

Calendar No. 805

106TH CONGRESS
2^D SESSION

H. R. 4942

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2000

Received; read twice and placed on the calendar

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 District of Columbia for the fiscal year ending September
6 30, 2001, and for other purposes, namely:

7 **FEDERAL FUNDS**

8 **FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

9 For a Federal payment to the District of Columbia
10 for a nationwide program to be administered by the Mayor
11 for District of Columbia resident tuition support,
12 \$14,000,000, to remain available until expended: *Pro-*
13 *vided*, That such funds may be used on behalf of eligible
14 District of Columbia residents to pay an amount based
15 upon the difference between in-State and out-of-State tui-
16 tion at public institutions of higher education, usable at
17 both public and private institutions for higher education:
18 *Provided further*, That the awarding of such funds may
19 be prioritized on the basis of a resident's academic merit
20 and such other factors as may be authorized: *Provided fur-*
21 *ther*, That not more than 5 percent of the funds may be
22 used to pay administrative expenses.

1 FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF
2 CHILDREN

3 The paragraph under the heading “Federal Payment
4 for Incentives for Adoption of Children” in Public Law
5 106–113, approved November 29, 1999 (113 Stat. 1501),
6 is amended to read as follows: “For a Federal payment
7 to the District of Columbia to create incentives to promote
8 the adoption of children in the District of Columbia foster
9 care system, \$5,000,000: *Provided*, That such funds shall
10 remain available until September 30, 2002, and shall be
11 used to carry out all of the provisions of title 38, except
12 for section 3808, of the Fiscal Year 2001 Budget Support
13 Act of 2000, D.C. Bill 13–679, enrolled June 12, 2000.

14 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER
15 OF THE DISTRICT OF COLUMBIA

16 For a Federal payment to the Chief Financial Officer
17 of the District of Columbia, \$1,500,000, of which
18 \$250,000 shall be for payment to a mentoring program
19 and for hotline services; \$500,000 shall be for payment
20 to a youth development program with a character building
21 curriculum; \$500,000 to remain available until expended,
22 shall be for the design, construction, and maintenance of
23 a trash rack system to be installed at the Hickey Run
24 stormwater outfall; and \$250,000 shall be for payment to
25 support a program to assist homeless individuals to be-

1 come productive, taxpaying citizens in the District of Co-
2 lumbia.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
4 CORRECTIONS TRUSTEE OPERATIONS

5 For salaries and expenses of the District of Columbia
6 Corrections Trustee, \$134,300,000 for the administration
7 and operation of correctional facilities and for the admin-
8 istrative operating costs of the Office of the Corrections
9 Trustee, as authorized by section 11202 of the National
10 Capital Revitalization and Self-Government Improvement
11 Act of 1997 (Public Law 105–33; 111 Stat. 712) of which
12 \$1,000,000 is to fund an initiative to improve case proc-
13 essing in the District of Columbia criminal justice system:
14 *Provided*, That notwithstanding any other provision of
15 law, funds appropriated in this Act for the District of Co-
16 lumbia Corrections Trustee shall be apportioned quarterly
17 by the Office of Management and Budget and obligated
18 and expended in the same manner as funds appropriated
19 for salaries and expenses of other Federal agencies: *Pro-*
20 *vided further*, That in addition to the funds provided under
21 this heading, the District of Columbia Corrections Trustee
22 may use any remaining interest earned on the Federal
23 payment made to the Trustee under the District of Colum-
24 bia Appropriations Act, 1998, to carry out the activities
25 funded under this heading.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
2 COURTS

3 For salaries and expenses for the District of Colum-
4 bia Courts, \$99,500,000 to be allocated as follows: for the
5 District of Columbia Court of Appeals, \$7,709,000; for the
6 District of Columbia Superior Court, \$72,399,000; for the
7 District of Columbia Court System, \$16,892,000; and
8 \$2,500,000, to remain available until September 30, 2002,
9 for capital improvements for District of Columbia court-
10 house facilities: *Provided*, That none of the funds in this
11 Act or in any other Act shall be available for the purchase,
12 installation or operation of an Integrated Justice Informa-
13 tion System until a detailed plan and design has been sub-
14 mitted by the courts and approved by the Committees on
15 Appropriations of the House of Representatives and the
16 Senate: *Provided further*, That notwithstanding any other
17 provision of law, all amounts under this heading shall be
18 apportioned quarterly by the Office of Management and
19 Budget and obligated and expended in the same manner
20 as funds appropriated for salaries and expenses of other
21 Federal agencies, with payroll and financial services to be
22 provided on a contractual basis with the General Services
23 Administration (GSA), said services to include the prepa-
24 ration of monthly financial reports, copies of which shall
25 be submitted directly by GSA to the President and to the

1 funds provided in this Act under the heading “Federal
2 Payment to the District of Columbia Courts” (other than
3 the \$2,500,000 provided under such heading for capital
4 improvements for District of Columbia courthouse facili-
5 ties), to make payments described under this heading for
6 obligations incurred during any fiscal year: *Provided fur-*
7 *ther*, That such funds shall be administered by the Joint
8 Committee on Judicial Administration in the District of
9 Columbia: *Provided further*, That notwithstanding any
10 other provision of law, this appropriation shall be appor-
11 tioned quarterly by the Office of Management and Budget
12 and obligated and expended in the same manner as funds
13 appropriated for expenses of other Federal agencies, with
14 payroll and financial services to be provided on a contrac-
15 tual basis with the General Services Administration
16 (GSA), said services to include the preparation of monthly
17 financial reports, copies of which shall be submitted di-
18 rectly by GSA to the President and to the Committees
19 on Appropriations of the Senate and House of Representa-
20 tives, the Committee on Governmental Affairs of the Sen-
21 ate, and the Committee on Government Reform of the
22 House of Representatives: *Provided further*, That the Dis-
23 trict of Columbia Courts shall implement the recommenda-
24 tions in the General Accounting Office Report GAO/
25 AIMD/OGC-99-226 regarding payments to court-ap-

1 pointed attorneys and shall report to the Office of Man-
2 agement and Budget and to the House and Senate Appro-
3 priations Committees quarterly on the status of these re-
4 forms.

5 FEDERAL PAYMENT TO THE COURT SERVICES AND
6 OFFENDER SUPERVISION
7 AGENCY FOR THE DISTRICT OF COLUMBIA
8 (INCLUDING TRANSFER OF FUNDS)

9 For salaries and expenses of the Court Services and
10 Offender Supervision Agency for the District of Columbia,
11 as authorized by the National Capital Revitalization and
12 Self-Government Improvement Act of 1997, (Public Law
13 105–33; 111 Stat. 712) \$115,752,000, of which
14 \$69,871,000 shall be for necessary expenses of Commu-
15 nity Supervision and Sex Offender Registration, to include
16 expenses relating to supervision of adults subject to pro-
17 tection orders or provision of services for or related to such
18 persons; \$18,778,000 shall be transferred to the Public
19 Defender Service; and \$27,103,000 shall be available to
20 the Pretrial Services Agency: *Provided*, That of the
21 amount provided under this heading, \$22,161,000 shall be
22 used to improve pretrial defendant and post-conviction of-
23 fender supervision, enhance drug testing and sanctions-
24 based treatment programs and other treatment services,
25 expand intermediate sanctions and offender re-entry pro-

1 grams, continue planning and design proposals for a resi-
2 dential Sanctions Center and improve administrative in-
3 frastructure, including information technology; and
4 \$836,000 of the \$22,161,000 referred to in this proviso
5 is for the Public Defender Service: *Provided further*, That
6 notwithstanding any other provision of law, all amounts
7 under this heading shall be apportioned quarterly by the
8 Office of Management and Budget and obligated and ex-
9 pended in the same manner as funds appropriated for sal-
10 aries and expenses of other Federal agencies: *Provided fur-*
11 *ther*, That notwithstanding section 446 of the District of
12 Columbia Home Rule Act or any provision of subchapter
13 III of chapter 13 of title 31, United States Code, the use
14 of interest earned on the Federal payment made to the
15 District of Columbia Offender Supervision, Defender, and
16 Court Services Agency under the District of Columbia Ap-
17 propriations Act, 1998, by the Agency during fiscal years
18 1998 and 1999 shall not constitute a violation of such Act
19 or such subchapter.

20 FEDERAL PAYMENT FOR WASHINGTON INTERFAITH
21 NETWORK

22 For a Federal payment to the Washington Interfaith
23 Network to reimburse the Network for costs incurred in
24 carrying out preconstruction activities at the former Fort
25 Dupont Dwellings and Additions, \$1,000,000: *Provided*,

1 That such activities may include architectural and engi-
2 neering studies, property appraisals, environmental as-
3 sessments, grading and excavation, landscaping, paving,
4 and the installation of curbs, gutters, sidewalks, sewer
5 lines, and other utilities: *Provided further*, That the Sec-
6 retary of the Treasury shall make such payment only after
7 the Network has received matching funds from private
8 sources (including funds provided through loans) to carry
9 out such activities in an aggregate amount which is equal
10 to the amount of such payment (as certified by the Inspec-
11 tor General of the District of Columbia) and has provided
12 the Secretary of the Treasury with a request for reim-
13 bursement which contains documentation certified by the
14 Inspector General of the District of Columbia showing
15 that the Network carried out the activities and that the
16 costs incurred in carrying out the activities were equal to
17 or less than the amount of the reimbursement requested:
18 *Provided further*, That none of the funds provided under
19 this heading may be obligated or expended after December
20 31, 2001 (without regard to whether the activities involved
21 were carried out prior to such date).

22 FEDERAL PAYMENT FOR SIMPLIFIED PERSONNEL
23 SYSTEM

24 For a Federal payment to the Mayor of the District
25 of Columbia to study and design a system approved by

1 the Comptroller General for simplifying the administration
2 of personnel policies (including pay policies) with respect
3 to employees of the District government, \$250,000: *Pro-*
4 *vided*, That the Mayor shall carry out such study and de-
5 sign through a contractor approved by the Comptroller
6 General.

7 METRORAIL CONSTRUCTION

8 (INCLUDING TRANSFER OF FUNDS)

9 For a contribution to the Washington Metropolitan
10 Area Transit Authority for construction of a Metrorail sta-
11 tion located at New York and Florida Avenues, Northeast,
12 \$25,000,000, to remain available until expended, of which
13 \$7,100,000 is appropriated under this heading and
14 \$17,900,000 shall be transferred by the District of Colum-
15 bia Financial Responsibility and Management Assistance
16 Authority (DCFRMA) from interest earned on accounts
17 held by DCFRMA on behalf of the District of Columbia
18 government.

19 FEDERAL PAYMENT FOR NATIONAL MUSEUM OF

20 AMERICAN MUSIC

21 For a Federal payment to the Federal City Council
22 for the establishment of a National Museum of American
23 Music, \$250,000, to remain available until expended: *Pro-*
24 *vided*, That such funds shall be used for the costs of activi-
25 ties necessary to complete the planning phase for such

1 Museum, including the costs of personnel, design projects,
2 environmental assessments, and the preparation of re-
3 quests for proposals: *Provided further*, That such funds
4 shall be deposited into a separate account of the Federal
5 City Council used exclusively for the establishment of such
6 Museum: *Provided further*, That the Secretary of the
7 Treasury shall make such payment only after the Federal
8 City Council has deposited matching donated funds from
9 private sources into the account in an aggregate amount
10 which is equal to 200 percent of the amount appropriated
11 herein (as certified by the Inspector General of the Dis-
12 trict of Columbia).

13 PRESIDENTIAL INAUGURATION

14 For a payment to the District of Columbia to reim-
15 burse the District for expenses incurred in connection with
16 Presidential inauguration activities, \$5,961,000, as au-
17 thorized by section 737(b) of the District of Columbia
18 Home Rule Act, approved December 24, 1973 (87 Stat.
19 824; D.C. Code, sec. 1-1132), which shall be apportioned
20 by the Chief Financial Officer within the various appro-
21 priation headings in this Act.

1 DISTRICT OF COLUMBIA FUNDS
2 OPERATING EXPENSES
3 DIVISION OF EXPENSES

4 The following amounts are appropriated for the Dis-
5 trict of Columbia for the current fiscal year out of the
6 general fund of the District of Columbia, except as other-
7 wise specifically provided: *Provided*, That notwithstanding
8 any other provision of law, except for section 136(a) of
9 this Act, the total amount appropriated in this Act for
10 operating expenses for the District of Columbia for fiscal
11 year 2001 under this heading shall not exceed the lesser
12 of the sum of the total revenues of the District of Colum-
13 bia for such fiscal year or \$5,689,276,000 (of which
14 \$192,804,000 shall be from intra-District funds and
15 \$3,245,623,000 shall be from local funds): *Provided fur-*
16 *ther*, That the Chief Financial Officer of the District of
17 Columbia and the District of Columbia Financial Respon-
18 sibility and Management Assistance Authority shall take
19 such steps as are necessary to assure that the District of
20 Columbia meets these requirements, including the appor-
21 tioning by the Chief Financial Officer of the appropria-
22 tions and funds made available to the District during fis-
23 cal year 2001, except that the Chief Financial Officer may
24 not reprogram for operating expenses any funds derived

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

3 DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY
4 AND MANAGEMENT ASSISTANCE AUTHORITY

5 For the District of Columbia Financial Responsibility
6 and Management Assistance Authority, established by sec-
7 tion 101(a) of the District of Columbia Financial Respon-
8 sibility and Management Assistance Act of 1995 (109
9 Stat. 97; Public Law 104–8), \$3,140,000 from local
10 funds: *Provided*, That none of the funds contained in this
11 Act may be used to pay any compensation of the Executive
12 Director or General Counsel of the Authority at a rate
13 in excess of the maximum rate of compensation which may
14 be paid to such individual during fiscal year 2001 under
15 section 102 of such Act, as determined by the Comptroller
16 General (as described in GAO letter report B–279095.2).

