

the full Senate itself approved; give us the bill that the conference between the House and Senate approved. One tiny little change would give us that bill.

Then not only would we agree with this rule, we would agree with the bill. The bill would be sent over to the White House. It would be signed and that little \$429 million, which is infinitesimal compared to our Federal budget, would then be able to be spent in the District of Columbia as its citizens deem appropriate. To them, it means the difference between a solvent government that can respond to the needs of its citizens and one that is kept hostage by the Congress of the United States.

That is the problem with the rule. Let us act reasonably. Then we can both get together and do what is right in the interest of the citizens of the District of Columbia and in the public interest.

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
OFFERED BY MR. LINDER

Mr. LINDER. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will report the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. LINDER:

Strike all after the resolved clause and insert in lieu thereof:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3194) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes. The bill shall be considered as read for amendment. An amendment striking section 175 shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. Does the gentleman from Texas (Mr. FROST) yield the balance of his time?

Mr. FROST. Mr. Speaker, at this point let me state that though this amendment is somewhat unusual, we have no objection to the amendment being offered by the gentleman from Georgia (Mr. LINDER) and I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Georgia (Mr. LINDER).

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. FROST. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FROST. Mr. Speaker, is not a vote automatic, a roll call vote automatic on an appropriations conference report?

The SPEAKER pro tempore. The vote before us was on the rule.

Mr. FROST. On the appropriations bill. I am sorry, on the rule. I withdraw my question. There will be a vote; because Members had asked me, there will be a vote on the actual appropriations conference report?

The SPEAKER pro tempore. That is correct.

Mr. FROST. Not on the rule?

The SPEAKER pro tempore. That is correct. The gentlemen is correct.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include tabular and extraneous material on H.R. 3194.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA  
APPROPRIATIONS ACT, 2000

Mr. ISTOOK. Mr. Speaker, pursuant to House Resolution 354, I call up the bill (H.R. 3194), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of H.R. 3194, as amended pursuant to House Resolution 354, is as follows:

H.R. 3194

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2000, and for other purposes, namely:*

**TITLE I—FISCAL YEAR 2000  
APPROPRIATIONS  
FEDERAL FUNDS**

**FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

For a Federal payment to the District of Columbia for a program to be administered by the Mayor for District of Columbia resident tuition support, subject to the enact-

ment of authorizing legislation for such program by Congress, \$17,000,000, to remain available until expended: *Provided*, That such funds may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, usable at both public and private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit and such other factors as may be authorized: *Provided further*, That if the authorized program is a nationwide program, the Mayor may expend up to \$17,000,000: *Provided further*, That if the authorized program is for a limited number of States, the Mayor may expend up to \$11,000,000: *Provided further*, That the District of Columbia may expend funds other than the funds provided under this heading, including local tax revenues and contributions, to support such program.

**FEDERAL PAYMENT FOR INCENTIVES FOR  
ADOPTION OF CHILDREN**

For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, \$5,000,000: *Provided*, That such funds shall remain available until September 30, 2001 and shall be used in accordance with a program established by the Mayor and the Council of the District of Columbia and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That funds provided under this heading may be used to cover the costs to the District of Columbia of providing tax credits to offset the costs incurred by individuals in adopting children in the District of Columbia foster care system and in providing for the health care needs of such children, in accordance with legislation enacted by the District of Columbia government.

**FEDERAL PAYMENT TO THE CITIZEN COMPLAINT  
REVIEW BOARD**

For a Federal payment to the District of Columbia for administrative expenses of the Citizen Complaint Review Board, \$500,000, to remain available until September 30, 2001.

**FEDERAL PAYMENT TO THE DEPARTMENT OF  
HUMAN SERVICES**

For a Federal payment to the Department of Human Services for a mentoring program and for hotline services, \$250,000.

**FEDERAL PAYMENT TO THE DISTRICT OF  
COLUMBIA CORRECTIONS TRUSTEE OPERATIONS**

For salaries and expenses of the District of Columbia Corrections Trustee, \$176,000,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33; 111 Stat. 712): *Provided*, That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That in addition to the funds provided under this heading, the District of Columbia Corrections Trustee may use a portion of the interest earned on the Federal payment made to the Trustee under the District of Columbia Appropriations Act, 1998, (not to exceed \$4,600,000) to carry out the activities funded under this heading.

## FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$99,714,000 to be allocated as follows: for the District of Columbia Court of Appeals, \$7,209,000; for the District of Columbia Superior Court, \$68,351,000; for the District of Columbia Court System, \$16,154,000; and \$8,000,000, to remain available until September 30, 2001, for capital improvements for District of Columbia courthouse facilities: *Provided*, That of the amounts available for operations of the District of Columbia Courts, not to exceed \$2,500,000 shall be for the design of an Integrated Justice Information System and that such funds shall be used in accordance with a plan and design developed by the courts and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

## DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel authorized under section 21-2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$33,336,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$8,000,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use a portion (not to exceed \$1,200,000) of the interest earned on the Federal payment made to the District of Columbia courts under the District of Columbia Appropriations Act, 1999, together with funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$8,000,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during fiscal year 1999 if the Comptroller General certifies that the amount of obligations lawfully incurred for such payments during fiscal year 1999 exceeds the obligatory authority otherwise available for making such payments: *Provided further*, That such funds shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned

quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

## FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, (Public Law 105-33; 111 Stat. 712), \$93,800,000, of which \$58,600,000 shall be for necessary expenses of Parole Revocation, Adult Probation, Offender Supervision, and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; \$17,400,000 shall be available to the Public Defender Service; and \$17,800,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That of the amounts made available under this heading, \$20,492,000 shall be used in support of universal drug screening and testing for those individuals on pretrial, probation, or parole supervision with continued testing, intermediate sanctions, and treatment for those identified in need, of which \$7,000,000 shall be for treatment services.

## CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal contribution to the Children's National Medical Center in the District of Columbia, \$2,500,000 for construction, renovation, and information technology infrastructure costs associated with establishing community pediatric health clinics for high risk children in medically underserved areas of the District of Columbia.

## FEDERAL PAYMENT FOR METROPOLITAN POLICE DEPARTMENT

For payment to the Metropolitan Police Department, \$1,000,000, for a program to eliminate open air drug trafficking in the District of Columbia: *Provided*, That the Chief of Police shall provide quarterly reports to the Committees on Appropriations of the Senate and House of Representatives by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the project financed under this heading.

DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES  
DIVISION OF EXPENSES

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

## GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$162,356,000 (including \$137,134,000 from local funds, \$11,670,000 from Federal funds, and \$13,552,000 from other funds): *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for

the Chairman of the Council of the District of Columbia, and \$2,500 for the City Administrator shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further*, That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor: *Provided further*, That, notwithstanding any other provision of law now or hereafter enacted, no Member of the District of Columbia Council eligible to earn a part-time salary of \$92,520, exclusive of the Council Chairman, shall be paid a salary of more than \$84,635 during fiscal year 2000.

## ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$190,335,000 (including \$52,911,000 from local funds, \$84,751,000 from Federal funds, and \$52,673,000 from other funds), of which \$15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11-134; D.C. Code, sec. 1-2271 et seq.), and the Business Improvement Districts Temporary Amendment Act of 1997 (D.C. Law 12-23): *Provided*, That such funds are available for acquiring services provided by the General Services Administration: *Provided further*, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia.

## PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, \$778,770,000 (including \$565,511,000 from local funds, \$29,012,000 from Federal funds, and \$184,247,000 from other funds): *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000: *Provided further*, That the Mayor shall reimburse the District of Columbia National

Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further*, That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further*, That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: *Provided further*, That \$100,000 shall be available for inmates released on medical and geriatric parole: *Provided further*, That commencing on December 31, 1999, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia: *Provided further*, That up to \$700,000 in local funds shall be available for the operations of the Citizen Complaint Review Board.

#### PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$867,411,000 (including \$721,847,000 from local funds, \$120,951,000 from Federal funds, and \$24,613,000 from other funds), to be allocated as follows: \$713,197,000 (including \$600,936,000 from local funds, \$106,213,000 from Federal funds, and \$6,048,000 from other funds), for the public schools of the District of Columbia; \$10,700,000 from local funds for the District of Columbia Teachers' Retirement Fund; \$17,000,000 from local funds, previously appropriated in this Act as a Federal payment, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; \$27,885,000 from local funds for public charter schools: *Provided*, That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for new public charter schools on a per pupil basis: *Provided further*, That \$480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs; \$72,347,000 (including \$40,491,000 from local funds, \$13,536,000 from Federal funds, and \$18,320,000 from other funds) for the University of the District of Columbia; \$24,171,000 (including \$23,128,000 from local funds, \$798,000 from Federal funds, and \$245,000 from other funds) for the Public Library; \$2,111,000 (including \$1,707,000 from local funds and \$404,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be avail-

able from this appropriation for official purposes: *Provided further*, That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (D.C. Code, sec. 31-401 et seq.): *Provided further*, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2000 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2000, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further*, That the District of Columbia Public Schools shall not spend less than \$365,500,000 on local schools through the Weighted Student Formula in fiscal year 2000: *Provided further*, That notwithstanding any other provision of law, the Chief Financial Officer of the District of Columbia shall apportion from the budget of the District of Columbia Public Schools a sum totaling 5 percent of the total budget to be set aside until the current student count for Public and Charter schools has been completed, and that this amount shall be apportioned between the Public and Charter schools based on their respective student population count: *Provided further*, That the District of Columbia Public Schools may spend \$500,000 to engage in a Schools Without Violence program based on a model developed by the University of North Carolina, located in Greensboro, North Carolina.

#### HUMAN SUPPORT SERVICES

Human support services, \$1,526,361,000 (including \$635,373,000 from local funds, \$875,814,000 from Federal funds, and \$15,174,000 from other funds): *Provided*, That \$25,150,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That a peer review committee shall be established to review medical payments and the type of service received by a disability compensation claimant: *Provided further*, That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, as defined in section 411(5) of the Stewart B. McKinney Homeless Assistance Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.).

#### PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor

and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$271,395,000 (including \$258,341,000 from local funds, \$3,099,000 from Federal funds, and \$9,955,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

#### RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, \$342,077,000 (including \$217,606,000 from local funds, \$106,111,000 from Federal funds, and \$18,360,000 from other funds).

#### WORKFORCE INVESTMENTS

For workforce investments, \$8,500,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

#### RESERVE

For a reserve to be established by the Chief Financial Officer of the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority, \$150,000,000.

#### DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (109 Stat. 97; Public Law 104-8), \$3,140,000: *Provided*, That none of the funds contained in this Act may be used to pay any compensation of the Executive Director or General Counsel of the Authority at a rate in excess of the maximum rate of compensation which may be paid to such individual during fiscal year 2000 under section 102 of such Act, as determined by the Comptroller General (as described in GAO letter report B-279095.2).

#### REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 402, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973, as amended, and that funds shall be allocated for expenses associated with the Wilson Building, \$328,417,000 from local funds: *Provided*, That for equipment leases, the Mayor may finance \$27,527,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: *Provided further*, That \$5,300,000 is allocated to the Metropolitan Police Department, \$3,200,000 for the Fire and Emergency Medical Services Department, \$350,000 for the Department of Corrections, \$15,949,000 for the Department of Public Works and \$2,728,000 for the Public Benefit Corporation.

#### REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, \$38,286,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act (105 Stat. 540; D.C. Code, sec. 47-321(a)(1)).

#### PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, \$9,000,000 from local funds.

#### CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the

land site underlying the building located at One Judiciary Square, \$7,950,000 from local funds.

#### OPTICAL AND DENTAL INSURANCE PAYMENTS

For optical and dental insurance payments, \$1,295,000 from local funds.

#### PRODUCTIVITY BANK

The Chief Financial Officer of the District of Columbia, under the direction of the Mayor and the District of Columbia Financial Responsibility and Management Assistance Authority, shall finance projects totaling \$20,000,000 in local funds that result in cost savings or additional revenues, by an amount equal to such financing: *Provided* That the Mayor shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the projects financed under this heading.

#### PRODUCTIVITY BANK SAVINGS

The Chief Financial Officer of the District of Columbia, under the direction of the Mayor and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions totaling \$20,000,000 in local funds. The reductions are to be allocated to projects funded through the Productivity Bank that produce cost savings or additional revenues in an amount equal to the Productivity Bank financing: *Provided*, That the Mayor shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the cost savings or additional revenues funded under this heading.

#### PROCUREMENT AND MANAGEMENT SAVINGS

The Chief Financial Officer of the District of Columbia, under the direction of the Mayor and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions of \$14,457,000 for general supply schedule savings and \$7,000,000 for management reform savings, in local funds to one or more of the appropriation headings in this Act: *Provided* That the Mayor shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the general supply schedule savings and management reform savings projected under this heading.

#### ENTERPRISE AND OTHER FUNDS

##### WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For operation of the Water and Sewer Authority and the Washington Aqueduct, \$279,608,000 from other funds (including \$236,075,000 for the Water and Sewer Authority and \$43,533,000 for the Washington Aqueduct) of which \$35,222,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, \$197,169,000, as authorized by the Act entitled "An Act authorizing the laying of watermains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes" (33 Stat. 244; Public Law 58-140; D.C. Code, sec. 43-1512 et seq.): *Provided* That the requirements and restrictions that are applicable to general fund capital improvements projects and set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title.

#### LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982 (95 Stat. 1174 and 1175; Public Law 97-91), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3-172; D.C. Code, sec. 2-2501 et seq. and sec. 22-1516 et seq.), \$234,400,000: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

#### SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, \$10,846,000 from other funds for expenses incurred by the Armory Board in the exercise of its powers granted by the Act entitled "An Act To Establish A District of Columbia Armory Board, and for other purposes" (62 Stat. 339; D.C. Code, sec. 2-301 et seq.) and the District of Columbia Stadium Act of 1957 (71 Stat. 619; Public Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided*, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act (87 Stat. 824; Public Law 93-198; D.C. Code, sec. 47-301(b)).

#### DISTRICT OF COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION

For the District of Columbia Health and Hospitals Public Benefit Corporation, established by D.C. Law 11-212; D.C. Code, sec. 32-262.2, \$133,443,000 of which \$44,435,000 shall be derived by transfer from the general fund and \$89,008,000 from other funds.

#### DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Code, sec. 1-711), \$9,892,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report: *Provided further*, That section 121(c)(1) of the District of Columbia Retirement Reform Act (D.C. Code, sec. 1-711(c)(1)) is amended by striking "the total amount to which a member may be entitled" and all that follows and inserting the following: "the total amount to which a member may be entitled under this subsection during a year (beginning with 1998) may not exceed \$5,000, except that in the case of the Chairman of the Board and the Chairman of the Investment Committee of the Board, such amount may not exceed \$7,500 (beginning with 2000)."

#### CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act (78 Stat. 1000; Public Law 88-622), \$1,810,000 from other funds.

#### WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, \$50,226,000 from other funds.

#### CAPITAL OUTLAY (INCLUDING RESCISSIONS)

For construction projects, \$1,260,524,000 of which \$929,450,000 is from local funds, \$54,050,000 is from the highway trust fund, and \$277,024,000 is from Federal funds, and a rescission of \$41,886,500 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$1,218,637,500 to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2001, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2001: *Provided further*, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse.

#### GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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

SEC. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District

of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the payment of the non-Federal share of funds necessary to qualify for grants under subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994.

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 110. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the Subcommittee on the District of Columbia of the House Committee on Government Reform, the Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 111. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

SEC. 112. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 113. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 114. The Mayor shall not borrow any funds for capital projects unless the Mayor has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 115. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 116. None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a re-

programming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of \$1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project, or responsibility center; unless the Appropriations Committees of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

SEC. 117. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia government.

SEC. 118. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 119. (a) CITY ADMINISTRATOR.—The last sentence of section 422(7) of the District of Columbia Home Rule Act (D.C. Code, sec. 1-242(7)) is amended by striking “, not to exceed” and all that follows and inserting a period.

(b) BOARD OF DIRECTORS OF REDEVELOPMENT LAND AGENCY.—Section 1108(c)(2)(F) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Code, sec. 1-612.8(c)(2)(F)) is amended to read as follows:

“(F) Redevelopment Land Agency board members shall be paid per diem compensation at a rate established by the Mayor, except that such rate may not exceed the daily equivalent of the annual rate of basic pay for level 15 of the District Schedule for each day (including travel time) during which they are engaged in the actual performance of their duties.”

SEC. 120. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 121. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 2000, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 2000 revenue estimates as of the end of the first quarter of fiscal year 2000. These estimates shall be used in the budget request for the fiscal year ending September 30, 2001. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 122. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the com-

petitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Code, sec. 1-1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Authority.

SEC. 123. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), the term “program, project, and activity” shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 124. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

SEC. 125. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2000 if—

(1) the Mayor approves the acceptance and use of the gift or donation: *Provided*, That the Council of the District of Columbia may accept and use gifts without prior approval by the Mayor; and

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

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a) of this section, and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term “entity of the District of Columbia government” includes an independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 126. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)).

SEC. 127. (a) The University of the District of Columbia shall submit to the Mayor, the District of Columbia Financial Responsibility and Management Authority and the Council of the District of Columbia no later than 15 calendar days after the end of each quarter a report that sets forth—

(1) current quarter expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, and object class, and for all funds, non-appropriated funds, and capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last quarter and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last quarter in compliance with applicable law; and

(5) changes made in the last quarter to the organizational structure of the University of the District of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

(b) The Mayor, the Authority, and the Council shall provide the Congress by February 1, 2000, a summary, analysis, and recommendations on the information provided in the quarterly reports.

SEC. 128. Funds authorized or previously appropriated to the government of the District of Columbia by this or any other Act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 129. (a) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) if—

(1) the hourly rate of compensation of the attorney exceeds 120 percent of the hourly rate of compensation under section 11-2604(a), District of Columbia Code; or

(2) the maximum amount of compensation of the attorney exceeds 120 percent of the maximum amount of compensation under section 11-2604(b)(1), District of Columbia Code, except that compensation and reimbursement in excess of such maximum may be approved for extended or complex representation in accordance with section 11-2604(c), District of Columbia Code.

(b) Notwithstanding the preceding subsection, if the Mayor, District of Columbia Financial Responsibility and Management Assistance Authority and the Superintendent of the District of Columbia Public Schools concur in a Memorandum of Understanding setting forth a new rate and amount of compensation, then such new rates shall apply in lieu of the rates set forth in the preceding subsection.

SEC. 130. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 131. None of the funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Code, sec. 36-1401 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or lesbian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 132. The Superintendent of the District of Columbia Public Schools shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than 15 calendar days after the end of each quarter a report that sets forth—

(1) current quarter expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget, broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing;

(2) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(3) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged, broken out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the District of Columbia Public Schools; payments made in the last quarter and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(4) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education; and

(5) changes made in the last quarter to the organizational structure of the District of Columbia Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

SEC. 133. (a) IN GENERAL.—The Superintendent of the District of Columbia Public Schools and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth—

(1) the number of validated schedule A positions in the District of Columbia public schools and the University of the District of Columbia for fiscal year 1999, fiscal year 2000, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the District of Columbia public schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency

reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) SUBMISSION.—The annual report required by subsection (a) of this section shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

SEC. 134. (a) No later than November 1, 1999, or within 30 calendar days after the date of the enactment of this Act, whichever occurs later, and each succeeding year, the Superintendent of the District of Columbia Public Schools and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the Superintendent of the District of Columbia Public Schools and the University of the District of Columbia submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Code, sec. 47-301).

SEC. 135. The District of Columbia Financial Responsibility and Management Assistance Authority, acting on behalf of the District of Columbia Public Schools (DCPS) in formulating the DCPS budget, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve the respective annual or revised budgets for such entities before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Code, sec. 47-301), or before submitting their respective budgets directly to the Council.

SEC. 136. (a) CEILING ON TOTAL OPERATING EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2000 under the heading "Division of Expenses" shall not exceed the lesser of—

(A) the sum of the total revenues of the District of Columbia for such fiscal year; or

(B) \$5,515,379,000 (of which \$152,753,000 shall be from intra-District funds and \$3,113,854,000 shall be from local funds), which amount may be increased by the following:

(i) proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs approved by the District of Columbia Financial Responsibility and Management Assistance Authority; or

(ii) after notification to the Council, additional expenditures which the Chief Financial Officer of the District of Columbia certifies will produce additional revenues during such fiscal year at least equal to 200 percent of such additional expenditures, and that are approved by the Authority.

(2) ENFORCEMENT.—The Chief Financial Officer of the District of Columbia and the Authority shall take such steps as are necessary to assure that the District of Columbia meets the requirements of this section, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2000, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

(b) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—

(1) IN GENERAL.—Notwithstanding subsection (a), the Mayor, in consultation with the Chief Financial Officer, during a control year, as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104-8; 109 Stat. 152), may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND AUTHORITY APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Authority a report setting forth detailed information regarding such grant; and

(B) the Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) QUARTERLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.

(c) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1999, the Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

SEC. 137. If a department or agency of the government of the District of Columbia is under the administration of a court-appointed receiver or other court-appointed official during fiscal year 2000 or any succeeding fiscal year, the receiver or official shall prepare and submit to the Mayor, for inclusion in the annual budget of the Dis-

trict of Columbia for the year, annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the department or agency. All such estimates shall be forwarded by the Mayor to the Council, for its action pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act, without revision but subject to the Mayor's recommendations. Notwithstanding any provision of the District of Columbia Home Rule Act (87 Stat. 774; Public Law 93-198) the Council may comment or make recommendations concerning such annual estimates but shall have no authority under such Act to revise such estimates.

SEC. 138. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of the District of Columbia public schools shall be—

(1) classified as an Educational Service employee;

(2) placed under the personnel authority of the Board of Education; and

(3) subject to all Board of Education rules.

(b) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

SEC. 139. (a) RESTRICTIONS ON USE OF OFFICIAL VEHICLES.—Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace (except: (1) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department; (2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day; (3) the Mayor of the District of Columbia; and (4) the Chairman of the Council of the District of Columbia).

