

Daschle and intended to be proposed to the bill (H.R. 3061) *supra*; which was ordered to lie on the table.

SA 2105. Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. Daschle and intended to be proposed to the bill (H.R. 3061) *supra*; which was ordered to lie on the table.

SA 2106. Ms. LANDRIEU (for herself and Mr. DEWINE) proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

SA 2107. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 2944, *supra*; which was ordered to lie on the table.

SA 2108. Mr. INHOFFE submitted an amendment intended to be proposed by him to the bill H.R. 2944, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2089.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

#### SEC. . APPLICABILITY TO STATES.

Notwithstanding any other provision of this title, nothing in this title shall apply with respect to a State unless the State, prior to the close of the first regular session of the State legislature that begins after the date of enactment of this Act, enacts a law that provides rights and protections that are substantially similar to the rights and protections provided for in this title.

**SA 2090.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 12 of the amendment, line 18, add after the period the following: “No contract, or agreement surrounding a contract or contract negotiations, may provide amnesty, immunity or protection against prosecution to any public safety employer, employee, officer, labor organization, or labor organization official who violated the prohibition contained in preceding sentence or any similar State or local prohibition.”

**SA 2091.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

#### SEC. . APPLICABILITY TO CERTAIN POLITICAL SUBDIVISIONS.

Notwithstanding any other provision of this title, section        08(a)(5) shall be applied by substituting “200,000” for “5,000” and “100” for “25”.

plied by substituting “200,000” for “5,000” and “100” for “25”.

**SA 2092.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

#### SEC. . APPLICABILITY TO CERTAIN POLITICAL SUBDIVISIONS.

Notwithstanding any other provision of this title, section        08(a)(5) shall be applied by substituting “100,000” for “5,000” and “500” for “25”.

**SA 2093.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

#### SEC. . APPLICABILITY TO CERTAIN POLITICAL SUBDIVISIONS.

Notwithstanding any other provision of this title, section        08(a)(5) shall be applied by substituting “50,000” for “5,000” and “250” for “25”.

**SA 2094.** Mr. GRAMM submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

#### SEC. . APPLICABILITY TO CERTAIN POLITICAL SUBDIVISIONS.

Notwithstanding any other provision of this title, section        08(a)(5) shall be applied by substituting “25,000” for “5,000” and “100” for “25”.

**SA 2095.** Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 8 of the amendment, line 22, insert before the period the following: “and ensuring that all public safety officers are permitted to serve in a volunteer capacity”.

**SA 2096.** Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 10 of the amendment, line 17, insert before the semicolon the following: “, including any restrictions on a public safety officer’s right to serve in a volunteer capacity”.

**SA 2097.** Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 5 of the amendment, line 8, insert before the semicolon the following: “and who does not serve in a volunteer capacity”.

**SA 2098.** Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 14 of the amendment, line 6 strike “5,000” and insert “25,000.”

**SA 2099.** Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 14 of the amendment, line 7 strike “25” and insert “100.”

**SA 2100.** Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 10 of the amendment, line 24, insert before the semicolon the following: “and to protect the right of each employee to serve in a volunteer capacity if the employee has joined a labor organization.”

**SA 2101.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2044 as submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

After line 13 on page 3, insert the following:

“(4) The existing constitutional or statutory rights of all firefighters, law enforcement officers and public safety employees who risk their lives on a daily basis to protect our property, freedoms and loved ones should be protected to permit them to exercise their right to follow their conscience in whether or not to join a labor organization or pay dues or fees to a labor organization in connection with the decision to pursue a career dedicated to service and sacrifice in defense of the innocent in order to provide for their own families.”

**SA 2102.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

After line 7 on page 9, insert the following:

“(7) protect the existing state right, if any, of all firefighters, law enforcement officers and public safety employees who risk their lives on a daily basis to protect our property, freedoms, and loved ones in exercising their right to follow their conscience in whether or not to join a labor organization or pay dues or fees to a labor organization in connection with the decision to pursue a career dedicated to service and sacrifice in defense of the innocent in order to provide for their own families.”

**SA 2103.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

After line 13 page 3, insert the following:

“(4) The existing constitutional or statutory rights of all firefighters, law enforcement officers and public safety employees who risk their lives on a daily basis to protect our property, freedoms, and loved ones should be protected to permit them to exercise their right to follow their conscience in whether or not to join a labor organization in connection with the decision to pursue a career dedicated to service and sacrifice in defense of the innocent in order to provide for their own families.”

**SA 2104.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

After line 24 on page 10, insert the following:

“(7) protect the existing constitutional or statutory rights of all firefighters, law enforcement officers and public safety employees who risk their lives on a daily basis to

protect our property, freedoms and loved ones in exercising their right to follow their conscience in whether or not to join a labor organization in connection with the decision to pursue a career dedicated to service and sacrifice in defense of the innocent in order to provide for their own families.”

**SA 2105.** Mr. SMITH of Oregon submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**SEC. . LIMITATION.**

Nothing in this title shall be construed to permit parties that are subject to regulations promulgated under this Act (under the authority of the National Labor Relations Act) to negotiate provisions in a collective bargaining agreement that would prohibit public safety employees from engaging in part-time employment or volunteer activities during off-duty hours.

**SA 2106.** Ms. LANDRIEU (for herself and Mr. DEWINE) proposed an amendment to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; as follows:

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, 2002, and for other purposes, namely:

**FEDERAL FUNDS**

**FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$17,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, 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, or to pay up to \$2,500 each year at eligible 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, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall establish a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer who may use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Resident Tuition Support Program Office and the Office of the Chief Financial Officer shall provide a quarterly financial report to

the Committees on Appropriations of the Senate and House of Representatives for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further*, That not more than seven percent of the amount provided herein for this program may be used for administrative expenses.

**FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS**

For salaries and expenses for the District of Columbia Courts, \$140,181,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$8,003,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$72,694,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$31,634,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$27,850,000 for capital improvements for District of Columbia courthouse facilities: *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, 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: *Provided further*, That after providing notice to the Committees on Appropriations of the Senate and House of Representatives, the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided under this heading among the items and entities funded under such heading: *Provided further*, That of this amount not less than \$23,315,000 is for activities authorized under S. 1382, the District of Columbia Family Court Act of 2001: *Provided further*, That of the funds made available for the District of Columbia Superior Court, \$6,603,000 may remain available until September 30, 2003: *Provided further*, That of the funds made available for the District of Columbia Court System, \$485,000 may remain available until September 30, 2003: *Provided further*, That of the funds made available for capital improvements, \$21,855,000 may remain available until September 30, 2003.

**ADMINISTRATIVE PROVISIONS**

Section 11-1722(a), District of Columbia Code, is amended in the first sentence by striking “, subject to the supervision of the Executive Officer”.

Section 11-1723(a)(3), District of Columbia Code, is amended by striking “and the internal auditing of the accounts of the courts”.

The Victims of Violent Crime Compensation Act of 1996 (D.C. Code, sec. 3-421 et seq. (1981 Ed., 1999 Supp.) as amended by Public Law 106-113, §160 and Public Law 106-554, §1(a)(4), H.R. 5666, Division A, Chapter 4, §403) is amended: (a) in section 2 (D.C. Code, sec. 3-421 (1981 Ed., 1999 Supp.)), as amended by District of Columbia Law 13-172, §202(a) (except for paragraph (6)); (b) in section 7(c) (D.C. Code, sec. 3-426(c) (1981 Ed., 1999 Supp.)), as amended by District of Columbia Law 13-172, §202(b); (c) in section 8 (D.C. Code, sec. 3-427 (1981 Ed., 1999 Supp.)), as amended by District of Columbia Law 13-172, §202(c); and (d) in section 16(e) (D.C. Code, sec. 3-435(e) (1981 Ed., 1999 Supp.)), to read as follows:

“(e) All compensation and attorneys' fees awarded under this chapter shall be paid from, and subject to, the availability of monies in the Fund. No more than five percent of the total amount of monies in the Fund shall be used to pay administrative costs necessary to carry out this chapter.”.

Section 11-2604, District of Columbia Code, is amended:

(1) in subsection (a), by striking “50” and inserting “75”; and

(2) in subsection (b)—

(A) by striking “1300” each time it appears and inserting “1900”;

(B) by striking “2450” each time it appears and inserting “3600”.

Section 16-2326.1(b), District of Columbia Code (1997 Repl.), is amended—

(1) by striking “1,100” each time it appears and inserting “1,600”;

(2) in paragraph (3), by striking “1,500” and inserting “2,200”; and

(3) in paragraph (4), by striking “750” and inserting “1,100”.

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), \$39,311,000, 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 \$27,850,000 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 funds provided in this Act under the heading “Federal Payment to the District of Columbia Courts” (other than the \$27,850,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading 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 DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, \$32,700,000 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) of which \$1,000,000 is to fund an initiative to improve case processing in the District of Columbia criminal justice system, \$2,500,000 to remain available until September 30, 2003 is for building renovation or space acquisition required to accommodate functions transferred from the Lorton Correctional Complex, and \$2,000,000 to remain available until September 30, 2003, is to be transferred to the appropriate agency for the closing of the sewage treatment plant and the removal of underground storage tanks at the Lorton Correctional Complex: *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.

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

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, 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), \$147,300,000, of which \$13,015,000 shall remain available until expended, and of which not to exceed \$5,000 is for official receptions related to offender and defendant support programs; of which \$94,112,000 shall be for necessary expenses of Community 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; \$20,829,000 shall be transferred to the Public Defender Service; and \$32,359,000 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 notwithstanding chapter 12 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast, Washington, District of Columbia, or such other site as the Director of the Court Services and Offender Supervision Agency may determine as appropriate to house or supervise offenders and defendants, with funds made available by this Act: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR SECURITY COSTS RELATED TO THE PRESENCE OF THE FEDERAL GOVERNMENT IN THE DISTRICT OF COLUMBIA

For a payment to the District of Columbia to reimburse the District for certain security expenses related to the presence of the Federal Government in the District of Columbia, \$16,058,000: *Provided*, That a detailed report of actual and estimated expenses incurred shall be provided to the Committees on Appropriations of the Senate and House of Representatives no later than June 15, 2002: *Provided further*, That of this amount, \$3,406,000 shall be

made available for reimbursement of planning and related expenses incurred by the District of Columbia in anticipation of providing security for the planned meetings in September 2001 of the World Bank and the International Monetary Fund in the District of Columbia: *Provided further*, That the Mayor and the Chairman of the Council of the District of Columbia shall develop, in consultation with the Director of the Office of Personnel Management, the United States Secret Service, the United States Capitol Police, the United States Park Police, the Washington Metropolitan Area Transit Authority, regional transportation authorities, the Federal Emergency Management Agency and state and local law enforcement entities in the region an integrated emergency plan for the District of Columbia in cases of national security events, including terrorist threats, protests, or other unanticipated events: *Provided further*, That such plan shall include a response to attacks or threats of attacks using biological or chemical agents: *Provided further*, That the city shall submit this plan to the Committees on Appropriations of the Senate and the House of Representatives no later than January 2, 2002: *Provided further*, That the Chief Financial Officer of the District of Columbia shall provide quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives on the use of the funds under this heading, beginning no later than January 2, 2002.