17 GOVERNMENTAL DIRECTION AND SUPPORT

18 Governmental direction and support, \$194,621,000
19 (including \$161,022,000 from local funds, \$20,424,000
20 from Federal funds, and \$13,175,000 from other funds):
21 *Provided*, That not to exceed \$2,500 for the Mayor,
22 \$2,500 for the Chairman of the Council of the District
23 of Columbia, and \$2,500 for the City Administrator shall
24 be available from this appropriation for official purposes:
25 *Provided further*, That any program fees collected from the

1 issuance of debt shall be available for the payment of ex-
2 penses of the debt management program of the District
3 of Columbia: *Provided further*, That no revenues from
4 Federal sources shall be used to support the operations
5 or activities of the Statehood Commission and Statehood
6 Compact Commission: *Provided further*, That the District
7 of Columbia shall identify the sources of funding for Ad-
8 mission to Statehood from its own locally-generated reve-
9 nues: *Provided further*, That all employees permanently
10 assigned to work in the Office of the Mayor shall be paid
11 from funds allocated to the Office of the Mayor: *Provided*
12 *further*, That notwithstanding any other provision of law,
13 or Mayor's Order 86-45, issued March 18, 1986, the Of-
14 fice of the Chief Technology Officer's delegated small pur-
15 chase authority shall be \$500,000: *Provided further*, That
16 the District of Columbia government may not require the
17 Office of the Chief Technology Officer to submit to any
18 other procurement review process, or to obtain the ap-
19 proval of or be restricted in any manner by any official
20 or employee of the District of Columbia government, for
21 purchases that do not exceed \$500,000: *Provided further*,
22 That \$303,000 and no fewer than 5 FTEs shall be avail-
23 able exclusively to support the Labor-Management Part-
24 nership Council: *Provided further*, That no funds except
25 those already encumbered shall be available for the

1 Maximus, Inc., revenue recovery services contract (Con-
2 tract GF 98104) until such time as the contract is renego-
3 tiated to require Maximus, Inc., to recover maximum rev-
4 enue first for Medicaid reimbursable special education
5 transportation costs, second for Medicaid reimbursable
6 special education residential placement costs, and third for
7 the Medicaid reimbursable costs of Mental Retardation
8 and Developmental Disabilities Administration clients.

9 ECONOMIC DEVELOPMENT AND REGULATION

10 Economic development and regulation, \$205,638,000
11 (including \$53,562,000 from local funds, \$92,378,000
12 from Federal funds, and \$59,698,000 from other funds),
13 of which \$15,000,000 collected by the District of Colum-
14 bia in the form of BID tax revenue shall be paid to the
15 respective BIDs pursuant to the Business Improvement
16 Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec.
17 1–2271 et seq.), and the Business Improvement Districts
18 Amendment Act of 1997 (D.C. Law 12–26): *Provided*,
19 That such funds are available for acquiring services pro-
20 vided by the General Services Administration: *Provided*
21 *further*, That Business Improvement Districts shall be ex-
22 empt from taxes levied by the District of Columbia.

23 PUBLIC SAFETY AND JUSTICE

24 Public safety and justice, including purchase or lease
25 of 135 passenger carrying vehicles for replacement only,

1 including 130 for police-type use and five for fire-type use,
2 without regard to the general purchase price limitation for
3 the current fiscal year, and such sums as may be nec-
4 essary for making refunds and for the payment of judg-
5 ments that have been entered against the District of Co-
6 lumbia government \$762,346,000 (including
7 \$591,365,000 from local funds, \$24,950,000 from Federal
8 funds, and \$146,031,000 from other funds): *Provided fur-*
9 *ther*, That the Metropolitan Police Department is author-
10 ized to replace not to exceed 25 passenger carrying vehi-
11 cles and the Department of Fire and Emergency Medical
12 Services of the District of Columbia is authorized to re-
13 place not to exceed five passenger carrying vehicles annu-
14 ally whenever the cost of repair to any damaged vehicle
15 exceeds three fourths of the cost of the replacement: *Pro-*
16 *vided further*, That not to exceed \$500,000 shall be avail-
17 able from this appropriation for the Chief of Police for
18 the prevention and detection of crime: *Provided further*,
19 That notwithstanding any other provision of law, or May-
20 or's Order 86-45, issued March 18, 1986, the Metropoli-
21 tan Police Department's delegated small purchase author-
22 ity shall be \$500,000: *Provided further*, That the District
23 of Columbia government may not require the Metropolitan
24 Police Department to submit to any other procurement re-
25 view process, or to obtain the approval of or be restricted

1 in any manner by any official or employee of the District
2 of Columbia government, for purchases that do not exceed
3 \$500,000: *Provided further*, That the Mayor shall reim-
4 burse the District of Columbia National Guard for ex-
5 penses incurred in connection with services that are per-
6 formed in emergencies by the National Guard in a militia
7 status and are requested by the Mayor, in amounts that
8 shall be jointly determined and certified as due and pay-
9 able for these services by the Mayor and the Commanding
10 General of the District of Columbia National Guard: *Pro-*
11 *vided further*, That such sums as may be necessary for
12 reimbursement to the District of Columbia National
13 Guard under the preceding proviso shall be available from
14 this appropriation, and the availability of the sums shall
15 be deemed as constituting payment in advance for emer-
16 gency services involved: *Provided further*, That the Metro-
17 politan Police Department is authorized to maintain 3,800
18 sworn officers, with leave for a 50 officer attrition: *Pro-*
19 *vided further*, That \$100,000 shall be available for inmates
20 released on medical and geriatric parole: *Provided further*,
21 That commencing on December 31, 2000, the Metropoli-
22 tan Police Department shall provide to the Committees on
23 Appropriations of the Senate and House of Representa-
24 tives, the Committee on Governmental Affairs of the Sen-
25 ate, and the Committee on Government Reform of the

1 House of Representatives, quarterly reports on the status
2 of crime reduction in each of the 83 police service areas
3 established throughout the District of Columbia.

4 PUBLIC EDUCATION SYSTEM

5 Public education system, including the development
6 of national defense education programs, \$995,418,000 (in-
7 cluding \$821,367,000 from local funds, \$147,643,000
8 from Federal funds, and \$26,408,000 from other funds),
9 to be allocated as follows: \$769,443,000 (including
10 \$628,809,000 from local funds, \$133,490,000 from Fed-
11 eral funds, and \$7,144,000 from other funds), for the pub-
12 lic schools of the District of Columbia; \$200,000 from
13 local funds for the District of Columbia Teachers' Retire-
14 ment Fund; \$1,679,000 from local funds for the State
15 Education Office, \$14,000,000 from local funds, pre-
16 viously appropriated in this Act as a Federal payment, for
17 resident tuition support at public and private institutions
18 of higher learning for eligible District of Columbia resi-
19 dents; \$105,000,000 from local funds for public charter
20 schools: *Provided*, That there shall be quarterly disburse-
21 ment of funds to the D.C. public charter schools, with the
22 first payment to occur within 15 days of the beginning
23 of each fiscal year: *Provided further*, That the D.C. public
24 charter schools will report enrollment on a quarterly basis:
25 *Provided further*, That the quarterly payment of October

1 15, 2000, shall be fifty (50) percent of each public charter
2 school's annual entitlement based on its unaudited Octo-
3 ber 5 enrollment count: *Provided further*, That if the en-
4 tirety of this allocation has not been provided as payments
5 to any public charter schools currently in operation
6 through the per pupil funding formula, the funds shall be
7 available for public education in accordance with the
8 School Reform Act of 1995 (D.C. Code, sec. 31-
9 2853.43(A)(2)(D); Public Law 104-134, as amended):
10 *Provided further*, That the Mayor of the District of Colum-
11 bia shall convene a task force to recommend changes,
12 which shall be released by December 31, 2000, to the
13 School Reform Act of 1995, for the purpose of instituting
14 a funding mechanism which will account for the projected
15 growth of charter schools: *Provided further*, That
16 \$480,000 of this amount shall be available to the District
17 of Columbia Public Charter School Board for administra-
18 tive costs: *Provided further*, That \$76,433,000 (including
19 \$44,691,000 from local funds, \$13,199,000 from Federal
20 funds, and \$18,543,000 from other funds) shall be avail-
21 able for the University of the District of Columbia: *Pro-*
22 *vided further*, That \$200,000 is allocated for the East of
23 the River Campus Assessment Study, \$1,000,000 for the
24 Excel Institute Adult Education Program to be used by
25 the Institute for construction and to acquire construction

1 services provided by the General Services Administration
2 on a reimbursable basis, \$500,000 for the Adult Edu-
3 cation State Plan, \$650,000 for The Saturday Academy
4 Pre-College Program, and \$481,000 for the Strengthening
5 of Academic Programs; and \$26,459,000 (including
6 \$25,208,000 from local funds, \$550,000 from Federal
7 funds and \$701,000 other funds) for the Public Library:
8 *Provided further*, That the \$1,020,000 enhancement shall
9 be allocated such that; \$500,000 is used for facilities im-
10 provements for 8 of the 26 library branches, \$235,000 for
11 13 FTEs for the continuation of the Homework Helpers
12 Program, \$166,000 for 3 FTEs in the expansion of the
13 Reach Out And Roar (ROAR) service to license day care
14 homes, and \$119,000 for 3 FTEs to expand literacy sup-
15 port into branch libraries: *Provided further*, That
16 \$2,204,000 (including \$1,780,000 from local funds,
17 \$404,000 from Federal funds and \$20,000 from other
18 funds) shall be available for the Commission on the Arts
19 and Humanities: *Provided further*, That the public schools
20 of the District of Columbia are authorized to accept not
21 to exceed 31 motor vehicles for exclusive use in the driver
22 education program: *Provided further*, That not to exceed
23 \$2,500 for the Superintendent of Schools, \$2,500 for the
24 President of the University of the District of Columbia,
25 and \$2,000 for the Public Librarian shall be available

1 from this appropriation for official purposes: *Provided fur-*
2 *ther*, That none of the funds contained in this Act may
3 be made available to pay the salaries of any District of
4 Columbia Public School teacher, principal, administrator,
5 official, or employee who knowingly provides false enroll-
6 ment or attendance information under article II, section
7 5 of the Act entitled “An Act to provide for compulsory
8 school attendance, for the taking of a school census in the
9 District of Columbia, and for other purposes”, approved
10 February 4, 1925 (D.C. Code, sec. 31–401 et seq.): *Pro-*
11 *vided further*, That this appropriation shall not be avail-
12 able to subsidize the education of any nonresident of the
13 District of Columbia at any District of Columbia public
14 elementary and secondary school during fiscal year 2001
15 unless the nonresident pays tuition to the District of Co-
16 lumbia at a rate that covers 100 percent of the costs in-
17 curred by the District of Columbia which are attributable
18 to the education of the nonresident (as established by the
19 Superintendent of the District of Columbia Public
20 Schools): *Provided further*, That this appropriation shall
21 not be available to subsidize the education of nonresidents
22 of the District of Columbia at the University of the Dis-
23 trict of Columbia, unless the Board of Trustees of the Uni-
24 versity of the District of Columbia adopts, for the fiscal
25 year ending September 30, 2001, a tuition rate schedule

1 that will establish the tuition rate for nonresident students
2 at a level no lower than the nonresident tuition rate
3 charged at comparable public institutions of higher edu-
4 cation in the metropolitan area: *Provided further*, That
5 \$2,200,000 is allocated to the Temporary Weighted Stu-
6 dent Formula to fund 344 additional slots for pre-K stu-
7 dents: *Provided further*, That \$50,000 is allocated to fund
8 a conference on learning support for children ages 3–4 in
9 September 2000 hosted jointly by the District of Columbia
10 Public Schools and District of Columbia public charter
11 schools: *Provided further*, That no local funds in this Act
12 shall be used to administer a system wide standardized
13 test more than once in FY 2001: *Provided further*, That
14 no less than \$389,219,000 shall be expended on local
15 schools through the Weighted Student Formula: *Provided*
16 *further*, That the District of Columbia Public Schools may
17 spend \$500,000 to engage in a Schools Without Violence
18 program based on a model developed by the University of
19 North Carolina, located in Greensboro, North Carolina:
20 *Provided further*, That section 441 of the District of Co-
21 lumbia Home Rule Act, approved December 24, 1973 (87
22 Stat. 798; D.C. Code, sec. 47–101), is amended as follows:
23 (a) The third sentence is amended to read as
24 follows:

1 “However, the fiscal year for the Armory Board
2 shall begin on the first day of January and shall end
3 on the thirty-first day of December of each calendar
4 year, and, beginning the first day of July 2001, the
5 fiscal year for the District of Columbia Public
6 Schools and the District of Columbia Public Charter
7 Schools shall begin on the first day of July and end
8 on the thirtieth day of June of each calendar year.”.

9 (b) One new sentence is added at the end to
10 read as follows: “The District of Columbia Public
11 Schools shall take appropriate action to ensure that
12 its financial books are closed by June 30, 2003.”.