(b) INVENTORY OF VEHICLES.—The Chief Financial Officer of the District of Columbia shall submit, by November 15, 1999, an inventory, as of September 30, 1999, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 140. (a) SOURCE OF PAYMENT FOR EMPLOYEES DETAILED WITHIN GOVERNMENT.—For purposes of determining the amount of funds expended by any entity within the District of Columbia government during fiscal year 2000 and each succeeding fiscal year, any expenditures of the District government attributable to any officer or employee of the District government who provides services which are within the authority and jurisdiction of the entity (including any portion of the compensation paid to the officer or employee attributable to the time spent in providing such services) shall be treated as expenditures made from the entity's budget, without regard to whether the officer or employee is assigned to the entity or otherwise treated as an officer or employee of the entity.

(b) MODIFICATION OF REDUCTION IN FORCE PROCEDURES.—The District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Code, sec. 1-601.1 et seq.), is further amended in section 2408(a) by striking "1999" and inserting "2000"; in subsection (b), by striking "1999" and inserting "2000"; in subsection (i), by striking "1999" and inserting "2000"; and in subsection (k), by striking "1999" and inserting "2000".

SEC. 141. Notwithstanding any other provision of law, not later than 120 days after the date that a District of Columbia Public Schools (DCPS) student is referred for evaluation or assessment—

(1) the District of Columbia Board of Education, or its successor, and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act (84 Stat. 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C. 706(8)), the Board and DCPS shall place that student in an appropriate program of special education services.

SEC. 142. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a-10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

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

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

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 143. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority) for fiscal year 2000 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Code, sec. 1-1182.8(a)(4)); and

(2) the audit includes a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year.

SEC. 144. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the District of Columbia Financial Responsibility and Management Assistance Authority. Appropriations made by this Act for such programs or functions are conditioned only on the approval by the Authority of the required reorganization plans.

SEC. 145. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes.

SEC. 146. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

SEC. 147. None of the funds contained in this Act may be used to transfer or confine inmates classified above the medium security level, as defined by the Federal Bureau of Prisons classification instrument, to the Northeast Ohio Correctional Center located in Youngstown, Ohio.

SEC. 148. (a) Section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104-8), as added by section 155 of the District of Columbia Appropriations Act, 1999, is amended to read as follows:

“(j) RESERVE.—

“(I) IN GENERAL.—Beginning with fiscal year 2000, the plan or budget submitted pursuant to this Act shall contain \$150,000,000 for a reserve to be established by the Mayor, Council of the District of Columbia, Chief Financial Officer for the District of Columbia, and the District of Columbia Financial Responsibility and Management Assistance Authority.

“(2) CONDITIONS ON USE.—The reserve funds—

“(A) shall only be expended according to criteria established by the Chief Financial Officer and approved by the Mayor, Council of the District of Columbia, and District of Columbia Financial Responsibility and Management Assistance Authority, but, in no case may any of the reserve funds be expended until any other surplus funds have been used;

“(B) shall not be used to fund the agencies of the District of Columbia government under court ordered receivership; and

“(C) shall not be used to fund shortfalls in the projected reductions budgeted in the budget proposed by the District of Columbia government for general supply schedule savings and management reform savings.

“(3) REPORT REQUIREMENT.—The Authority shall notify the Appropriations Committees of both the Senate and House of Representatives in writing 30 days in advance of any expenditure of the reserve funds.”.

(b) Section 202 of such Act (Public Law 104-8), as amended by subsection (a), is further amended by adding at the end the following:

“(k) POSITIVE FUND BALANCE.—

“(I) IN GENERAL.—The District of Columbia shall maintain at the end of a fiscal year an annual positive fund balance in the general fund of not less than 4 percent of the projected general fund expenditures for the following fiscal year.

“(2) EXCESS FUNDS.—Of funds remaining in excess of the amounts required by paragraph (1)—

“(A) not more than 50 percent may be used for authorized non-recurring expenses; and

“(B) not less than 50 percent shall be used to reduce the debt of the District of Columbia.”.

SEC. 149. (a) No later than November 1, 1999, or within 30 calendar days after the date of the enactment of this Act, whichever occurs later, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the District of Columbia Financial Responsibility and Management Assistance Authority a revised appropriated funds operating budget for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Code, sec. 47-301).

SEC. 150. None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug, or for any payment to any individual or entity who carries out such program.

SEC. 151. (a) RESTRICTIONS ON LEASES.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, none of the funds contained in this Act may be used to make rental payments under a lease for the use of real property by the District of Columbia government (including any independent agency of the District) unless the lease and an abstract of the lease have been filed (by the District of Columbia or any other party to the lease) with the central office of the Deputy Mayor for Economic Development, in an indexed registry available for public inspection.

(b) ADDITIONAL RESTRICTIONS ON CURRENT LEASES.—

(1) IN GENERAL.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, in the case of a lease described in paragraph (3), none of the funds contained in this Act may be used to make rental payments under the lease unless the lease is included in periodic reports submitted by the Mayor and Council of the District of Columbia to the Committees on Appropriations of the House of Representatives and Senate describing for each such lease the following information:

(A) The location of the property involved, the name of the owners of record according to the land records of the District of Columbia, the name of the lessors according to the lease, the rate of payment under the lease, the period of time covered by the lease, and the conditions under which the lease may be terminated.

(B) The extent to which the property is or is not occupied by the District of Columbia government as of the end of the reporting period involved.

(C) If the property is not occupied and utilized by the District government as of the end of the reporting period involved, a plan for occupying and utilizing the property (including construction or renovation work) or a status statement regarding any efforts by the District to terminate or renegotiate the lease.

(2) TIMING OF REPORTS.—The reports described in paragraph (1) shall be submitted for each calendar quarter (beginning with the quarter ending December 31, 1999) not later than 20 days after the end of the quarter involved, plus an initial report submitted not later than 60 days after the date of the enactment of this Act, which shall provide

information as of the date of the enactment of this Act.

(3) LEASES DESCRIBED.—A lease described in this paragraph is a lease in effect as of the date of the enactment of this Act for the use of real property by the District of Columbia government (including any independent agency of the District) which is not being occupied by the District government (including any independent agency of the District) as of such date or during the 60-day period which begins on the date of the enactment of this Act.

SEC. 152. (a) MANAGEMENT OF EXISTING DISTRICT GOVERNMENT PROPERTY.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, none of the funds contained in this Act may be used to enter into a lease (or to make rental payments under such a lease) for the use of real property by the District of Columbia government (including any independent agency of the District) or to purchase real property for the use of the District of Columbia government (including any independent agency of the District) or to manage real property for the use of the District of Columbia (including any independent agency of the District) unless the following conditions are met:

(1) The Mayor and Council of the District of Columbia certify to the Committees on Appropriations of the House of Representatives and Senate that existing real property available to the District (whether leased or owned by the District government) is not suitable for the purposes intended.

(2) Notwithstanding any other provisions of law, there is made available for sale or lease all real property of the District of Columbia that the Mayor from time-to-time determines is surplus to the needs of the District of Columbia, unless a majority of the members of the Council override the Mayor's determination during the 30-day period which begins on the date the determination is published.

(3) The Mayor and Council implement a program for the periodic survey of all District property to determine if it is surplus to the needs of the District.

(4) The Mayor and Council within 60 days of the date of the enactment of this Act have filed with the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform and Oversight of the House of Representatives, and the Committee on Governmental Affairs of the Senate a report which provides a comprehensive plan for the management of District of Columbia real property assets, and are proceeding with the implementation of the plan.

(b) TERMINATION OF PROVISIONS.—If the District of Columbia enacts legislation to reform the practices and procedures governing the entering into of leases for the use of real property by the District of Columbia government and the disposition of surplus real property of the District government, the provisions of subsection (a) shall cease to be effective upon the effective date of the legislation.

SEC. 153. Section 603(e)(2)(B) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104-208; 110 Stat. 3009-293) is amended—

(1) by inserting “and public charter” after “public”; and

(2) by adding at the end the following: “Of such amounts and proceeds, \$5,000,000 shall be set aside for use as a credit enhancement fund for public charter schools in the District of Columbia, with the administration of the fund (including the making of loans) to

be carried out by the Mayor through a committee consisting of three individuals appointed by the Mayor of the District of Columbia and two individuals appointed by the Public Charter School Board established under section 2214 of the District of Columbia School Reform Act of 1995.”.

SEC. 154. The Mayor, District of Columbia Financial Responsibility and Management Assistance Authority, and the Superintendent of Schools shall implement a process to dispose of excess public school real property within 90 days of the enactment of this Act.

SEC. 155. Section 2003 of the District of Columbia School Reform Act of 1995 (Public Law 104-134; D.C. Code, sec. 31-2851) is amended by striking “during the period” and “and ending 5 years after such date.”.

SEC. 156. Section 2206(c) of the District of Columbia School Reform Act of 1995 (Public Law 104-134; D.C. Code, sec. 31-2853.16(c)) is amended by adding at the end the following: “, except that a preference in admission may be given to an applicant who is a sibling of a student already attending or selected for admission to the public charter school in which the applicant is seeking enrollment.”

SEC. 157. (a) TRANSFER OF FUNDS.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter referred to as the “Authority”) to the District of Columbia the sum of \$18,000,000 for severance payments to individuals separated from employment during fiscal year 2000 (under such terms and conditions as the Mayor considers appropriate), expanded contracting authority of the Mayor, and the implementation of a system of managed competition among public and private providers of goods and services by and on behalf of the District of Columbia: *Provided*, That such funds shall be used only in accordance with a plan agreed to by the Council and the Mayor and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Authority and the Mayor shall coordinate the spending of funds for this program so that continuous progress is made. The Authority shall release said funds, on a quarterly basis, to reimburse such expenses, so long as the Authority certifies that the expenses reduce re-occurring future costs at an annual ratio of at least 2 to 1 relative to the funds provided, and that the program is in accordance with the best practices of municipal government.

(b) SOURCE OF FUNDS.—The amount transferred under subsection (a) shall be derived from interest earned on accounts held by the Authority on behalf of the District of Columbia.

SEC. 158. (a) IN GENERAL.—The District of Columbia Financial Responsibility and Management Assistance Authority (hereafter referred to as the “Authority”), working with the Commonwealth of Virginia and the Director of the National Park Service, shall carry out a project to complete all design requirements and all requirements for compliance with the National Environmental Policy Act for the construction of expanded lane capacity for the Fourteenth Street Bridge.

(b) SOURCE OF FUNDS; TRANSFER.—For purposes of carrying out the project under subsection (a), there is hereby transferred to the Authority from the District of Columbia dedicated highway fund established pursuant to section 3(a) of the District of Columbia Emergency Highway Relief Act (Public Law 104-21; D.C. Code, sec. 7-134.2(a)) an amount not to exceed \$5,000,000.

SEC. 159. (a) IN GENERAL.—The Mayor of the District of Columbia shall carry out through the Army Corps of Engineers, an Anacostia River environmental cleanup program.

(b) SOURCE OF FUNDS.—There are hereby transferred to the Mayor from the escrow account held by the District of Columbia Financial Responsibility and Management Assistance Authority pursuant to section 134 of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277; 112 Stat. 2681-552), for infrastructure needs of the District of Columbia, \$5,000,000.

