act, the Chief Financial Offi-  
13 cer of the District of Columbia shall submit to the appro-  
14 priate committees of Congress, the Mayor, and the Council  
15 a revised appropriated funds operating budget in the for-  
16 mat of the budget that the District of Columbia govern-  
17 ment submitted pursuant to section 442 of the District  
18 of Columbia Home Rule Act (Public Law 93–198; D.C.  
19 Official Code, sec. 1–204.42), for all agencies of the Dis-  
20 trict of Columbia government for such fiscal year that is  
21 in the total amount of the approved appropriation and  
22 that realigns all budgeted data for personal services and  
23 other-than-personal-services, respectively, with anticipated  
24 actual expenditures.

1        SEC. 133. RISK MANAGEMENT FOR SETTLEMENTS  
2 AND JUDGMENTS. In addition to any other authority to  
3 pay claims and judgments, any department, agency, or in-  
4 strumentality of the District government may pay the set-  
5 tlement or judgment of a claim or lawsuit in an amount  
6 less than \$10,000, in accordance with the Risk Manage-  
7 ment for Settlements and Judgments Amendment Act of  
8 2000, effective October 19, 2000 (D.C. Law 13–172; D.C.  
9 Official Code, sec. 2–402).

10        SEC. 134. None of the funds contained in this Act  
11 may be used to issue, administer, or enforce any order  
12 by the District of Columbia Commission on Human Rights  
13 relating to docket numbers 93–030–(PA) and 93–031–  
14 (PA).

15        This Act may be cited as the “District of Columbia  
16 Appropriations Act, 2003”.



**Calendar No. 523**

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2809**

**[Report No. 107-225]**

---

---

**A BILL**

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, 2003, and for other purposes.

---

---

JULY 26, 2002

Read twice and placed on the calendar