FEDERAL PAYMENT TO THE THURGOOD MARSHALL ACADEMY CHARTER SCHOOL

For a Federal payment to the Thurgood Marshall Academy Charter School, \$1,000,000 to be used to acquire and renovate an educational facility in Anacostia.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

For a Federal payment to the District of Columbia Public Schools, \$2,750,000, of which \$2,000,000 shall be to implement the Voyager Expanded Learning literacy program in kindergarten and first grade classrooms in the District of Columbia Public Schools; \$250,000 shall be for the Failure Free Reading literacy program for non-readers and special education students; and \$500,000 for the McKinley Technical High School for a public/private partnership with Southeastern University.

FEDERAL PAYMENT TO THE GEORGE WASHINGTON UNIVERSITY CENTER FOR EXCELLENCE IN MUNICIPAL MANAGEMENT

For a Federal payment to the George Washington University Center for Excellence in Municipal Management, \$250,000 to increase the enrollment of managers from the District of Columbia government.

FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal payment to the Children's National Medical Center in the District of Columbia, \$3,200,000 for capital and equipment improvements.

FEDERAL PAYMENT FOR CHILD AND FAMILY SOCIAL SERVICES COMPUTER INTEGRATION PLAN

For a Federal payment to the District of Columbia, \$200,000 for completion of a plan by the Mayor on integrating the computer systems of the District of Columbia government with the Family Court of the Superior Court of the District of Columbia: *Provided*, That, pursuant to section 4 of S. 1382, the District of Columbia Family Court Act of 2001, the Mayor shall submit a plan to the President and the Congress within six months of enactment of that Act, so that social services and other related services to individuals and families served by the Family

Court of the Superior Court and agencies of the District of Columbia government (including the District of Columbia Public Schools, the District of Columbia Housing Authority, the Child and Family Services Agency, the Office of the Corporation Counsel, the Metropolitan Police Department, the Department of Health, and other offices determined by the Mayor) will be able to access and share information on the individuals and families served by the Family Court.

**FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND FEDERAL LAW ENFORCEMENT MOBILE WIRELESS INTEROPERABILITY PROJECT**

For Federal payments in support of the District of Columbia and the Federal law enforcement Mobile Wireless Interoperability Project, \$1,400,000, of which \$400,000 shall be for a payment to the District of Columbia Office of the Chief Technology Officer; \$333,334 shall be for a payment to the United States Secret Service, \$333,333 shall be for a payment to the United States Capitol Police, and \$333,333 shall be for a payment to the United States Park Police: *Provided*, That each agency shall participate in the preparation of a joint report to the Committees on Appropriations of the Senate and the House of Representatives to be submitted no later than March 30, 2002 on the allocation of these resources and a description of each agencies' resource commitment to this project for fiscal year 2003.

**FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA**

For a Federal payment to the Chief Financial Officer of the District of Columbia, \$5,900,000, of which \$2,250,000 shall be for payment for a pilot project to demonstrate the "Active Cap" river cleanup technology on the Anacostia River; \$500,000 shall be for payment to the U.S. Soccer Foundation, to be used for environmental and infrastructure costs at Kenilworth Park in the creation of the Kenilworth Regional Sports Complex; \$600,000 shall be for payment to the One Economy Corporation, a non-profit organization, to increase Internet access to low-income homes in the District of Columbia; \$500,000 shall be for payment to the Langston Project for the 21st Century, a community revitalization project to improve physical education and training facilities; \$1,000,000 shall be for payment to the Green Door Program, for capital improvements at a community mental health clinic; \$500,000 shall be for payment to the Historical Society of Washington, for capital improvements to the new City Museum; \$200,000 for a payment to Teach for America DC, for teacher development; and \$350,000 for payment to the District of Columbia Safe Kids Coalition, to promote child passenger safety through the Child Occupant Protection Initiative.

**COURT APPOINTED SPECIAL ADVOCATES**

For a Federal payment to the District of Columbia Court Appointed Special Advocates Unit, \$250,000 to be used to expand their work in the Family Court of the District of Columbia Superior Court.

**CHILD AND FAMILY SERVICES AGENCY—  
FAMILY COURT REFORM**

For a Federal payment to the District of Columbia Child and Family Services Agency, \$500,000 to be used for activities authorized under S. 1382, the District of Columbia Family Court Act of 2001.

**ADMINISTRATIVE PROVISIONS**

Under the heading "Federal Payment for Incentives for Adoption of Children" in Public Law 106-522, approved November 22, 2000 (114 Stat. 2440), is amended to read as follows: "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 to remain available until September 30, 2003: *Provided*, That \$2,000,000 of said amount shall be used for attorney fees and home studies: *Provided further*, That \$1,000,000 of said amount shall be used for the establishment of a scholarship fund which adoptive families will use for post high school education and training for adopted children: *Provided further*, That \$1,000,000 of said amount shall be used for the establishment of a private adoptive family resource center in the District of Columbia to provide ongoing information, education and support to adoptive families: *Provided further*, That \$1,000,000 of said amount shall be used for adoption incentives and support for children with special needs.".

Of the Federal funds made available in the District of Columbia Appropriations Act, 2001, Public Law 106-522 for the District of Columbia Public Schools (114 Stat. 2441) and the Metropolitan Police Department (114 Stat. 2441) such funds may remain available for the purposes intended until September 30, 2002: *Provided*, That funds made available in such Act for Brownfield Remediation (114 Stat. 2445), shall remain available until expended.

**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: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2002 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$6,051,646,000 (of which \$124,163,000 shall be from intra-District funds and \$3,553,300,000 shall be from local funds): *Provided further*, That this amount may be increased by (i) proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs or (ii) 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: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in this act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2002, 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.

