

Union Calendar No. 378

105TH CONGRESS
2^D SESSION

H. R. 4380

[Report No. 105-670]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 1998

Mr. TAYLOR, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 District of Columbia for the fiscal year ending September
2 30, 1999, and for other purposes, namely:

3 FEDERAL FUNDS

4 METRORAIL IMPROVEMENTS AND EXPANSION

5 For a Federal contribution to the Washington Metro-
6 politan Area Transit Authority for improvements and ex-
7 pansion of the Mount Vernon Square Metrorail station lo-
8 cated at the site of the proposed Washington Convention
9 Center project, \$25,000,000, to remain available until ex-
10 pended.

11 NATION'S CAPITAL INFRASTRUCTURE FUND

12 For a Federal contribution to the District of Colum-
13 bia towards the costs of infrastructure needs, which shall
14 be deposited into an escrow account of the District of Co-
15 lumbia Financial Responsibility and Management Assist-
16 ance Authority and disbursed by the Authority from such
17 account for the repair and maintenance of roads, high-
18 ways, bridges, and transit in the District of Columbia,
19 \$21,000,000, to remain available until expended.

20 ENVIRONMENTAL STUDY AND RELATED ACTIVITIES AT

21 LORTON CORRECTIONAL COMPLEX

22 For a Federal contribution for an environmental
23 study and related activities at the Lorton Correctional
24 Complex, to be transferred to the Federal agency with au-

1 thority over the Complex, \$7,000,000, to remain available
2 until expended.

3 OFFENDER SUPERVISION, DEFENDER, AND COURT
4 SERVICES AGENCY

5 For a Federal contribution for the District of Colum-
6 bia Offender Supervision, Defender, and Court Services
7 Agency for establishment of a residential sanctions center
8 and drug testing, intervention, and treatment, to be used
9 to ensure adequate response to persons who violate condi-
10 tions of supervision and to implement recommendations
11 of the District of Columbia Truth-in-Sentencing Commis-
12 sion, \$4,000,000.

13 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
14 CORRECTIONS TRUSTEE OPERATIONS

15 For payment to the District of Columbia Corrections
16 Trustee, \$184,800,000 for the administration and oper-
17 ation of correctional facilities and for the administrative
18 operating costs of the Office of the Corrections Trustee,
19 as authorized by section 11202 of the National Capital
20 Revitalization and Self-Government Improvement Act of
21 1997, Public Law 105–33.

22 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
23 COURTS

24 Notwithstanding any other provision of law,
25 \$142,000,000 for payment to the Joint Committee on Ju-

1 dicial Administration in the District of Columbia; of which
2 not to exceed \$121,000,000 shall be for District of Colum-
3 bia Courts operation, and not to exceed \$21,000,000, to
4 remain available until September 30, 2001, shall be for
5 capital improvements for District of Columbia courthouse
6 facilities: *Provided*, That said sums shall be paid quarterly
7 by the Treasury of the United States based on quarterly
8 apportionments approved by the Office of Management
9 and Budget, with payroll and financial services to be pro-
10 vided on a contractual basis with the General Services Ad-
11 ministration, said services to include the preparation and
12 submission of monthly financial reports to the President
13 and the Committees on Appropriations of the Senate and
14 House of Representatives, the Committee on Govern-
15 mental Affairs of the Senate, and the Committee on Gov-
16 ernment Reform and Oversight of the House of Represent-
17 atives.

18 DISTRICT OF COLUMBIA OFFENDER SUPERVISION,

19 DEFENDER, AND COURT SERVICES AGENCY

20 For payment to the District of Columbia Offender
21 Supervision, Defender, and Court Services Agency,
22 \$59,400,000, as authorized by the National Capital Revi-
23 talization and Self-Government Improvement Act of 1997,
24 Public Law 105–33; of which \$33,802,000 shall be for
25 necessary expenses of Parole Revocation, Adult Probation

1 and Offender Supervision; \$14,486,000 shall be available
2 to the Public Defender Service; and \$11,112,000 shall be
3 available to the Pretrial Services Agency.

4 FEDERAL PAYMENT FOR METROPOLITAN POLICE
5 DEPARTMENT

6 For payment to the Metropolitan Police Department,
7 \$1,200,000, for the administration and operating costs of
8 the Citizen Complaint Review Office.

9 FEDERAL PAYMENT FOR FIRE DEPARTMENT

10 For payment to the Fire Department, \$3,240,000,
11 for a 5.5 percent pay increase to be effective and paid to
12 firefighters beginning October 1, 1998.

13 FEDERAL PAYMENT FOR BOYS TOWN U.S.A.

14 For a Federal contribution to the Board of Trustees
15 of Boys Town U.S.A. for expansion of the operations of
16 Boys Town of Washington, located at 4801 Sargent Road,
17 Northeast, \$4,000,000, to remain available until ex-
18 pended, to be paid upon certification by the Inspector Gen-
19 eral of the District of Columbia that \$3,100,000 in match-
20 ing funds from private contributions have been collected
21 by Boys Town of Washington.

22 FEDERAL PAYMENT TO HISTORICAL SOCIETY FOR CITY
23 MUSEUM

24 For a Federal payment to the Historical Society of
25 Washington, D.C., for the establishment and operation of

1 a Museum of the City of Washington, D.C. at the Carne-
2 gie Library at Mount Vernon Square, \$2,000,000, to re-
3 main available until expended, to be deposited in a sepa-
4 rate account of the Society used exclusively for the estab-
5 lishment and operation of such Museum: *Provided*, That
6 the Secretary of the Treasury shall make such payment
7 in quarterly installments, and the amount of the install-
8 ment for a quarter shall be equal to the amount of match-
9 ing funds that the Society has deposited into such account
10 for the quarter (as certified by the Inspector General of
11 the District of Columbia): *Provided further*, That notwith-
12 standing any other provision of law, not later than Janu-
13 ary 1, 1999, the District of Columbia shall enter into an
14 agreement with the Society under which the District of
15 Columbia shall lease the Carnegie Library at Mount Ver-
16 non Square to the Society beginning on such date for 99
17 years at a rent of \$1 per year for use as a city museum.

18 UNITED STATES PARK POLICE

19 For a Federal payment to the United States Park
20 Police, \$8,500,000, to acquire, modify and operate a heli-
21 copter and to make necessary capital expenditures to the
22 Park Police aviation unit base.

23 FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS

24 For a Federal payment to the District of Columbia
25 Department of Housing and Community Development for

1 a study by the U.S. Army Corps of Engineers of necessary
2 improvements to the Southwest Waterfront in the District
3 of Columbia (including upgrading marina dock pilings and
4 paving and restoring walkways in the marina and fish
5 market areas) for the portions of Federal property in the
6 Southwest quadrant of the District of Columbia that con-
7 sist of Lots 847 and 848, a portion of Lot 846, and the
8 unassessed Federal real property adjacent to Lot 848 in
9 Square 473, and for carrying out the improvements rec-
10 ommended by the study, \$3,000,000: *Provided*, That no
11 portion of such funds shall be available to the District of
12 Columbia for carrying out such improvements unless the
13 District of Columbia executes a 30-year lease with the ex-
14 isting lessees, or with their successors in interest, of such
15 portions of property not later than 90 days after the date
16 of enactment of this Act.

17 FEDERAL PAYMENT FOR MENTORING SERVICES

18 For a Federal payment to the International Youth
19 Service and Development Corps, Inc. for a mentoring pro-
20 gram for at-risk children in the District of Columbia,
21 \$200,000: *Provided*, That the International Youth Service
22 and Development Corps, Inc. shall submit to the Commit-
23 tees on Appropriations of the House of Representatives
24 and the Senate an annual report on the activities carried
25 out with such funds due November 30 of each year.

1 FEDERAL PAYMENT FOR HOTLINE SERVICES

2 For a Federal payment to the International Youth
3 Service and Development Corps, Inc. for the operation of
4 a resource hotline for low-income individuals in the Dis-
5 trict of Columbia, \$50,000: *Provided*, That the Inter-
6 national Youth Service and Development Corps, Inc. shall
7 submit to the Committees on Appropriations of the House
8 of Representatives and the Senate an annual report on
9 the activities carried out with such funds due November
10 30 of each year.