SEC. 160. (a) PROHIBITING PAYMENT OF ADMINISTRATIVE COSTS FROM FUND.—Section 16(e) of the Victims of Violent Crime Compensation Act of 1996 (D.C. Code, sec. 3-435(e)) is amended—

(1) by striking “and administrative costs necessary to carry out this chapter”; and

(2) by striking the period at the end and inserting the following: “, and no monies in the Fund may be used for any other purpose.”.

(b) MAINTENANCE OF FUND IN TREASURY OF THE UNITED STATES.—

(1) IN GENERAL.—Section 16(a) of such Act (D.C. Code, sec. 3-435(a)) is amended by striking the second sentence and inserting the following: “The Fund shall be maintained as a separate fund in the Treasury of the United States. All amounts deposited to the credit of the Fund are appropriated without fiscal year limitation to make payments as authorized under subsection (e).”.

(2) CONFORMING AMENDMENT.—Section 16 of such Act (D.C. Code, sec. 3-435) is amended by striking subsection (d).

(c) DEPOSIT OF OTHER FEES AND RECEIPTS INTO FUND.—Section 16(c) of such Act (D.C. Code, sec. 3-435(c)) is amended by inserting after “1997,” the second place it appears the following: “any other fines, fees, penalties, or assessments that the Court determines necessary to carry out the purposes of the Fund.”.

(d) ANNUAL TRANSFER OF UNOBLIGATED BALANCES TO MISCELLANEOUS RECEIPTS OF TREASURY.—Section 16 of such Act (D.C. Code, sec. 3-435), as amended by subsection (b)(2), is further amended by inserting after subsection (c) the following new subsection:

“(d) Any unobligated balance existing in the Fund in excess of \$250,000 as of the end of each fiscal year (beginning with fiscal year 2000) shall be transferred to miscellaneous receipts of the Treasury of the United States not later than 30 days after the end of the fiscal year.”.

(e) RATIFICATION OF PAYMENTS AND DEPOSITS.—Any payments made from or deposits made to the Crime Victims Compensation Fund on or after April 9, 1997 are hereby ratified, to the extent such payments and deposits are authorized under the Victims of Violent Crime Compensation Act of 1996 (D.C. Code, sec. 3-421 et seq.), as amended by this section.

SEC. 161. CERTIFICATION.—None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and their agency as a result of this Act.

SEC. 162. The proposed budget of the government of the District of Columbia for fiscal year 2001 that is submitted by the District to Congress shall specify potential adjustments that might become necessary in the event that the management savings achieved by the District during the year do not meet the level of management savings projected by the District under the proposed budget.

SEC. 163. In submitting any document showing the budget for an office of the District of Columbia government (including an independent agency of the District) that contains a category of activities labeled as “other”, “miscellaneous”, or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown of the amount allocated for each such activity.

SEC. 164. (a) AUTHORIZING CORPS OF ENGINEERS TO PERFORM REPAIRS AND IMPROVEMENTS.—In using the funds made available under this Act for carrying out improvements to the Southwest Waterfront in the District of Columbia (including upgrading marina dock pilings and paving and restoring walkways in the marina and fish market areas) for the portions of Federal property in the Southwest quadrant of the District of Columbia within Lots 847 and 848, a portion of Lot 846, and the unassessed Federal real property adjacent to Lot 848 in Square 473, any entity of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority or its designee) may place orders for engineering and construction and related services with the Chief of Engineers of the United States Army Corps of Engineers. The Chief of Engineers may accept such orders on a reimbursable basis and may provide any part of such services by contract. In providing such services, the Chief of Engineers shall follow the Federal Acquisition Regulations and the implementing Department of Defense regulations.

(b) TIMING FOR AVAILABILITY OF FUNDS UNDER 1999 ACT.—

(1) IN GENERAL.—The District of Columbia Appropriations Act, 1999 (Public Law 105-277; 112 Stat. 2681-124) is amended in the item relating to “FEDERAL FUNDS—FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS”—

(A) by striking “existing lessees” the first place it appears and inserting “existing lessees of the Marina”; and

(B) by striking “the existing lessees” the second place it appears and inserting “such lessees”.

(2) EFFECTIVE DATE.—This subsection shall take effect as if included in the District of Columbia Appropriations Act, 1999.

(c) ADDITIONAL FUNDING FOR IMPROVEMENTS CARRIED OUT THROUGH CORPS OF ENGINEERS.—

(1) IN GENERAL.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority to the Mayor the sum of \$3,000,000 for carrying out the improvements described in subsection (a) through the Chief of Engineers of the United States Army Corps of Engineers.

(2) SOURCE OF FUNDS.—The funds transferred under paragraph (1) shall be derived from the escrow account held by the District of Columbia Financial Responsibility and Management Assistance Authority pursuant to section 134 of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277; 112 Stat. 2681-552), for infrastructure needs of the District of Columbia.

(d) QUARTERLY REPORTS ON PROJECT.—The Mayor shall submit reports to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate on the status of the improvements described in subsection (a) for each calendar quarter occurring until the improvements are completed.

SEC. 165. It is the sense of the Congress that the District of Columbia should not impose or take into consideration any height, square footage, set-back, or other construction or zoning requirements in authorizing

the issuance of industrial revenue bonds for a project of the American National Red Cross at 2025 E Street Northwest, Washington, D.C., in as much as this project is subject to approval of the National Capital Planning Commission and the Commission of Fine Arts pursuant to section 11 of the joint resolution entitled "Joint Resolution to grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, District of Columbia", approved July 1, 1947 (Public Law 100-637; 36 U.S.C. 300108 note).

SEC. 166. (a) PERMITTING COURT SERVICES AND OFFENDER SUPERVISION AGENCY TO CARRY OUT SEX OFFENDER REGISTRATION.—Section 11233(c) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code, sec. 24-1233(c)) is amended by adding at the end the following new paragraph:

"(5) SEX OFFENDER REGISTRATION.—The Agency shall carry out sex offender registration functions in the District of Columbia, and shall have the authority to exercise all powers and functions relating to sex offender registration that are granted to the Agency under any District of Columbia law."

(b) AUTHORITY DURING TRANSITION TO FULL OPERATION OF AGENCY.—

(1) AUTHORITY OF PRETRIAL SERVICES, PAROLE, ADULT PROBATION AND OFFENDER SUPERVISION TRUSTEE.—Notwithstanding section 11232(b)(1) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code, sec. 24-1232(b)(1)), the Pretrial Services, Parole, Adult Probation and Offender Supervision Trustee appointed under section 11232(a) of such Act (hereafter referred to as the "Trustee") shall, in accordance with section 11232 of such Act, exercise the powers and functions of the Court Services and Offender Supervision Agency for the District of Columbia (hereafter referred to as the "Agency") relating to sex offender registration (as granted to the Agency under any District of Columbia law) only upon the Trustee's certification that the Trustee is able to assume such powers and functions.

(2) AUTHORITY OF METROPOLITAN POLICE DEPARTMENT.—During the period that begins on the date of the enactment of the Sex Offender Registration Emergency Act of 1999 and ends on the date the Trustee makes the certification described in paragraph (1), the Metropolitan Police Department of the District of Columbia shall have the authority to carry out any powers and functions relating to sex offender registration that are granted to the Agency or to the Trustee under any District of Columbia law.

SEC. 167. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 168. (a) IN GENERAL.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority (hereinafter referred to as the "Authority") to the District of Columbia the sum of \$5,000,000 for the Mayor, in consultation with the Council of the District of Columbia, to provide offsets against local taxes for a commercial revitalization program, such program to be available in enterprise zones and low and moderate income areas in the District of Columbia: *Provided*,

That in carrying out such a program, the Mayor shall use Federal commercial revitalization proposals introduced in Congress as a guideline.

(b) SOURCE OF FUNDS.—The amount transferred under subsection (a) shall be derived from interest earned on accounts held by the Authority on behalf of the District of Columbia.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Mayor shall report to the Committees on Appropriations of the Senate and House of Representatives on the progress made in carrying out the commercial revitalization program.

SEC. 169. Section 456 of the District of Columbia Home Rule Act (section 47-231 et seq. of the D.C. Code, as added by the Federal Payment Reauthorization Act of 1994 (Public Law 103-373)) is amended—

(1) in subsection (a)(1), by striking "District of Columbia Financial Responsibility and Management Assistance Authority" and inserting "Mayor"; and

(2) in subsection (b)(1), by striking "Authority" and inserting "Mayor".

SEC. 170. (a) FINDINGS.—The Congress finds the following:

(1) The District of Columbia has recently witnessed a spate of senseless killings of innocent citizens caught in the crossfire of shootings. A Justice Department crime victimization survey found that while the city saw a decline in the homicide rate between 1996 and 1997, the rate was the highest among a dozen cities and more than double the second highest city.

(2) The District of Columbia has not made adequate funding available to fight drug abuse in recent years, and the city has not deployed its resources as effectively as possible. In fiscal year 1998, \$20,900,000 was spent on publicly funded drug treatment in the District compared to \$29,000,000 in fiscal year 1993. The District's Addiction and Prevention and Recovery Agency currently has only 2,200 treatment slots, a 50 percent drop from 1994, with more than 1,100 people on waiting lists.

(3) The District of Columbia has seen a rash of inmate escapes from halfway houses. According to Department of Corrections records, between October 21, 1998 and January 19, 1999, 376 of the 1,125 inmates assigned to halfway houses walked away. Nearly 280 of the 376 escapees were awaiting trial including two charged with murder.

(4) The District of Columbia public schools system faces serious challenges in correcting chronic problems, particularly long-standing deficiencies in providing special education services to the 1 in 10 District students needing program benefits, including backlogged assessments, and repeated failure to meet a compliance agreement on special education reached with the Department of Education.

(5) Deficiencies in the delivery of basic public services from cleaning streets to waiting time at Department of Motor Vehicles to a rat population estimated earlier this year to exceed the human population have generated considerable public frustration.

(6) Last year, the District of Columbia forfeited millions of dollars in Federal grants after Federal auditors determined that several agencies exceeded grant restrictions and in other instances, failed to spend funds before the grants expired.

(7) Findings of a 1999 report by the Annie E. Casey Foundation that measured the well-being of children reflected that, with one exception, the District ranked worst in the United States in every category from infant mortality to the rate of teenage births to statistics chronicling child poverty.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that in considering the Dis-

trict of Columbia's fiscal year 2001 budget, the Congress will take into consideration progress or lack of progress in addressing the following issues:

(1) Crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets.

(2) Access to drug abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs.

(3) Management of parolees and pretrial violent offenders, including the number of halfway house escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes.

(4) Education, including access to special education services and student achievement.

(5) Improvement in basic city services, including rat control and abatement.

(6) Application for and management of Federal grants.

(7) Indicators of child well-being.

SEC. 171. The Mayor, prior to using Federal Medicaid payments to Disproportionate Share Hospitals to serve a small number of childless adults, should consider the recommendations of the Health Care Development Commission that has been appointed by the Council of the District of Columbia to review this program, and consult and report to Congress on the use of these funds.

SEC. 172. GAO STUDY OF DISTRICT OF COLUMBIA CRIMINAL JUSTICE SYSTEM.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the law enforcement, court, prison, probation, parole, and other components of the criminal justice system of the District of Columbia, in order to identify the components most in need of additional resources, including financial, personnel, and management resources; and

(2) submit to Congress a report on the results of the study under paragraph (1).