13 HUMAN SUPPORT SERVICES

14 Human support services, \$1,532,204,000 (including
15 \$633,897,000 from local funds, \$881,589,000 from Fed-
16 eral funds, and \$16,718,000 from other funds): *Provided*,
17 That \$25,836,000 of this appropriation, to remain avail-
18 able until expended, shall be available solely for District
19 of Columbia employees’ disability compensation: *Provided*
20 *further*, That the District of Columbia shall not provide
21 free government services such as water, sewer, solid waste
22 disposal or collection, utilities, maintenance, repairs, or
23 similar services to any legally constituted private nonprofit
24 organization, as defined in section 411(5) of the Stewart
25 B. McKinney Homeless Assistance Act (101 Stat. 485;

1 Public Law 100–77; 42 U.S.C. 11371), providing emer-
2 gency shelter services in the District, if the District would
3 not be qualified to receive reimbursement pursuant to such
4 Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301
5 et seq.): *Provided further*, That \$1,250,000 shall be paid
6 to the Doe Fund for the operation of its Ready, Willing,
7 and Able Program in the District of Columbia as follows:
8 \$250,000 to cover debt owed by the District of Columbia
9 government for services rendered shall be paid to the Doe
10 Fund within 15 days of the enactment of this Act; and
11 \$1,000,000 shall be paid in equal monthly installments by
12 the 15th day of each month: *Provided further*, That
13 \$400,000 shall be available for the administrative costs
14 associated with implementation of the Drug Treatment
15 Choice Program established pursuant to section 4 of the
16 Choice in Drug Treatment Act of 2000, signed by the
17 Mayor on April 20, 2000 (D.C. Act 13–329): *Provided fur-*
18 *ther*, That \$7,000,000 shall be available for deposit in the
19 Addiction Recovery Fund established pursuant to section
20 5 of the Choice in Drug Treatment Act of 2000, signed
21 by the Mayor on April 20, 2000 (D.C. Act 13–329).

22

PUBLIC WORKS

23 Public works, including rental of one passenger car-
24 rying vehicle for use by the Mayor and three passenger
25 carrying vehicles for use by the Council of the District of

1 Columbia and leasing of passenger-carrying vehicles,
2 \$278,242,000 (including \$265,078,000 from local funds,
3 \$3,328,000 from Federal funds, and \$9,836,000 from
4 other funds): *Provided further*, That this appropriation
5 shall not be available for collecting ashes or miscellaneous
6 refuse from hotels and places of business: *Provided fur-*
7 *ther*, That \$100,000 shall be available for a commercial
8 sector recycling initiative: *Provided further*, That
9 \$250,000 shall be available to initiate a recycling edu-
10 cation campaign: *Provided further*, That \$10,000 shall be
11 available for community clean-up kits: *Provided further*,
12 That \$190,000 shall be available to restore a 3.5 percent
13 vacancy rate in Parking Services: *Provided further*, That
14 \$170,000 shall be available to plant 500 trees: *Provided*
15 *further*, That \$118,000 shall be available for two water
16 trucks: *Provided further*, That \$150,000 shall be available
17 for contract monitors and parking analysts within Parking
18 Services: *Provided further*, That \$1,409,000 shall be avail-
19 able for a neighborhood cleanup initiative: *Provided fur-*
20 *ther*, That \$1,000,000 shall be available for tree mainte-
21 nance: *Provided further*, That \$600,000 shall be available
22 for an anti-graffiti program: *Provided further*, That
23 \$226,000 shall be available for a hazardous waste pro-
24 gram: *Provided further*, That \$1,260,000 shall be available
25 for parking control aides: *Provided further*, That \$400,000

1 shall be available for the Department of Motor Vehicles
2 to hire additional ticket adjudicators, conduct additional
3 hearings, and reduce the waiting time for hearings.

4 RECEIVERSHIP PROGRAMS

5 For all agencies of the District of Columbia govern-
6 ment under court ordered receivership, \$389,528,000 (in-
7 cluding \$234,913,000 from local funds, \$135,555,000
8 from Federal funds, and \$19,060,000 from other funds).

9 RESERVE

10 For replacement of funds expended, if any, during
11 fiscal year 2000 from the Reserve established by section
12 202(i) of the District of Columbia Financial Responsibility
13 and Management Assistance Act of 1995, Public Law
14 104–8, \$150,000,000: *Provided*, That none of these funds
15 shall be obligated or expended under this heading until:
16 (1) the reductions from “Operational Improvement Sav-
17 ings”, “Management Reform Savings”, and “Cafeteria
18 Plan” have been achieved and the achievement certified
19 by the District of Columbia Inspector General; (2) the
20 Chief Financial Officer certifies that the reserve assets are
21 not required to replace funds expended in fiscal year 2000
22 from the Reserve established by section 202(i) of the Dis-
23 trict of Columbia Financial Responsibility and Manage-
24 ment Assistance Act of 1995, Public Law 104–8; and (3)
25 the District of Columbia government enters into leases

1 provided for under the heading “Federal Payment for Wa-
2 terfront Improvements” in Public Law 105–277, approved
3 October 21, 1998 (112 Stat. 2681–124), as amended by
4 section 164 of Public Law 106–113, approved November
5 29, 1999 (113 Stat. 1529): *Provided further*, That the un-
6 expended portion of the fiscal year 2000 reserve that is
7 carried over into fiscal year 2001 will free up local funds
8 in the fiscal year 2001 Reserve that can be used to fund
9 selected programs upon certification by the Chief Finan-
10 cial Officer of the District of Columbia that: (1) the Mayor
11 will achieve operational improvement savings and manage-
12 ment reform productivity savings in the fiscal year 2001
13 Budget and Financial Plan, (2) the collection of additional
14 revenues within the fiscal year 2001 Budget and Financial
15 Plan will be achieved; and (3) agency expenditures are
16 monitored and fiscal challenges are addressed to the satis-
17 faction of the Chief Financial Office during fiscal year
18 2001. The programs that will be funded following certifi-
19 cation by the Chief Financial Officer are as follows: GOV-
20 ERNMENTAL DIRECTION AND SUPPORT, \$4,163,000 (in-
21 cluding \$621,000 for the Office of the Mayor; \$1,042,000
22 for Human Resource Development; \$2,500,000 for the Of-
23 fice of Property Management): ECONOMIC DEVELOPMENT
24 AND REGULATION, \$3,496,000 (including \$3,296,000 for
25 the Department of Housing and Community Development;

1 \$200,000 for the Department of Employment Services):
2 PUBLIC SAFETY AND JUSTICE, \$6,483,000 (including
3 \$200,000 for the Metropolitan Police Department,
4 \$1,293,000 for the Fire and Emergency Medical Services
5 Department, \$4,890,000 for Settlements and Judgments,
6 \$100,000 for the Citizen Complaint Review Board): PUB-
7 LIC EDUCATION SYSTEM, \$15,099,000 (including
8 \$12,079,000 for Public Schools, \$2,500,000 for the Uni-
9 versity of the District of Columbia, \$400,000 for the Pub-
10 lic Library, \$120,000 for the Commission on the Arts and
11 Humanities): HUMAN SUPPORT SERVICES, \$17,830,000
12 (including \$4,245,000 for the Department of Health,
13 \$1,511,000 for the Department of Recreation and Parks,
14 \$574,000 for the Office on Aging, \$1,500,000 for the Of-
15 fice on Latino Affairs, \$10,000,000 for Children and
16 Youth Investment Fund): PUBLIC WORKS, \$4,050,000
17 (including \$1,500,000 for the Department of Public
18 Works, \$1,000,000 for the Department of Motor Vehicles,
19 \$1,550,000 for the Taxicab Commission): RECEIVERSHIP
20 PROGRAMS, \$19,300,000 (including \$6,300,000 for Child
21 and Family Services, \$13,000,000 for the Commission on
22 Mental Health Services): and CAFETERIA PLAN SAVINGS,
23 \$5,000,000: *Provided further*, That the freed-up appro-
24 priated funds in fiscal year 2001 from the reserve rollover
25 shall be used to provide funding in the following order:

1 (1) the first \$32,000,000 shall be used to provide in the
2 following order, \$6,300,000 to the LaShawn Receivership,
3 \$13,000,000 to the Commission on Mental Health,
4 \$12,079,000 to the District of Columbia Public Schools,
5 and \$621,000 to the Office of the Mayor, if the Chief Fi-
6 nancial Officer certifies that the first \$32,000,000 is not
7 required to replace funds expended in fiscal year 2000
8 from the Reserve established by section 202(i) of the Dis-
9 trict of Columbia Financial Responsibility and Manage-
10 ment Assistance Act of 1995, Public Law 104–8; (2) the
11 next \$37,189,000 shall be used to provide \$37,189,000
12 to Management Savings to the extent, if any, the Chief
13 Financial Officer determines the Management Savings is
14 not achieving the required savings, and the balance, if any,
15 shall be provided in the following order: \$10,000,000 to
16 the Children Investment Trust, \$1,511,000 to the Depart-
17 ment of Parks and Recreation, \$1,293,000 to the Depart-
18 ment of Fire and Emergency Medical Services, \$120,000
19 to the Commission on the Arts and Humanities, \$400,000
20 to the District of Columbia Public Library, \$574,000 to
21 the Office on Aging, \$3,296,000 to the Department of
22 Housing and Community Development, \$200,000 to the
23 Department of Employment Services, \$2,500,000 to the
24 University of the District of Columbia, \$1,500,000 to the
25 Department of Public Works, \$1,000,000 to the Depart-

1 ment of Motor Vehicles, \$4,245,000 to the Department
2 of Health, \$1,500,000 to the Commission on Latino Af-
3 fairs, \$1,550,000 to the Taxicab Commission, \$2,500,000
4 to the Office of Property Management, and \$5,000,000
5 for the savings associated with the implementation of the
6 Cafeteria Plan, if the Chief Financial Officer certifies that
7 the \$37,189,000 is not required to replace funds expended
8 in fiscal year 2000 from the Reserve established by section
9 202(i) of the District of Columbia Financial Responsibility
10 and Management Assistance Act of 1995, Public Law
11 104–8, in fiscal year 2000, and that all the savings are
12 being achieved from the Management Savings; (3) the
13 next \$10,000,000 shall be used to provide \$6,232,000 to
14 Operational Improvement to the extent, if any, the Chief
15 Financial Officer determines the Operational Improve-
16 ment is not achieving the required savings, and the bal-
17 ance, if any, shall be provided in the following order:
18 \$100,000 to the Civilian Complaint Review Board,
19 \$200,000 to the Metropolitan Police Department for the
20 Emergency Response Team, \$1,042,000 to be used for
21 Training, and \$4,890,000 to the Settlement and Judg-
22 ments Funds, if the Chief Financial Officer certifies that
23 the \$6,232,000 is not required to replace funds expended
24 in fiscal year 2000 from the Reserve established by section
25 202(i) of the District of Columbia Financial Responsibility

1 and Management Assistance Act of 1995, Public Law
2 104–8, in fiscal year 2000 and that all the savings are
3 being achieved from the Operational Improvement Sav-
4 ings; and (4) the balance shall be used for Pay-As-You-
5 Go Capital Funds in lieu of capital financing if the Chief
6 Financial Officer certifies that the balance is not required
7 to replace funds expended in fiscal year 2000 from the
8 Reserve established by section 202(i) of the District of Co-
9 lumbia Financial Responsibility and Management Assist-
10 ance Act of 1995, Public Law 104–8: *Provided further*,
11 That section 202(j) of the District of Columbia Financial
12 Responsibility and Management Assistance Act of 1995,
13 approved April 17, 1995 (109 Stat. 109; D.C. Code, sec.
14 47–392.2(j)), is amended as follows:

15 REPAYMENT OF LOANS AND INTEREST

16 For payment of principal, interest and certain fees
17 directly resulting from borrowing by the District of Co-
18 lumbia to fund District of Columbia capital projects as
19 authorized by sections 462, 475, and 490 of the District
20 of Columbia Home Rule Act, approved December 24,
21 1973, \$243,238,000 from local funds: *Provided further*,
22 That for equipment leases, the Mayor may finance
23 \$19,232,000 of equipment cost, plus cost of issuance not
24 to exceed 2 percent of the par amount being financed on
25 a lease purchase basis with a maturity not to exceed 5

1 years: *Provided further*, That \$2,000,000 is allocated to
2 the Metropolitan Police Department, \$4,300,000 for the
3 Fire and Emergency Medical Services Department,
4 \$1,622,000 for the Public Library, \$2,010,000 for the De-
5 partment of Parks and Recreation, \$7,500,000 for the De-
6 partment of Public Works and \$1,800,000 for the Public
7 Benefit Corporation.

8 REPAYMENT OF GENERAL FUND RECOVERY DEBT

9 For the purpose of eliminating the \$331,589,000
10 general fund accumulated deficit as of September 30,
11 1990, \$39,300,000 from local funds, as authorized by sec-
12 tion 461(a) of the District of Columbia Home Rule Act,
13 (105 Stat. 540; D.C. Code, sec. 47-321(a)(1)).

14 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

15 For payment of interest on short-term borrowing,
16 \$1,140,000 from local funds.

17 PRESIDENTIAL INAUGURATION

18 For reimbursement for necessary expenses incurred
19 in connection with Presidential inauguration activities as
20 authorized by section 737(b) of the District of Columbia
21 Home Rule Act, Public Law 93-198, as amended, ap-
22 proved December 24, 1973 (87 Stat. 824, and D.C. Code,
23 sec. 1-1803), \$5,961,000, which shall be apportioned by
24 the Chief Financial Officer within the various appropria-
25 tion headings in this Act.