11 FEDERAL PAYMENT FOR PUBLIC EDUCATION

12 For a Federal contribution to the public education
13 system for public charter schools, \$20,391,000.

14 DISTRICT OF COLUMBIA FUNDS

15 OPERATING EXPENSES

16 DIVISION OF EXPENSES

17 The following amounts are appropriated for the Dis-
18 trict of Columbia for the current fiscal year out of the
19 general fund of the District of Columbia, except as other-
20 wise specifically provided.

21 GOVERNMENTAL DIRECTION AND SUPPORT

22 Governmental direction and support, \$164,144,000
23 (including \$136,485,000 from local funds, \$13,955,000
24 from Federal funds, and \$13,704,000 from other funds):
25 *Provided*, That not to exceed \$2,500 for the Mayor,

1 \$2,500 for the Chairman of the Council of the District
2 of Columbia, and \$2,500 for the Chief Management Offi-
3 cer shall be available from this appropriation for official
4 purposes: *Provided further*, That any program fees col-
5 lected from the issuance of debt shall be available for the
6 payment of expenses of the debt management program of
7 the District of Columbia: *Provided further*, That no reve-
8 nues from Federal sources shall be used to support the
9 operations or activities of the Statehood Commission and
10 Statehood Compact Commission: *Provided further*, That
11 the District of Columbia shall identify the sources of fund-
12 ing for Admission to Statehood from its own locally-gen-
13 erated revenues: *Provided further*, That all employees per-
14 manently assigned to work in the Office of the Mayor shall
15 be paid from funds allocated to the Office of the Mayor.

16 ECONOMIC DEVELOPMENT AND REGULATION

17 Economic development and regulation, \$159,039,000
18 (including \$45,162,000 from local funds, \$83,365,000
19 from Federal funds, and \$30,512,000 from other funds),
20 of which \$12,000,000 collected by the District of Colum-
21 bia in the form of BID tax revenue shall be paid to the
22 respective BIDS pursuant to the Business Improvement
23 Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec.
24 1–2271 et seq.), and the Business Improvement Districts
25 Temporary Amendment Act of 1997 (D.C. Law 12–23):

1 *Provided*, That such funds are available for acquiring serv-
2 ices provided by the Federal General Services Administra-
3 tion: *Provided further*, That Business Improvement Dis-
4 tricts shall be exempt from taxes levied by the District
5 of Columbia.

6 PUBLIC SAFETY AND JUSTICE

7 Public safety and justice, including purchase or lease
8 of 135 passenger-carrying vehicles for replacement only,
9 including 130 for police-type use and five for fire-type use,
10 without regard to the general purchase price limitation for
11 the current fiscal year, \$755,786,000 (including
12 \$531,660,000 from local funds, \$30,327,000 from Federal
13 funds, and \$193,799,000 from other funds): *Provided*,
14 That the Metropolitan Police Department is authorized to
15 replace not to exceed 25 passenger-carrying vehicles and
16 the Department of Fire and Emergency Medical Services
17 of the District of Columbia is authorized to replace not
18 to exceed five passenger-carrying vehicles annually when-
19 ever the cost of repair to any damaged vehicle exceeds
20 three-fourths of the cost of the replacement: *Provided fur-*
21 *ther*, That not to exceed \$500,000 shall be available from
22 this appropriation for the Chief of Police for the preven-
23 tion and detection of crime: *Provided further*, That the
24 Metropolitan Police Department shall provide quarterly
25 reports to the Committees on Appropriations of the House

1 and Senate on efforts to increase efficiency and improve
2 the professionalism in the department: *Provided further,*
3 That notwithstanding any other provision of law, or May-
4 or's Order 86-45, issued March 18, 1986, the Metropoli-
5 tan Police Department's delegated small purchase author-
6 ity shall be \$500,000: *Provided further,* That the District
7 of Columbia government may not require the Metropolitan
8 Police Department to submit to any other procurement re-
9 view process, or to obtain the approval of or be restricted
10 in any manner by any official or employee of the District
11 of Columbia government, for purchases that do not exceed
12 \$500,000: *Provided further,* That the Mayor shall reim-
13 burse the District of Columbia National Guard for ex-
14 penses incurred in connection with services that are per-
15 formed in emergencies by the National Guard in a militia
16 status and are requested by the Mayor, in amounts that
17 shall be jointly determined and certified as due and pay-
18 able for these services by the Mayor and the Commanding
19 General of the District of Columbia National Guard: *Pro-*
20 *vided further,* That such sums as may be necessary for
21 reimbursement to the District of Columbia National
22 Guard under the preceding proviso shall be available from
23 this appropriation, and the availability of the sums shall
24 be deemed as constituting payment in advance for emer-
25 gency services involved: *Provided further,* That the Metro-

1 politan Police Department is authorized to maintain 3,800
2 sworn officers, with leave for a 50 officer attrition: *Pro-*
3 *vided further*, That no more than 15 members of the Met-
4 ropolitan Police Department shall be detailed or assigned
5 to the Executive Protection Unit, until the Chief of Police
6 submits a recommendation to the Council for its review:
7 *Provided further*, That \$100,000 shall be available for in-
8 mates released on medical and geriatric parole: *Provided*
9 *further*, That commencing on December 31, 1998, the
10 Metropolitan Police Department shall provide to the Com-
11 mittees on Appropriations of the Senate and House of
12 Representatives, the Committee on Governmental Affairs
13 of the Senate, and the Committee on Government Reform
14 and Oversight of the House of Representatives, quarterly
15 reports on the status of crime reduction in each of the
16 83 police service areas established throughout the District
17 of Columbia: *Provided further*, That funds appropriated
18 for expenses under the District of Columbia Criminal Jus-
19 tice Act, approved September 3, 1974 (88 Stat. 1090;
20 Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for
21 the fiscal year ending September 30, 1999, shall be avail-
22 able for obligations incurred under the Act in each fiscal
23 year since inception in the fiscal year 1975: *Provided fur-*
24 *ther*, That funds appropriated for expenses under the Dis-
25 trict of Columbia Neglect Representation Equity Act of

1 1984, effective March 13, 1985 (D.C. Law 5–129; D.C.
2 Code, sec. 16–2304), for the fiscal year ending September
3 30, 1999, shall be available for obligations incurred under
4 the Act in each fiscal year since inception in the fiscal
5 year 1985: *Provided further*, That funds appropriated for
6 expenses under the District of Columbia Guardianship,
7 Protective Proceedings, and Durable Power of Attorney
8 Act of 1986, effective February 27, 1987 (D.C. Law 6–
9 204; D.C. Code, sec. 21–2060), for the fiscal year ending
10 September 30, 1999, shall be available for obligations in-
11 curred under the Act in each fiscal year since inception
12 in fiscal year 1989.

13 PUBLIC EDUCATION SYSTEM

14 Public education system, including the development
15 of national defense education programs, \$793,725,000 (in-
16 cluding \$640,135,000 from local funds, \$130,638,000
17 from Federal funds, and \$22,952,000 from other funds),
18 to be allocated as follows: \$644,805,000 (including
19 \$545,000,000 from local funds, \$95,121,000 from Federal
20 funds, and \$4,684,000 from other funds), for the public
21 schools of the District of Columbia; \$18,600,000 from
22 local funds for the District of Columbia Teachers' Retire-
23 ment Fund; \$32,626,000 (including \$12,235,000 from
24 local funds and \$20,391,000 from Federal funds not in-
25 cluding funds already made available for District of Co-

1 lumbia public schools) for public charter schools: *Provided*,
2 That if the entirety of this allocation has not been pro-
3 vided as payments to any public charter schools currently
4 in operation through the per pupil funding formula, the
5 funds shall be available for new public charter schools on
6 a per pupil basis: *Provided further*, That \$485,000 be
7 available to the District of Columbia Public Charter
8 School Board for administrative costs: *Provided further*,
9 That if the entirety of this allocation has not been pro-
10 vided as payment to one or more public charter schools
11 by May 1, 1999, and remains unallocated, the funds shall
12 be deposited into a special revolving loan fund described
13 in section 172 of Public Law 95–100 (111 Stat. 2191),
14 to be used solely to assist existing or new public charter
15 schools in meeting startup and operating costs: *Provided*
16 *further*, That the Emergency Transitional Education
17 Board of Trustees of the District of Columbia shall report
18 to Congress not later than 120 days after the date of en-
19 actment of this Act on the capital needs of each public
20 charter school and whether the current per pupil funding
21 formula should reflect these needs: *Provided further*, That
22 until the Emergency Transitional Education Board of
23 Trustees reports to Congress as provided in the preceding
24 proviso, the Emergency Transitional Education Board of
25 Trustees shall take appropriate steps to provide public