**GOVERNMENTAL DIRECTION AND SUPPORT**

Governmental direction and support, \$307,117,000 (including \$228,471,000 from local funds, \$61,367,000 from Federal funds, and \$17,279,000 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 manage-

ment 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 notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Office of the Chief Technology Officer 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 not less than \$353,000 shall be available to the Office of the Corporation Counsel to support increases in the Attorney Retention Allowance: *Provided further*, That not less than \$50,000 shall be available to support a mediation services program within the Office of the Corporation Counsel: *Provided further*, That not less than \$50,000 shall be available to support a TANF Unit within the Child Support Enforcement Division of the Office of the Corporation Counsel: *Provided further*, That section 403 of the District of Columbia Home Rule Act, approved December 24, 1973 (Public Law 93-198; D.C. Official Code, sec. 1-204.03), is amended as follows:

(1) Subsection (c) is amended by striking the phrase "shall receive, in addition to the compensation to which he is entitled as a member of the Council, \$10,000 per annum, payable in equal installments, for each year he serves as Chairman, but the Chairman".

(2) A new subsection (d) is added to read as follows:

"(d) Notwithstanding subsection (a) of this section, as of the effective date of the District of Columbia Appropriations Act, 2001, the Chairman shall receive compensation, payable in equal installments, at a rate equal to \$10,000 less than the compensation of the Mayor."

**ECONOMIC DEVELOPMENT AND REGULATION**

Economic development and regulation, \$230,878,000 (including \$60,786,000 from local funds, \$96,199,000 from Federal funds, and \$73,893,000 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. Official Code, sec. 2-1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12-26; D.C. Official Code, sec. 2-1215.15 et seq.): *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: *Provided further*, That the Department of Consumer and Regulatory Affairs use \$50,000 of the receipts from the net proceeds from the contractor that handles the District's occupational and professional licensing to fund additional staff and equipment for the Rental Housing Administration: *Provided further*, That the Department of Consumer and Regulatory Affairs transfer all local funds resulting from the lapse of personnel vacancies, caused by transferring DCRA employees into NSO positions without filling the resultant vacancies, into the revolving 5-513 fund to be used to implement the provisions in D.C. Act 13-578, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties: *Provided further*, That the fees established and collected pursuant to D.C. Act 13-578 shall be

identified, and an accounting provided, to the District of Columbia Council's Committee on Consumer and Regulatory Affairs: *Provided further*, That 18 percent of the annual total amount in the 5-513 fund, up to \$500,000, deposited into the 5-513 fund on an annual basis, be used to implement section 102 and other related sections of D.C. Act 13-578: *Provided further*, That the Department shall hire, with the consultation and guidance of the Director of the Office of Personnel on the necessary qualifications and salary level, from these lapsed funds, as soon as possible, but in no event later than November 1, 2001, a professional human resources manager who will become part of the Department's senior management team, and provide in consultation with its newly hired human resources professional manager, and the Office of Personnel, a detailed plan to the Council's Committee on Consumer and Regulatory Affairs, by December 1, 2001, for the use of the personal services lapsed funds, including the 58 vacant positions identified by the Department, in fiscal year 2001 to reclassify positions, augment pay scales once positions are reclassified where needed to fill vacancies with qualified and necessary personnel, and to fund these new and vacant positions.

#### PUBLIC SAFETY AND JUSTICE

Public safety and justice, \$632,668,000 (including \$593,618,000 from local funds, \$8,298,000 from Federal funds, and \$30,752,000 from other funds): *Provided*, 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 no less than \$173,000,000 shall be available to the Metropolitan Police Department for salaries in support of 3,800 sworn officers: *Provided further*, That no less than \$100,000 shall be available in the Department of Corrections budget to support the Corrections Information Council: *Provided further*, That no less than \$296,000 shall be available to support the Child Fatality Review Committee: *Provided further*, 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. Official Code, sec. 47-1812.11(c)(3)): *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.

#### PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$1,108,915,000 (including \$894,494,000 from local funds, \$187,794,000 from Federal funds, and \$26,627,000 from other funds), to be allocated as follows: \$813,292,000 (including \$658,624,000 from local funds, \$147,380,000 from Federal funds, and \$7,288,000 from other funds), for the public schools of the District of Columbia; \$47,370,000 (including \$19,911,000 from local funds, \$26,917,000 from Federal funds, \$542,000 from other funds), for the State Education Office; \$17,000,000 from local funds, previously appropriated in this Act as a Federal payment, and such sums as may be

necessary to be derived from interest earned on funds contained in the dedicated account established by the Chief Financial Officer of the District of Columbia, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; and \$142,257,000 from local funds for public charter schools: *Provided*, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of each fiscal year: *Provided further*, 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 public education in accordance with the School Reform Act of 1995 (Public Law 104-134; D.C. Official Code, sec. 38-1804.03(A)(2)(D)): *Provided further*, That \$480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: *Provided further*, That \$76,542,000 (including \$45,912,000 from local funds, \$12,539,000 from Federal funds, and \$18,091,000 from other funds) shall be available for the University of the District of Columbia: *Provided further*, That \$27,256,000 (including \$26,030,000 from local funds, \$560,000 from Federal funds and \$666,000 other funds) for the Public Library: *Provided further*, That the \$1,007,000 enhancement shall be allocated such that \$500,000 is used for facilities improvements for 8 of the 26 library branches, \$235,000 for 13 FTEs for the continuation of the Homework Helpers Program, \$143,000 for 2 FTEs in the expansion of the Reach Out And Roar (ROAR) service to licensed day care homes, and \$129,000 for 3 FTEs to expand literacy support into branch libraries: *Provided further*, That \$2,198,000 (including \$1,760,000 from local funds, \$398,000 from Federal funds and \$40,000 from other funds) shall be available 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 available 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. Official Code, sec. 38-201 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 2002 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, 2002, a tuition rate schedule that will establish the tuition rate for nonresident stu-

dents 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 spend \$1,200,000 to implement D.C. Teaching Fellows Program in the District's public schools: *Provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2002, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2003: *Provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2002, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2003: *Provided further*, That no less than \$200,000 be available for adult education: *Provided further*, That the third sentence of section 441 of the District of Columbia Home Rule Act, approved December 24, 1973 (Public Law 93-198; D.C. Official Code, sec. 1-204.41), is amended to read as follows: "However, the fiscal year for the Armory Board shall begin on the first day of January and shall end on the thirty-first day of December of each calendar year, and, beginning the first day of July 2003, the fiscal year for the District of Columbia Public Schools, District of Columbia Public Charter Schools and the University of the District of Columbia shall begin on the first day of July and end on the thirtieth day of June of each calendar year": *Provided further*, That the first paragraph under the heading "Public Education System" in Public Law 107-20, approved July 24, 2001, is amended to read as follows: "For an additional amount for 'Public Education System', \$1,000,000 from local funds to remain available until expended, for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and of each public charter school and \$12,000,000 from local funds for the District of Columbia Public Schools to conduct the 2001 summer school session.".

#### HUMAN SUPPORT SERVICES (INCLUDING TRANSFER OF FUNDS)

Human support services, \$1,803,923,000 (including \$711,072,000 from local funds, \$1,075,960,000 from Federal funds, and \$16,891,000 from other funds): *Provided*, That \$27,986,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That \$75,000,000 shall be available to the Health Care Safety Net Administration established by section 1802 of the Fiscal Year 2002 Budget Support Act of 2001, D.C. Bill 14-144; \$90,000,000 available under the District of Columbia Appropriations Act, 2001 (Public Law 106-522) to the Public Benefit Corporation for restructuring shall be made available to the Health Care Safety Net Administration for the purpose of restructuring the delivery of health services in the District of Columbia and shall remain available until

expended: *Provided further*, That no less than \$7,500,000 of this appropriation, to remain available until expended, shall be deposited in the Addiction Recovery Fund established pursuant to section 5 of the Choice in Drug Treatment Act of 2000, effective July 8, 2000 (D.C. Law 13-146; D.C. Official Code, sec. 7-3004), and used solely for the purpose of the Drug Treatment Choice Program established pursuant to section 4 of the Choice in Drug Treatment Act of 2000 (D.C. Official Code, sec. 7-3003): *Provided further*, That no less than \$500,000 of the \$7,500,000 appropriated for the Addiction Recovery Fund shall be used solely to pay treatment providers who provide substance abuse treatment to TANF recipients under the Drug Treatment Choice Program: *Provided further*, That no less than \$2,000,000 of this appropriation shall be used solely to establish, by contract, a 2-year pilot substance abuse program for youth ages 16 through 21 years of age: *Provided further*, That no less than \$60,000 be available for a D.C. Energy Office Matching Grant: *Provided further*, That no less than \$2,150,000 be available for a pilot Interim Disability Assistance program pursuant to title L of the Fiscal Year 2002 Budget Support Act (D.C. Bill 14-144).

#### 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, \$300,151,000 (including \$286,334,000 from local funds, \$4,392,000 from Federal funds, and \$9,425,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: *Provided further*, That no less than \$650,000 be available for a mechanical alley sweeping program: *Provided further*, That no less than \$6,400,000 be available for residential parking enforcement: *Provided further*, That no less than \$100,000 be available for a General Counsel to the Department of Public Works: *Provided further*, That no less than \$3,600,000 be available for ticket processing: *Provided further*, That no less than 14 residential parking control aides or 10 percent of the residential parking control force be available for night time enforcement of out-of-state tags: *Provided further*, That of the total of 3,000 additional parking meters being installed in commercial districts and in commercial loading zones none be installed at loading zones, or entrances at apartment buildings and none be installed in residential neighborhoods: *Provided further*, That no less than \$262,000 be available for taxicab enforcement activities: *Provided further*, That no less than \$241,000 be available for a taxicab driver security revolving fund: *Provided further*, That no less than \$30,084,000 in local appropriations be available to the Division of Transportation, within the Department of Public Works: *Provided further*, That no less than \$12,000,000 in rights-of-way fees shall be available for the Local Roads, Construction and Maintenance Fund: *Provided further*, That funding for a proposed separate Department of Transportation is contingent upon Council approval of a reorganization plan: *Provided further*, That no less than \$313,000 be available for handicapped parking enforcement: *Provided further*, That no less than \$190,000 be available for the Ignition Interlock Device Program: *Provided further*, That no less than \$473,000 be available for the Motor Vehicle Insurance Enforcement Program: *Provided further*, That \$11,000,000 shall be available for transfer to the Highway Trust Fund's Local Roads, Construction and Maintenance Fund, upon certification by the Chief Financial Officer that funds are avail-

able from the 2001 budgeted reserve or where the Chief Financial Officer certifies that additional local revenues are available.

#### RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, \$403,868,000 (including \$250,015,000 from local funds, \$134,839,000 from Federal funds, and \$19,014,000 from other funds).

#### WORKFORCE INVESTMENTS

For workforce investments, \$42,896,000 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 replacement of funds expended, if any, during fiscal year 2001 from the Reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8, \$120,000,000 from local funds.

#### RESERVE RELIEF

For reserve relief, \$30,000,000, for the purpose of spending funds made available through the reduction from \$150,000,000 to \$120,000,000 in the amount required for the Reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8: *Provided*, That \$12,000,000 shall be available to the District of Columbia Public Schools and District of Columbia Public Charter Schools for educational enhancements: *Provided further*, That \$18,000,000 shall be available pursuant to a local District law: *Provided further*, That of the \$30,000,000, funds shall only be expended upon: (i) certification by the Chief Financial Officer of the District of Columbia that the funds are available and not required to address potential deficits, (ii) enactment of local District law detailing the purpose for the expenditure, (iii) prior notification by the Mayor to the Committees on Appropriations of both the Senate and House of Representatives in writing 30 days in advance of any such expenditure: *Provided further*, That the \$18,000,000 provided pursuant to local law shall be expended only when the Emergency Reserve established pursuant to Section 450A(a) of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50(a)), has a minimum balance in the amount of \$150,000,000.

#### EMERGENCY AND CONTINGENCY RESERVE FUNDS

For the Emergency and Contingency Reserve Funds established under section 450A of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a(b)), the Mayor may deposit the proceeds required pursuant to Section 159(a) of Public Law 106-522 and Section 404(c) of Public Law 106-554 in the Contingency Reserve Fund beginning in fiscal year 2002 if the minimum emergency reserve balance requirement established in Section 450A(c) has been met.

#### 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 462, 475, and 490 of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, secs. 1-204.62, 1-204.75, 1-204.90), \$247,902,000 from local funds: *Provided*, That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106-113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds: *Provided further*, That for equipment leases, the

Mayor may finance \$14,300,000 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 \$4,440,000 shall be for the Fire and Emergency Medical Services Department, \$2,010,000 shall be for the Department of Parks and Recreation, and \$7,850,000 shall be for the Department of Public Works: *Provided further*, That no less than \$533,000 be available for trash transfer capital debt service.

#### REPAYMENT OF GENERAL FUND RECOVERY DEBT

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

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

For payment of interest on short-term borrowing, \$500,000 from local funds.

#### WILSON BUILDING

For expenses associated with the John A. Wilson Building, \$8,859,000 from local funds.

#### EMERGENCY RESERVE FUND TRANSFER

Subject to the issuance of bonds to pay the purchase price of the District of Columbia's right, title, and interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Trust Fund Establishment Act of 1999 (D.C. Official Code, sec. 7-1811.01(a)(ii)) and the Tobacco Settlement Financing Act of 2000 (D.C. Official Code, sec. 7-1831.03 et seq.), there is transferred the amount available pursuant thereto and Section 404(c) of Public Law 106-554 to the Emergency and Contingency Reserve Funds established pursuant to section 450A of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a(a)).

#### NON-DEPARTMENTAL AGENCY

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget including anticipated employee health insurance cost increases and contract security costs, \$5,799,000 from local funds.

#### ENTERPRISE AND OTHER FUNDS

##### WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, \$244,978,000 from other funds for fiscal year 2002 of which \$44,244,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects (\$17,953,000 payable to the District's debt service fund and \$26,291,000 payable for other debt service).

For construction projects, \$152,114,000, in the following capital programs: \$52,600,000 for the Blue Plains Wastewater Treatment Plant, \$11,148,000 for the sewer program, \$109,000 for the combined sewer program, \$118,000 for the stormwater program, \$77,957,000 for the water program, \$10,182,000 for the capital equipment program: *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 account shall apply to projects approved under this appropriation account.

##### WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, \$46,510,000 from other funds for fiscal year 2002.

##### STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

For operation of the Stormwater Permit Compliance Enterprise Fund, \$3,100,000 from other funds for fiscal year 2002.

## LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established pursuant to the District of Columbia Appropriation Act, 1982 (95 Stat. 1174, 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. Official Code, sec. 3-1301 et seq. and sec. 22-1716 et seq.), \$229,688,000: *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, \$9,127,000 from other funds: *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. Official Code, sec. 1-204.42(b)).

## 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. Official Code, sec. 1-711), \$13,388,000 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 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.

## WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, \$57,278,000 from other funds.

## HOUSING FINANCE AGENCY

For the Housing Finance Agency, \$4,711,000 from other funds.

## NATIONAL CAPITAL REVITALIZATION CORPORATION

For the National Capital Revitalization Corporation, \$2,673,000 from other funds.

## CAPITAL OUTLAY

## (INCLUDING RESCISSIONS)

For construction projects, an increase of \$1,550,786,700 of which \$1,348,782,387 shall be from local funds, \$44,431,135 shall be from the Highway Trust Fund, and \$157,573,178 shall be from Federal funds, and a rescission of \$476,182,431 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$1,074,604,269 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 the capital budget of \$83,400,000 for the Department of Health shall not be available until the District of Columbia Council's Committee on Human Services receives a report on the use of any capital funds for projects on the grounds of D.C. General Hospital: *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), for which funds are provided by this appropriation title, shall expire on September 30, 2003, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2003: *Provided further*, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse: *Provided further*, That except for funds approved in the budgets prior to the fiscal year 2002 budget and FL-MA2 in the fiscal year 2002 Budget Request, no local funds may be expended to renovate, rehabilitate or construct any facility within the boundaries of census tract 68.04 for any purpose associated with the D.C. Department of Corrections, the CSOSA, or the federal Bureau of Prisons unit until such time as the Mayor shall present to the Council for its approval, a plan for the development of census tract 68.04 south of East Capitol Street, S.E., and the housing of any misdemeanants, felons, ex-offenders, or persons awaiting trial within the District of Columbia: *Provided further*, That none of the conditions set forth in this paragraph shall interfere with the operations of any Federal agency.