SEC. 173. Nothing in this Act bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 174. WIRELESS COMMUNICATIONS.—(a) IN GENERAL.—Not later than 7 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Director of the National Park Service, shall—

(1) implement the notice of decision approved by the National Capital Regional Director, dated April 7, 1999, including the provisions of the notice of decision concerning the issuance of right-of-way permits at market rates; and

(2) expend such sums as are necessary to carry out paragraph (1).

(b) ANTENNA APPLICATIONS.—

(1) IN GENERAL.—Not later than 120 days after the receipt of an application, a Federal agency that receives an application submitted after the enactment of this Act to locate a wireless communications antenna on Federal property in the District of Columbia or surrounding area over which the Federal agency exercises control shall take final action on the application, including action on the issuance of right-of-way permits at market rates.

(2) EXISTING LAW.—Nothing in this subsection shall be construed to affect the applicability of existing laws regarding—

(A) judicial review under chapter 7 of title 5, United States Code (the Administrative Procedure Act), and the Communications Act of 1934;

(B) the National Environmental Policy Act, the National Historic Preservation Act and other applicable Federal statutes; and

(C) the authority of a State or local government or instrumentality thereof, including the District of Columbia, in the placement, construction, and modification of personal wireless service facilities.

This title may be cited as the "District of Columbia Appropriations Act, 2000".

#### TITLE II—TAX REDUCTION

SEC. 201. COMMENDING REDUCTION OF TAXES BY DISTRICT OF COLUMBIA.—The Congress commends the District of Columbia for its action to reduce taxes, and ratifies D.C. Act 13-110 (commonly known as the Service Improvement and Fiscal Year 2000 Budget Support Act of 1999).

SEC. 202. RULE OF CONSTRUCTION.—Nothing in this title may be construed to limit the ability of the Council of the District of Columbia to amend or repeal any provision of law described in this title.

The SPEAKER pro tempore. Pursuant to House Resolution 354, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN), each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, I yield myself such time as I may consume.

This, of course, is the appropriations bill for the District of Columbia, as has been mentioned. I want to express my appreciation for the efforts of working with the gentleman from Virginia (Mr. MORAN), the ranking member, with the Members of the appropriations staff and certainly with the delegate from the District of Columbia, the mayor of the District and the members of the council, as well as many other people who have been involved in this.

We received on Monday a letter from the President's office, from his Director of the Office of Management and Budget, saying that the contents of the District of Columbia appropriations bill, as it was included as a portion of the bill received by the President last week, that the contents of that portion of the bill, all the things relating to the District of Columbia, were acceptable to the President, and the President would sign it if it were presented to him as a separate bill.

Of course, we know that it was presented as part of a package. This bill before us, however, is a separate bill. It has the identical language which the President advised us Monday would be acceptable to the White House with only one variation.

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The only variation is in the section that has to do with injection of illegal

drugs by needle. The bill that passed last week and that the President said was acceptable to him stated that no public funds, neither from the Federal Government, nor from the District of Columbia, no funds could be used on a program of providing free needles to drug addicts.

The only difference between that and this is this bill also has the additional phrase that says you also do not provide those funds to an entity that operates such a program of providing needles to drug addicts. Even though that is different from the bill that we had last week, and that is the only difference, it is identical to the bill that was signed into law by the President last year.

So the only change, and the gentleman from Virginia (Mr. MORAN) earlier referred to it as a minuscule change, the only change is to continue the restriction under which the District and the Federal Government already operates that says you cannot operate a program of giving needles to drug addicts to inject themselves with illegal drugs and still qualify to receive government funds. That is it.

Now, I should point out that the other things in this bill remain constant. This is what I think is important to the District of Columbia, because, see, we are trying to assist the District in its crackdown on drugs. We do not want a mixed message. We do not want people on one hand saying we are cracking down on drugs and then on the other, wink, wink, we are helping people to run a program that gives needles to drug addicts to shoot themselves up.

No, we have in this bill a total of \$33.5 million, money the Congress is under no obligation to provide, but money that we think is important to attack the link between crime and drugs in the District of Columbia, \$20 million for drug testing, drug treatment, drug crackdown, because the District has a pervasive problem with the link between crime and drugs; and we want to crack down on it and break that link.

We also have the provisions in this bill for the \$17 million college assistance program for students in the District. We have \$5 million of incentives to adopt foster children, to get thousands of kids in D.C. that are stuck in foster homes and have been for years adopted into safe, permanent, stable, loving homes.

We have the provisions in this bill for the cleanup, several million dollars for

the cleanup of the Anacostia River, payment to assist the infrastructure build-out of the Children's National Medical Center.

We have provisions in this bill to assist the new mayor in one of his major initiatives of right-sizing the government in the District, \$18 million to assist them in reducing the size of the number of employees they have, reducing the number of employees doing contract buyouts and so forth.

There is a lot of stuff in here that has great value to help the District of Columbia recover. Unfortunately, there are some people that say all that matters to them is giving away free needles to drug addicts, and nothing else matters; all we are trying to do on that issue is preserve the status quo.

Now, the gentleman from Virginia (Mr. MORAN), if he wishes, may offer an amendment to this bill through his motion to recommit. He has that leeway. If there is some adjustment that he considers minuscule that he wants to make, he has the ability to offer it.

But we believe, Mr. Speaker, that we have important measures in here for the future, the vitality, the growth, the public safety, the value and strength of the schools and education, the infrastructure, things that are important to people who live and work and solicit here in the District of Columbia.

I would certainly hope that, if some people want to take an extreme position toward giving away needles to drug addicts, they would vote their conscience, but not use that as an excuse to vote against such an important measure to help with the improvement of the District of Columbia.

The provision in this bill is identical to the provision signed into law by the President last year. Every other provision in the bill is identical to what the President advised us he wants to sign into law regarding the District of Columbia.

I think we have a common sense approach here. If people wish the debate to center around the question of giving needles to drug addicts, then they should openly say so. But there is certainly no other excuse for anyone to vote against this bill unless they want to take that extreme position.

Mr. Speaker, I include the following for the RECORD:

## H.R. 3194 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	H.R. 2587	H.R. 3064	H.R. 3194	H.R. 3194 vs. enacted
<b>FEDERAL FUNDS</b>						
District of Columbia Resident Tuition Support.....			17,000	17,000	17,000	+17,000
Incentives for Adoption of Foster Children.....			5,000	5,000	5,000	+5,000
Citizens Complaint Review Board.....			500	500	500	+500
Federal Payment for Human Services.....			250	250	250	+250
Metrorail improvements and expansion.....	25,000					-25,000
Federal payment for management reform.....	25,000					-25,000
Federal payment for Boys Town U.S.A.....	7,100					-7,100
Nation's Capital Infrastructure Fund.....	18,778					-18,778
Environmental Study and Related Activities at Lorton Correctional Complex.....	7,000					-7,000
Federal payment to the District of Columbia corrections trustee operations.....	184,800	176,000	176,000	176,000	176,000	-8,800
Federal payment to the District of Columbia Courts.....	128,000	137,440	99,714	99,714	99,714	-28,286
Defender Services in D.C. Courts.....			33,336	33,336	33,336	+33,336
Federal payment to the Court Services and Offender Supervision Agency of the District of Columbia.....	59,400	80,300	93,800	93,800	93,800	+34,400
Federal payment for Metropolitan Police Department.....	1,200		1,000	1,000	1,000	-200
Federal payment for Fire Department.....	3,240					-3,240
Federal payment for Georgetown Waterfront.....	1,000					-1,000
Federal payment to Historical Society for City Museum.....	2,000					-2,000
Federal payment for a National Museum of American Music and Downtown Revitalization.....		700				-700
United States Park Police .....	8,500					-8,500
Federal payment for waterfront improvements .....	3,000					-3,000
Federal payment for mentoring services.....	200					-200
Federal payment for hotline services .....	50					-50
Federal payment for public charter schools .....	15,622					-15,622
Medicare Coordinated Care Demonstration Project.....	3,000					-3,000
Federal payment for Children's National Medical Center.....	1,000		2,500	2,500	2,500	+1,500
National Revitalization Financing:						
Economic Development.....	25,000					-25,000
Special Education.....	30,000					-30,000
Year 2000 Information Technology.....	20,000					-20,000
Infrastructure and Economic Development.....	50,000					-50,000
Y2K conversion emergency funding (courts).....	2,249					-2,249
Y2K conversion (emergency funding).....	61,800					-61,800
Total, Federal funds to the District of Columbia .....	683,639	393,740	429,100	429,100	429,100	-254,539
<b>DISTRICT OF COLUMBIA FUNDS</b>						
Operating Expenses						
Governmental direction and support .....	(164,144)	(174,667)	(167,356)	(167,356)	(167,356)	(+3,212)
Economic development and regulation .....	(159,039)	(190,335)	(190,335)	(190,335)	(190,335)	(+31,296)
Public safety and justice.....	(755,786)	(778,670)	(778,770)	(778,770)	(778,770)	(+22,984)
Public education system .....	(788,956)	(850,411)	(867,411)	(867,411)	(867,411)	(+78,455)
Human support services.....	(1,514,751)	(1,525,996)	(1,526,361)	(1,526,361)	(1,526,361)	(+11,610)
Public works.....	(266,912)	(271,395)	(271,395)	(271,395)	(271,395)	(+4,483)
Receivership Programs.....	(318,979)	(337,077)	(342,077)	(342,077)	(342,077)	(+23,098)
Workforce Investments .....		(8,500)	(8,500)	(8,500)	(8,500)	(+8,500)
Buyouts and Management Reforms .....			(18,000)	(18,000)	(18,000)	(+18,000)
Reserve .....		(150,000)	(150,000)	(150,000)	(150,000)	(+150,000)
District of Columbia Financial Responsibility and Management Assistance Authority.....	(7,840)	(3,140)	(3,140)	(3,140)	(3,140)	(-4,700)
Financing and other .....		(384,948)				
Washington Convention Center Transfer Payment .....	(5,400)					(-5,400)
Repayment of Loans and Interest .....	(382,170)		(328,417)	(328,417)	(328,417)	(-53,753)
Repayment of General Fund Recovery Debt .....	(38,453)		(38,286)	(38,286)	(38,286)	(-167)
Payment of Interest on Short-Term Borrowing .....	(11,000)		(9,000)	(9,000)	(9,000)	(-2,000)
Certificates of Participation .....	(7,926)		(7,950)	(7,950)	(7,950)	(+24)
Human development .....	(6,674)					(-6,674)
Optical and Dental Insurance payments .....			(1,295)	(1,295)	(1,295)	(+1,295)
Productivity Bank .....			(18,000)	(18,000)	(18,000)	(+18,000)
Productivity Savings .....			(-18,000)	(-18,000)	(-18,000)	(-18,000)
Procurement and Management Savings .....	(-10,000)	(-21,457)	(-21,457)	(-21,457)	(-21,457)	(-11,457)
Total, operating expenses, general fund .....	(4,418,030)	(4,653,682)	(4,686,836)	(4,686,836)	(4,686,836)	(+268,806)
Enterprise Funds						
Water and Sewer Authority and the Washington Aqueduct .....	(273,314)	(279,608)	(279,608)	(279,608)	(279,608)	(+6,294)
Lottery and Charitable Games Control Board .....	(225,200)	(234,400)	(234,400)	(234,400)	(234,400)	(+9,200)
Office of Cable Television .....	(2,108)					(-2,108)
Public Service Commission .....	(5,026)					(-5,026)
Office of People's Counsel .....	(2,501)					(-2,501)
Office of Insurance and Securities Regulation .....	(7,001)					(-7,001)
Office of Banking and Financial Institutions .....	(640)					(-640)
Sports and Entertainment Commission .....	(8,751)	(10,846)	(10,846)	(10,846)	(10,846)	(+2,095)
Public Benefit Corporation .....	(66,764)	(89,008)	(89,008)	(89,008)	(89,008)	(+22,244)
D.C. Retirement Board .....	(18,202)	(9,892)	(9,892)	(9,892)	(9,892)	(-8,310)