1 charter schools with assistance to meet capital expenses
2 in a manner that is equitable with respect to assistance
3 provided to other District of Columbia public schools: *Pro-*
4 *vided further*, That the Emergency Transitional Education
5 Board of Trustees shall report to Congress not later than
6 November 1, 1998, on the implementation of their policy
7 to give preference to newly created District of Columbia
8 public charter schools for surplus public school property;
9 \$72,088,000 (including \$40,148,000 from local funds,
10 \$14,079,000 from Federal funds, and \$17,861,000 from
11 other funds) for the University of the District of Colum-
12 bia; \$23,419,000 (including \$22,326,000 from local funds,
13 \$686,000 from Federal funds and \$407,000 from other
14 funds) for the Public Library; \$2,187,000 (including
15 \$1,826,000 from local funds and \$361,000 from Federal
16 funds) for the Commission on the Arts and Humanities:
17 *Provided further*, That the public schools of the District
18 of Columbia are authorized to accept not to exceed 31
19 motor vehicles for exclusive use in the driver education
20 program: *Provided further*, That not to exceed \$2,500 for
21 the Superintendent of Schools, \$2,500 for the President
22 of the University of the District of Columbia, and \$2,000
23 for the Public Librarian shall be available from this appro-
24 priation for official purposes: *Provided further*, That in
25 using funds for repair and improvement of the District

1 of Columbia's public school facilities made available under
2 this or any other Act, the District of Columbia Financial
3 Responsibility and Management Assistance Authority (or
4 its designee) may place orders for engineering and con-
5 struction and related services with the U.S. Army Corps
6 of Engineers: *Provided further*, That the U.S. Army Corps
7 of Engineers may accept such orders on a reimbursable
8 basis and may provide any part of the services under such
9 orders by contract. In providing such services, the U.S.
10 Army Corps of Engineers shall follow the Federal Acquisi-
11 tions Regulation and the implementing regulations of the
12 Department of Defense: *Provided further*, That \$244,078
13 shall be used to reimburse the National Capital Area
14 Council of the Boy Scouts of America for services provided
15 on behalf of 12,600 students at 39 public schools in the
16 District of Columbia during fiscal year 1998 (including
17 staff, curriculum, and support materials): *Provided fur-*
18 *ther*, That the Inspector General of the District of Colum-
19 bia shall certify not later than 30 days after the date of
20 the enactment of this Act whether or not the services were
21 so provided: *Provided further*, That the reimbursement
22 shall be made not later than 15 days after the Inspector
23 General certifies that the services were provided: *Provided*
24 *further*, That up to \$500,000 shall be available for services
25 provided by the National Capital Area Council of the Boy

1 Scouts of America for services provided at 78 schools in
2 the District of Columbia during fiscal year 1999 (includ-
3 ing staff, curriculum, and support materials): *Provided*
4 *further*, That none of the funds contained in this Act may
5 be made available to pay the salaries of any District of
6 Columbia Public School teacher, principal, administrator,
7 official, or employee who provides false enrollment or at-
8 tendance information under article II, section 5 of the Act
9 entitled “An Act to provide for compulsory school attend-
10 ance, for the taking of a school census in the District of
11 Columbia, and for other purposes”, approved February 4,
12 1925 (DC Code, sec. 31–401 et seq.): *Provided further*,
13 That funds in this Act shall not be available for pay raises
14 to teachers in the District of Columbia Public Schools who
15 have not passed competency tests in literacy, communica-
16 tions, and subject matter skills: *Provided further*, That
17 this appropriation shall not be available to subsidize the
18 education of any nonresident of the District of Columbia
19 at any District of Columbia public elementary or second-
20 ary school during fiscal year 1999 unless the nonresident
21 pays tuition to the District of Columbia at a rate that
22 covers 100 percent of the costs incurred by the District
23 of Columbia which are attributable to the education of the
24 nonresident (as established by the Superintendent of the
25 District of Columbia Public Schools): *Provided further*,

1 That this appropriation shall not be available to subsidize
2 the education of nonresidents of the District of Columbia
3 at the University of the District of Columbia, unless the
4 Board of Trustees of the University of the District of Co-
5 lumbia adopts, for the fiscal year ending September 30,
6 1999, a tuition rate schedule that will establish the tuition
7 rate for nonresident students at a level no lower than the
8 nonresident tuition rate charged at comparable public in-
9 stitutions of higher education in the metropolitan area.

10 HUMAN SUPPORT SERVICES

11 Human support services, \$1,514,751,000 (including
12 \$614,679,000 from local funds, \$886,682,000 from Fed-
13 eral funds, and \$13,390,000 from other funds): *Provided*,
14 That \$21,089,000 of this appropriation, to remain avail-
15 able until expended, shall be available solely for District
16 of Columbia employees' disability compensation: *Provided*
17 *further*, That a peer review committee shall be established
18 to review medical payments and the type of service re-
19 ceived by a disability compensation claimant: *Provided fur-*
20 *ther*, That the District of Columbia shall not provide free
21 government services such as water, sewer, solid waste dis-
22 posal or collection, utilities, maintenance, repairs, or simi-
23 lar services to any legally constituted private nonprofit or-
24 ganization, as defined in section 411(5) of the Stewart B.
25 McKinney Homeless Assistance Act (Public Law 100-77;

1 42 U.S.C. 11371), providing emergency shelter services in
2 the District, if the District would not be qualified to re-
3 ceive reimbursement pursuant to such Act (101 Stat. 485;
4 Public Law 100–77; 42 U.S.C. 11301 et seq.).

5 PUBLIC WORKS

6 Public works, including rental of one passenger-car-
7 rying vehicle for use by the Mayor and three passenger-
8 carrying vehicles for use by the Council of the District of
9 Columbia and leasing of passenger-carrying vehicles,
10 \$266,912,000 (including \$257,242,000 from local funds,
11 \$3,216,000 from Federal funds, and \$6,454,000 from
12 other funds): *Provided*, That this appropriation shall not
13 be available for collecting ashes or miscellaneous refuse
14 from hotels and places of business.

15 WASHINGTON CONVENTION CENTER FUND TRANSFER

16 PAYMENT

17 For payment to the Washington Convention Center,
18 \$5,400,000 from local funds.

19 REPAYMENT OF LOANS AND INTEREST

20 For reimbursement to the United States of funds
21 loaned in compliance with An Act to provide for the estab-
22 lishment of a modern, adequate, and efficient hospital cen-
23 ter in the District of Columbia, approved August 7, 1946
24 (60 Stat. 896; Public Law 79–648); section 1 of An Act
25 to authorize the Commissioners of the District of Colum-

1 bia to borrow funds for capital improvement programs and
2 to amend provisions of law relating to Federal Govern-
3 ment participation in meeting costs of maintaining the
4 Nation's Capital City, approved June 6, 1958 (72 Stat.
5 183; Public Law 85-451; D.C. Code, sec. 9-219); section
6 4 of An Act to authorize the Commissioners of the District
7 of Columbia to plan, construct, operate, and maintain a
8 sanitary sewer to connect the Dulles International Airport
9 with the District of Columbia system, approved June 12,
10 1960 (74 Stat. 211; Public Law 86-515); sections 723
11 and 743(f) of the District of Columbia Home Rule Act,
12 approved December 24, 1973, as amended (87 Stat. 821;
13 Public Law 93-198; D.C. Code, sec. 47-321, note; 91
14 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219,
15 note), including interest as required thereby,
16 \$382,170,000 from local funds.

17 REPAYMENT OF GENERAL FUND RECOVERY DEBT

18 For the purpose of eliminating the \$331,589,000
19 general fund accumulated deficit as of September 30,
20 1990, \$38,453,000 from local funds, as authorized by sec-
21 tion 461(a) of the District of Columbia Home Rule Act,
22 approved December 24, 1973, as amended (105 Stat. 540;
23 Public Law 102-106; D.C. Code, sec. 47-321(a)(1)).

1 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

2 For payment of interest on short-term borrowing,
3 \$11,000,000.

4 CERTIFICATES OF PARTICIPATION

5 For lease payments in accordance with the Certifi-
6 cates of Participation involving the land site underlying
7 the building located at One Judiciary Square, \$7,926,000.