1 CERTIFICATES OF PARTICIPATION

2 For lease payments in accordance with the Certifi-
3 cates of Participation involving the land site underlying
4 the building located at One Judiciary Square, \$7,950,000
5 from local funds.

6 WILSON BUILDING

7 For expenses associated with the John A. Wilson
8 Building, \$8,409,000.

9 OPTICAL AND DENTAL INSURANCE PAYMENTS

10 For optical and dental insurance payments,
11 \$2,675,000 from local funds.

12 MANAGEMENT SUPERVISORY SERVICE

13 For management supervisory service, \$13,200,000
14 from local funds, to be transferred by the Mayor of the
15 District of Columbia among the various appropriation
16 headings in this Act for which employees are properly pay-
17 able.

18 TOBACCO SETTLEMENT TRUST FUND TRANSFER

19 PAYMENT

20 There is transferred \$61,406,000 to the Tobacco Set-
21 tlement Trust Fund established pursuant to section 2302
22 of the Tobacco Settlement Trust Fund Establishment Act
23 of 1999, effective October 20, 1999 (D.C. Law 13–38; to
24 be codified at D.C. Code, sec. 6–135), to be spent pursu-
25 ant to local law.

1 OPERATIONAL IMPROVEMENTS SAVINGS (INCLUDING
2 MANAGED COMPETITION)

3 The Mayor and the Council in consultation with the
4 Chief Financial Officer and the District of Columbia Fi-
5 nancial Responsibility and Management Assistance Au-
6 thority, shall make reductions of \$10,000,000 for oper-
7 ational improvements savings in local funds to one or more
8 of the appropriation headings in this Act.

9 MANAGEMENT REFORM SAVINGS

10 The Mayor and the Council in consultation with the
11 Chief Financial Officer and the District of Columbia Fi-
12 nancial Responsibility and Management Assistance Au-
13 thority, shall make reductions of \$37,000,000 for manage-
14 ment reform savings in local funds to one or more of the
15 appropriation headings in this Act.

16 CAFETERIA PLAN SAVINGS

17 For the implementation of a Cafeteria Plan pursuant
18 to Federal law, a reduction of \$5,000,000 in local funds.

19 ENTERPRISE AND OTHER FUNDS

20 WATER AND SEWER AUTHORITY AND THE WASHINGTON
21 AQUEDUCT

22 For operation of the Water and Sewer Authority and
23 the Washington Aqueduct, \$275,705,000 from other funds
24 (including \$230,614,000 for the Water and Sewer Author-
25 ity and \$45,091,000 for the Washington Aqueduct) of

1 which \$41,503,000 shall be apportioned and payable to
2 the District's debt service fund for repayment of loans and
3 interest incurred for capital improvement projects.

4 For construction projects, \$140,725,000, as author-
5 ized by the Act entitled "An Act authorizing the laying
6 of watermains and service sewers in the District of Colum-
7 bia, the levying of assessments therefor, and for other pur-
8 poses" (33 Stat. 244; Public Law 58-140; D.C. Code, sec.
9 43-1512 et seq.): *Provided*, That the requirements and
10 restrictions that are applicable to general fund capital im-
11 provements projects and set forth in this Act under the
12 Capital Outlay appropriation title shall apply to projects
13 approved under this appropriation title.

14 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

15 For the Lottery and Charitable Games Enterprise
16 Fund, established by the District of Columbia Appropria-
17 tion Act for the fiscal year ending September 30, 1982
18 (95 Stat. 1174, 1175; Public Law 97-91), for the purpose
19 of implementing the Law to Legalize Lotteries, Daily
20 Numbers Games, and Bingo and Raffles for Charitable
21 Purposes in the District of Columbia (D.C. Law 3 172;
22 D.C. Code, sec. 2-2501 et seq. and sec. 22-1516 et seq.),
23 \$223,200,000: *Provided*, That the District of Columbia
24 shall identify the source of funding for this appropriation
25 title from the District's own locally generated revenues:

1 *Provided further*, That no revenues from Federal sources
2 shall be used to support the operations or activities of the
3 Lottery and Charitable Games Control Board.

4 SPORTS AND ENTERTAINMENT COMMISSION

5 For the Sports and Entertainment Commission,
6 \$10,968,000 from other funds: *Provided*, That the Mayor
7 shall submit a budget for the Armory Board for the forth-
8 coming fiscal year as required by section 442(b) of the
9 District of Columbia Home Rule Act (87 Stat. 824; Public
10 Law 93–198; D.C. Code, sec. 47–301(b)).

11 DISTRICT OF COLUMBIA HEALTH AND HOSPITALS

12 PUBLIC BENEFIT CORPORATION

13 For the District of Columbia Health and Hospitals
14 Public Benefit Corporation, established by D.C. Law 11–
15 212, D.C. Code, sec. 32–262.2, \$123,548,000 of which
16 \$45,313,000 shall be derived by transfer from the general
17 fund, and \$78,235,000 from other funds: *Provided*, That
18 no appropriated amounts and no amounts from or guaran-
19 teed by the District of Columbia government (including
20 the District of Columbia Financial Responsibility and
21 Management Assistance Authority) may be made available
22 to the Corporation (through reprogramming, transfers,
23 loans, or any other mechanism) which are not otherwise
24 provided for under this heading.

1 DISTRICT OF COLUMBIA RETIREMENT BOARD

2 For the District of Columbia Retirement Board, es-
3 tablished by section 121 of the District of Columbia Re-
4 tirement Reform Act of 1979 (93 Stat. 866; D.C. Code,
5 sec. 1-711), \$11,414,000 from the earnings of the appli-
6 cable retirement funds to pay legal, management, invest-
7 ment, and other fees and administrative expenses of the
8 District of Columbia Retirement Board: *Provided*, That
9 the District of Columbia Retirement Board shall provide
10 to the Congress and to the Council of the District of Co-
11 lumbia a quarterly report of the allocations of charges by
12 fund and of expenditures of all funds: *Provided further*,
13 That the District of Columbia Retirement Board shall pro-
14 vide the Mayor, for transmittal to the Council of the Dis-
15 trict of Columbia, an itemized accounting of the planned
16 use of appropriated funds in time for each annual budget
17 submission and the actual use of such funds in time for
18 each annual audited financial report.

19 CORRECTIONAL INDUSTRIES FUND

20 For the Correctional Industries Fund, established by
21 the District of Columbia Correctional Industries Estab-
22 lishment Act (78 Stat. 1000; Public Law 88-622),
23 \$1,808,000 from other funds.

1 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

2 For the Washington Convention Center Enterprise
3 Fund, \$52,726,000 from other funds.

4 CAPITAL OUTLAY

5 (INCLUDING RESCISSIONS)

6 For construction projects, an increase of
7 \$1,077,282,000 of which \$806,787,000 is from local
8 funds, \$66,446,000 is from highway trust funds and
9 \$204,049,000 is from Federal funds, and a rescission of
10 \$55,208,000 from local funds appropriated under this
11 heading in prior fiscal years, for a net amount of
12 \$1,022,074,000 to remain available until expended: *Pro-*
13 *vided*, That funds for use of each capital project imple-
14 menting agency shall be managed and controlled in ac-
15 cordance with all procedures and limitations established
16 under the Financial Management System: *Provided fur-*
17 *ther*, That all funds provided by this appropriation title
18 shall be available only for the specific projects and pur-
19 poses intended: *Provided further*, That notwithstanding
20 the foregoing, all authorizations for capital outlay
21 projects, except those projects covered by the first sen-
22 tence of section 23(a) of the Federal Aid Highway Act
23 of 1968 (82 Stat. 827; Public Law 90-495; D.C. Code,
24 sec. 7-134, note), for which funds are provided by this
25 appropriation title, shall expire on September 30, 2002,

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

9 SEC. 105. Appropriations in this Act shall be avail-
10 able for expenses of travel and for the payment of dues
11 of organizations concerned with the work of the District
12 of Columbia government, when authorized by the Mayor:
13 *Provided*, That in the case of the Council of the District
14 of Columbia, funds may be expended with the authoriza-
15 tion of the chair of the Council.

16 SEC. 106. There are appropriated from the applicable
17 funds of the District of Columbia such sums as may be
18 necessary for making refunds and for the payment of
19 judgments that have been entered against the District of
20 Columbia government: *Provided*, That nothing contained
21 in this section shall be construed as modifying or affecting
22 the provisions of section 11(c)(3) of title XII of the Dis-
23 trict of Columbia Income and Franchise Tax Act of 1947
24 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–
25 1812.11(c)(3)).

1 SEC. 107. (a) REQUIRING MAYOR TO MAINTAIN
2 INDEX.—Effective with respect to fiscal year 2001 and
3 each succeeding fiscal year, the Mayor of the District of
4 Columbia shall maintain an index of all employment per-
5 sonal services and consulting contracts in effect on behalf
6 of the District government, and shall include in the index
7 specific information on any severance clause in effect
8 under any such contract.

9 (b) PUBLIC INSPECTION.—The index maintained
10 under subsection (a) shall be kept available for public in-
11 spection during regular business hours.

12 (c) CONTRACTS EXEMPTED.—Subsection (a) shall
13 not apply with respect to any collective bargaining agree-
14 ment or any contract entered into pursuant to such a col-
15 lective bargaining agreement.

16 (d) DISTRICT GOVERNMENT DEFINED.—In this sec-
17 tion, the term “District government” means the govern-
18 ment of the District of Columbia, including—

19 (1) any department, agency or instrumentality
20 of the government of the District of Columbia;

21 (2) any independent agency of the District of
22 Columbia established under part F of title IV of the
23 District of Columbia Home Rule Act or any other
24 agency, board, or commission established by the
25 Mayor or the Council;

1 (3) the Council of the District of Columbia;

2 (4) any other agency, public authority, or public
3 benefit corporation which has the authority to re-
4 ceive monies directly or indirectly from the District
5 of Columbia (other than monies received from the
6 sale of goods, the provision of services, or the loan-
7 ing of funds to the District of Columbia); and

8 (5) the District of Columbia Financial Respon-
9 sibility and Management Assistance Authority.

10 (e) No payment shall be made pursuant to any such
11 contract subject to subsection (a), nor any severance pay-
12 ment made under such contract, if a copy of the contract
13 has not been filed in the index. Interested parties may file
14 copies of their contract or severance agreement in the
15 index on their own behalf.

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

19 SEC. 109. No funds appropriated in this Act for the
20 District of Columbia government for the operation of edu-
21 cational institutions, the compensation of personnel, or for
22 other educational purposes may be used to permit, encour-
23 age, facilitate, or further partisan political activities.
24 Nothing herein is intended to prohibit the availability of

1 school buildings for the use of any community or partisan
2 political group during non-school hours.

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

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

20 SEC. 112. No part of this appropriation shall be used
21 for publicity or propaganda purposes or implementation
22 of any policy including boycott designed to support or de-
23 feat legislation pending before Congress or any State legis-
24 lature.

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

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

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

16 SEC. 116. None of the funds provided under this Act
17 to the agencies funded by this Act, both Federal and Dis-
18 trict government agencies, that remain available for obli-
19 gation or expenditure in fiscal year 2001, or provided from
20 any accounts in the Treasury of the United States derived
21 by the collection of fees available to the agencies funded
22 by this Act, shall be available for obligation or expenditure
23 for an agency through a reprogramming of funds which:
24 (1) creates new programs; (2) eliminates a program,
25 project, or responsibility center; (3) establishes or changes

1 allocations specifically denied, limited or increased by Con-
2 gress in the Act; (4) increases funds or personnel by any
3 means for any program, project, or responsibility center
4 for which funds have been denied or restricted; (5) rees-
5 tablishes through reprogramming any program or project
6 previously deferred through reprogramming; (6) augments
7 existing programs, projects, or responsibility centers
8 through a reprogramming of funds in excess of
9 \$1,000,000 or 10 percent, whichever is less; or (7) in-
10 creases by 20 percent or more personnel assigned to a spe-
11 cific program, project or responsibility center; unless the
12 Appropriations Committees of both the Senate and House
13 of Representatives are notified in writing 30 days in ad-
14 vance of any reprogramming as set forth in this section.

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

19 SEC. 118. None of the Federal funds provided in this
20 Act shall be obligated or expended to procure passenger
21 automobiles as defined in the Automobile Fuel Efficiency
22 Act of 1980 (94 Stat. 1824; Public Law 96-425; 15
23 U.S.C. 2001(2)), with an Environmental Protection Agen-
24 cy estimated miles per gallon average of less than 22 miles

1 per gallon: *Provided*, That this section shall not apply to
2 security, emergency rescue, or armored vehicles.

3 SEC. 119. Notwithstanding any other provisions of
4 law, the provisions of the District of Columbia Govern-
5 ment Comprehensive Merit Personnel Act of 1978 (D.C.
6 Law 2–139; D.C. Code, sec. 1–601.1 et seq.), enacted pur-
7 suant to section 422(3) of the District of Columbia Home
8 Rule Act (87 Stat. 790; Public Law 93–198; D.C. Code,
9 sec. 1–242(3)), shall apply with respect to the compensa-
10 tion of District of Columbia employees: *Provided*, That for
11 pay purposes, employees of the District of Columbia gov-
12 ernment shall not be subject to the provisions of title 5,
13 United States Code.