## GENERAL PROVISIONS

SEC. 101. 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. 102. 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. 103. 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 legal settlements or 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. 104. 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. 105. 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. 106. None of the Federal funds appropriated in this Act 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. 107. 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. 108. (a) 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 2002, 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 reprogramming 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 Committees on Appropriations 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.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a reprogramming or transfer of funds which transfers any local funds from one appropriation title to another unless the Committees on Appropriations of the Senate and House of Representatives are notified in writing 30 days in advance of the reprogramming or transfer, except that in no event may the amount of any funds reprogrammed or transferred exceed four percent of the local funds.

SEC. 109. Consistent with the provisions of 31 U.S.C. 1301(a), appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 110. 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. 111. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 2002, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 2002 revenue estimates as of the end of the first quarter of fiscal year 2002. These estimates shall be used in the budget request for the fiscal year ending September 30, 2003. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 112. 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 competitive 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 certified by the Chief Financial Officer of the District of Columbia.

SEC. 113. 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. 114. 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. 115. ACCEPTANCE AND USE OF GIFTS. (a) APPROVAL BY MAYOR.—**

(1) **IN GENERAL.**—An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2002 if—

(A) the Mayor approves the acceptance and use of the gift or donation (except as provided in paragraph (2)); and

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

(2) **EXCEPTION FOR COUNCIL AND COURTS.**—The Council of the District of Columbia and the District of Columbia courts may accept and use gifts without prior approval by the Mayor.

(b) **RECORDS AND PUBLIC INSPECTION.**—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), and shall make such records available for audit and public inspection.

(c) **INDEPENDENT AGENCIES INCLUDED.**—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) **EXCEPTION FOR BOARD OF EDUCATION.**—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. 116. 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. 117. 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. 118. None of the Federal funds made available in this Act may be used to imple-

ment 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, 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. 119. ACCEPTANCE AND USE OF GRANTS.**

Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer, 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. No such Federal, private, or other grant may be accepted, obligated, or expended until (1) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant, and (2) the Council has reviewed and approved the acceptance, obligation, and expenditure of such grant, such approval contingent upon (A) no written notice of disapproval being filed with the Secretary to the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer, and no oral notice of disapproval is given during a meeting of the Council during such 14 calendar day period, the report shall be deemed to be approved, and (B) should notice of disapproval be given during such initial 14-calendar day period, the Council may approve or disapprove the report by resolution within 30 calendar days of the initial receipt of the report from the Chief Financial Officer, or such report shall be deemed to be approved.

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 or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to these provisions. 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 these provisions. 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.

SEC. 120. (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, 2001, an inventory, as of September 30, 2001, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the depart-

ment 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. 121. No officer or employee of the District of Columbia government (including any independent agency of the District but excluding the Chief Financial Officer of the District of Columbia, the Metropolitan Police Department, and the Office of the Chief Technology Officer) may enter into an agreement in excess of \$2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

SEC. 122. 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. 123. (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. 124. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2002 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer 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. 125. None of the Federal 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. 126. No later than November 1, 2001, 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 Council a revised appropriated funds operating budget 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), 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 all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

SEC. 127. (a) None of the Federal 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.

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

SEC. 128. 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 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 the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted, and the District's Chief Financial Officer shall provide to the Committees on Appropriations of the Senate and the House of Representatives by the 10th day after the end of each quarter a summary list showing each report, the due date and the date submitted to the Committees.

SEC. 129. (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. 130. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

PROMPT PAYMENT OF APPOINTED COUNSEL

SEC. 131. (a) ASSESSMENT OF INTEREST FOR DELAYED PAYMENTS.—If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

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

(1) a payment authorized under section 11-2604 and section 11-2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act);

(2) a payment 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; or

(3) a payment 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).

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

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

(e) EFFECTIVE DATE.—This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2002, and claims received previously that remain unpaid at the end of fiscal year 2001, and would have qualified for interest payment under this section.

SEC. 132. The Mayor of the District of Columbia shall submit to the Senate and House Committees on Appropriations, the Senate Governmental Affairs Committee, and the House Government Reform Committee quarterly reports 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 pre-trial 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 to be provided in con-

sultation with the Court Services and Offender Supervision Agency; (4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools; (5) improvement in basic District services, including rat control and abatement; (6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and (7) indicators of child well-being.

RESERVE FUNDS

SEC. 133. (a) IN GENERAL.—Section 202(j) of Public Law 104-8, the District of Columbia Financial Responsibility and Management Assistance Act of 1995 is amended to read as follows:

"(j) RESERVE FUNDS.—

"(1) BUDGET RESERVE.—

"(A) IN GENERAL.—For each of the fiscal years 2002 and 2003, the budget of the District government for the fiscal year shall contain a budget reserve in the following amounts:

"(i) \$120,000,000, in the case of fiscal year 2002.

"(ii) \$70,000,000, in the case of fiscal year 2003.

"(B) AVAILABILITY OF FUNDS.—Any amount made available from the budget reserve described in subparagraph (A) shall remain available until expended.

"(2) CUMULATIVE CASH RESERVE.—In addition to any other cash reserves required under section 450A of the District of Columbia Home Rule Act, for each of the fiscal years 2004 and 2005, the budget of the District government for the fiscal year shall contain a cumulative cash reserve of \$50,000,000.

"(3) CONDITIONS ON USE.—The District of Columbia may obligate or expend amounts in the budget reserve under paragraph (1) or the cumulative cash reserve under paragraph (2) only in accordance with the following conditions:

"(A) The Chief Financial Officer of the District of Columbia shall certify that the amounts are available.

"(B) The amounts shall be obligated or expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

"(C) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

"(D) The amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate in writing 30 days in advance of any obligation or expenditure.

"(4) REPLENISHMENT.—Any amount of the budget reserve under paragraph (1) or the cumulative cash reserve under paragraph (2) which is expended in one fiscal year shall be replenished in the following fiscal year appropriations to maintain the required balance."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2001.

(c) CONFORMING AMENDMENTS.—Section 159(c) of the District of Columbia Appropriations Act, 2001 (Public Law 106-522; 114 Stat. 2482) is amended to read as follows:

"(c) EFFECTIVE DATE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on October 1, 2000.

"(2) REPEAL OF POSITIVE FUND BALANCE REQUIREMENT.—The amendment made by subsection (b)(2) shall take effect October 1, 1999.

“(3) TRANSFER OF FUNDS.—All funds identified by the District government pursuant to section 148 of Public Law 106-113, as reflected in the certified annual financial report for fiscal year 2000, shall be deposited during fiscal year 2002 into the Emergency and Contingency Reserve Funds established pursuant to Section 159 of Public Law 106-522, during fiscal year 2002.”.

(d) CONTINGENCY RESERVE FUND.—Section 450A(b) of the Home Rule Act (Public Law 93-198) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—There is established a contingency cash reserve fund (in this subsection referred to as the ‘contingency reserve fund’) as an interest-bearing account (separate from other accounts in the General Fund) into which the Mayor shall deposit in cash not later than October 1 of each fiscal year (beginning with fiscal year 2002) such amount as may be required to maintain a balance in the fund of at least 3 percent of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds (or, in the case of fiscal years prior to fiscal year 2007, such amount as may be required to maintain a balance in the fund of at least the minimum contingency reserve balance for such fiscal year, as determined under paragraph (2)).”;

(2) by striking subparagraph (B) of paragraph (2) and inserting the following:

“(B) APPLICABLE PERCENTAGE DEFINED.—In subparagraph (A), the ‘applicable percentage, with respect to a fiscal year means the following:

- “(i) For fiscal year 2002, 0 percent.
- “(ii) For fiscal year 2003, 0 percent.
- “(iii) For fiscal year 2004, 0 percent.
- “(iv) For fiscal year 2005, 1 percent.
- “(v) For fiscal year 2006, 2 percent.”.

SEC. 134. INTEGRATED PRODUCT TEAM. No funds appropriated by this Act shall be available for an Integrated Product Team until reorganization plans for the Integrated Product Team and a Capital Construction Services Administration have been approved, or deemed approved, by the Council: *Provided*, That this paragraph shall not apply to funds appropriated for the Office of Contracting and Procurement.

SEC. 135. CORPORATION COUNSEL ANTITRUST, ANTIFRAUD, CONSUMER PROTECTION FUNDS. All funds whenever deposited in the District of Columbia Antitrust Fund established pursuant to section 2 of the District of Columbia Antitrust Act of 1980 (D.C. Law 3-169; D.C. Code §28-4516), the Antifraud Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code §1-1188.20), and the District of Columbia Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for fiscal year 2001 (D.C. Law 13-172; D.C. Code §28-3911), are hereby appropriated for the use of the Office of the Corporation Counsel of the District of Columbia until September 30, 2003, in accordance with the statutes that established these funds.

SEC. 136. RISK MANAGEMENT FOR SETTLEMENTS AND JUDGMENTS. In addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may pay the settlement or judgment of a claim or lawsuit in an amount less than \$10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code §2-402).

This Act may be cited as the “District of Columbia Appropriations Act, 2002”.

**SA 2107.** Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 57, strike beginning with line 24 through page 58, line 7, and insert the following:

SEC. 127. (a) 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.

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

**SA 2108.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2944, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

None of the funds provided in this Act may be used directly or indirectly for the renovation of the property located at 227 7th Street, Southeast (commonly known as Eastern Market), except that funds provided in this Act may be used for the regular maintenance and upkeep of the current structure and grounds located at such property.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, November 6, 2001. The purpose of this hearing will be to continue markup on the next Federal Farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, November 6, 2001, at 2:30 p.m., to hold a nomination hearing.

##### AGENDA

Nominees: Mr. Raymond Burghardt, of New York, to be Ambassador to Vietnam; Mr. Larry Dinger, of Iowa, to be Ambassador to Federated States of Micronesia; Mr. Charles Greenwood, Jr., of Florida, for rank of ambassador as Coordinator for Asia Pacific Economic Cooperation (APEC); and Mr. Charles Pritchard, of the District of Columbia, for rank of Ambassador as Special Envoy for Negotiations with the Democratic People’s Republic of

Korea and U.S. Representative to Korean Peninsula Energy Development Organization.

Additional nominees to be announced.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, November 6, 2001, at 2:30 p.m., to consider the nomination of Odessa F. Vincent to be an Associate Judge of the District of Columbia Superior Court.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on the nomination of Thomas L. Sansonetti, to be the Assistant Attorney General for the Environment and Natural Resources Division, Tuesday, November 6, 2001, at 2 p.m., in Dirksen Room 226.

Panel I: The Honorable CRAIG THOMAS and The Honorable MIKE ENZI.

Panel II: Thomas L. Sansonetti, to be the Assistant Attorney General for the Environment and Natural Resources Division.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON TECHNOLOGY, TERRORISM, AND GOVERNMENT INFORMATION

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on Tuesday, November 6, 2001, at 10 a.m., in Dirksen 226, on “Germs, Toxins and Terror: The New Threat to America.”

Panel I: J.T. Caruso, Deputy Assistant Director, Federal Bureau of Investigation; Jim Reynolds, Chief, Terrorism and Violent Crimes Section, Department of Justice; and Claude Allen, Deputy Secretary, Department of Health and Human Services.

Panel II: John Paraccini, RAND Corporation; Dr. Michael Drake, Co-Chair, California Task Force on Bioterrorism; and Ronald Atlas, National President, American Society of Microbiology.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGE OF THE FLOOR

Ms. LANDRIEU. Mr. President, I ask unanimous consent for Kevin Avery of my staff to be given floor privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Senate