8 HUMAN RESOURCES DEVELOPMENT

9 For human resources development, \$6,674,000.

10 PRODUCTIVITY SAVINGS

11 The Chief Financial Officer of the District of Colum-
12 bia shall, under the direction of the District of Columbia
13 Financial Responsibility and Management Assistance Au-
14 thority, make reductions of \$10,000,000 in local funds to
15 one or more of the appropriation headings in this Act for
16 productivity savings.

17 RECEIVERSHIP PROGRAMS

18 For agencies of the District of Columbia government
19 under court ordered receivership, \$318,979,000 (including
20 \$188,439,000 from local funds, \$96,691,000 from Federal
21 funds, and \$33,849,000 from other funds).

22 DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY
23 AND MANAGEMENT ASSISTANCE AUTHORITY

24 For the District of Columbia Financial Responsibility
25 and Management Assistance Authority, established by sec-

1 tion 101(a) of the District of Columbia Financial Respon-
2 sibility and Management Assistance Act of 1995, approved
3 April 17, 1995 (109 Stat. 97; Public Law 104–8),
4 \$7,840,000: *Provided*, That none of the funds contained
5 in this Act may be used to pay the compensation of the
6 Executive Director or General Counsel of the Authority
7 during any period after April 1, 1999, for which such indi-
8 vidual has not repaid the Treasury of the District of Co-
9 lumbia for compensation paid during any fiscal year which
10 is determined by the Comptroller General (as described
11 in GAO letter report B–279095.2) to have been paid in
12 excess of the maximum rate of compensation which may
13 be paid to such individual during such year under section
14 102 of such Act: *Provided further*, That none of the funds
15 contained in this Act may be used to pay any compensa-
16 tion of the Executive Director or General Counsel of the
17 Authority at a rate in excess of the maximum rate of com-
18 pensation which may be paid to such individual during fis-
19 cal year 1999 under section 102 of such Act, as deter-
20 mined by the Comptroller General (as described in GAO
21 letter report B–279095.2): *Provided further*, That not
22 later than 5 calendar days after the end of each month
23 (beginning with September 1998), the Authority shall pro-
24 vide to the Chief Financial Officer of the District of Co-
25 lumbia a statement of the balance of each account held

1 by the Authority as of the end of the month, together with
2 a description of the activities within each such account
3 during the month: *Provided further*, That none of the
4 funds contained in this or any other Act may be used to
5 pay the salary or expenses of any officer or employee of
6 the Authority who is required to provide information
7 under the preceding proviso and who fails to provide such
8 information in accordance with such proviso.

9 WATER AND SEWER AUTHORITY AND THE WASHINGTON
10 AQUEDUCT

11 For the Water and Sewer Authority and the Wash-
12 ington Aqueduct, \$273,314,000 from other funds (includ-
13 ing \$239,493,000 for the Water and Sewer Authority and
14 \$33,821,000 for the Washington Aqueduct) of which
15 \$39,933,000 shall be apportioned and payable to the Dis-
16 trict's debt service fund for repayment of loans and inter-
17 est incurred for capital improvement projects.

18 LOTTERY AND CHARITABLE GAMES CONTROL BOARD

19 For the Lottery and Charitable Games Control
20 Board, established by the District of Columbia Appropria-
21 tion Act for the fiscal year ending September 30, 1982,
22 approved December 4, 1981 (95 Stat. 1174, 1175; Public
23 Law 97-91), as amended, for the purpose of implementing
24 the Law to Legalize Lotteries, Daily Numbers Games, and
25 Bingo and Raffles for Charitable Purposes in the District

1 of Columbia, effective March 10, 1981 (D.C. Law 3–172;
2 D.C. Code, secs. 2–2501 et seq. and 22–1516 et seq.),
3 \$225,200,000: *Provided*, That the District of Columbia
4 shall identify the source of funding for this appropriation
5 title from the District’s own locally generated revenues:
6 *Provided further*, That no revenues from Federal sources
7 shall be used to support the operations or activities of the
8 Lottery and Charitable Games Control Board.

9 CABLE TELEVISION ENTERPRISE FUND

10 For the Cable Television Enterprise Fund, estab-
11 lished by the Cable Television Communications Act of
12 1981, effective October 22, 1983 (D.C. Law 5–36; D.C.
13 Code, sec. 43–1801 et seq.), \$2,108,000 from other funds.

14 PUBLIC SERVICE COMMISSION

15 For the Public Service Commission, \$5,026,000 (in-
16 cluding \$252,000 from Federal funds and \$4,774,000
17 from other funds).

18 OFFICE OF THE PEOPLE’S COUNSEL

19 For the Office of the People’s Counsel, \$2,501,000
20 from other funds.

21 DEPARTMENT OF INSURANCE AND SECURITIES

22 REGULATION

23 For the Department of Insurance and Securities Reg-
24 ulation, \$7,001,000 from other funds.

1 OFFICE OF BANKING AND FINANCIAL INSTITUTIONS

2 For the Office of Banking and Financial Institutions,
3 \$640,000 (including \$390,000 from local funds and
4 \$250,000 from other funds).

5 STARPLEX FUND

6 For the Starplex Fund, \$8,751,000 from other funds
7 for expenses incurred by the Armory Board in the exercise
8 of its powers granted by An Act To Establish A District
9 of Columbia Armory Board, and for other purposes, ap-
10 proved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-
11 301 et seq.) and the District of Columbia Stadium Act
12 of 1957, approved September 7, 1957 (71 Stat. 619; Pub-
13 lic Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided,*
14 That the Mayor shall submit a budget for the Armory
15 Board for the forthcoming fiscal year as required by sec-
16 tion 442(b) of the District of Columbia Home Rule Act,
17 approved December 24, 1973 (87 Stat. 824; Public Law
18 93-198; D.C. Code, sec. 47-301(b)).

19 D.C. GENERAL HOSPITAL (PUBLIC BENEFIT
20 CORPORATION)

21 For the District of Columbia General Hospital, estab-
22 lished by Reorganization Order No. 57 of the Board of
23 Commissioners, effective August 15, 1953, \$113,599,000
24 of which \$46,835,000 shall be derived by transfer from

1 the general fund, and \$66,764,000 shall be derived from
2 other funds.

3 D.C. RETIREMENT BOARD

4 For the D.C. Retirement Board, established by sec-
5 tion 121 of the District of Columbia Retirement Reform
6 Act of 1979, approved November 17, 1979 (93 Stat. 866;
7 D.C. Code, sec. 1-711), \$18,202,000 from the earnings
8 of the applicable retirement funds to pay legal, manage-
9 ment, investment, and other fees and administrative ex-
10 penses of the District of Columbia Retirement Board: *Pro-*
11 *vided*, That the District of Columbia Retirement Board
12 shall provide to the Congress and to the Council of the
13 District of Columbia a quarterly report of the allocations
14 of charges by fund and of expenditures of all funds: *Pro-*
15 *vided further*, That the District of Columbia Retirement
16 Board shall provide the Mayor, for transmittal to the
17 Council of the District of Columbia, an itemized account-
18 ing of the planned use of appropriated funds in time for
19 each annual budget submission and the actual use of such
20 funds in time for each annual audited financial report.

21 CORRECTIONAL INDUSTRIES FUND

22 For the Correctional Industries Fund, established by
23 the District of Columbia Correctional Industries Estab-
24 lishment Act, approved October 3, 1964 (78 Stat. 1000;
25 Public Law 88-622), \$3,332,000 from other funds.

1 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

2 For the Washington Convention Center Enterprise
3 Fund, \$53,539,000, of which \$5,400,000 shall be derived
4 by transfer from the general fund.