14 SEC. 120. No later than 30 days after the end of the
15 first quarter of the fiscal year ending September 30, 2001,
16 the Mayor of the District of Columbia shall submit to the
17 Council of the District of Columbia the new fiscal year
18 2001 revenue estimates as of the end of the first quarter
19 of fiscal year 2001. These estimates shall be used in the
20 budget request for the fiscal year ending September 30,
21 2002. The officially revised estimates at midyear shall be
22 used for the midyear report.

23 SEC. 121. 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 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except
4 that the District of Columbia government or any agency
5 thereof may renew or extend sole source contracts for
6 which competition is not feasible or practical: *Provided*,
7 That the determination as to whether to invoke the com-
8 petitive bidding process has been made in accordance with
9 duly promulgated rules and procedures and said deter-
10 mination has been reviewed and approved by the District
11 of Columbia Financial Responsibility and Management
12 Assistance Authority.

13 SEC. 122. For purposes of the Balanced Budget and
14 Emergency Deficit Control Act of 1985 (99 Stat. 1037;
15 Public Law 99–177), the term “program, project, and ac-
16 tivity” shall be synonymous with and refer specifically to
17 each account appropriating Federal funds in this Act, and
18 any sequestration order shall be applied to each of the ac-
19 counts rather than to the aggregate total of those ac-
20 counts: *Provided*, That sequestration orders shall not be
21 applied to any account that is specifically exempted from
22 sequestration by the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

24 SEC. 123. In the event a sequestration order is issued
25 pursuant to the Balanced Budget and Emergency Deficit

1 Control Act of 1985 (99 Stat. 1037: Public Law 99–177),
2 after the amounts appropriated to the District of Colum-
3 bia for the fiscal year involved have been paid to the Dis-
4 trict of Columbia, the Mayor of the District of Columbia
5 shall pay to the Secretary of the Treasury, within 15 days
6 after receipt of a request therefor from the Secretary of
7 the Treasury, such amounts as are sequestered by the
8 order: *Provided*, That the sequestration percentage speci-
9 fied in the order shall be applied proportionately to each
10 of the Federal appropriation accounts in this Act that are
11 not specifically exempted from sequestration by such Act.

12 SEC. 124. (a) An entity of the District of Columbia
13 government may accept and use a gift or donation during
14 fiscal year 2001 if—

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

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

21 (b) Each entity of the District of Columbia govern-
22 ment shall keep accurate and detailed records of the ac-
23 ceptance and use of any gift or donation under subsection
24 (a) of this section, and shall make such records available
25 for audit and public inspection.

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

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

9 SEC. 125. None of the Federal funds provided in this
10 Act may be used by the District of Columbia to provide
11 for salaries, expenses, or other costs associated with the
12 offices of United States Senator or United States Rep-
13 resentative under section 4(d) of the District of Columbia
14 Statehood Constitutional Convention Initiatives of 1979
15 (D.C. Law 3–171; D.C. Code, sec. 1–113(d)).

16 SEC. 126. (a) The University of the District of Co-
17 lumbia shall submit to the Mayor, the District of Columbia
18 Financial Responsibility and Management Assistance Au-
19 thority and the Council of the District of Columbia no
20 later than 15 calendar days after the end of each quarter
21 a report that sets forth—

22 (1) current quarter expenditures and obliga-
23 tions, year-to-date expenditures and obligations, and
24 total fiscal year expenditure projections versus budg-
25 et broken out on the basis of control center, respon-

1 sibility center, and object class, and for all funds,
2 non-appropriated funds, and capital financing;

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

7 (3) a list of all active contracts in excess of
8 \$10,000 annually, which contains the name of each
9 contractor; the budget to which the contract is
10 charged, broken out on the basis of control center
11 and responsibility center, and contract identifying
12 codes used by the University of the District of Co-
13 lumbia; payments made in the last quarter and year-
14 to-date, the total amount of the contract and total
15 payments made for the contract and any modifica-
16 tions, extensions, renewals; and specific modifica-
17 tions made to each contract in the last month;

18 (4) all reprogramming requests and reports
19 that have been made by the University of the Dis-
20 trict of Columbia within the last quarter in compli-
21 ance with applicable law; and

22 (5) changes made in the last quarter to the or-
23 ganizational structure of the University of the Dis-
24 trict of Columbia, displaying previous and current
25 control centers and responsibility centers, the names

1 of the organizational entities that have been
2 changed, the name of the staff member supervising
3 each entity affected, and the reasons for the struc-
4 tural change.

5 (b) The Mayor, the Authority, and the Council shall
6 provide the Congress by February 1, 2001, a summary,
7 analysis, and recommendations on the information pro-
8 vided in the quarterly reports.

9 SEC. 127. (a) Nothing in the Federal Grant and Co-
10 operative Agreements Act of 1977 (31 U.S.C. 6301 et
11 seq.) may be construed to prohibit the Administrator of
12 the Environmental Protection Agency from negotiating
13 and entering into cooperative agreements and grants au-
14 thorized by law which affect real property of the Federal
15 Government in the District of Columbia if the principal
16 purpose of the cooperative agreement or grant is to pro-
17 vide comparable benefits for Federal and non-Federal
18 properties in the District of Columbia.

19 (b) Subsection (a) shall apply with respect to fiscal
20 year 2001 and each succeeding fiscal year.

21 SEC. 128. (a) CONDITIONS FOR GRANTING PREF-
22 ERENCE IN USE OF SURPLUS SCHOOL PROPERTIES TO
23 PUBLIC CHARTER SCHOOLS.—

24 (1) IN GENERAL.—Section 2209(b)(1)(A) of the
25 District of Columbia School Reform Act of 1995

1 (sec. 31–2853.19(b)(1)(A), D.C. Code) is
2 amended—

3 (A) by striking “purchase or lease” and in-
4 sserting “purchase, lease-purchase, or lease”;
5 and

6 (B) by striking “, provided that” and all
7 that follows and inserting a period.

8 (2) PROPERTY SUBJECT TO PREFERENCE.—
9 Section 2209(b)(1)(B)(iii) of such Act (sec. 31–
10 2853.19(b)(1)(B)(iii), D.C. Code) is amended to
11 read as follows:

12 “(iii) with respect to which the Au-
13 thority or the Board of Education has
14 transferred jurisdiction to the Mayor at
15 any time prior or subsequent to the date of
16 the enactment of this title.”.

17 (b) PROCEDURES FOR DISPOSITION OF PROPERTY.—
18 Section 2209(b)(1) of such Act (sec. 31–2853.19(b)(1),
19 D.C. Code) is amended by adding at the end the following
20 new subparagraphs:

21 “(C) DISPOSITION TO PUBLIC CHARTER
22 SCHOOLS.—

23 “(i) IN GENERAL.—Public charter
24 schools shall have the priority right to
25 lease, lease-purchase, or purchase any va-

1 cant facility or property described in sub-
2 paragraph (B), and any facility or property
3 described in subparagraph (B) which is
4 leased or occupied as of the date of the en-
5 actment of this subparagraph by an entity
6 other than a public charter school.

7 “(ii) APPRAISAL OF PROPERTY.—

8 When a public charter school notifies the
9 Mayor of its intention to exercise its rights
10 under clause (i), the Mayor shall obtain
11 within 90 days an independent fair market
12 appraisal of the facility or property based
13 on its current permitted use, and shall
14 transmit a copy of the appraisal to the
15 public charter school. The public charter
16 school shall have 30 days from the date of
17 receipt of the appraisal to enter into a con-
18 tract for the purchase, lease-purchase, or
19 lease of such facility or property, which
20 time may be extended by mutual agree-
21 ment. Upon execution of the contract, the
22 public charter school shall have 180 days
23 to complete the acquisition of the property.

24 “(iii) PRICES.—

1 “(I) PURCHASE.—The purchase
2 price of a facility or property de-
3 scribed in this clause and in subpara-
4 graph (B) shall be the fair market
5 value of the facility or property, less a
6 25 percent discount.

7 “(II) LEASE.—The lease price of
8 a facility or property described in this
9 clause and in subparagraph (B) shall
10 be the price charged by the District of
11 Columbia to other nonprofit organiza-
12 tions leasing public facilities or, if
13 there is no nonprofit rate, fair market
14 value less a 25 percent discount. The
15 price shall be reduced to take into ac-
16 count the value of any improvement to
17 the public school facility or property
18 which is preapproved by the Mayor.

19 “(III) LEASE-PURCHASE.—A
20 lease-purchase price of a facility or
21 property described in this clause and
22 in subparagraph (B) shall reflect a 25
23 percent discount from fair market
24 value, in a manner consistent with
25 subclauses (I) and (II).

1 “(iv) QUARTERLY REPORT.—On Jan-
2 uary 1, April 1, July 1, and October 1 of
3 each calendar year, the Mayor shall pub-
4 lish a report describing the status of each
5 facility or property described in subpara-
6 graph (B), including the date of expiration
7 of the lease term or right of occupancy, if
8 any, and the date, if any, each facility or
9 property was or will be put out for bid or
10 transferred to a District of Columbia agen-
11 cy, if any. The Mayor shall deliver such re-
12 port to each eligible chartering authority
13 and shall publish it in the District of Co-
14 lumbia register.

15 “(D) DISPOSITION OF FACILITIES OR
16 PROPERTIES AFTER EXCLUSIVE PERIOD.—

17 “(i) IN GENERAL.—The Mayor may
18 put out for bid to the public or transfer to
19 a District of Columbia agency for the use
20 of such agency any facility or property de-
21 scribed in this subparagraph (B) which
22 was not acquired by a public charter school
23 pursuant to subparagraph (C).

24 “(ii) NOTICE.—At least 90 days prior
25 to putting any such facility property out

1 for bid or transferring it to a District of
2 Columbia agency, the Mayor shall notify
3 each eligible chartering authority in writ-
4 ing of his intention to do so.

5 “(iii) PUBLIC CHARTER SCHOOL
6 RIGHT TO ACQUIRE BEFORE BID OR
7 TRANSFER.—Prior to the expiration of the
8 90-day notice period described in clause
9 (ii), a public charter school may purchase,
10 lease-purchase, or lease any facility or
11 property described in the notice under the
12 terms described in clause (iii) of subpara-
13 graph (C).

14 “(iv) PUBLIC CHARTER SCHOOL
15 RIGHT TO MATCH BID.—With regard to
16 any facility or property offered for bid
17 under this subparagraph, the Mayor shall
18 notify each eligible chartering authority in
19 writing within 5 days of the amount of the
20 highest acceptable bid. A public charter
21 school may purchase, lease-purchase, or
22 lease such facility or property by submit-
23 ting a bid for the facility or property with-
24 in 30 business days of receipt by each eli-
25 gible chartering authority of such notice.

1 The cost of acquisition shall be as de-
2 scribed in clause (iii) of subparagraph (C).

3 “(v) FACILITIES OR PROPERTIES NOT
4 PUT OUT FOR BID OR TRANSFERRED.—A
5 public charter school shall have the right
6 to purchase, lease-purchase, or lease, under
7 the terms described in clause (iii) of sub-
8 paragraph (C), any facility or property de-
9 scribed in this paragraph that has not been
10 put out for bid or transferred to a District
11 of Columbia agency by the Mayor as pro-
12 vided for in this subparagraph.”.

13 (c) PREFERENCES FOR USE OF CURRENT PROP-
14 ERTY.—Section 2209(b)(2) of such Act (sec. 31-
15 2853.19(b)(2), D.C. Code) is amended—

16 (1) in subparagraph (B)(ii), by striking “pur-
17 poses,” and inserting “purposes directly related to
18 its mission,”; and

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(C) PREFERENCE DESCRIBED.—A public
22 charter school shall have first priority to lease,
23 or otherwise contract for the use of, any prop-
24 erty described in subparagraph (B), at a rate
25 which does not exceed the rate charged a pri-

1 vate nonprofit entity for the use of a com-
2 parable property of the District of Columbia
3 public schools and which is reduced to take into
4 account the value of repairs or improvements
5 made to the facility or property by the public
6 charter school.”.

7 (d) EXERCISE OF PREFERENCES BY OTHER ENTI-
8 TIES.—Section 2209(b) of such Act (sec. 31–2853.19(b),
9 D.C. Code) is amended by adding at the end the following
10 new paragraph:

11 “(3) EXERCISE OF PREFERENCE BY CERTAIN
12 OTHER ENTITIES.—A public charter school may dele-
13 gate to a nonprofit, tax-exempt organization in the
14 District of Columbia the public charter school’s au-
15 thority under this subsection.”.

16 SEC. 129. (a) MODIFICATION OF CONTRACTING RE-
17 QUIREMENTS.—

18 (1) CONTRACTS SUBJECT TO NOTICE REQUIRE-
19 MENTS.—Section 2204(e)(1)(A) of the District of
20 Columbia School Reform Act (sec. 31–
21 2853.14(e)(1)(A), D.C. Code) is amended to read as
22 follows:

23 “(A) NOTICE REQUIREMENT FOR PRO-
24 CUREMENT CONTRACTS.—

1 “(i) IN GENERAL.—Except in the case
2 of an emergency (as determined by the eli-
3 gible chartering authority of a public char-
4 ter school), with respect to any procure-
5 ment contract proposed to be awarded by
6 the public charter school and having a
7 value equal to or exceeding \$25,000, the
8 school shall publish a notice of a request
9 for proposals in the District of Columbia
10 Register and newspapers of general cir-
11 culation not less than 7 days prior to the
12 award of the contract.