**H.R. 3194 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000 — continued**  
 (Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	H.R. 2587	H.R. 3064	H.R. 3194	H.R. 3194 vs. enacted
Correctional Industries Fund .....	(3,332)	(1,810)	(1,810)	(1,810)	(1,810)	(-1,522)
Washington Convention Center .....	(48,139)	(50,226)	(50,226)	(50,226)	(50,226)	(+2,087)
<b>Total, Enterprise Funds .....</b>	<b>(660,978)</b>	<b>(675,790)</b>	<b>(675,790)</b>	<b>(675,790)</b>	<b>(675,790)</b>	<b>(+14,812)</b>
<b>Total, operating expenses .....</b>	<b>(5,079,008)</b>	<b>(5,329,472)</b>	<b>(5,362,626)</b>	<b>(5,362,626)</b>	<b>(5,362,626)</b>	<b>(+283,618)</b>
<b>Capital Outlay</b>						
General fund .....	(1,711,161)	(1,218,638)	(1,218,638)	(1,218,638)	(1,218,638)	(-492,523)
Water and Sewer Fund .....		(197,169)	(197,169)	(197,169)	(197,169)	(+197,169)
<b>Total, Capital Outlay .....</b>	<b>(1,711,161)</b>	<b>(1,415,807)</b>	<b>(1,415,807)</b>	<b>(1,415,807)</b>	<b>(1,415,807)</b>	<b>(-295,354)</b>
<b>Total, District of Columbia funds .....</b>	<b>(6,790,169)</b>	<b>(6,745,279)</b>	<b>(6,778,433)</b>	<b>(6,778,433)</b>	<b>(6,778,433)</b>	<b>(-11,736)</b>
<b>Total:</b>						
Federal Funds to the District of Columbia .....	683,639	393,740	429,100	429,100	429,100	-254,539
District of Columbia funds .....	(6,790,169)	(6,745,279)	(6,778,433)	(6,778,433)	(6,778,433)	(-11,736)

Mr. Speaker, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman from Virginia for yielding me this time and for his endless and excellent work in trying to get the D.C. appropriations through.

I want to assure my colleagues what yet another D.C. bill on the floor is all about. One has got to have followed the machinations of the majority. This is about a bill number to hang other appropriations on. There are a number of appropriations that this appropriation becomes the vehicle for. It is going to be used in the Senate to hang the other appropriations on.

Above all, my colleagues know that this appropriation is not about needles. I have to come to the floor to concede that I lost that one. I wanted to use local funds for needle exchange, as is done in almost 115 jurisdictions. But each and every bill, including the one before us now, has said no local or Federal funds may be used for needle exchange. I have lost that one. It is a tragedy for the District of Columbia. But I have to concede that I lost that one before, and I have lost that one now.

This bill says no local or Federal funds may be used for needle exchange. I apologize that this is the fifth time that my colleagues have had to come to the floor to vote on the smallest appropriation, when it has the least to do with them and with the Nation.

But I believe that I deserve the apology. I believe that the people I represent deserve the apology because of the money at issue here. It is not the small change that the gentleman from Oklahoma (Mr. ISTOOK) just spoke about. Most of the money in this bill does not come from him or from the taxpayers of the Nation. It comes from the taxpayers of the District of Columbia.

This is cruel and unusual manipulation. We are here for one reason and one reason only. The majority needs another Christmas tree to hang other appropriations on. Watch what happens in the Senate. That is what the D.C. bill will be used for when it goes back over swiftly to the Senate before the last one even has been vetoed.

Stop holding the D.C. appropriation hostage to get other appropriations through. Let my people go.

Mr. ISTOOK. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the Subcommittee on the District of Columbia.

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from Oklahoma, the subcommittee chairman, for yielding me this time.

This is a good bill, and I think it ought to be passed. The D.C. appropriations bill is the budget that was passed by the District city council. It was signed by the mayor. It truly fulfills

the requirement of home rule when it comes to the financial part of it.

The only roadblock that seems to be in the way is the needle exchange program. But I think we should do the compassionate thing when it comes to the needle exchange program. Current law says that, if one receives any Federal or any government dollars, one cannot conduct a needle exchange program; and that is what we are retaining in this bill.

This bill is actually what we have in current law today, signed by the President last year. But if one goes to other countries or other cities in the country that have a needle exchange program, just as close as Baltimore, which has had a needle exchange program for the last 7 years, we found out in a July 5 article, Associated Press article this summer, that 90 percent, according to Johns Hopkins University, 90 percent of injection drug users are infected with a blood borne virus.

Now, the whole purpose of having the needle exchange program is to prevent people from getting a blood borne virus. Yet, in Baltimore, after 7 years of trying to achieve this goal, 90 percent have a blood borne virus. It is a failure. It is a failed program. Ten percent should not be a passing grade in Baltimore. It should not be a passing grade in the District of Columbia.

So we should do the compassionate thing. Is it compassionate to aid an injection drug user in an action that will cut years off the end of his life? No. It is a tragedy. Is it compassionate to help an injection drug user to conduct actions that 90 percent of the time will result in a blood borne virus and put him in an early grave? No. It is a tragedy.

We should not allow a needle exchange program to become coffin nails, to drive nails into a coffin for people with an early grave because they have a drug-dependent personality. We should help them by getting them to a treatment center, by not aiding their actions, but helping them end those actions. That is what this bill does.

It is consistent with the President's own drug czar. His policy states that he does not support the injection drug using or needle exchange programs for injection drug users because it sends the wrong message, and it is ineffective, and there is no sound science supporting it.

So either one supports the President's drug czar and votes for this bill, or else one may as well call for his resignation because that is what is his policy. That is what is supporting this bill. I think it is a good bill and ought to be voted.

Mr. MORAN of Virginia. Mr. Speaker, let me suggest to the gentleman from Oklahoma (Mr. ISTOOK) that he may want to have his other speakers. We have restricted the number of speakers on our side out of deference for the rest of the Congress' schedule. So if he wants to have his speakers first, I will just speak when they are concluded, and he can wrap it up.

Mr. ISTOOK. Mr. Speaker, I think that is perfectly acceptable. I appreciate the courtesy of the gentleman from Virginia (Mr. MORAN).

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me this time. Shakespeare said in Henry V: "Once more into the breach." The first D.C. budget was vetoed by the President on September 28. The second D.C. budget was passed by the House on October 14. This resolution today is our third attempt to enact a budget for the Nation's capital. The city, and I emphasize this is a city we are talking about, not an agency or department of the Federal Government, is still operating under a continuing resolution. This is not acceptable.

The Nation's capital is caught in the middle, and many urban needs here are being adversely affected. It is my sincere hope that the flexible approach taken by the House will encourage the administration to sign this budget. This may be the city's last clear chance to get resources and reform it needs.

While much progress has been made in the District, there are still enormous problems which must be addressed. A substantial number of functions remain in receivership, including foster care and offender supervision. The enhanced resources for foster care in this budget, to take just one example, are desperately needed by many children. The annual reports submitted by the Control Board to Congress just this week highlights the crisis we are facing with many of the city's receiverships.

Our local courts are funded in this budget. They too very much need the added resources this bill provides.

The House passed this week the legislation I sponsored and the gentleman from the District of Columbia (Ms. NORTON) sponsored to enhance college access opportunities for D.C. students. That money to fund that program is in this budget.

There is additional money in this budget for public education. There are 146 public schools in this city and now 29 charter schools. The money to help the children in those schools is in this budget.

This budget contains the largest tax cut in the city's history, which is central to our goal of retaining and attracting economic development to the Nation's capital.

There is money in this budget to clean up the Anacostia River, open more drug treatment programs, and study widening of the 14th Street Bridge.

What the city needs is a stronger tax base and more taxpayers. This bill takes us another step in that direction.

In the 5 years I have had the honor to serve as Chairman of the Subcommittee on the District of Columbia, it has been my philosophy that one

cannot have a healthy region without a healthy city. Working in a bipartisan manner, building consensus, I am proud of the way we have helped to turn this city around. I want the House appropriators to help us continue this process.

Whatever the ultimate resolution is of the city's budget, it is important to keep the process going in order to achieve a positive result. I am very hopeful we can do this and keep this city from waiting for the funds they need.

Mr. ISTOOK. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. MICA), who has been very active and consistent as a leader against the drug problems of the country.

Mr. MICA. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me this time.

The District of Columbia is probably a microcosm of what the Republican majority inherited some 4 plus years ago. We had big government and very high cost to the taxpayers. In fact, the District of Columbia, in my opinion, was the epitome of big government gone bad.

In 1995, the new Republican majority inherited a District of Columbia which should have been a shining example for the whole country; but, instead, we inherited a district, which is our responsibility under the Constitution, riddled with debt, three-quarters of a billion dollars annual debt, schools that were failing, hospitals that were a disaster, one would not take a patient to, child care programs that were defunct, housing that was disgraceful, public housing that one would not put one's worst enemy in, prisons that were taken over by the prisoners, utilities that had to be turned over to operate.

□ 1730

And one of the saddest stories I read from the Washington Post was that mentally ill children, and the other side claims to be so compassionate about children, were fed jello and rice and chicken diets steady for a month because the District failed to pay its bills. That is what we inherited. That was the liberal policy. A liberal policy on spending, a liberal policy on government, and all done with the highest number of workers of any government unit probably except for the former Soviet Union, 48,000 employees. We cut that down to some 30,000-plus employees.

Now, this question today before us is not about spending, because there is some control we have brought and we have gotten them out of the wilderness of debt. This is about a criminal drug policy. Now, I chair the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform. This is what a liberal drug policy did for Baltimore. This is 1996. They had 39,000 drug addicts after a liberalized needle exchange and liberalized program in that city; 312 deaths in 1997; 312 deaths in 1998.

We were even able to bring down the deaths in the District of Columbia through a zero tolerance policy, through new administration that we have instituted in the District and through taking over these programs with fewer workers and fewer employees.

The situation was so bad in Baltimore that one out of 10 citizens was a drug addict. That is how bad it was with the liberal drug policy. So the major difference here is a liberal approach to drug policy. Needle exchange is, again, a more liberal policy.

Here is an example, again in Baltimore, 39,000 in 1996. Let me read from a Time magazine article dated September 6, 1999: "Government officials dispute that it is one in ten," that is a drug addict in Baltimore from a liberal policy, "it is more like one in eight." This is not my quote, "says a veteran city councilwoman, Rikki Spector, and we have probably lost count."

So the question before us today is do we let our people go? And I consider these my people, too. Do we let them go to a liberal policy, do we let them go into the devastation that we have seen in another community that has adopted these policies? I say no.

Mr. MORAN of Virginia. Mr. Speaker, I yield myself such time as I may consume.

This is such a shame. We have a good bill here. The District of Columbia is on its feet. They have got good leadership; responsible leadership. They have a budget that everybody agreed to, that has tax cuts in it, and generates a surplus. We provided what money we had under our discretion in a way that met their priorities.

This bill should have been signed long before the fiscal year began. And, in fact, the gentleman from Oklahoma may recall that the bill that we got out of the House Committee on Appropriations was agreed to unanimously, I think. And then we got to the House floor and it passed overwhelmingly with the support of the delegate from the District of Columbia, with the support of the ranking member, myself, and with the support of the leadership of both parties. The bill should have been enacted by now.

But then we get into conference and we get into mischief. We get into social riders, "gotcha" types of legislation. So we used D.C. for political purposes. So the bill was vetoed. That is why the bill was vetoed, because it was used as a political vehicle instead of an appropriations bill.

Then we get it back, and what happens but that the Senate made changes that made the bill itself acceptable, but then they added the Labor, Health and Human Services appropriations bill to it, plus an across-the-board spending cut. Again, the poor little D.C. bill gets crushed under these controversial measures. That was not right; it was not fair.

Now we have the bill before us that we should all agree on, it has been

pulled back from the across-the-board cut and the Labor-HHS bill, but we have gone back and reinserted language that the House Committee on Appropriations, in a bipartisan fashion, rejected. We have reinserted language that was rejected on the House floor, that was rejected by the Senate conferees. The Senate conferees took this language out, and we are going to put it back?

Now, maybe we are playing gamesmanship here again. Well, send it back to the Senate and the Senate will take it out again. But if that is what we are doing, it is wrong. There is no good reason to be doing it.

Let me try to explain what this particular issue is all about and why the White House and others feel strongly. Number one, it is an issue of home rule. That is the underlying issue before us. The gentleman from Kansas put this rider in. The gentleman from Kansas must be very well aware that Topeka, Kansas, has exactly the very same program that the District of Columbia wants to have. Kansas gets Federal funds, State funds, and uses its local funds for this needle exchange program. The gentleman has never attempted to deny Kansas its right to make that decision.

Why does Kansas do it? Not because they want to increase the drug abuse, obviously; not because they want to make it easier to engage in destructive acts. They do it because they need access to drug addicts so that they can cure them. And that is what this program is all about, it is gaining access to people in need.

That is why the Whitman-Walker Clinic did it. They decided to do it after the American Medical Association endorsed it, after the American Pharmaceutical Association, the American Academy of Pediatrics, the American Nurses Association, the American Public Health Association, the Council of State and Territorial Health Officers, the U.S. Conference of Mayors, the National Association of County and City Health Officials endorsed it; and I could go down a long, long list. They have all looked at this program, and they have decided that we have a very serious problem across the country and this may be working.

Why did Whitman-Walker particularly do it? Because D.C. has the worst problem, 75 percent of the babies born with HIV. How horrible a thing for a baby to be born with the HIV infection, infected as a result of the use of dirty needles. Three out of four of these babies have no chance, born because of dirty needles. They are trying to stop that. The District of Columbia has the worst AIDS epidemic. Deaths attributed to AIDS in D.C. is more than seven times the national average. Let me repeat that. Deaths attributed to AIDS in the District of Columbia is more than seven times the national average. AIDS is the leading cause of death for city residents between the ages of 30 and 44. A serious problem.

I do not know the best way to address the problem, but I sure know that it is a serious problem that we ought to care about. And what this program does, we are told by experts who are working in the field, is that it gives them an opportunity to identify people who are addicted and get them into drug treatment and counseling. And now we come along with this amendment that says that if this clinic offers these needles, which needles cost nothing, with private funds it would cost pennies to provide the program itself; but if Whitman-Walker even engages in this, we will not let them, according to the letter of the gentleman from Kansas (Mr. TIAHRT) to Mrs. Rivlin, we will not let Whitman-Walker, which is the principal organization in the city, a private nonprofit organization that addresses the AIDS epidemic, we will not let them get any Federal or District funds for any of their other programs; for their Ryan White money, for their NIH research grants; for their CDC grants. We will not let them get any of the local D.C. money if they participate in this program.

We heard from the representative from Baltimore saying it works. It is working in Baltimore, even though they have a horrible situation. The statistics are terrible, but they were worse before they started the program. This program in the District of Columbia has reduced the incidence of transmission by 29 percent. Unbelievable progress. And here we come and say, no, we know better; cut it out.

But the reason we are opposing it so strongly goes beyond this substantive issue itself. The reason we are opposing this so strongly is that we would not do this to Kansas. We would not do this to Topeka, Kansas. We would not do this to any city in Oklahoma. I would not allow the gentleman to do it to Virginia. We do not do this to any city across the country, even though 113 State and local organizations have this very same program. One hundred thirteen of them.

We have never attempted to tell any of those cities or counties or States that we represent how to run their business, but we would do it to the District of Columbia; and we would hold hostage \$429 million. We are talking here three millionths of the Federal budget, .000003 percent of the Federal budget, \$429 million, which means nothing. It gets rounded in the Federal budget, yet it is critical to the District of Columbia. How could we hold that up, deny that money?

We insist on imposing our attitudes, our cultural conservatism, our ideas, that we would not impose on people we directly represent; yet we impose them on the District of Columbia. That is what is so wrong. We should not be doing it. We passed legislation through the leadership of the Subcommittee on District of Columbia of the Committee on Government Reform, chaired by the gentleman from Virginia (Mr. DAVIS), that said in the future D.C. is treated

like any other community. They get their Federal grants and loans. We do not treat them like we would some kind of plantation that we were overseers over.

D.C. has a right to be independent. D.C. has a right to rule itself. And that is what this issue is all about. If they decide that private, nonpublic money should be able to be used for a purpose that they think is necessary, then, gosh darn it, we ought to let them make at least that decision. To not allow them to make that decision is wrong, and that is why we oppose this bill.

Ms. NORTON. Mr. Speaker, will the gentleman yield?

Mr. MORAN of Virginia. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I want to thank the gentleman for explaining fully what is at issue here.

I want to leave this body with a very important fact that could be overlooked. This bill says that no public funds of any kind may be used for needle exchange. Please understand. This bill says that no Federal funds and no local funds may be used for needle exchange, making the District of Columbia the only jurisdiction in the United States that may not use its own local money for needle exchange.

□ 1745

It is important to understand, therefore, that we are voting no differently from what this body has voted five times previously. When we say no public funds, we mean no public funds. I regret that. But it is important to understand what we are voting on.

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentlewoman for explaining that. That should be the closing comment, really.

I offered an amendment in the House Committee on Appropriations that said no Federal or local funds can be used for needle exchange, and the Republicans and the Democrats on the House Committee on Appropriations agreed. We got it to the House floor, and the House on the floor agreed. We went to conference with the Senate, and the Senate agreed in the last conference. No public funds, leave that language as it is.

Then, at least, we will show a modicum of respect to the citizens of the District. We will get this bill passed. We will let them use their own money, which they desperately need, over \$4 billion of their own local property tax money which we are holding up. We will give them the \$429 million of grants from the Federal Government. We will treat them like any other community that we represent directly that can vote for us. The President will sign it right away. And then we will have acted responsibly, at least with regard to the District of Columbia appropriations bill. But until we do, we have to urge this body to vote no.

Mr. Speaker, I yield back the balance of my time.

Mr. ISTOOK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we close the debate on this bill, I can imagine that some people might have been confused listening to the gentleman from Virginia (Mr. MORAN). For example, they might have thought that somehow this amendment came out of the blue or that this amendment permits funding from public treasuries for needle exchange programs. No, the amendment is what says public funding cannot happen.

The amendment was not inserted in the conference committee. It was not inserted in the committee at all. It was voted on on the floor of this House July 29. The identical language of which the gentleman from Virginia (Mr. MORAN) now complains was approved by this House of Representatives in a freestanding vote, no other issues, on July 29 by 241-187. And 40 Democrats, Members of the own party of the gentleman, were among the 241 Members of this House who voted for it.

The language is identical to what was signed into law last year by the President of the United States. It is identical to what the District of Columbia operates with today. It says they cannot operate a needle exchange program and still receive District of Columbia money or Federal Government money, nor can they use District of Columbia money or Federal Government money to operate a so-called needle exchange program where they give needles to drug addicts so they can shoot themselves up.

They perpetuate their habit. They help them. They enable them. They give them drug paraphernalia. We have got laws on the books against drug paraphernalia. We are just saying they should not be encouraging that.

Is there a needle exchange program in the District of Columbia? Yes, there is one. Does it operate with any funds that come from the Government? No. Does it operate with an entity that receives Government money? No. It is a purely private operation.

The gentleman says needles cost nothing. Well, that particular program operates on a budget of somewhere in the general neighborhood of \$300,000 a year. Now, I admit that is not millions and millions or billions of dollars. But it is not nothing, either.

When we talk about protecting babies, I do not want to see more babies born addicted to heroin because somebody was helping their mother to continue shooting up while she was carrying that child. I do not want more people robbed, I do not want more people killed because somebody was stealing to protect their drug habit. They may have gotten a free needle, but they still had to buy the dope and they were still involved in it.

If we want to get them off, let us get them off. Let us not give them the means to destroy themselves and to destroy other people, as well.

Now, Mr. Speaker, I heard it contended that somehow this bill was being held hostage. My goodness, just asking to continue the language that the President approved last year and that this House has adopted in a separate vote is not holding anything hostage. We are only here because the President vetoed the original bill. He vetoed that September 28.

Why did he veto it? He gave seven reasons in his veto message.

One, he wanted to permit public money to be spent on this needle program. Two, he wanted to permit the District of Columbia to legalize marijuana, supposedly for medicine, but under extremely loose standards that, frankly, were a joke. It was not medical marijuana. But he wanted to permit it. Three, he wanted to allow higher pay for the District of Columbia Council members. Four, he wanted higher legal fees for attorneys that were suing the schools of the District of Columbia. Five, he wanted taxpayers' money to be spent to finance a lawsuit trying to make the District of Columbia a State. Six, he wanted to overturn a rider that has been on the bill for, I think, about 9 years now and that he has approved a number of times before saying we do not treat people who are living together the same as a married couple. And last, he did not want to accept a provision that has been a part of this bill for over 20 years, limiting public funding of abortion so it does not apply in cases other than rape or incest or the life of the mother being involved.

That is what the President said his veto was about. Every one of those were things that have been a part of this bill before. They were things that the President had signed into law before, with the exception of the District of Columbia Council members' salaries.

Now we have made a couple of adjustments in the salary provision, in the legal fee provision, and made clear that the City's attorneys can keep them advised of lawsuits. But it is the President that picked these social issues. He picked the fight over old issues that have been decided in this Congress before.

He vetoed the bill. He made us come back multiple times with this bill. We have not punished the District. We have not come back and said, my goodness, if these things mean so little to them, we are not going to help their kids go to college, we are not going to help with cleaning up the Anacostia River.

We have not punished the District. We have a special constitutional responsibility. Article 1, section 8 says this Congress is responsible for the laws of the District of Columbia. We recognize that it is the Nation's capital, it is not just another city.

Now, I was sorry to hear, Mr. Speaker, the delegate from the District of Columbia demean the efforts that we have undertaken to honor and respect and assist the District of Columbia by

saying that things in the bill were "small change."

We did not touch the budget that the District wanted. We have applauded them. With the help of this Congress, they have achieved a balanced budget in the District of Columbia. We want to keep it that way. They have passed and we have approved the most significant tax cut that they have ever had, a bipartisan effort by the local government here in the District of Columbia. We have endorsed that. And we have done things we were not obligated to do.

The \$17 million to help kids in the District go to college, I do not consider that small change. The efforts to help them with charter schools so they have choices and are not trapped in a dead-end school, I do not consider that small change. The environmental clean-up, millions of dollars to clean up the fouled Anacostia River, I do not consider that small change. The Nation's largest drug testing and drug treatment program to break the link between crime and drugs, \$34 million, I do not consider that small change. The \$5 million in incentives to help kids be adopted into stable, safe, loving homes instead of being shuttled around in foster homes, I do not consider that small change.

There are many things in this bill I do not consider small change and I do not think the residents will consider them, either, Mr. Speaker, the people who see it brings them lower taxes, better schools, more efficient government, a better environment, less crime, and less drugs, a city government that is more responsive. I do not think it is small change. I think it is important.

I am sorry that some people think that what is more important is giving away needles to drug addicts. They can have all the private programs that they want to. They just should not try to mix those up with taxpayers' money.

Mr. Speaker, I urge adoption of this bill. I thank the many people that have worked so valiantly and especially the cooperation that I have received working with local officials here in the District.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). All time for debate has expired.

Pursuant to House Resolution 354, the bill is considered read for amendment and the previous question is ordered on the bill, as amended, pursuant to that resolution.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 210, not voting 8, as follows:

[Roll No. 562]

YEAS—216

Aderholt	Goode	Packard
Armey	Goodlatte	Pease
Bachus	Goodling	Peterson (PA)
Baker	Goss	Petri
Ballenger	Graham	Pickering
Barcia	Granger	Pitts
Barr	Green (WI)	Pombo
Barrett (NE)	Greenwood	Porter
Bartlett	Gutknecht	Portman
Barton	Hansen	Pryce (OH)
Bass	Hastert	Quinn
Bateman	Hastings (WA)	Radanovich
Biggert	Hayes	Ramstad
Bilbray	Hayworth	Regula
Bilirakis	Hefley	Reynolds
Bliley	Herger	Riley
Blunt	Hill (MT)	Rogan
Boehlert	Hilleary	Rogers
Boehner	Hobson	Rohrabacher
Bonilla	Hoekstra	Ros-Lehtinen
Bono	Horn	Roukema
Brady (TX)	Hostettler	Royce
Bryant	Houghton	Ryan (WI)
Burr	Hunter	Ryun (KS)
Burton	Hutchinson	Salmon
Buyer	Hyde	Sanford
Callahan	Isakson	Saxton
Calvert	Istook	Sensemanbrenner
Camp	Jenkins	Sessions
Canady	Johnson (CT)	Shadegg
Cannon	Johnson, Sam	Shaw
Castle	Jones (NC)	Shays
Chabot	Kasich	Sherwood
Chambliss	Kelly	Shimkus
Coble	King (NY)	Shuster
Coburn	Kingston	Simpson
Collins	Knollenberg	Skeen
Combest	Kolbe	Smith (MI)
Cook	Kuykendall	Smith (NJ)
Cooksey	LaHood	Smith (TX)
Cox	Largent	Souder
Crane	Latham	Spence
Cubin	LaTourette	Stearns
Cunningham	Lazio	Stump
Davis (VA)	Leach	Sununu
Deal	Lewis (CA)	Sweeney
DeLay	Lewis (KY)	Talent
DeMint	Linder	Tauzin
Diaz-Balart	LoBiondo	Taylor (NC)
Dickey	Lucas (KY)	Terry
Doolittle	Lucas (OK)	Thomas
Dreier	Manzullo	Thornberry
Dunn	McCollum	Thune
Ehlers	McCrery	Tiahrt
Ehrlich	McHugh	Toomey
Emerson	McInnis	Traficant
English	McIntosh	Upton
Everett	McIntyre	Vitter
Ewing	McKeon	Walden
Fletcher	Metcalf	Walsh
Foley	Mica	Wamp
Fossella	Miller (FL)	Watkins
Fowler	Miller, Gary	Watts (OK)
Franks (NJ)	Moran (KS)	Weldon (FL)
Frelinghuysen	Myrick	Weller
Gallagly	Nethercutt	Whitfield
Ganske	Ney	Wicker
Gekas	Northup	Wilson
Gibbons	Norwood	Wise
Gilchrest	Nussle	Wolf
Gillmor	Ose	Young (AK)
Gilman	Oxley	Young (FL)

NAYS—210

Abercrombie	Brady (PA)	Davis (IL)
Ackerman	Brown (FL)	DeFazio
Allen	Brown (OH)	DeGette
Andrews	Campbell	Delahunt
Archer	Capps	DeLauro
Baird	Capuano	Deutsch
Baldacci	Cardin	Dicks
Baldwin	Carson	Dingell
Barrett (WI)	Chenoweth-Hage	Dixon
Becerra	Clay	Doggett
Bentsen	Clayton	Dooley
Berkley	Clement	Doyle
Berman	Clyburn	Duncan
Berry	Condit	Edwards
Bishop	Conyers	Engel
Blagojevich	Costello	Eshoo
Blumenauer	Coyne	Etheridge
Bonior	Cramer	Evans
Borski	Crowley	Farr
Boswell	Cummings	Fattah
Boucher	Danner	Filner
Boyd	Davis (FL)	Forbes

Ford	Markey	Royal-Allard
Frank (MA)	Martinez	Rush
Frost	Mascara	Sabo
Gejdenson	Matsui	Sanchez
Gephardt	McCarthy (MO)	Sanders
Gonzalez	McCarthy (NY)	Sandlin
Gordon	McDermott	Sawyer
Green (TX)	McGovern	Schaffer
Gutierrez	McKinney	Schakowsky
Hall (OH)	McNulty	Scott
Hall (TX)	Meehan	Serrano
Hastings (FL)	Meeks (FL)	Sherman
Hill (IN)	Meeks (NY)	Shows
Hilliard	Menendez	Sisisky
Hinchey	Millender	Skelton
Hinojosa	McDonald	Slaughter
Hoefel	Miller, George	Smith (WA)
Holden	Minge	Snyder
Holt	Mink	Spratt
Hooley	Moakley	Stabenow
Hoyer	Mollohan	Stark
Inslee	Moore	Stenholm
Jackson (IL)	Moran (VA)	Strickland
Jackson-Lee (TX)	Morella	Stupak
Jefferson	Nadler	Tancredo
John	Napolitano	Tanner
Johnson, E. B.	Oberstar	Tauscher
Jones (OH)	Obey	Taylor (MS)
Kanjorski	Olver	Thompson (CA)
Kaptur	Ortiz	Thompson (MS)
Kennedy	Owens	Thurman
Kildee	Pallone	Tierney
Kind (WI)	Pascarella	Towns
Kleckzka	Pastor	Turner
Klink	Paul	Udall (CO)
Kucinich	Payne	Udall (NM)
LaFalce	Pelosi	Velazquez
Lampson	Peterson (MN)	Vento
Lantos	Phelps	Visclosky
Larson	Pickett	Waters
Lee	Pomeroy	Watt (NC)
Levin	Price (NC)	Waxman
Lewis (GA)	Rangel	Weiner
Lipinski	Reyes	Wexler
Lofgren	Rivers	Weygand
Lowey	Rodriguez	Woolsey
Luther	Roemer	Wu
Maloney (CT)	Rothman	Wynn

## NOT VOTING—8

Bereuter	Maloney (NY)	Scarborough
Hulshof	Murtha	Weldon (PA)
Kilpatrick	Rahall	

□ 1819

Mr. PASCRELL and Mr. BERMAN changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 15th Congressional District of Michigan, I was unable to record my votes for rollcall nos. 559, 560, 561, and 562 considered today. Had I been present, I would have voted "aye" on rollcall No. 559, an amendment offered by Mr. MARK UDALL to H.R. 2389, the County Schools Funding Revitalization Act, "no" on rollcall No. 560, final passage of H.R. 2389, "no" on rollcall No. 561, H.Res. 353, providing for consideration of motions to suspend the rules, and "no" on rollcall No. 562, H.R. 3194, District of Columbia Appropriations Act for FY 2000.

## SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 872

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 872. My name was added by mistake instead of that of my colleague, the gentleman from Florida (Mr. HASTINGS).

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Washington?

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1300

Mr. WEINER. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1300.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

## ANNOUNCEMENT REGARDING BILLS TO BE CONSIDERED UNDER SUSPENSION OF THE RULES ON TOMORROW

Mr. ARMEY. Mr. Speaker, pursuant to House Resolution 353, I rise to announce the following suspensions to be considered tomorrow:

H. Con. Res. 214; and  
H.R. 1693.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2891

Mr. MORAN of Virginia. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of H.R. 2891.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

## AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES AND AUSTRALIA CONCERNING TECHNOLOGY FOR SEPARATION OF ISOTOPES OF URANIUM BY LASER EXCITATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)), the text of a proposed Agreement for Cooperation Between the United States of America and Australia Concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation,

with accompanying annexes and agreed minute. I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. (In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified annex to the NPAS, prepared by the Secretary of State in consultation with the Director of Central Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy, which includes a summary of the provisions of the Agreement and the views of the Nuclear Regulatory Commission, is also enclosed.

A U.S. company and an Australian company have entered into a contract jointly to develop and evaluate the commercial potential of a particular uranium enrichment process (known as the "SILEX" process) invented by the Australian company. If the commercial viability of the process is demonstrated, the U.S. company may adopt it to enrich uranium for sale to U.S. and foreign utilities for use as reactor fuel.

Research on and development of the new enrichment process may require transfer from the United States to Australia of technology controlled by the United States as sensitive nuclear technology or Restricted Data. Australia exercises similar controls on the transfer of such technology outside Australia. There is currently in force an Agreement Between the United States of America and Australia Concerning Peaceful Uses of Nuclear Energy, signed at Canberra July 5, 1979 (the "1979 Agreement"). However, the 1979 Agreement does not permit transfers of sensitive nuclear technology and Restricted Data between the parties unless specifically provided for by an amendment or by a separate agreement.

Accordingly, the United States and Australia have negotiated, as a complement to the 1979 Agreement, a specialized agreement for peaceful nuclear cooperation to provide the necessary legal basis for transfers of the relevant technology between the two countries for peaceful purposes.

The proposed Agreement provides for cooperation between the parties and authorized persons within their respective jurisdictions in research on and development of the SILEX process (the particular process for the separation of isotopes of uranium by laser excitation). The Agreement permits the transfer for peaceful purposes from Australia to the United States and from the United States to Australia, subject to the nonproliferation conditions and controls set forth in the