5 CAPITAL OUTLAY

6 (INCLUDING RESCISSIONS)

7 For construction projects, a net increase of
8 \$1,711,160,737 (including a rescission of \$114,430,742 of
9 which \$24,437,811 is from local funds and \$89,992,931
10 is from highway trust funds appropriated under this head-
11 ing in prior fiscal years, and an additional \$1,825,591,479
12 of which \$718,234,161 is from local funds, \$24,452,538
13 is from the highway trust fund, and \$1,082,904,780 is
14 from Federal funds), to remain available until expended:
15 *Provided*, That funds for use of each capital project imple-
16 menting agency shall be managed and controlled in ac-
17 cordance with all procedures and limitations established
18 under the Financial Management System: *Provided fur-*
19 *ther*, That all funds provided by this appropriation title
20 shall be available only for the specific projects and pur-
21 poses intended: *Provided further*, That notwithstanding
22 the foregoing, all authorizations for capital outlay
23 projects, except those projects covered by the first sen-
24 tence of section 23(a) of the Federal-Aid Highway Act of
25 1968, approved August 23, 1968 (82 Stat. 827; Public

1 Law 90–495; D.C. Code, sec. 7–134, note), for which
2 funds are provided by this appropriation title, shall expire
3 on September 30, 2000, except authorizations for projects
4 as to which funds have been obligated in whole or in part
5 prior to September 30, 2000: *Provided further*, That upon
6 expiration of any such project authorization the funds pro-
7 vided herein for the project shall lapse.

8 GENERAL PROVISIONS

9 SEC. 101. The expenditure of any appropriation
10 under this Act for any consulting service through procure-
11 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
12 to those contracts where such expenditures are a matter
13 of public record and available for public inspection, except
14 where otherwise provided under existing law, or under ex-
15 isting Executive order issued pursuant to existing law.

16 SEC. 102. Except as otherwise provided in this Act,
17 all vouchers covering expenditures of appropriations con-
18 tained in this Act shall be audited before payment by the
19 designated certifying official and the vouchers as approved
20 shall be paid by checks issued by the designated disbursing
21 official.

22 SEC. 103. Whenever in this Act, an amount is speci-
23 fied within an appropriation for particular purposes or ob-
24 jects of expenditure, such amount, unless otherwise speci-
25 fied, shall be considered as the maximum amount that

1 may be expended for said purpose or object rather than
2 an amount set apart exclusively therefor.

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

11 SEC. 105. Appropriations in this Act shall be avail-
12 able for expenses of travel and for the payment of dues
13 of organizations concerned with the work of the District
14 of Columbia government, when authorized by the Mayor:
15 *Provided*, That the Council of the District of Columbia
16 and the District of Columbia Courts may expend such
17 funds without authorization by the Mayor.

18 SEC. 106. There are appropriated from the applicable
19 funds of the District of Columbia such sums as may be
20 necessary for making refunds and for the payment of
21 judgments that have been entered against the District of
22 Columbia government: *Provided*, That of such appropria-
23 tions, the District of Columbia is directed to refund by
24 September 30, 1999, up to \$17,800,000 of overpayments
25 collected by the District of Columbia Department of Pub-

1 lie Works for parking ticket violations as reported by the
2 District of Columbia Auditor in a report dated March 19,
3 1998: *Provided further*, That nothing contained in this
4 section shall be construed as modifying or affecting the
5 provisions of section 11(c)(3) of title XII of the District
6 of Columbia Income and Franchise Tax Act of 1947, ap-
7 proved March 31, 1956 (70 Stat. 78; Public Law 84-460;
8 D.C. Code, sec. 47-1812.11(c)(3)).

9 SEC. 107. Appropriations in this Act shall be avail-
10 able for the payment of public assistance without reference
11 to the requirement of section 544 of the District of Colum-
12 bia Public Assistance Act of 1982, effective April 6, 1982
13 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the
14 non-Federal share of funds necessary to qualify for Fed-
15 eral assistance under the Juvenile Delinquency Prevention
16 and Control Act of 1968, approved July 31, 1968 (82
17 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

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

21 SEC. 109. No funds appropriated in this Act for the
22 District of Columbia government for the operation of edu-
23 cational institutions, the compensation of personnel, or for
24 other educational purposes may be used to permit, encour-
25 age, facilitate, or further partisan political activities.

1 Nothing herein is intended to prohibit the availability of
2 school buildings for the use of any community or partisan
3 political group during non-school hours.

4 SEC. 110. None of the funds appropriated in this Act
5 shall be made available to pay the salary of any employee
6 of the District of Columbia government whose name, title,
7 grade, salary, past work experience, and salary history are
8 not available for inspection by the House and Senate Com-
9 mittees on Appropriations, the Subcommittee on the Dis-
10 trict of Columbia of the House Committee on Government
11 Reform and Oversight, the Subcommittee on Oversight of
12 Government Management, Restructuring and the District
13 of Columbia of the Senate Committee on Governmental
14 Affairs, and the Council of the District of Columbia, or
15 their duly authorized representative.

16 SEC. 111. There are appropriated from the applicable
17 funds of the District of Columbia such sums as may be
18 necessary for making payments authorized by the District
19 of Columbia Revenue Recovery Act of 1977, effective Sep-
20 tember 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-
21 421 et seq.).

22 SEC. 112. No part of this appropriation shall be used
23 for publicity or propaganda purposes or implementation
24 of any policy including boycott designed to support or de-

1 feat legislation pending before Congress or any State legis-
2 lature.

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

10 SEC. 114. The Mayor shall not borrow any funds for
11 capital projects unless the Mayor has obtained prior ap-
12 proval from the Council of the District of Columbia, by
13 resolution, identifying the projects and amounts to be fi-
14 nanced with such borrowings.

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

18 SEC. 116. None of the funds appropriated by this Act
19 may be obligated or expended by reprogramming except
20 pursuant to advance approval of the reprogramming
21 granted according to the procedure set forth in the Joint
22 Explanatory Statement of the Committee of Conference
23 (House Report No. 96-443), which accompanied the Dis-
24 trict of Columbia Appropriation Act, 1980, approved Octo-
25 ber 30, 1979 (93 Stat. 713; Public Law 96-93), as modi-

1 fied in House Report No. 98–265, and in accordance with
2 the Reprogramming Policy Act of 1980, effective Septem-
3 ber 16, 1980 (D.C. Law 3–100; D.C. Code, sec. 47–361
4 et seq.): *Provided*, That for the fiscal year ending Septem-
5 ber 30, 1999 the above shall apply except as modified by
6 Public Law 104–8.

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

11 SEC. 118. None of the Federal funds provided in this
12 Act shall be obligated or expended to procure passenger
13 automobiles as defined in the Automobile Fuel Efficiency
14 Act of 1980, approved October 10, 1980 (94 Stat. 1824;
15 Public Law 96–425; 15 U.S.C. 2001(2)), with an Environ-
16 mental Protection Agency estimated miles per gallon aver-
17 age of less than 22 miles per gallon: *Provided*, That this
18 section shall not apply to security, emergency rescue, or
19 armored vehicles.

20 SEC. 119. (a) Notwithstanding section 422(7) of the
21 District of Columbia Home Rule Act, approved December
22 24, 1973 (87 Stat. 790; Public Law 93–198; D.C. Code,
23 sec. 1–242(7)), the City Administrator shall be paid, dur-
24 ing any fiscal year, a salary at a rate established by the

1 Mayor, not to exceed the rate established for level IV of
2 the Executive Schedule under 5 U.S.C. 5315.

3 (b) For purposes of applying any provision of law lim-
4 iting the availability of funds for payment of salary or pay
5 in any fiscal year, the highest rate of pay established by
6 the Mayor under subsection (a) of this section for any po-
7 sition for any period during the last quarter of calendar
8 year 1998 shall be deemed to be the rate of pay payable
9 for that position for September 30, 1998.

10 (c) Notwithstanding section 4(a) of the District of
11 Columbia Redevelopment Act of 1945, approved August
12 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code,
13 sec. 5-803(a)), the Board of Directors of the District of
14 Columbia Redevelopment Land Agency shall be paid, dur-
15 ing any fiscal year, per diem compensation at a rate estab-
16 lished by the Mayor.

17 SEC. 120. Notwithstanding any other provisions of
18 law, the provisions of the District of Columbia Govern-
19 ment Comprehensive Merit Personnel Act of 1978, effec-
20 tive March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-
21 601.1 et seq.), enacted pursuant to section 422(3) of the
22 District of Columbia Home Rule Act, approved December
23 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code,
24 sec. 1-242(3)), shall apply with respect to the compensa-
25 tion of District of Columbia employees: *Provided*, That for

1 pay purposes, employees of the District of Columbia gov-
2 ernment shall not be subject to the provisions of title 5,
3 United States Code.