13 “(ii) EXCEPTION FOR CERTAIN CON-
14 TRACTS.—The notice requirement of clause
15 (i) shall not apply with respect to any con-
16 tract for the lease or purchase of real
17 property by a public charter school, any
18 employment contract for a staff member of
19 a public charter school, or any manage-
20 ment contract entered into by a public
21 charter school and the management com-
22 pany designated in its charter or its peti-
23 tion for a revised charter.”.

24 (2) SUBMISSION OF CONTRACTS TO ELIGIBLE
25 CHARTERING AUTHORITY.—Section 2204(c)(1)(B) of

1 such Act (sec. 31–2853.14(e)(1)(B), D.C. Code) is
2 amended—

3 (A) in the heading, by striking “AUTHOR-
4 ITY” and inserting “ELIGIBLE CHARTERING AU-
5 THORITY”;

6 (B) in clause (i), by striking “Authority”
7 and inserting “eligible chartering authority”;
8 and

9 (C) by amending clause (ii) to read as fol-
10 lows:

11 “(ii) EFFECTIVE DATE OF CON-
12 TRACT.—A contract described in subpara-
13 graph (A) shall become effective on the
14 date that is 10 days after the date the
15 school makes the submission under clause
16 (i) with respect to the contract, or the ef-
17 fective date specified in the contract,
18 whichever is later.”.

19 (b) CLARIFICATION OF APPLICATION OF SCHOOL RE-
20 FORM ACT.—

21 (1) WAIVER OF DUPLICATE AND CONFLICTING
22 PROVISIONS.—Section 2210 of such Act (sec. 31–
23 2853.20, D.C. Code) is amended by adding at the
24 end the following new subsection:

1 “(d) WAIVER OF APPLICATION OF DUPLICATE AND
2 CONFLICTING PROVISIONS.—Notwithstanding any other
3 provision of law, and except as otherwise provided in this
4 title, no provision of any law regarding the establishment,
5 administration, or operation of public charter schools in
6 the District of Columbia shall apply with respect to a pub-
7 lic charter school or an eligible chartering authority to the
8 extent that the provision duplicates or is inconsistent with
9 any provision of this title.”.

10 (2) EFFECTIVE DATE.—The amendments made
11 by this subsection shall take effect as if included in
12 the enactment of the District of Columbia School
13 Reform Act of 1995.

14 (c) LICENSING REQUIREMENTS FOR PRESCHOOL OR
15 PREKINDERGARTEN PROGRAMS.—

16 (1) IN GENERAL.—Section 2204(c) of such Act
17 (sec. 31–2853.14(c), D.C. Code) is amended by add-
18 ing at the end the following new paragraph:

19 “(18) LICENSING AS CHILD DEVELOPMENT
20 CENTER.—A public charter school which offers a
21 preschool or prekindergarten program shall be sub-
22 ject to the same child care licensing requirements (if
23 any) which apply to a District of Columbia public
24 school which offers such a program.”.

1 (2) CONFORMING AMENDMENTS.—(A) Section
2 2202 of such Act (sec. 31–2853.12, D.C. Code) is
3 amended by striking clause (17).

4 (B) Section 2203(h)(2) of such Act (sec. 31–
5 2853.13(h)(2), D.C. Code) is amended by striking
6 “(17),”.

7 (d) Section 2403 of the District of Columbia School
8 Reform Act of 1995 (sec. 31–2853.43, D.C. Code) is
9 amended by adding at the end the following new sub-
10 section:

11 “(c) ASSIGNMENT OF PAYMENTS.—A public charter
12 school may assign any payments made to the school under
13 this section to a financial institution for use as collateral
14 to secure a loan or for the repayment of a loan.”.

15 (e) Section 2210 of the District of Columbia School
16 Reform Act of 1995 (sec. 31–2853.20, D.C. Code), as
17 amended by subsection (b), is further amended by adding
18 at the end the following new subsection:

19 “(e) PARTICIPATION IN GSA PROGRAMS.—

20 “(1) IN GENERAL.—Notwithstanding any provi-
21 sion of this Act or any other provision of law, a pub-
22 lic charter school may acquire goods and services
23 through the General Services Administration and
24 may participate in programs of the Administration

1 in the same manner and to the same extent as any
2 entity of the District of Columbia government.

3 “(2) PARTICIPATION BY CERTAIN ORGANIZA-
4 TIONS.—A public charter school may delegate to a
5 nonprofit, tax-exempt organization in the District of
6 Columbia the public charter school’s authority under
7 paragraph (1).”.

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

13 SEC. 131. None of the funds made available in this
14 Act may be used to implement or enforce the Health Care
15 Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C.
16 Code, sec. 36–1401 et seq.) or to otherwise implement or
17 enforce any system of registration of unmarried, cohab-
18 iting couples (whether homosexual, heterosexual, or les-
19 bian), including but not limited to registration for the pur-
20 pose of extending employment, health, or governmental
21 benefits to such couples on the same basis that such bene-
22 fits are extended to legally married couples.

23 SEC. 132. The Superintendent of the District of Co-
24 lumbia Public Schools shall submit to the Congress, the
25 Mayor, the District of Columbia Financial Responsibility

1 and Management Assistance Authority, and the Council
2 of the District of Columbia no later than 15 calendar days
3 after the end of each quarter a report that sets forth—

4 (1) current quarter expenditures and obliga-
5 tions, year-to-date expenditures and obligations, and
6 total fiscal year expenditure projections versus budg-
7 et, broken out on the basis of control center, respon-
8 sibility center, agency reporting code, and object
9 class, and for all funds, including capital financing;

10 (2) a list of each account for which spending is
11 frozen and the amount of funds frozen, broken out
12 by control center, responsibility center, detailed ob-
13 ject, and agency reporting code, and for all funding
14 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 responsibility center, and agency reporting code; and
20 contract identifying codes used by the District of Co-
21 lumbia Public Schools; payments made in the last
22 quarter and year-to-date, the total amount of the
23 contract and total payments made for the contract
24 and any modifications, extensions, renewals; and

1 specific modifications made to each contract in the
2 last month;

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

6 (5) changes made in the last quarter to the or-
7 ganizational structure of the District of Columbia
8 Public Schools, displaying previous and current con-
9 trol centers and responsibility centers, the names of
10 the organizational entities that have been changed,
11 the name of the staff member supervising each enti-
12 ty affected, and the reasons for the structural
13 change.

14 SEC. 133. (a) IN GENERAL.—The Superintendent of
15 the District of Columbia Public Schools and the University
16 of the District of Columbia shall annually compile an accu-
17 rate and verifiable report on the positions and employees
18 in the public school system and the university, respec-
19 tively. The annual report shall set forth—

20 (1) the number of validated schedule A posi-
21 tions in the District of Columbia public schools and
22 the University of the District of Columbia for fiscal
23 year 2000, fiscal year 2001, and thereafter on full-
24 time equivalent basis, including a compilation of all
25 positions by control center, responsibility center,

1 funding source, position type, position title, pay
2 plan, grade, and annual salary; and

3 (2) a compilation of all employees in the Dis-
4 trict of Columbia public schools and the University
5 of the District of Columbia as of the preceding De-
6 cember 31, verified as to its accuracy in accordance
7 with the functions that each employee actually per-
8 forms, by control center, responsibility center, agen-
9 cy reporting code, program (including funding
10 source), activity, location for accounting purposes,
11 job title, grade and classification, annual salary, and
12 position control number.

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

18 SEC. 134. (a) No later than November 1, 2000, or
19 within 30 calendar days after the date of the enactment
20 of this Act, which ever occurs later, and each succeeding
21 year, the Superintendent of the District of Columbia Pub-
22 lic Schools and the University of the District of Columbia
23 shall submit to the appropriate congressional committees,
24 the Mayor, the District of Columbia Council, the Con-
25 sensus Commission, and the District of Columbia Finan-

1 cial Responsibility and Management Assistance Authority,
2 a revised appropriated funds operating budget for the pub-
3 lic school system and the University of the District of Co-
4 lumbia for such fiscal year that is in the total amount
5 of the approved appropriation and that realigns budgeted
6 data for personal services and other-than-personal serv-
7 ices, respectively, with anticipated actual expenditures.

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

17 SEC. 135. The District of Columbia Financial Re-
18 sponsibility and Management Assistance Authority, acting
19 on behalf of the District of Columbia Public Schools
20 (DCPS) in formulating the DCPS budget, the Board of
21 Trustees of the University of the District of Columbia, the
22 Board of Library Trustees, and the Board of Governors
23 of the University of the District of Columbia School of
24 Law shall vote on and approve the respective annual or
25 revised budgets for such entities before submission to the

1 Mayor of the District of Columbia for inclusion in the
2 Mayor's budget submission to the Council of the District
3 of Columbia in accordance with section 442 of the District
4 of Columbia Home Rule Act (Public Law 93–198; D.C.
5 Code, sec. 47–301), or before submitting their respective
6 budgets directly to the Council.

7 SEC. 136. (a) ACCEPTANCE AND USE OF GRANTS
8 NOT INCLUDED IN CEILING UNDER “DIVISION OF EX-
9 PENSES”.—

10 (1) IN GENERAL.—The Mayor, in consultation
11 with the Chief Financial Officer, during a control
12 year, as defined in section 305(4) of the District of
13 Columbia Financial Responsibility and Management
14 Assistance Act of 1995 (Public Law 104–8; 109
15 Stat. 152), may accept, obligate, and expend Fed-
16 eral, private, and other grants received by the Dis-
17 trict government that are not reflected in the
18 amounts appropriated in this Act.

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

24 (A) the Chief Financial Officer of the Dis-
25 trict of Columbia submits to the Authority a re-

1 port setting forth detailed information regard-
2 ing such grant; and

3 (B) the Authority has reviewed and ap-
4 proved the acceptance, obligation, and expendi-
5 ture of such grant in accordance with review
6 and approval procedures consistent with the
7 provisions of the District of Columbia Financial
8 Responsibility and Management Assistance Act
9 of 1995.

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

18 (4) QUARTERLY REPORTS.—The Chief Finan-
19 cial Officer of the District of Columbia shall prepare
20 a quarterly report setting forth detailed information
21 regarding all Federal, private, and other grants sub-
22 ject to this subsection. Each such report shall be
23 submitted to the Council of the District of Columbia,
24 and to the Committees on Appropriations of the
25 House of Representatives and the Senate, not later

1 than 15 days after the end of the quarter covered
2 by the report.

3 (b) REPORT ON EXPENDITURES BY FINANCIAL RE-
4 SPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHOR-
5 ITY.—Not later than 20 calendar days after the end of
6 each fiscal quarter starting October 1, 2000, the Authority
7 shall submit a report to the Committees on Appropriations
8 of the House of Representatives and the Senate, the Com-
9 mittee on Government Reform of the House, and the Com-
10 mittee on Governmental Affairs of the Senate providing
11 an itemized accounting of all non-appropriated funds obli-
12 gated or expended by the Authority for the quarter. The
13 report shall include information on the date, amount, pur-
14 pose, and vendor name, and a description of the services
15 or goods provided with respect to the expenditures of such
16 funds.

17 SEC. 137. If a department or agency of the govern-
18 ment of the District of Columbia is under the administra-
19 tion of a court-appointed receiver or other court-appointed
20 official during fiscal year 2001 or any succeeding fiscal
21 year, the receiver or official shall prepare and submit to
22 the Mayor, for inclusion in the annual budget of the Dis-
23 trict of Columbia for the year, annual estimates of the
24 expenditures and appropriations necessary for the mainte-
25 nance and operation of the department or agency. All such

1 estimates shall be forwarded by the Mayor to the Council,
2 for its action pursuant to sections 446 and 603(c) of the
3 District of Columbia Home Rule Act, without revision but
4 subject to the Mayor's recommendations. Notwithstanding
5 any provision of the District of Columbia Home Rule Act
6 (87 Stat. 774; Public Law 93-198) the Council may com-
7 ment or make recommendations concerning such annual
8 estimates but shall have no authority under such Act to
9 revise such estimates.

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

13 (1) classified as an Educational Service em-
14 ployee;

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

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

18 (b) School-based personnel shall constitute a separate
19 competitive area from nonschool-based personnel who shall
20 not compete with school-based personnel for retention pur-
21 poses.

22 SEC. 139. (a) RESTRICTIONS ON USE OF OFFICIAL
23 VEHICLES.—Except as otherwise provided in this section,
24 none of the funds made available by this Act or by any
25 other Act may be used to provide any officer or employee

1 of the District of Columbia with an official vehicle unless
2 the officer or employee uses the vehicle only in the per-
3 formance of the officer's or employee's official duties. For
4 purposes of this paragraph, the term "official duties" does
5 not include travel between the officer's or employee's resi-
6 dence and workplace (except: (1) in the case of an officer
7 or employee of the Metropolitan Police Department who
8 resides in the District of Columbia or is otherwise des-
9 ignated by the Chief of the Department; (2) at the discre-
10 tion of the Fire Chief, an officer or employee of the Dis-
11 trict of Columbia Fire and Emergency Medical Services
12 Department who resides in the District of Columbia and
13 is on call 24 hours a day; (3) the Mayor of the District
14 of Columbia; and (4) the Chairman of the Council of the
15 District of Columbia).

16 (b) INVENTORY OF VEHICLES.—The Chief Financial
17 Officer of the District of Columbia shall submit, by No-
18 vember 15, 2000, an inventory, as of September 30, 2000,
19 of all vehicles owned, leased or operated by the District
20 of Columbia government. The inventory shall include, but
21 not be limited to, the department to which the vehicle is
22 assigned; the year and make of the vehicle; the acquisition
23 date and cost; the general condition of the vehicle; annual
24 operating and maintenance costs; current mileage; and
25 whether the vehicle is allowed to be taken home by a Dis-

1 triet officer or employee and if so, the officer or employee’s
2 title and resident location.

3 SEC. 140. (a) SOURCE OF PAYMENT FOR EMPLOY-
4 EES DETAILED WITHIN GOVERNMENT.—For purposes of
5 determining the amount of funds expended by any entity
6 within the District of Columbia government during fiscal
7 year 2001 and each succeeding fiscal year, any expendi-
8 tures of the District government attributable to any officer
9 or employee of the District government who provides serv-
10 ices which are within the authority and jurisdiction of the
11 entity (including any portion of the compensation paid to
12 the officer or employee attributable to the time spent in
13 providing such services) shall be treated as expenditures
14 made from the entity’s budget, without regard to whether
15 the officer or employee is assigned to the entity or other-
16 wise treated as an officer or employee of the entity.

17 (b) MODIFICATION OF REDUCTION IN FORCE PROCE-
18 DURES.—The District of Columbia Government Com-
19 prehensive Merit Personnel Act of 1978 (D.C. Code, sec.
20 1–601.1 et seq.), is further amended in section 2408(a)
21 by striking “2000” and inserting, “2001”; in subsection
22 (b), by striking “2000” and inserting “2001”; in sub-
23 section (i), by striking “2000” and inserting, “2001”; and
24 in subsection (k), by striking “2000” and inserting,
25 “2001”.

1 (c) No officer or employee of the District of Columbia
2 government (including any independent agency of the Dis-
3 trict but excluding the District of Columbia Financial Re-
4 sponsibility and Management Assistance Authority, the
5 Metropolitan Police Department, and the Office of the
6 Chief Technology Officer) may enter into an agreement
7 in excess of \$2,500 for the procurement of goods or serv-
8 ices on behalf of any entity of the District government
9 until the officer or employee has conducted an analysis
10 of how the procurement of the goods and services involved
11 under the applicable regulations and procedures of the
12 District government would differ from the procurement of
13 the goods and services involved under the Federal supply
14 schedule and other applicable regulations and procedures
15 of the General Services Administration, including an anal-
16 ysis of any differences in the costs to be incurred and the
17 time required to obtain the goods or services.

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

22 (1) the District of Columbia Board of Edu-
23 cation or its successor, and DCPS shall assess or
24 evaluate a student who may have a disability and
25 who may require special education services; and

1 (2) if a student is classified as having a dis-
2 ability, as defined in section 101(a)(1) of the Indi-
3 viduals with Disabilities Education Act (84 Stat.
4 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the
5 Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.
6 706(8)), the Board and DCPS shall place that stu-
7 dent in an appropriate program of special education
8 services.

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

14 (b) SENSE OF THE CONGRESS; REQUIREMENT RE-
15 GARDING NOTICE.—

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

1 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

2 In providing financial assistance using funds made
3 available in this Act, the head of each agency of the
4 Federal or District of Columbia government shall
5 provide to each recipient of the assistance a notice
6 describing the statement made in paragraph (1) by
7 the Congress.

8 (c) PROHIBITION OF CONTRACTS WITH PERSONS
9 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

10 If it has been finally determined by a court or Federal
11 agency that any person intentionally affixed a label bear-
12 ing a “Made in America” inscription, or any inscription
13 with the same meaning, to any product sold in or shipped
14 to the United States that is not made in the United
15 States, the person shall be ineligible to receive any con-
16 tract or subcontract made with funds made available in
17 this Act, pursuant to the debarment, suspension, and ineli-
18 gibility procedures described in sections 9.400 through
19 9.409 of title 48, Code of Federal Regulations.

20 SEC. 143. None of the funds contained in this Act
21 may be used for purposes of the annual independent audit
22 of the District of Columbia government (including the Dis-
23 trict of Columbia Financial Responsibility and Manage-
24 ment Assistance Authority) for fiscal year 2000 unless—

1 (1) the audit is conducted by the Inspector
2 General of the District of Columbia pursuant to sec-
3 tion 208(a)(4) of the District of Columbia Procure-
4 ment Practices Act of 1985 (D.C. Code, sec. 1-
5 1182.8(a)(4)); and

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

10 SEC. 144. Nothing in this Act shall be construed to
11 authorize any office, agency or entity to expend funds for
12 programs or functions for which a reorganization plan is
13 required but has not been approved by the District of Co-
14 lumbia Financial Responsibility and Management Assist-
15 ance Authority. Appropriations made by this Act for such
16 programs or functions are conditioned only on the ap-
17 proval by the Authority of the required reorganization
18 plans.

19 SEC. 145. Notwithstanding any other provision of
20 law, rule, or regulation, the evaluation process and instru-
21 ments for evaluating District of Columbia Public School
22 employees shall be a non-negotiable item for collective bar-
23 gaining purposes.

24 SEC. 146. None of the funds contained in this Act
25 may be used by the District of Columbia Corporation

1 Counsel or any other officer or entity of the District gov-
2 ernment to provide assistance for any petition drive or civil
3 action which seeks to require Congress to provide for vot-
4 ing representation in Congress for the District of Colum-
5 bia.

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

11 SEC. 148. (a) Section 202(j) of the District of Colum-
12 bia Financial Responsibility and Management Assistance
13 Act of 1995 (sec. 47–392.2(j), D.C. Code), as amended
14 by section 148(a) of the District of Columbia Appropria-
15 tions Act, 2000, is amended to read as follows:

16 “(j) RESERVE.—

17 “(1) IN GENERAL.—Beginning with fiscal year
18 2000, the financial plan or budget submitted pursu-
19 ant to this Act shall contain \$150,000,000, to re-
20 main available until expended, for a reserve to be es-
21 tablished by the Mayor, Council of the District of
22 Columbia, Chief Financial Officer for the District of
23 Columbia, and the District of Columbia Financial
24 Responsibility and Management Assistance Author-
25 ity.

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

3 “(A) shall only be expended according to
4 criteria established by the Chief Financial Offi-
5 cer and approved by the Mayor, Council of the
6 District of Columbia, and District of Columbia
7 Financial Responsibility and Management As-
8 sistance Authority;

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

12 “(C) shall not be used to fund shortfalls in
13 the projected reductions budgeted in the budget
14 proposed by the District of Columbia govern-
15 ment for general supply schedule savings, man-
16 agement reform savings, and cafeteria plan sav-
17 ings.

18 “(3) REPORT REQUIREMENT.—The Authority
19 shall notify the Committees on Appropriations of the
20 Senate and House of Representatives in writing 30
21 days in advance of any expenditure of the reserve
22 funds.

23 “(4) REPLENISHMENT.—Any amount of the re-
24 serve funds which is expended in 1 fiscal year shall
25 be replenished in the reserve funds from the fol-

1 lowing fiscal year appropriations to maintain the
2 \$150,000,000 balance.”.

3 (b) Section 202(k) of such Act (sec. 47–392.2(k),
4 D.C. Code), as amended by section 148(b) of the District
5 of Columbia Appropriations Act, 2000, is amended to read
6 as follows:

7 “(k) POSITIVE FUND BALANCE.—

8 “(1) IN GENERAL.—The District of Columbia
9 shall maintain at the end of a fiscal year an annual
10 positive fund balance in the general fund of not less
11 than 4 percent of the projected general fund expend-
12 itures for the following fiscal year.

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

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

17 “(B) not less than 50 percent shall be used
18 to reduce the debt of the District of Colum-
19 bia.”.

20 (c) The amendments made by this section shall take
21 effect as if included in the enactment of the District of
22 Columbia Appropriations Act, 2000.

23 SEC. 149. Subsection 3(e) of Public Law 104–21
24 (D.C. Code sec. 7–134.2(e)) is amended to read as follows:

1 “(e) INSPECTOR GENERAL AUDIT.—Not later than
2 February 1, 2001, and each February 1, thereafter, the
3 Inspector General of the District of Columbia shall audit
4 the financial statements of the District of Columbia High-
5 way Trust Fund for the preceding fiscal year and shall
6 submit to Congress a report on the results of such audit.
7 Not later than May 31, 2001, and each May 31, there-
8 after, the Inspector General shall examine the statements
9 forecasting the conditions and operations of the Trust
10 Fund for the next 5 fiscal years commencing on the pre-
11 vious October 1 and shall submit to Congress a report on
12 the results of such examination.”.

13 SEC. 150. None of the funds contained in this Act
14 may be used for any program of distributing sterile nee-
15 dles or syringes for the hypodermic injection of any illegal
16 drug.

17 SEC. 151. (a) RESTRICTIONS ON LEASES.—Upon the
18 expiration of the 60-day period that begins on the date
19 of the enactment of this Act, none of the funds contained
20 in this Act may be used to make rental payments under
21 a lease for the use of real property by the District of Co-
22 lumbia government (including any independent agency of
23 the District) unless the lease and an abstract of the lease
24 have been filed (by the District of Columbia or any other
25 party to the lease) with the central office of the Deputy

1 Mayor for Economic Development, in an indexed registry
2 available for public inspection.

3 (b) ADDITIONAL RESTRICTIONS ON CURRENT
4 LEASES.—

5 (1) IN GENERAL.—Upon the expiration of the
6 60-day period that begins on the date of the enact-
7 ment of this Act, in the case of a lease described in
8 paragraph (3), none for the funds contained in this
9 Act may be used to make rental payments under the
10 lease unless the lease is included in periodic reports
11 submitted by the Mayor and Council of the District
12 of Columbia to the Committees on Appropriations of
13 the House of Representatives and Senate describing
14 for each such lease the following information:

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

22 (B) The extent to which the property is or
23 is not occupied by the District of Columbia gov-
24 ernment as of the end of the reporting period
25 involved.

1 (C) If the property is not occupied and uti-
2 lized by the District government as of the end
3 of the reporting period involved, a plan for oc-
4 cupying and utilizing the property (including
5 construction or renovation work) or a status
6 statement regarding any efforts by the District
7 to terminate or renegotiate the lease.

8 (2) **TIMING OF REPORTS.**—The reports de-
9 scribed in paragraph (1) shall be submitted for each
10 calendar quarter (beginning with the quarter ending
11 December 31, 2000) not later than 20 days after the
12 end of the quarter involved, plus an initial report
13 submitted not later than 60 days after the date of
14 the enactment of this Act, which shall provide infor-
15 mation as of the date of the enactment of this Act.

16 (3) **LEASES DESCRIBED.**—A lease described in
17 this paragraph is a lease in effect as of the date of
18 the enactment of this Act for the use of real prop-
19 erty by the District of Columbia government (includ-
20 ing any independent agency of the District) which is
21 not being occupied by the District government (in-
22 cluding any independent agency of the District) as
23 of such date or during the 60-day period which be-
24 gins on the date of the enactment of this Act.

1 SEC. 152. (a) MANAGEMENT OF EXISTING DISTRICT
2 GOVERNMENT PROPERTY.—Upon the expiration of the
3 60-day period that begins on the date of the enactment
4 of this Act, none of the funds contained in this Act may
5 be used to enter into a lease (or to make rental payments
6 under such a lease) for the use of real property by the
7 District of Columbia government (including any inde-
8 pendent agency of the District) or to purchase real prop-
9 erty for the use of District of Columbia government (in-
10 cluding any independent agency of the District) or to man-
11 age real property for the use of the District of Columbia
12 (including any independent agency of the District) unless
13 the following conditions are met:

14 (1) The Mayor and Council of the District of
15 Columbia certify to the Committees on Appropria-
16 tions of the House of Representatives and Senate
17 that existing real property available to the District
18 (whether leased or owned by the District govern-
19 ment) is not suitable for the purposes intended.

20 (2) Notwithstanding any other provisions of
21 law, there is made available for sale or lease all real
22 property of the District of Columbia that the Mayor
23 from time to time determines is surplus to the needs
24 of the District of Columbia, unless a majority of the
25 members of the Council override the Mayor's deter-

1 mination during the 30day period which begins on
2 the date the determination is published.

3 (3) The Mayor and Council implement a pro-
4 gram for the periodic survey of all District property
5 to determine if it is surplus to the needs of the Dis-
6 trict.

7 (4) The Mayor and Council within 60 days of
8 the date of the enactment of this Act have filed with
9 the Committees on Appropriations of the House of
10 Representatives and Senate, the Committee on Gov-
11 ernment Reform of the House of Representatives,
12 and the Committee on Governmental Affairs of the
13 Senate a report which provides a comprehensive plan
14 for the management of District of Columbia real
15 property assets, and are proceeding with the imple-
16 mentation of the plan.

17 (b) TERMINATION OF PROVISIONS.—If the District
18 of Columbia enacts legislation to reform the practices and
19 procedures governing the entering into of leases for the
20 use of real property by the District of Columbia govern-
21 ment and the disposition of surplus real property of the
22 District government, the provisions of subsection (a) shall
23 cease to be effective upon the effective date of the legisla-
24 tion.

1 SEC. 153. (a) CERTIFICATION.—None of the funds
2 contained in this Act may be used after the expiration of
3 the 30-day period that begins on the date of the enactment
4 of this Act to pay the salary of any chief financial officer
5 of any office of the District of Columbia government (in-
6 cluding the District of Columbia Financial Responsibility
7 and Management Assistance Authority and any inde-
8 pendent agency of the District) who has not filed a certifi-
9 cation with the Mayor and the Chief Financial Officer of
10 the District of Columbia that the officer understands the
11 duties and restrictions applicable to the officer as a result
12 of this Act (and the amendments made by this Act), in-
13 cluding any duty to prepare a report requested either in
14 the Act or in any of the reports accompanying the Act
15 and the deadline by which each report must be submitted,
16 and the District’s Chief Financial Officer shall provide to
17 the Committees on Appropriations of the Senate and the
18 House of Representatives by the 10th day after the end
19 of each quarter a summary list showing each report, the
20 due date and the date submitted to the Committees.

21 (b) PENALTY.—Any chief financial officer who car-
22 ries out any activity in violation of any provision of this
23 Act or any amendment made by this Act shall be subject
24 to a civil money penalty in accordance with applicable Dis-
25 trict of Columbia law.

1 SEC. 154. (a) Notwithstanding the provisions of the
2 District of Columbia Government Comprehensive Merit
3 Personnel Act of 1978 (D.C. Law 2–139; D.C. Code 1–
4 601.1 et seq.), or any other District of Columbia law, stat-
5 ute, regulation, the provisions of the District of Columbia
6 Personnel Manual, or the provisions of any collective bar-
7 gaining agreement, employees of the District of Columbia
8 government will only receive compensation for overtime
9 work in excess of 40 hours per week (or other applicable
10 tour of duty) or work actually performed, in accordance
11 with the provisions of the Fair Labor Standards Act, 29
12 U.S.C. 201 et seq.

13 (b) Subsection (a) of this section shall be effective
14 December 27, 1996 in order to ratify and approve the Res-
15 olution and Order of the District of Columbia Financial
16 Responsibility and Management Assistance Authority,
17 dated December 27, 1996.

18 SEC. 155. The proposed budget of the government
19 of the District of Columbia for fiscal year 2002 that is
20 submitted by the District to Congress shall specify poten-
21 tial adjustments that might become necessary in the event
22 that the management savings achieved by the District dur-
23 ing the year do not meet the level of management savings
24 projected by the District under the proposed budget.

1 SEC. 156. In submitting any document showing the
2 budget for an office of the District of Columbia govern-
3 ment (including an independent Agency of the District)
4 that contains a category of activities labeled as “other”,
5 “miscellaneous”, or a similar general, nondescriptive term,
6 the document shall include a description of the types of
7 activities covered in the category and a detailed breakdown
8 of the amount allocated for each such activity.

9 SEC. 157. (a) None of the funds contained in this
10 Act may be used to enact or carry out any law, rule, or
11 regulation to legalize or otherwise reduce penalties associ-
12 ated with the possession, use, or distribution of any sched-
13 ule I substance under the Controlled Substances Act (21
14 U.S.C. 802) or any tetrahydrocannabinols derivative.

15 (b) The Legalization of Marijuana for Medical Treat-
16 ment Initiative of 1998, also know as Initiative 59, ap-
17 proved by the electors of the District of Columbia on No-
18 vember 3, 1998, shall not take effect.

19 SEC. 158. Notwithstanding any other provision of
20 law, the Mayor of the District of Columbia, in consultation
21 with the committee established under section 603(e)(2)(B)
22 of the Student Loan Marketing Association Reorganiza-
23 tion Act of 1996 (Public Law 104–208; 110 Stat. 8009–
24 293, as amended by Public Law 106–113; 113 Stat.
25 1526), is hereby authorized to allocate the District’s limi-

1 tation amount of qualified zone academy bonds (estab-
2 lished pursuant to 26 U.S.C. 1397E) among qualified
3 zone academies within the District.

4 SEC. 159. (a) Section 11232 of the Balanced Budget
5 Act of 1997 (sec. 24–1232, D.C. Code) is amended—

6 (1) by redesignating subsections (f) through (i)
7 as subsections (g) through (j); and

8 (2) by inserting after subsection (e) the fol-
9 lowing new subsection:

10 “(f) TREATMENT AS FEDERAL EMPLOYEES.—

11 “(1) IN GENERAL.—The Trustee and employees
12 of the Trustee who are not covered under subsection
13 (e) shall be treated as employees of the Federal Gov-
14 ernment solely for purposes of the following provi-
15 sions of title 5, United States Code:

16 “(A) Chapter 83 (relating to retirement).

17 “(B) Chapter 84 (relating to the Federal
18 Employees’ Retirement System).

19 “(C) Chapter 87 (relating to life insur-
20 ance).

21 “(D) Chapter 89 (relating to health insur-
22 ance).

23 “(2) EFFECTIVE DATES OF COVERAGE.—The
24 effective dates of coverage of the provisions of para-
25 graph (1) are as follows:

1 “(A) In the case of the Trustee and em-
2 ployees of the Office of the Trustee and the Of-
3 fice of Adult Probation, August 5, 1997, or the
4 date of appointment, whichever is later.

5 “(B) In the case of employees of the Office
6 of Parole, October 11, 1998, or the date of ap-
7 pointment, whichever is later.

8 “(C) In the case of employees of the Pre-
9 trial Services Agency, January 3, 1999, or the
10 date of appointment, whichever is later.

11 “(3) RATE OF CONTRIBUTIONS.—The Trustee
12 shall make contributions under the provisions re-
13 ferred to in paragraph (1) at the same rates applica-
14 ble to agencies of the Federal Government.

15 “(4) REGULATIONS.—The Office of Personnel
16 Management shall issue such regulations as are nec-
17 essary to carry out this subsection.”.

18 (b) The amendment made by subsection (a) shall take
19 effect as if included in the enactment of title XI of the
20 Balanced Budget Act of 1997.

21 SEC. 160. It is the sense of the Congress that the
22 patients of Saint Elizabeths Hospital and the taxpayers
23 of the District of Columbia are being poorly served by the
24 current facilities and management of the Hospital.

1 SEC. 161. It is the sense of the Congress that the
2 District of Columbia Financial Responsibility and Man-
3 agement Assistance Authority should quickly complete the
4 sale of the Franklin School property, a property which has
5 been vacant for over 20 years.

6 SEC. 162. It is the sense of the Congress that the
7 District of Columbia government should take all steps nec-
8 essary to ensure that officials of the District government
9 (including officials of the District of Columbia Financial
10 Responsibility and Management Assistance Authority,
11 independent agencies, boards, commissions, and corpora-
12 tions of the government) maintain a fiduciary duty to the
13 taxpayers of the District in the administration of funds
14 under their control.

15 SEC. 163. No amounts may be made available during
16 fiscal year 2001 to the District of Columbia Health and
17 Hospitals Public Benefit Corporation (through reprogram-
18 ming, transfers, loans, or any other mechanism) other
19 than the amounts which are otherwise provided for the
20 Corporation in this Act under the heading “DISTRICT OF
21 COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT
22 CORPORATION”.

23 SEC. 164. (a) For each payment or group of pay-
24 ments made by or on behalf of the District of Columbia
25 Health and Hospitals Public Benefit Corporation, the

1 Chief Financial Officer of the District of Columbia shall
2 sign an affidavit certifying that the making of the pay-
3 ment does not constitute a violation of any provision of
4 subchapter III of chapter 13 of title 31, United States
5 Code, or of any provision of this Act.

6 (b) More than one payment may be covered by the
7 same affidavit under subsection (a), but a single affidavit
8 may not cover more than one week's worth of payments.

9 (c) It shall be unlawful for any person to order any
10 other person to sign any affidavit required under this sec-
11 tion, or for any person to provide any signature required
12 under this section on such an affidavit by proxy or by ma-
13 chine, computer, or other facsimile device.

14 SEC. 165. The District of Columbia Health and Hos-
15 pitals Public Benefit Corporation may not obligate or ex-
16 pend any amounts during fiscal year 2001 unless (at the
17 time of the obligation or expenditure) the Corporation cer-
18 tifies that the obligation or expenditure is within the budg-
19 et authority provided to the Corporation in this Act.

20 SEC. 166. Nothing in this Act bars the District of
21 Columbia Corporation Counsel from reviewing or com-
22 menting on briefs in private lawsuits, or from consulting
23 with officials of the District government regarding such
24 lawsuits.

1 SEC. 167. Nothing in this section may be construed
2 to prevent the Council or Mayor of the District of Colum-
3 bia from addressing the issue of the provision of contra-
4 ceptive coverage by health insurance plans, but it is the
5 intent of Congress that any legislation enacted on such
6 issue should include a “conscience clause” which provides
7 exceptions for religious beliefs and moral convictions.

8 SEC. 168. (a) Chapter 23 of title 11, District of Co-
9 lumbia, is hereby repealed.

10 (b) The table of chapters for title 11, District of Co-
11 lumbia, is amended by striking the item relating to chap-
12 ter 23.

13 (c) The amendments made by this section shall take
14 effect on the date on which legislation enacted by the
15 Council of the District of Columbia to establish the Office
16 of the Chief Medical Examiner in the executive branch of
17 the government of the District of Columbia takes effect.

18 PROMPT PAYMENT OF APPOINTED COUNSEL

19 SEC. 169. (a) ASSESSMENT OF INTEREST FOR DE-
20 LAYED PAYMENTS.—If the Superior Court of the District
21 of Columbia or the District of Columbia Court of Appeals
22 does not make a payment described in subsection (b) prior
23 to the expiration of the 45-day period which begins on the
24 date the Court receives a completed voucher for a claim
25 for the payment, interest shall be assessed against the
26 amount of the payment which would otherwise be made

1 to take into account the period which begins on the day
2 after the expiration of such 45-day period and which ends
3 on the day the Court makes the payment.

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

6 (1) a payment authorized under section 11–
7 2604 and section 11–2605, D.C. Code (relating to
8 representation provided under the District of Colum-
9 bia Criminal Justice Act);

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

14 (3) a payment for counsel authorized under sec-
15 tion 21–2060, D.C. Code (relating to representation
16 provided under the District of Columbia Guardian-
17 ship, Protective Proceedings, and Durable Power of
18 Attorney Act of 1986).

19 (c) STANDARDS FOR SUBMISSION OF COMPLETED
20 VOUCHERS.—The chief judges of the Superior Court of
21 the District of Columbia and the District of Columbia
22 Court of Appeals shall establish standards and criteria for
23 determining whether vouchers submitted for claims for
24 payments described in subsection (b) are complete, and

1 shall publish and make such standards and criteria avail-
2 able to attorneys who practice before such Courts.

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

7 (e) EFFECTIVE DATE.—This section shall apply with
8 respect to claims received by the Superior Court of the
9 District of Columbia or the District of Columbia Court
10 of Appeals after the expiration of the 90-day period which
11 begins on the date of the enactment of this Act.

12 SEC. 170. (a) No person may distribute any needle
13 or syringe for the hypodermic injection of any illegal drug
14 in any area of the District of Columbia which is within
15 1000 feet of a public or private day care center, elemen-
16 tary school, vocational school, secondary school, college,
17 junior college, or university, or any public housing project,
18 public swimming pool, park, playground, video arcade, or
19 youth center, or an event sponsored by any such entity.

20 (b) Whoever violates subsection (a) shall be fined not
21 more than \$500 for each needle or syringe distributed in
22 violation of such subsection.

23 (c) Notwithstanding any other provision of law, any
24 amount collected by the District of Columbia pursuant to
25 subsection (b) shall be deposited in a separate account of

1 the General Fund of the District of Columbia and used
2 exclusively to carry out (either directly or by contract)
3 drug prevention or treatment programs. For purposes of
4 this subsection, no program of distributing sterile needles
5 or syringes for the hypodermic injection of any illegal drug
6 may be considered a drug prevention or treatment pro-
7 gram.

8 BANNING POSSESSION OF TOBACCO PRODUCTS BY
9 MINORS

10 SEC. 171. (a) IN GENERAL.—It shall be unlawful for
11 any individual under 18 years of age to possess any ciga-
12 rette or other tobacco product in the District of Columbia.

13 (b) EXCEPTIONS.—

14 (1) POSSESSION IN COURSE OF EMPLOY-
15 MENT.—Subsection (a) shall not apply with respect
16 to an individual making a delivery of cigarettes or
17 tobacco products in pursuance of employment.

18 (2) PARTICIPATION IN LAW ENFORCEMENT OP-
19 ERATION.—Subsection (a) shall not apply with re-
20 spect to an individual possessing products in the
21 course of a valid, supervised law enforcement oper-
22 ation.

23 (c) PENALTIES.—Any individual who violates sub-
24 section (a) shall be subject to the following penalties:

1 (1) For any violation, the individual may be re-
2 quired to perform community service or attend a to-
3 bacco cessation program.

4 (2) Upon the first violation, the individual shall
5 be subject to a civil penalty not to exceed \$50.

6 (3) Upon the second and each subsequent viola-
7 tion, the individual shall be subject to a civil penalty
8 not to exceed \$100.

9 (4) Upon the third and each subsequent viola-
10 tion, the individual may have his or her driving
11 privileges in the District of Columbia suspended for
12 a period of 90 consecutive days.

13 (d) EFFECTIVE DATE.—This section shall apply dur-
14 ing fiscal year 2001 and each succeeding fiscal year.

15 This Act may be cited as the “District of Columbia
16 Appropriations Act, 2001”.

 Passed the House of Representatives September 14,
2000.

Attest:

JEFF TRANDAHL,

Clerk.

Calendar No. 805

106TH CONGRESS
2D SESSION

H. R. 4942

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

SEPTEMBER 14, 2000

Received; read twice and placed on the calendar