4 SEC. 121. The Director of the Office of Property
5 Management may pay rentals and repair, alter, and im-
6 prove rented premises, without regard to the provisions
7 of section 322 of the Economy Act of 1932 (Public Law
8 72-212; 40 U.S.C. 278a), based upon a determination by
9 the Director, that by reason of circumstances set forth in
10 such determination, the payment of these rents and the
11 execution of this work, without reference to the limitations
12 of section 322, is advantageous to the District in terms
13 of economy, efficiency, and the District's best interest.

14 SEC. 122. No later than 30 days after the end of the
15 first quarter of the fiscal year ending September 30, 1999,
16 the Mayor of the District of Columbia shall submit to the
17 Council of the District of Columbia the new fiscal year
18 1999 revenue estimates as of the end of the first quarter
19 of fiscal year 1999. These estimates shall be used in the
20 budget request for the fiscal year ending September 30,
21 2000. The officially revised estimates at midyear shall be
22 used for the midyear report.

23 SEC. 123. No sole source contract with the District
24 of Columbia government or any agency thereof may be re-
25 newed or extended without opening that contract to the

1 competitive bidding process as set forth in section 303 of
2 the District of Columbia Procurement Practices Act of
3 1985, effective February 21, 1986 (D.C. Law 6–85; D.C.
4 Code, sec. 1–1183.3), except that the District of Columbia
5 government or any agency thereof may renew or extend
6 sole source contracts for which competition is not feasible
7 or practical: *Provided*, That the determination as to
8 whether to invoke the competitive bidding process has
9 been made in accordance with duly promulgated rules and
10 procedures and said determination has been reviewed and
11 approved by the District of Columbia Financial Respon-
12 sibility and Management Assistance Authority.

13 SEC. 124. For purposes of the Balanced Budget and
14 Emergency Deficit Control Act of 1985, approved Decem-
15 ber 12, 1985 (99 Stat. 1037; Public Law 99–177), as
16 amended, the term “program, project, and activity” shall
17 be synonymous with and refer specifically to each account
18 appropriating Federal funds in this Act, and any seques-
19 tration order shall be applied to each of the accounts rath-
20 er than to the aggregate total of those accounts: *Provided*,
21 That sequestration orders shall not be applied to any ac-
22 count that is specifically exempted from sequestration by
23 the Balanced Budget and Emergency Deficit Control Act
24 of 1985, approved December 12, 1985 (99 Stat. 1037;
25 Public Law 99–177), as amended.

1 SEC. 125. In the event a sequestration order is issued
2 pursuant to the Balanced Budget and Emergency Deficit
3 Control Act of 1985, approved December 12, 1985 (99
4 Stat. 1037; Public Law 99–177), as amended, after the
5 amounts appropriated to the District of Columbia for the
6 fiscal year involved have been paid to the District of Co-
7 lumbia, the Mayor of the District of Columbia shall pay
8 to the Secretary of the Treasury, within 15 days after re-
9 ceipt of a request therefor from the Secretary of the
10 Treasury, such amounts as are sequestered by the order:
11 *Provided*, That the sequestration percentage specified in
12 the order shall be applied proportionately to each of the
13 Federal appropriation accounts in this Act that are not
14 specifically exempted from sequestration by the Balanced
15 Budget and Emergency Deficit Control Act of 1985, ap-
16 proved December 12, 1985 (99 Stat. 1037; Public Law
17 99–177), as amended.

18 SEC. 126. (a) An entity of the District of Columbia
19 government may accept and use a gift or donation during
20 fiscal year 1999 if—

21 (1) the Mayor approves the acceptance and use
22 of the gift or donation, except that the Council of
23 the District of Columbia may accept and use gifts
24 without prior approval by the Mayor; and

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

3 (b) Each entity of the District of Columbia govern-
4 ment shall keep accurate and detailed records of the ac-
5 ceptance and use of any gift or donation under subsection
6 (a) of this section, and shall make such records available
7 for audit and public inspection.

8 (c) For the purposes of this section, the term “entity
9 of the District of Columbia government” includes an inde-
10 pendent agency of the District of Columbia.

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

16 SEC. 127. None of the Federal funds provided in this
17 Act may be used by the District of Columbia to provide
18 for salaries, expenses, or other costs associated with the
19 offices of United States Senator or United States Rep-
20 resentative under section 4(d) of the District of Columbia
21 Statehood Constitutional Convention Initiatives of 1979,
22 effective March 10, 1981 (D.C. Law 3–171; D.C. Code,
23 sec. 1–113(d)).

24 SEC. 128. The University of the District of Columbia
25 shall submit to the Congress, the Mayor, the District of

1 Columbia Financial Responsibility and Management As-
2 sistance Authority, and the Council of the District of Co-
3 lumbia no later than fifteen (15) calendar days after the
4 end of each month a report that sets forth—

5 (1) current month expenditures and obligations,
6 year-to-date expenditures and obligations, and total
7 fiscal year expenditure projections versus budget
8 broken out on the basis of control center, respon-
9 sibility center, and object class, and for all funds,
10 non-appropriated funds, and capital financing;

11 (2) a list of each account for which spending is
12 frozen and the amount of funds frozen, broken out
13 by control center, responsibility center, detailed ob-
14 ject, and for all funding sources;

15 (3) a list of all active contracts in excess of
16 \$10,000 annually, which contains the name of each
17 contractor; the budget to which the contract is
18 charged, broken out on the basis of control center
19 and responsibility center, and contract identifying
20 codes used by the University of the District of Co-
21 lumbia; payments made in the last month and year-
22 to-date, the total amount of the contract and total
23 payments made for the contract and any modifica-
24 tions, extensions, renewals; and specific modifica-
25 tions made to each contract in the last month;

1 (4) all reprogramming requests and reports
2 that have been made by the University of the Dis-
3 trict of Columbia within the last month in compli-
4 ance with applicable law; and

5 (5) changes made in the last month to the orga-
6 nizational structure of the University of the District
7 of Columbia, displaying previous and current control
8 centers and responsibility centers, the names of the
9 organizational entities that have been changed, the
10 name of the staff member supervising each entity af-
11 fected, and the reasons for the structural change.

12 SEC. 129. Funds authorized or previously appro-
13 priated to the government of the District of Columbia by
14 this or any other Act to procure the necessary hardware
15 and installation of new software, conversion, testing, and
16 training to improve or replace its financial management
17 system are also available for the acquisition of accounting
18 and financial management services and the leasing of nec-
19 essary hardware, software or any other related goods or
20 services, as determined by the District of Columbia Finan-
21 cial Responsibility and Management Assistance Authority.

22 SEC. 130. (a) None of the funds contained in this
23 Act may be made available to pay the fees of an attorney
24 who represents a party who prevails in an action brought
25 against the District of Columbia Public Schools under the

1 Individuals with Disabilities Education Act (20 U.S.C.
2 1400 et seq.) if—

3 (1) the hourly rate of compensation of the at-
4 torney exceeds the hourly rate of compensation
5 under section 11–2604(a), District of Columbia
6 Code; or

7 (2) the maximum amount of compensation of
8 the attorney exceeds the maximum amount of com-
9 pensation under section 11–2604(b)(1), District of
10 Columbia Code, except that compensation and reim-
11 bursement in excess of such maximum may be ap-
12 proved for extended or complex representation in ac-
13 cordance with section 11–2604(c), District of Co-
14 lumbia Code.

15 (b) None of the funds contained in this Act may be
16 made available to pay the fees of an attorney who rep-
17 resents a party who prevails in an administrative proceed-
18 ing under the Individuals with Disabilities Education Act
19 (20 U.S.C. 1400 et seq.).

20 SEC. 131. None of the funds contained in this Act
21 may be available for the operations of any department,
22 agency, or entity (other than the District of Columbia
23 Water and Sewer Authority, the Washington Convention
24 Center Authority, or any operations for borrowing activi-
25 ties under part E of title IV of the District of Columbia

1 Home Rule Act) unless appropriated by Congress in an
2 annual appropriations Act.

3 SEC. 132. None of the funds appropriated under this
4 Act shall be expended for any abortion except where the
5 life of the mother would be endangered if the fetus were
6 carried to term or where the pregnancy is the result of
7 an act of rape or incest.

8 SEC. 133. None of the funds made available in this
9 Act may be used to implement or enforce the Health Care
10 Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C.
11 Code, sec. 36–1401 et seq.) or to otherwise implement or
12 enforce any system of registration of unmarried, cohabit-
13 ing couples (whether homosexual, heterosexual, or les-
14 bian), including but not limited to registration for the pur-
15 pose of extending employment, health, or governmental
16 benefits to such couples on the same basis that such bene-
17 fits are extended to legally married couples.

18 SEC. 134. The Emergency Transitional Education
19 Board of Trustees shall submit to the Congress, the
20 Mayor, the District of Columbia Financial Responsibility
21 and Management Assistance Authority, and the Council
22 of the District of Columbia no later than fifteen (15) cal-
23 endar days after the end of each month a report that sets
24 forth—

1 (1) current month expenditures and obligations,
2 year-to-date expenditures and obligations, and total
3 fiscal year expenditure projections versus budget
4 broken out on the basis of control center, respon-
5 sibility center, agency reporting code, and object
6 class, and for all funds, including capital financing;

7 (2) a list of each account for which spending is
8 frozen and the amount of funds frozen, broken out
9 by control center, responsibility center, detailed ob-
10 ject, and agency reporting code, and for all funding
11 sources;

12 (3) a list of all active contracts in excess of
13 \$10,000 annually, which contains the name of each
14 contractor; the budget to which the contract is
15 charged broken, out on the basis of control center,
16 responsibility center, and agency reporting code; and
17 contract identifying codes used by the D.C. Public
18 Schools; payments made in the last month and year-
19 to-date, the total amount of the contract and total
20 payments made for the contract and any modifica-
21 tions, extensions, renewals; and specific modifica-
22 tions made to each contract in the last month;

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

1 (5) changes made in the last month to the orga-
2 nizational structure of the D.C. Public Schools, dis-
3 playing previous and current control centers and re-
4 sponsibility centers, the names of the organizational
5 entities that have been changed, the name of the
6 staff member supervising each entity affected, and
7 the reasons for the structural change.

8 SEC. 135. (a) IN GENERAL.—The Emergency Tran-
9 sitional Education Board of Trustees of the District of
10 Columbia and the University of the District of Columbia
11 shall annually compile an accurate and verifiable report
12 on the positions and employees in the public school system
13 and the university, respectively. The annual report shall
14 set forth—

15 (1) the number of validated schedule A posi-
16 tions in the District of Columbia public schools and
17 the University of the District of Columbia for fiscal
18 year 1998, fiscal year 1999, and thereafter on full-
19 time equivalent basis, including a compilation of all
20 positions by control center, responsibility center,
21 funding source, position type, position title, pay
22 plan, grade, and annual salary; and

23 (2) a compilation of all employees in the Dis-
24 trict of Columbia public schools and the University
25 of the District of Columbia as of the preceding De-

1 cember 31, verified as to its accuracy in accordance
2 with the functions that each employee actually per-
3 forms, by control center, responsibility center, agen-
4 cy reporting code, program (including funding
5 source), activity, location for accounting purposes,
6 job title, grade and classification, annual salary, and
7 position control number.

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

13 SEC. 136. (a) No later than October 1, 1998, or with-
14 in 15 calendar days after the date of the enactment of
15 this Act, which ever occurs later, and each succeeding
16 year, the Emergency Transitional Education Board of
17 Trustees and the University of the District of Columbia
18 shall submit to the appropriate congressional committees,
19 the Mayor, the District of Columbia Council, the Consen-
20 sus Commission, and the District of Columbia Financial
21 Responsibility and Management Assistance Authority, a
22 revised appropriated funds operating budget for the public
23 school system and the University of the District of Colum-
24 bia for such fiscal year that is in the total amount of the
25 approved appropriation and that realigns budgeted data

1 for personal services and other-than-personal services, re-
2 spectively, with anticipated actual expenditures.

3 (b) The revised budget required by subsection (a) of
4 this section shall be submitted in the format of the budget
5 that the Emergency Transition Education Board of Trust-
6 ees and the University of the District of Columbia submit
7 to the Mayor of the District of Columbia for inclusion in
8 the Mayor's budget submission to the Council of the Dis-
9 trict of Columbia pursuant to section 442 of the District
10 of Columbia Home Rule Act, Public Law 93-198, as
11 amended (D.C. Code, sec. 47-301).

12 SEC. 137. The Emergency Transitional Education
13 Board of Trustees, the Board of Trustees of the Univer-
14 sity of the District of Columbia, the Board of Library
15 Trustees, and the Board of Governors of the University
16 of the District of Columbia School of Law shall vote on
17 and approve their respective annual or revised budgets be-
18 fore submission to the Mayor of the District of Columbia
19 for inclusion in the Mayor's budget submission to the
20 Council of the District of Columbia in accordance with sec-
21 tion 442 of the District of Columbia Home Rule Act, Pub-
22 lic Law 93-198, as amended (D.C. Code, sec. 47-301),
23 or before submitting their respective budgets directly to
24 the Council.

1 SEC. 138. (a) CEILING ON TOTAL OPERATING EX-
2 PENSES.—

3 (1) IN GENERAL.—Notwithstanding any other
4 provision of law, the total amount appropriated in
5 this Act for operating expenses for the District of
6 Columbia for fiscal year 1999 under the caption
7 “Division of Expenses” shall not exceed the lesser
8 of—

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

11 (B) \$5,216,689,000 (of which
12 \$132,912,000 shall be from intra-District funds
13 and \$2,865,763,000 shall be from local funds),
14 which amount may be increased by the follow-
15 ing:

16 (i) proceeds of one-time transactions,
17 which are expended for emergency or un-
18 anticipated operating or capital needs ap-
19 proved by the District of Columbia Finan-
20 cial Responsibility and Management As-
21 sistance Authority; or

22 (ii) after notification to the Council,
23 additional expenditures which the Chief Fi-
24 nancial Officer of the District of Columbia
25 certifies will produce additional revenues

1 during such fiscal year at least equal to
2 200 percent of such additional expendi-
3 tures, and that are approved by the Au-
4 thority.

5 (2) RESERVE FUND.—To the extent that the
6 sum of the total revenues of the District of Colum-
7 bia for such fiscal year exceed the total amount pro-
8 vided for in paragraph (2)(B), the Chief Financial
9 Officer of the District of Columbia, with the ap-
10 proval of the Authority, may credit up to ten percent
11 (10%) of the amount of such difference, not to ex-
12 ceed \$3,300,000, to a reserve fund which may be ex-
13 pended for operating purposes in future fiscal years,
14 in accordance with the financial plans and budgets
15 for such years.

16 (3) ENFORCEMENT.—The Chief Financial Offi-
17 cer of the District of Columbia and the Authority
18 shall take such steps as are necessary to assure that
19 the District of Columbia meets the requirements of
20 this section, including the apportioning by the Chief
21 Financial Officer of the appropriations and funds
22 made available to the District during fiscal year
23 1999, except that the Chief Financial Officer may
24 not reprogram for operating expenses any funds de-

1 rived from bonds, notes, or other obligations issued
2 for capital projects.

3 (b) ACCEPTANCE AND USE OF GRANTS NOT IN-
4 CLUDED IN CEILING.—

5 (1) IN GENERAL.—Notwithstanding subsection
6 (a), the Mayor, in consultation with the Chief Finan-
7 cial Officer, during a control year, as defined in sec-
8 tion 305(4) of the District of Columbia Financial
9 Responsibility and Management Assistance Act of
10 1995, approved April 17, 1995 (Public Law 104–8;
11 109 Stat. 152), may accept, obligate, and expend
12 Federal, private, and other grants received by the
13 District government that are not reflected in the
14 amounts appropriated in this Act.

15 (2) REQUIREMENT OF CHIEF FINANCIAL OFFI-
16 CER REPORT AND AUTHORITY APPROVAL.—No such
17 Federal, private, or other grant may be accepted, ob-
18 ligated, or expended pursuant to paragraph (1)
19 until—

20 (A) the Chief Financial Officer of the Dis-
21 trict of Columbia submits to the Authority a re-
22 port setting forth detailed information regard-
23 ing such grant; and

24 (B) the Authority has reviewed and ap-
25 proved the acceptance, obligation, and expendi-

1 ture of such grant in accordance with review
2 and approval procedures consistent with the
3 provisions of the District of Columbia Financial
4 Responsibility and Management Assistance Act
5 of 1995.

6 (3) PROHIBITION ON SPENDING IN ANTICIPA-
7 TION OF APPROVAL OR RECEIPT.—No amount may
8 be obligated or expended from the general fund or
9 other funds of the District government in anticipa-
10 tion of the approval or receipt of a grant under
11 paragraph (2)(B) of this subsection or in anticipa-
12 tion of the approval or receipt of a Federal, private,
13 or other grant not subject to such paragraph.

14 (4) MONTHLY REPORTS.—The Chief Financial
15 Officer of the District of Columbia shall prepare a
16 monthly report setting forth detailed information re-
17 garding all Federal, private, and other grants sub-
18 ject to this subsection. Each such report shall be
19 submitted to the Council of the District of Columbia,
20 and to the Committees on Appropriations of the
21 House of Representatives and the Senate, not later
22 than 15 days after the end of the month covered by
23 the report.

24 (c) REPORT ON EXPENDITURES BY FINANCIAL RE-
25 SPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHOR-

1 ITY.—Not later than 20 calendar days after the end of
2 each fiscal quarter starting October 1, 1998, the Authority
3 shall submit a report to the Committees on Appropriations
4 of the House of Representatives and the Senate, the Com-
5 mittee on Government Reform and Oversight of the
6 House, and the Committee on Governmental Affairs of the
7 Senate providing an itemized accounting of all non-appro-
8 priated funds obligated or expended by the Authority for
9 the quarter. The report shall include information on the
10 date, amount, purpose, and vendor name, and a descrip-
11 tion of the services or goods provided with respect to the
12 expenditures of such funds.

13 (d) APPLICATION OF EXCESS REVENUES.—Local
14 revenues collected in excess of amounts required to sup-
15 port appropriations in this Act for operating expenses for
16 the District of Columbia for fiscal year 1999 under the
17 caption “Division of Expenses” shall be applied first to
18 the elimination of the general fund accumulated deficit;
19 second to a reserve account not to exceed \$250,000,000
20 to be used to finance seasonal cash needs (in lieu of short
21 term borrowings); third to accelerate repayment of cash
22 borrowed from the Water and Sewer Fund; and fourth to
23 reduce the outstanding long term debt.

24 SEC. 139. The District of Columbia Emergency
25 Transitional Education Board of Trustees shall, subject

1 to the contract approval provisions of the District of Co-
2 lumbia Financial Responsibility and Management Assist-
3 ance Act of 1995 (Public Law 104–8)—

4 (1) develop a comprehensive plan to identify
5 and accomplish energy conservation measures to
6 achieve maximum cost-effective energy and water
7 savings;

8 (2) enter into innovate financing and contrac-
9 tual mechanisms including, but not limited to, utility
10 demand-side management programs, and energy sav-
11 ings performance contracts and water conservation
12 performance contracts so long as the terms of such
13 contracts do not exceed 25 years; and

14 (3) permit and encourage each department or
15 agency and other instrumentality of the District of
16 Columbia to participate in programs conducted by
17 any gas, electric or water utility of the management
18 of electricity or gas demand or for energy or water
19 conservation.

20 SEC. 140. (a) Notwithstanding any other provision
21 of law, rule, or regulation, an employee of the District of
22 Columbia public schools shall be—

23 (1) classified as an Educational Service em-
24 ployee;

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

3 (3) subject to all Board of Education rules.

4 (b) School-based personnel shall constitute a separate
5 competitive area from nonschool-based personnel who shall
6 not compete with school-based personnel for retention pur-
7 poses.

8 SEC. 141. (a) RESTRICTIONS ON USE OF OFFICIAL
9 VEHICLES.—(1) None of the funds made available by this
10 Act or by any other Act may be used to provide any officer
11 or employee of the District of Columbia with an official
12 vehicle unless the officer or employee uses the vehicle only
13 in the performance of the officer's or employee's official
14 duties. For purposes of this paragraph, the term "official
15 duties" does not include travel between the officer's or em-
16 ployee's residence and workplace (except in the case of a
17 police officer who resides in the District of Columbia).

18 (2) The Chief Financial Officer of the District of Co-
19 lumbia shall submit, by November 15, 1998, an inventory,
20 as of September 30, 1998, of all vehicles owned, leased
21 or operated by the District of Columbia government. The
22 inventory shall include, but not be limited to, the depart-
23 ment to which the vehicle is assigned; the year and make
24 of the vehicle; the acquisition date and cost; the general
25 condition of the vehicle; annual operating and mainte-

1 nance costs; current mileage; and whether the vehicle is
2 allowed to be taken home by a District officer or employee
3 and if so, the officer or employee's title and resident loca-
4 tion.

5 (b) SOURCE OF PAYMENT FOR EMPLOYEES DE-
6 TAILED WITHIN GOVERNMENT.—For purposes of deter-
7 mining the amount of funds expended by any entity within
8 the District of Columbia government during fiscal year
9 1999 and each succeeding fiscal year, any expenditures
10 of the District government attributable to any officer or
11 employee of the District government who provides services
12 which are within the authority and jurisdiction of the en-
13 tity (including any portion of the compensation paid to
14 the officer or employee attributable to the time spent in
15 providing such services) shall be treated as expenditures
16 made from the entity's budget, without regard to whether
17 the officer or employee is assigned to the entity or other-
18 wise treated as an officer or employee of the entity.

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

24 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
25 ING NOTICE.—

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

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

17 (c) PROHIBITION OF CONTRACTS WITH PERSONS
18 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
19 If it has been finally determined by a court or Federal
20 agency that any person intentionally affixed a label bear-
21 ing a “Made in America” inscription, or any inscription
22 with the same meaning, to any product sold in or shipped
23 to the United States that is not made in the United
24 States, the person shall be ineligible to receive any con-
25 tract or subcontract made with funds made available in

1 this Act, pursuant to the debarment, suspension, and ineli-
2 gibility procedures described in sections 9.400 through
3 9.409 of title 48, Code of Federal Regulations.

4 SEC. 143. Notwithstanding any provision of any fed-
5 erally granted charter or any other provision of law, the
6 real property of the National Education Association lo-
7 cated in the District of Columbia shall be subject to tax-
8 ation by the District of Columbia in the same manner as
9 any similar organization.

10 SEC. 144. None of the funds contained in this or any
11 other Act may be used to pay the salary or expenses of
12 any officer or employee of any department or agency of
13 the District of Columbia government or of any entity with-
14 in the District of Columbia government who fails to pro-
15 vide information requested by the Chief Financial Officer
16 of the District of Columbia.

17 SEC. 145. None of the funds contained in this Act
18 may be used for purposes of the annual independent audit
19 of the District of Columbia government (including the Dis-
20 trict of Columbia Financial Responsibility and Manage-
21 ment Assistance Authority) for fiscal year 1999 unless—

22 (1) the audit is conducted (either directly or by
23 contract) by the Inspector General of the District of
24 Columbia; and

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

5 SEC. 146. Nothing in this Act shall be construed to
6 authorize any office, agency or entity to expend funds for
7 programs or functions for which a reorganization plan is
8 required but has not been approved by the District of Co-
9 lumbia Financial Responsibility and Management Assist-
10 ance Authority (hereafter in this section referred to as
11 “Authority”). Appropriations made by this Act for such
12 programs or functions are conditioned only on the ap-
13 proval by the Authority of the required reorganization
14 plans.

15 SEC. 147. Notwithstanding any other provision of
16 law, rule, or regulation, the evaluation process and instru-
17 ments for evaluating District of Columbia public schools
18 employees shall be a non-negotiable item for collective bar-
19 gaining purposes.

20 SEC. 148. None of the funds contained in this Act
21 may be used by the District of Columbia Corporation
22 Counsel or any other officer or entity of the District gov-
23 ernment to provide assistance for any petition drive or civil
24 action which seeks to require Congress to provide for vot-

1 ing representation in Congress for the District of Colum-
2 bia.

3 SEC. 149. The Residency Requirement Reinstatement
4 Amendment Act of 1998 (D.C. Act 12–340) is hereby re-
5 pealed.

6 SEC. 150. Notwithstanding any other provision of
7 this Act, no Federal funds appropriated under this Act
8 shall be used to carry out any program of distributing
9 sterile needles or syringes for the hypodermic injection of
10 any illegal drug.

11 This Act may be cited as the “District of Columbia
12 Appropriations Act, 1999”.

Union Calendar No. 378

105TH CONGRESS
2^D SESSION

H. R. 4380

[Report No. 105-670]

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1999, and for other purposes.

AUGUST 3, 1998

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed