

Calendar No. 170

106TH CONGRESS
1ST SESSION

S. 1283

[Report No. 106–88]

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, 2000, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 1999

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

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.

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

1 District of Columbia for the fiscal year ending September
 2 30, 2000, and for other purposes, namely:

3 FEDERAL FUNDS

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

6 For payment to the District of Columbia Corrections
 7 Trustee, \$176,000,000 for the administration and oper-
 8 ation of correctional facilities and for the administrative
 9 operating costs of the Office of the Corrections Trustee,
 10 as authorized by section 11202 of the National Capital
 11 Revitalization and Self-Government Improvement Act of
 12 1997, as amended: *Provided*, That said sums shall be paid
 13 quarterly by the Treasury of the United States based on
 14 quarterly apportionments approved by the Office of Man-
 15 agement and Budget.

16 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
 17 COURTS

18 Notwithstanding any other provision of law,
 19 \$136,440,000 for payment to the Joint Committee on Ju-
 20 dicial Administration in the District of Columbia; of which
 21 not to exceed \$128,440,000 shall be for District of Colum-
 22 bia Courts operation, to be allocated as follows: for the
 23 District of Columbia Court of Appeals, \$7,403,000; for the
 24 District of Columbia Superior Court, \$78,561,000; for the
 25 District of Columbia Court System, \$42,476,000; and of

1 which not to exceed \$8,000,000 shall remain available
2 until September 30, 2001 for capital improvements for
3 District of Columbia courthouse facilities: *Provided*, That
4 of amounts available for District of Columbia Courts oper-
5 ation, \$6,900,000 shall be for the Counsel for Child Abuse
6 and Neglect program pursuant to section 1101 of title 11,
7 D.C. Code, and section 2304 of title 16, D.C. Code, and
8 of which \$26,036,000 shall be to carry out sections 2602
9 and 2604 of title 11, D.C. Code, relating to representation
10 of indigents in criminal cases under the Criminal Justice
11 Act, in total, \$32,936,000: *Provided further*, That, subject
12 to normal reprogramming requirements contained in sec-
13 tion 116 of this Act, this \$32,936,000 may be used for
14 other purposes under this heading: *Provided further*, That
15 funds under this heading to carry out the District of Co-
16 lumbia Criminal Justice Act (D.C. Code, sec. 11–2601 et
17 seq.), shall be available for obligations incurred under the
18 Act in each fiscal year since fiscal year 1975: *Provided*
19 *further*, That funds under this heading to carry out the
20 District of Columbia Neglect Representation Equity Act
21 of 1984 (D.C. Code, sec. 16–2304), shall be available for
22 obligations incurred under the Act in each fiscal year since
23 fiscal year 1985: *Provided further*, That funds under this
24 heading to carry out the District of Columbia Guardian-
25 ship, Protective Proceedings, and Durable Power of Attor-

1 ney Act of 1986 (D.C. Code, sec. 21–2060), shall be avail-
 2 able for obligations incurred under the Act in each fiscal
 3 year since fiscal year 1989: *Provided further*, That all
 4 amounts under this heading shall be paid quarterly by the
 5 Treasury of the United States based on quarterly appor-
 6 tionments approved by the Office of Management and
 7 Budget, with payroll and financial services to be provided
 8 on a contractual basis with the General Services Adminis-
 9 tration [GSA], said services to include the preparation of
 10 monthly financial reports, copies of which shall be sub-
 11 mitted directly by GSA to the President and to the Com-
 12 mittees on Appropriations of the Senate and House of
 13 Representatives, the Committee on Governmental Affairs
 14 of the Senate, and the Committee on Government Reform
 15 of the House of Representatives.

16 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
 17 FENDER SUPERVISION AGENCY FOR THE DISTRICT
 18 OF COLUMBIA

19 For payment to the Court Services and Offender Su-
 20 pervision Agency for the District of Columbia,
 21 \$80,300,000, as authorized by the National Capital Revi-
 22 talization and Self-Government Improvement Act of 1997,
 23 as amended; of which \$47,100,000 shall be for necessary
 24 expenses of Parole Revocation, Adult Probation and Of-
 25 fender Supervision, to include expenses relating to super-

1 vision of adults subject to protection orders or provision
 2 of services for or related to such persons; \$17,400,000
 3 shall be available to the Public Defender Service; and
 4 \$15,800,000 shall be available to the Pretrial Services
 5 Agency: *Provided*, That, notwithstanding any other provi-
 6 sion of law, said sums shall be paid quarterly by the
 7 Treasury based on quarterly apportionments approved by
 8 the Office of Management and Budget. Upon the Agency's
 9 certification as a Federal entity, as authorized by such
 10 Act, and notwithstanding any other provision of law, the
 11 Public Defender Service shall be subject to quarterly ap-
 12 portionment by the Office of Management and Budget:
 13 *Provided further*, That, of the amounts made available
 14 under this heading, \$5,873,000 shall be available only for
 15 individuals on probation or supervised release for drug
 16 screening and testing.

17 FEDERAL PAYMENT FOR DISTRICT OF COLUMBIA

18 RESIDENT TUITION SUPPORT

19 For payment to the District of Columbia,
 20 \$17,000,000, for a program, to be administered by the
 21 Mayor, for District of Columbia resident tuition support,
 22 subject to the enactment of authorizing legislation specifi-
 23 cally referencing this program: *Provided*, That said funds
 24 will be used to pay the difference between in-State and
 25 out-of-State tuition at public institutions of higher edu-

1 cation on behalf of eligible District of Columbia residents:
 2 *Provided further*, That awarding of said funds shall be
 3 prioritized on the basis of a resident's academic merit and
 4 other factors as authorized.

5 FEDERAL PAYMENT FOR METROPOLITAN POLICE
 6 DEPARTMENT

7 For payment to the Metropolitan Police Department,
 8 \$1,000,000, for a program to eliminate open air drug traf-
 9 ficking in the District of Columbia.

10 DISTRICT OF COLUMBIA FUNDS
 11 OPERATING EXPENSES

12 DIVISION OF EXPENSES

13 The following amounts are appropriated for the Dis-
 14 trict of Columbia for the current fiscal year out of the
 15 general fund of the District of Columbia, except as other-
 16 wise specifically provided.

17 GOVERNMENTAL DIRECTION AND SUPPORT

18 Governmental direction and support, \$162,356,000
 19 (including \$137,134,000 from local funds, \$11,670,000
 20 from Federal funds, and \$13,552,000 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 as-
 10 signed 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 now or hereafter enacted, no Member of the District of
 14 Columbia Council eligible to earn a part-time salary of
 15 \$92,520, exclusive of the Council Chairman, shall be paid
 16 a salary of more than \$84,635 during fiscal year 2000.

17 ECONOMIC DEVELOPMENT AND REGULATION

18 Economic development and regulation, \$190,335,000
 19 (including \$52,911,000 from local funds; \$84,751,000
 20 from Federal funds, and \$52,673,000 from other funds),
 21 of which \$15,000,000 collected by the District of Colum-
 22 bia in the form of BID tax revenue shall be paid to the
 23 respective BIDs pursuant to the Business Improvement
 24 Districts Act of 1996 (D.C. Law 11-134; D.C. Code, sec.
 25 1-2271 et seq.), and the Business Improvement Districts

1 Temporary Amendment Act of 1997 (D.C. Law 12–23):
 2 *Provided*, That such funds are available for acquiring serv-
 3 ices provided by the General Services Administration: *Pro-*
 4 *vided further*, That Business Improvement Districts shall
 5 be exempt from taxes levied by the District of Columbia.

6 PUBLIC SAFETY AND JUSTICE

7 Public safety and justice, including purchase or lease
 8 of 135 passenger-carrying vehicles for replacement only,
 9 including 130 for police-type use and five for fire-type use,
 10 without regard to the general purchase price limitation for
 11 the current fiscal year, \$778,470,000 (including
 12 \$565,211,000 from local funds, \$29,012,000 from Federal
 13 funds, and \$184,247,000 from other funds): *Provided*,
 14 That the Metropolitan Police Department is authorized to
 15 replace not to exceed 25 passenger-carrying vehicles and
 16 the Department of Fire and Emergency Medical Services
 17 of the District of Columbia is authorized to replace not
 18 to exceed five passenger-carrying vehicles annually when-
 19 ever the cost of repair to any damaged vehicle exceeds
 20 three-fourths of the cost of the replacement: *Provided fur-*
 21 *ther*, That not to exceed \$500,000 shall be available from
 22 this appropriation for the Chief of Police for the preven-
 23 tion and detection of crime: *Provided further*, That the
 24 Metropolitan Police Department shall provide quarterly
 25 reports to the Committees on Appropriations of the House

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

1 politan Police Department is authorized to maintain 3,800
 2 sworn officers, with leave for a 50 officer attrition: *Pro-*
 3 *vided further*, That \$100,000 shall be available for inmates
 4 released on medical and geriatric parole: *Provided further*,
 5 That, commencing on December 31, 1999, the Metropoli-
 6 tan Police Department shall provide to the Committees on
 7 Appropriations of the Senate and House of Representa-
 8 tives, the Committee on Governmental Affairs of the Sen-
 9 ate, and the Committee on Government Reform of the
 10 House of Representatives, quarterly reports on the status
 11 of crime reduction in each of the 83 police service areas
 12 established throughout the District of Columbia: *Provided*
 13 *further*, That \$900,000 in local funds shall be available
 14 for the operations of the Office of Citizen Complaint Re-
 15 view.

16 PUBLIC EDUCATION SYSTEM

17 Public education system, including the development
 18 of national defense education programs, \$867,411,000 (in-
 19 cluding \$721,847,000 from local funds, \$120,951,000
 20 from Federal funds, and \$24,613,000 from other funds),
 21 to be allocated as follows: \$713,197,000 (including
 22 \$600,936,000 from local funds, \$106,213,000 from Fed-
 23 eral funds, and \$6,048,000 from other funds), for the pub-
 24 lic schools of the District of Columbia; \$10,700,000 from
 25 local funds for the District of Columbia Teachers' Retire-

1 ment Fund; \$17,000,000 from local funds for a program
 2 for District of Columbia resident tuition support;
 3 \$27,885,000 from local funds (not including funds already
 4 made available for District of Columbia public schools) for
 5 public charter schools: *Provided*, That if the entirety of
 6 this allocation has not been provided as payments to any
 7 public charter schools currently in operation through the
 8 per pupil funding formula, the funds shall be available for
 9 new public charter schools on a per pupil basis: *Provided*
 10 *further*, That \$480,000 of this amount shall be available
 11 to the District of Columbia Public Charter School Board
 12 for administrative costs: \$72,347,000 (including
 13 \$40,491,000 from local funds, \$13,536,000 from Federal
 14 funds, and \$18,320,000 from other funds) for the Univer-
 15 sity of the District of Columbia; \$24,171,000 (including
 16 \$23,128,000 from local funds, \$798,000 from Federal
 17 funds, and \$245,000 from other funds) for the Public Li-
 18 brary; \$2,111,000 (including \$1,707,000 from local funds
 19 and \$404,000 from Federal funds) for the Commission on
 20 the Arts and Humanities: *Provided further*, That the pub-
 21 lic schools of the District of Columbia are authorized to
 22 accept not to exceed 31 motor vehicles for exclusive use
 23 in the driver education program: *Provided further*, That
 24 not to exceed \$2,500 for the Superintendent of Schools,
 25 \$2,500 for the President of the University of the District

1 of Columbia, and \$2,000 for the Public Librarian shall
2 be available from this appropriation for official purposes:
3 *Provided further*, That none of the funds contained in this
4 Act may be made available to pay the salaries of any Dis-
5 trict of Columbia Public School teacher, principal, admin-
6 istrator, official, or employee who knowingly provides false
7 enrollment or attendance information under article II, sec-
8 tion 5 of the Act entitled “An Act to provide for compul-
9 sory school attendance, for the taking of a school census
10 in the District of Columbia, and for other purposes”, ap-
11 proved February 4, 1925 (D.C. Code, sec. 31–401 et seq.):
12 *Provided further*, That this appropriation shall not be
13 available to subsidize the education of any nonresident of
14 the District of Columbia at any District of Columbia pub-
15 lic elementary and secondary school during fiscal year
16 2000 unless the nonresident pays tuition to the District
17 of Columbia at a rate that covers 100 percent of the costs
18 incurred by the District of Columbia which are attrib-
19 utable to the education of the nonresident (as established
20 by the Superintendent of the District of Columbia Public
21 Schools): *Provided further*, That this appropriation shall
22 not be available to subsidize the education of nonresidents
23 of the District of Columbia at the University of the Dis-
24 trict of Columbia, unless the Board of Trustees of the Uni-
25 versity of the District of Columbia adopts, for the fiscal

1 year ending September 30, 2000, a tuition rate schedule
 2 that will establish the tuition rate for nonresident students
 3 at a level no lower than the nonresident tuition rate
 4 charged at comparable public institutions of higher edu-
 5 cation in the metropolitan area: *Provided further*, That the
 6 District of Columbia Public Schools shall not spend less
 7 than \$365,500,000 on local schools through the Weighted
 8 Student Formula in fiscal year 2000: *Provided further*,
 9 That notwithstanding any other provision of law, the Chief
 10 Financial Officer of the District of Columbia shall appor-
 11 tion from the budget of the Public Education System a
 12 sum totaling five percent (5 percent) of the total budget
 13 to be set aside until the current student count for Public
 14 and Charter schools has been completed, and that this
 15 amount shall be apportioned between the Public and Char-
 16 ter schools based on their respective student population
 17 count.

18 HUMAN SUPPORT SERVICES

19 Human support services, \$1,526,111,000 (including
 20 \$635,123,000 from local funds, \$875,814,000 from Fed-
 21 eral funds, and \$15,174,000 from other funds): *Provided*,
 22 That \$25,150,000 of this appropriation, to remain avail-
 23 able until expended, shall be available solely for District
 24 of Columbia employees' disability compensation: *Provided*
 25 *further*, That a peer review committee shall be established

1 to review medical payments and the type of service re-
 2 ceived by a disability compensation claimant: *Provided fur-*
 3 *ther*, That the District of Columbia shall not provide free
 4 government services such as water, sewer, solid waste dis-
 5 posal or collection, utilities, maintenance, repairs, or simi-
 6 lar services to any legally constituted private nonprofit or-
 7 ganization, as defined in section 411(5) of the Stewart B.
 8 McKinney Homeless Assistance Act (101 Stat. 485; Pub-
 9 lic Law 100–77; 42 U.S.C. 11371), providing emergency
 10 shelter services in the District, if the District would not
 11 be qualified to receive reimbursement pursuant to such
 12 Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301
 13 et seq.).

14 PUBLIC WORKS

15 Public works, including rental of one passenger-car-
 16 rying vehicle for use by the Mayor and three passenger-
 17 carrying vehicles for use by the Council of the District of
 18 Columbia and leasing of passenger-carrying vehicles,
 19 \$271,395,000 (including \$258,341,000 from local funds,
 20 \$3,099,000 from Federal funds, and \$9,955,000 from
 21 other funds): *Provided*, That this appropriation shall not
 22 be available for collecting ashes or miscellaneous refuse
 23 from hotels and places of business.

RECEIVERSHIP PROGRAMS

WORKFORCE INVESTMENTS

RESERVE

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY
AND MANAGEMENT ASSISTANCE AUTHORITY

1 REPAYMENT OF LOANS AND INTEREST

2 For payment of principal, interest and certain fees
 3 directly resulting from borrowing by the District of Co-
 4 lumbia to fund District of Columbia capital projects as
 5 authorized by sections 462, 475, and 490 of the District
 6 of Columbia Home Rule Act, approved December 24,
 7 1973, as amended, and that funds shall be allocated for
 8 expenses associated with the Wilson Building,
 9 \$328,417,000 from local funds: *Provided*, That for equip-
 10 ment leases, the Mayor may finance \$27,527,000 of equip-
 11 ment cost, plus cost of issuance not to exceed two percent
 12 of the par amount being financed on a lease purchase
 13 basis with a maturity not to exceed five years: *Provided*
 14 *further*, That \$5,300,000 is allocated to the Metropolitan
 15 Police Department, \$3,200,000 for the Fire and Emer-
 16 gency Medical Services Department, \$350,000 for the De-
 17 partment of Corrections, \$15,949,000 for the Department
 18 of Public Works and \$2,728,000 for the Public Benefit
 19 Corporation.

20 REPAYMENT OF GENERAL FUND RECOVERY DEBT

21 For the purpose of eliminating the \$331,589,000
 22 general fund accumulated deficit as of September 30,
 23 1990, \$38,286,000 from local funds, as authorized by sec-
 24 tion 461(a) of the District of Columbia Home Rule Act,

1 approved December 24, 1973, as amended (105 Stat. 540;
2 Public Law 102–106; D.C. Code, sec. 47–321(a)(1)).

3 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

4 For payment of interest on short-term borrowing,
5 \$9,000,000 from local funds.

6 CERTIFICATES OF PARTICIPATION

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

11 OPTICAL AND DENTAL INSURANCE PAYMENTS

12 For optical and dental insurance payments,
13 \$1,295,000 from local funds.

14 PRODUCTIVITY BANK

15 The Chief Financial Officer of the District of Colum-
16 bia shall, under the direction of the Mayor and the District
17 of Columbia Financial Responsibility and Management
18 Assistance Authority, finance projects totaling
19 \$20,000,000 in local funds that result in cost savings or
20 additional revenues, by an amount equal to such financing.

21 PRODUCTIVITY SAVINGS

22 The Chief Financial Officer of the District of Colum-
23 bia shall, under the direction of the Mayor and the District
24 of Columbia Financial Responsibility and Management
25 Assistance Authority, make reductions totaling

1 \$20,000,000 in local funds to be allocated to projects
 2 funded through the Productivity Bank that produce cost
 3 savings or additional revenues in an amount equal to the
 4 Productivity Bank financing.

5 PROCUREMENT AND MANAGEMENT SAVINGS

6 The Chief Financial Officer of the District of Colum-
 7 bia shall, under the direction of the Mayor and the District
 8 of Columbia Financial Responsibility and Management
 9 Assistance Authority, make reductions of \$14,457,000 for
 10 general supply schedule savings and \$7,000,000 for man-
 11 agement reform savings, in local funds to one or more of
 12 the appropriation headings in this Act: *Provided*, That the
 13 Mayor submits a resolution to the Council authorizing the
 14 management reform savings and the Council approves the
 15 resolution.

16 ENTERPRISE AND OTHER FUNDS

17 WATER AND SEWER AUTHORITY AND THE WASHINGTON 18 AQUEDUCT

19 For the Water and Sewer Authority and the Wash-
 20 ington Aqueduct, \$279,608,000 from other funds (includ-
 21 ing \$236,075,000 for the Water and Sewer Authority and
 22 \$43,533,000 for the Washington Aqueduct) of which
 23 \$35,222,000 shall be apportioned and payable to the Dis-
 24 trict's debt service fund for repayment of loans and inter-
 25 est incurred for capital improvement projects.

1 For construction projects, \$197,169,000, as author-
 2 ized by An Act authorizing the laying of watermains and
 3 service sewers in the District of Columbia, the levying of
 4 assessments therefore, and for other purposes, approved
 5 April 22, 1904 (33 Stat. 244; Public Law 58–140; D.C.
 6 Code, sec. 43–1512 et seq.): *Provided*, That the require-
 7 ments and restrictions that are applicable to general fund
 8 capital improvements projects and set forth in this Act
 9 under the Capital Outlay appropriation title shall apply
 10 to projects approved under this appropriation title.

11 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

12 For the Lottery and Charitable Games Enterprise
 13 Fund, established by the District of Columbia Appropria-
 14 tion Act for the fiscal year ending September 30, 1982,
 15 approved December 4, 1981 (95 Stat. 1174, 1175; Public
 16 Law 97–91), as amended, for the purpose of implementing
 17 the Law to Legalize Lotteries, Daily Numbers Games, and
 18 Bingo and Raffles for Charitable Purposes in the District
 19 of Columbia, effective March 10, 1981 (D.C. Law 3–172;
 20 D.C. Code, secs. 2–2501 et seq. and 22–1516 et seq.),
 21 \$234,400,000: *Provided*, That the District of Columbia
 22 shall identify the source of funding for this appropriation
 23 title from the District’s own locally-generated revenues:
 24 *Provided further*, That no revenues from Federal sources

1 shall be used to support the operations or activities of the
 2 Lottery and Charitable Games Control Board.

3 SPORTS AND ENTERTAINMENT COMMISSION

4 For the Sports and Entertainment Commission,
 5 \$10,846,000 from other funds for expenses incurred by
 6 the Armory Board in the exercise of its powers granted
 7 by the Act entitled “An Act To Establish A District of
 8 Columbia Armory Board, and for other purposes”, ap-
 9 proved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2–
 10 301 et seq.) and the District of Columbia Stadium Act
 11 of 1957, approved September 7, 1957 (71 Stat. 619; Pub-
 12 lic Law 85–300; D.C. Code, sec. 2–321 et seq.): *Provided*,
 13 That the Mayor shall submit a budget for the Armory
 14 Board for the forthcoming fiscal year as required by sec-
 15 tion 442(b) of the District of Columbia Home Rule Act,
 16 approved December 24, 1973 (87 Stat. 824; Public Law
 17 93–198; D.C. Code, sec. 47–301(b)).

18 D.C. HEALTH AND HOSPITALS PUBLIC BENEFIT

19 CORPORATION

20 For the District of Columbia Health and Hospitals
 21 Public Benefit Corporation, established by D.C. Law 11–
 22 212, D.C. Code, sec. 32–262.2, effective April 9, 1997,
 23 \$133,443,000 of which \$44,435,000 shall be derived by
 24 transfer from the general fund and \$89,008,000 from
 25 other funds.

D.C. RETIREMENT BOARD

For the D.C. Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Code, sec. 1-711), \$9,892,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act, approved October 3, 1964 (78 Stat. 1000; Public Law 88-622), \$1,810,000 from other funds.

1 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

4 CAPITAL OUTLAY

5 (INCLUDING RESCISSIONS)

6 For construction projects, a net increase of
 7 \$1,218,637,500 (including an increase of \$1,260,524,000
 8 and a rescission of \$41,886,500 from local funds appro-
 9 priated under this heading in prior fiscal years, and an
 10 additional \$1,260,524,000 of which \$929,450,000 is from
 11 local funds, \$54,050,000 is from the highway trust fund,
 12 and \$277,024,000 is from Federal funds), to remain avail-
 13 able until expended: *Provided*, That funds for use of each
 14 capital project implementing agency shall be managed and
 15 controlled in accordance with all procedures and limita-
 16 tions established under the Financial Management Sys-
 17 tem: *Provided further*, That all funds provided by this ap-
 18 propriation title shall be available only for the specific
 19 projects and purposes intended: *Provided further*, That
 20 notwithstanding the foregoing, all authorizations for cap-
 21 ital outlay projects, except those projects covered by the
 22 first sentence of section 23(a) of the Federal-Aid Highway
 23 Act of 1968, approved August 23, 1968 (82 Stat. 827;
 24 Public Law 90-495; D.C. Code, sec. 7-134, note), for
 25 which funds are provided by this appropriation title, shall

1 expire on September 30, 2001, except authorizations for
2 projects as to which funds have been obligated in whole
3 or in part prior to September 30, 2001: *Provided further*,
4 That, upon expiration of any such project authorization,
5 the funds provided herein for the project shall lapse.

6 GENERAL PROVISIONS

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

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

20 SEC. 103. Whenever in this Act an amount is speci-
21 fied within an appropriation for particular purposes or ob-
22 jects of expenditure, such amount, unless otherwise speci-
23 fied, shall be considered as the maximum amount that
24 may be expended for said purpose or object rather than
25 an amount set apart exclusively therefor.

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 approved March 31, 1956 (70 Stat. 78; Public Law 84–
25 460; D.C. Code, sec. 47–1812.11(c)(3)).

1 SEC. 107. Appropriations in this Act shall be avail-
2 able for the payment of public assistance without reference
3 to the requirement of section 544 of the District of Colum-
4 bia Public Assistance Act of 1982, effective April 6, 1982
5 (D.C. Law 4–101; D.C. Code, sec. 3–205.44), and for pay-
6 ment of the non-Federal share of funds necessary to qual-
7 ify for grants under subtitle A of title II of the Violent
8 Crime Control and Law Enforcement Act of 1994.

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

12 SEC. 109. No funds appropriated in this Act for the
13 District of Columbia government for the operation of edu-
14 cational institutions, the compensation of personnel, or for
15 other educational purposes may be used to permit, encour-
16 age, facilitate, or further partisan political activities.
17 Nothing herein is intended to prohibit the availability of
18 school buildings for the use of any community or partisan
19 political group during non-school hours.

20 SEC. 110. None of the funds appropriated in this Act
21 shall be made available to pay the salary of any employee
22 of the District of Columbia government whose name, title,
23 grade, salary, past work experience, and salary history are
24 not available for inspection by the House and Senate Com-
25 mittees on Appropriations, the Subcommittee on the Dis-

1 triet of Columbia of the House Committee on Government
2 Reform, the Subcommittee on Oversight of Government
3 Management, Restructuring and the District of Columbia
4 of the Senate Committee on Governmental Affairs, and
5 the Council of the District of Columbia, or their duly au-
6 thorized representative.

7 SEC. 111. There are appropriated from the applicable
8 funds of the District of Columbia such sums as may be
9 necessary for making payments authorized by the District
10 of Columbia Revenue Recovery Act of 1977, effective Sep-
11 tember 23, 1977 (D.C. Law 2–20; D.C. Code, sec. 47–
12 421 et seq.).

13 SEC. 112. No part of this appropriation shall be used
14 for publicity or propaganda purposes or implementation
15 of any policy including boycott designed to support or de-
16 feat legislation pending before Congress or any State legis-
17 lature.

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

1 SEC. 114. The Mayor shall not borrow any funds for
2 capital projects unless the Mayor has obtained prior ap-
3 proval from the Council of the District of Columbia, by
4 resolution, identifying the projects and amounts to be fi-
5 nanced with such borrowings.

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

9 SEC. 116. None of the funds provided under this Act
10 to the agencies funded by this Act, both Federal and Dis-
11 trict government agencies, that remain available for obli-
12 gation or expenditure in fiscal year 2000, or provided from
13 any accounts in the Treasury of the United States derived
14 by the collection of fees available to the agencies funded
15 by this Act, shall be available for obligation or expenditure
16 for an agency through a reprogramming of funds which:
17 (1) creates new programs; (2) eliminates a program,
18 project, or responsibility center; (3) establishes or changes
19 allocations specifically denied, limited or increased by Con-
20 gress in the Act; (4) increases funds or personnel by any
21 means for any program, project, or responsibility center
22 for which funds have been denied or restricted; (5) rees-
23 tablishes through reprogramming any program or project
24 previously deferred through reprogramming; (6) augments
25 existing programs, projects, or responsibility centers

1 through a reprogramming of funds in excess of
 2 \$1,000,000 or 10 percent, whichever is less; or (7) in-
 3 creases by 20 percent or more personnel assigned to a spe-
 4 cific program, project, or responsibility center; unless the
 5 Appropriations Committees of both the Senate and House
 6 of Representatives are notified in writing 30 days in ad-
 7 vance of any reprogramming as set forth in this section.

8 SEC. 117. None of the Federal funds provided in this
 9 Act shall be obligated or expended to procure passenger
 10 automobiles as defined in the Automobile Fuel Efficiency
 11 Act of 1980, approved October 10, 1980 (94 Stat. 1824;
 12 Public Law 96–425; 15 U.S.C. 2001(2)), with an Environ-
 13 mental Protection Agency estimated miles per gallon aver-
 14 age of less than 22 miles per gallon: *Provided*, That this
 15 section shall not apply to security, emergency rescue, or
 16 armored vehicles.

17 SEC. 118. (a) Strike the last sentence of section
 18 422(7) of the District of Columbia Home Rule Act, ap-
 19 proved December 24, 1973 (87 Stat. 790; Public Law 93–
 20 198; D.C. Code, sec. 1–242(7)).

21 (b) Notwithstanding section 4(a) of the District of
 22 Columbia Redevelopment Act of 1945, approved August
 23 2, 1946 (60 Stat. 793; Public Law 79–592; D.C. Code,
 24 sec. 5–803(a)), the Board of Directors of the District of
 25 Columbia Redevelopment Land Agency shall be paid, dur-

1 ing any fiscal year, per diem compensation at a rate estab-
2 lished by the Mayor.

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, effec-
6 tive March 3, 1979 (D.C. Law 2–139; D.C. Code, sec. 1–
7 601.1 et seq.), enacted pursuant to section 422(3) of the
8 District of Columbia Home Rule Act, approved December
9 24, 1973 (87 Stat. 790; Public Law 93–198; D.C. Code,
10 sec. 1–242(3)), shall apply with respect to the compensa-
11 tion of District of Columbia employees: *Provided*, That for
12 pay purposes, employees of the District of Columbia gov-
13 ernment shall not be subject to the provisions of title 5,
14 United States Code.

15 SEC. 120. No later than 30 days after the end of the
16 first quarter of the fiscal year ending September 30, 2000,
17 the Mayor of the District of Columbia shall submit to the
18 Council of the District of Columbia the new fiscal year
19 2000 revenue estimates as of the end of the first quarter
20 of fiscal year 2000. These estimates shall be used in the
21 budget request for the fiscal year ending September 30,
22 2001. The officially revised estimates at midyear shall be
23 used for the midyear report.

24 SEC. 121. No sole source contract with the District
25 of Columbia government or any agency thereof may be re-

1 newed or extended without opening that contract to the
2 competitive bidding process as set forth in section 303 of
3 the District of Columbia Procurement Practices Act of
4 1985, effective February 21, 1986 (D.C. Law 6–85; D.C.
5 Code, sec. 1–1183.3), except that the District of Columbia
6 government or any agency thereof may renew or extend
7 sole source contracts for which competition is not feasible
8 or practical: *Provided*, That the determination as to
9 whether to invoke the competitive bidding process has
10 been made in accordance with duly promulgated rules and
11 procedures and said determination has been reviewed and
12 approved by the District of Columbia Financial Responsi-
13 bility and Management Assistance Authority.

14 SEC. 122. For purposes of the Balanced Budget and
15 Emergency Deficit Control Act of 1985, as amended, the
16 term “program, project, and activity” shall be synonymous
17 with and refer specifically to each account appropriating
18 Federal funds in this Act, and any sequestration order
19 shall be applied to each of the accounts rather than to
20 the aggregate total of those accounts: *Provided*, That se-
21 questration orders shall not be applied to any account that
22 is specifically exempted from sequestration by the Bal-
23 anced Budget and Emergency 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, as amended, after the amounts ap-
2 propriated to the District of Columbia for the fiscal year
3 involved have been paid to the District of Columbia, the
4 Mayor of the District of Columbia shall pay to the Sec-
5 retary of the Treasury, within 15 days after receipt of a
6 request therefor from the Secretary of the Treasury, such
7 amounts as are sequestered by the order: *Provided*, That
8 the sequestration percentage specified in the order shall
9 be applied proportionately to each of the Federal appro-
10 priation accounts in this Act that are not specifically ex-
11 empted 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 2000 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 effective March 10, 1981 (D.C. Law 3–171; D.C. Code,
16 sec. 1–113(d)).

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

23 (1) current quarter expenditures and obliga-
24 tions, year-to-date expenditures and obligations, and
25 total fiscal year expenditure projections versus budg-

1 et, broken out on the basis of control center, respon-
2 sibility center, and object class, and for all funds,
3 non-appropriated funds, and capital financing;

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

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

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

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

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

6 (b) The Mayor, the Authority, and the Council shall
7 provide the Congress by February 1, 2000, a summary,
8 analysis, and recommendations on the information pro-
9 vided in the quarterly reports.

10 SEC. 127. Funds authorized or previously appro-
11 priated to the government of the District of Columbia by
12 this or any other Act to procure the necessary hardware
13 and installation of new software, conversion, testing, and
14 training to improve or replace its financial management
15 system are also available for the acquisition of accounting
16 and financial management services and the leasing of nec-
17 essary hardware, software or any other related goods or
18 services, as determined by the District of Columbia Finan-
19 cial Responsibility and Management Assistance Authority.

20 SEC. 128. None of the funds contained in this Act
21 may be made available to pay the fees of an attorney who
22 represents a party who prevails in an action, including an
23 administrative proceeding, brought against the District of
24 Columbia Public Schools under the Individuals with Dis-
25 abilities Education Act (20 U.S.C. 1400 et seq.) if—

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

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

13 SEC. 129. None of the funds appropriated under this
14 Act shall be expended for any abortion except where the
15 life of the mother would be endangered if the fetus were
16 carried to term or where the pregnancy is the result of
17 an act of rape or incest.

18 SEC. 130. None of the funds made available in this
19 Act may be used to implement or enforce the Health Care
20 Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C.
21 Code, sec. 36–1401 et seq.) or to otherwise implement or
22 enforce any system of registration of unmarried, cohab-
23 iting couples (whether homosexual, heterosexual, or les-
24 bian), including but not limited to registration for the pur-
25 pose of extending employment, health, or governmental

1 benefits to such couples on the same basis that such bene-
2 fits are extended to legally married couples.

3 SEC. 131. The Superintendent of the District of Co-
4 lumbia Public Schools shall submit to the Congress, the
5 Mayor, the District of Columbia Financial Responsibility
6 and Management Assistance Authority, and the Council
7 of the District of Columbia no later than 15 calendar days
8 after the end of each quarter a report that sets forth—

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

15 (2) a list of each account for which spending is
16 frozen and the amount of funds frozen, broken out
17 by control center, responsibility center, detailed ob-
18 ject, and agency reporting code, and for all funding
19 sources;

20 (3) a list of all active contracts in excess of
21 \$10,000 annually, which contains the name of each
22 contractor; the budget to which the contract is
23 charged, broken out on the basis of control center,
24 responsibility center, and agency reporting code; and
25 contract identifying codes used by the District of Co-

1 lumbia Public Schools; payments made in the last
 2 quarter and year-to-date, the total amount of the
 3 contract and total payments made for the contract
 4 and any modifications, extensions, renewals; and
 5 specific modifications made to each contract in the
 6 last month;

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

10 (5) changes made in the last quarter to the or-
 11 ganizational structure of the D.C. Public Schools,
 12 displaying previous and current control centers and
 13 responsibility centers, the names of the organiza-
 14 tional entities that have been changed, the name of
 15 the staff member supervising each entity affected,
 16 and the reasons for the structural change.

17 SEC. 132. (a) IN GENERAL.—The Superintendent of
 18 the District of Columbia Public Schools and the University
 19 of the District of Columbia shall annually compile an accu-
 20 rate and verifiable report on the positions and employees
 21 in the public school system and the university, respec-
 22 tively. The annual report shall set forth—

23 (1) the number of validated schedule A posi-
 24 tions in the District of Columbia public schools and
 25 the University of the District of Columbia for fiscal

1 year 1999, fiscal year 2000, and thereafter on full-
2 time equivalent basis, including a compilation of all
3 positions by control center, responsibility center,
4 funding source, position type, position title, pay
5 plan, grade, and annual salary; and

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

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

21 SEC. 133. (a) No later than October 1, 1999, or with-
22 in 30 calendar days after the date of the enactment of
23 this Act, whichever occurs later, and each succeeding year,
24 the Superintendent of the District of Columbia Public
25 Schools and the University of the District of Columbia

1 shall submit to the appropriate congressional committees,
 2 the Mayor, the District of Columbia Council, the Con-
 3 sensus Commission, and the District of Columbia Finan-
 4 cial Responsibility and Management Assistance Authority,
 5 a revised appropriated funds operating budget for the pub-
 6 lic school system and the University of the District of Co-
 7 lumbia for such fiscal year that is in the total amount
 8 of the approved appropriation and that realigns budgeted
 9 data for personal services and other-than-personal serv-
 10 ices, respectively, with anticipated actual expenditures.

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

20 SEC. 134. The District of Columbia Financial Re-
 21 sponsibility and Management Assistance Authority, acting
 22 on behalf of the District of Columbia Public Schools
 23 [DCPS] in formulating the DCPS budget, the Board of
 24 Trustees of the University of the District of Columbia, the
 25 Board of Library Trustees, and the Board of Governors

1 of the University of the District of Columbia School of
 2 Law shall vote on and approve the respective annual or
 3 revised budgets for such entities before submission to the
 4 Mayor of the District of Columbia for inclusion in the
 5 Mayor's budget submission to the Council of the District
 6 of Columbia in accordance with section 442 of the District
 7 of Columbia Home Rule Act, Public Law 93-198, as
 8 amended (D.C. Code, sec. 47-301), or before submitting
 9 their respective budgets directly to the Council.

10 SEC. 135. (a) CEILING ON TOTAL OPERATING EX-
 11 PENSES.—

12 (1) IN GENERAL.—Notwithstanding any other
 13 provision of law, the total amount appropriated in
 14 this Act for operating expenses for the District of
 15 Columbia for fiscal year 2000 under the caption
 16 “Division of Expenses” shall not exceed the lesser
 17 of—

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

20 (B) \$5,486,829,000 (of which
 21 \$152,753,000 shall be from intra-District funds
 22 and \$3,108,304,000 shall be from local funds),
 23 which amount may be increased by the fol-
 24 lowing:

1 (i) proceeds of one-time transactions, which are ex-
 2 pended for emergency or unanticipated operating or cap-
 3 ital needs approved by the District of Columbia Financial
 4 Responsibility and Management Assistance Authority; or

5 (ii) after notification to the Council, additional ex-
 6 penditures which the Chief Financial Officer of the Dis-
 7 trict of Columbia certifies will produce additional revenues
 8 during such fiscal year at least equal to 200 percent of
 9 such additional expenditures, and that are approved by the
 10 Authority.

11 (2) ENFORCEMENT.—The Chief Financial Offi-
 12 cer of the District of Columbia and the Authority
 13 shall take such steps as are necessary to assure that
 14 the District of Columbia meets the requirements of
 15 this section, including the apportioning by the Chief
 16 Financial Officer of the appropriations and funds
 17 made available to the District during fiscal year
 18 2000, except that the Chief Financial Officer may
 19 not reprogram for operating expenses any funds de-
 20 rived from bonds, notes, or other obligations issued
 21 for capital projects.

22 (b) ACCEPTANCE AND USE OF GRANTS NOT IN-
 23 CLUDED IN CEILING.—

24 (1) IN GENERAL.—Notwithstanding subsection
 25 (a), the Mayor, in consultation with the Chief Finan-

1 cial Officer, during a control year, as defined in sec-
 2 tion 305(4) of the District of Columbia Financial
 3 Responsibility and Management Assistance Act of
 4 1995, approved April 17, 1995 (Public Law 104–8;
 5 109 Stat. 152), may accept, obligate, and expend
 6 Federal, private, and other grants received by the
 7 District government that are not reflected in the
 8 amounts appropriated in this Act.

9 (2) REQUIREMENT OF CHIEF FINANCIAL OFFI-
 10 CER REPORT AND AUTHORITY APPROVAL.—No such
 11 Federal, private, or other grant may be accepted, ob-
 12 ligated, or expended pursuant to paragraph (1)
 13 until—

14 (A) the Chief Financial Officer of the Dis-
 15 trict of Columbia submits to the Authority a re-
 16 port setting forth detailed information regard-
 17 ing such grant; and

18 (B) the Authority has reviewed and ap-
 19 proved the acceptance, obligation, and expendi-
 20 ture of such grant in accordance with review
 21 and approval procedures consistent with the
 22 provisions of the District of Columbia Financial
 23 Responsibility and Management Assistance Act
 24 of 1995.

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

9 (4) QUARTERLY REPORTS.—The Chief Finan-
10 cial Officer of the District of Columbia shall prepare
11 a quarterly report setting forth detailed information
12 regarding all Federal, private, and other grants sub-
13 ject to this subsection. Each such report shall be
14 submitted to the Council of the District of Columbia,
15 and to the Committees on Appropriations of the
16 House of Representatives and the Senate, not later
17 than 15 days after the end of the quarter covered
18 by the report.

19 (c) REPORT ON EXPENDITURES BY FINANCIAL RE-
20 SPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHOR-
21 ITY.—Not later than 20 calendar days after the end of
22 each fiscal quarter starting October 1, 1999, the Authority
23 shall submit a report to the Committees on Appropriations
24 of the House of Representatives and the Senate, the Com-
25 mittee on Government Reform of the House, and the Com-

1 mittee on Governmental Affairs of the Senate providing
2 an itemized accounting of all non-appropriated funds obli-
3 gated or expended by the Authority for the quarter. The
4 report shall include information on the date, amount, pur-
5 pose, and vendor name, and a description of the services
6 or goods provided with respect to the expenditures of such
7 funds.

8 SEC. 136. If a department or agency of the govern-
9 ment of the District of Columbia is under the administra-
10 tion of a court-appointed receiver or other court-appointed
11 official during fiscal year 2000 or any succeeding fiscal
12 year, the receiver or official shall prepare and submit to
13 the Mayor, for inclusion in the annual budget of the Dis-
14 trict of Columbia for the year, annual estimates of the
15 expenditures and appropriations necessary for the mainte-
16 nance and operation of the department or agency. All such
17 estimates shall be forwarded by the Mayor to the Council,
18 for its action pursuant to sections 446 and 603(c) of the
19 District of Columbia Home Rule Act, without revision but
20 subject to the Mayor's recommendations. Notwithstanding
21 any provision of the District of Columbia Home Rule Act,
22 approved December 24, 1973 (87 Stat. 790; Public Law
23 93-198; D.C. Code, sec. 1-101 et seq.), the Council may
24 comment or make recommendations concerning such an-

1 nual estimates but shall have no authority under such Act
2 to revise such estimates.

3 SEC. 137. (a) Notwithstanding any other provision
4 of law, rule, or regulation, an employee of the District of
5 Columbia public schools shall be—

6 (1) classified as an Educational Service em-
7 ployee;

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

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

11 (b) School-based personnel shall constitute a separate
12 competitive area from nonschool-based personnel who shall
13 not compete with school-based personnel for retention pur-
14 poses.

15 SEC. 138. (a) Except as otherwise provided in this
16 section, none of the funds made available by this Act or
17 by any other Act may be used to provide any officer or
18 employee of the District of Columbia with an official vehi-
19 cle unless the officer or employee uses the vehicle only in
20 the performance of the officer's or employee's official du-
21 ties. For purposes of this paragraph, the term "official
22 duties" does not include travel between the officer's or em-
23 ployee's residence and workplace (except: (1) in the case
24 of an officer or employee of the Metropolitan Police De-
25 partment who resides in the District of Columbia or is

1 otherwise designated by the Chief of the Department; (2)
2 at the discretion of the Fire Chief, an officer or employee
3 of the D.C. Fire and Emergency Ambulance Department
4 who resides in the District of Columbia and is on call 24
5 hours a day; (3) the Mayor of the District of Columbia;
6 and (4) the Chairman of the Council of the District of
7 Columbia).

8 (b) The Mayor of the District of Columbia shall sub-
9 mit, by November 15, 1999, an inventory, as of September
10 30, 1999, of all vehicles owned, leased or operated by the
11 District of Columbia government. The inventory shall in-
12 clude, but not be limited to, the department to which the
13 vehicle is assigned; the year and make of the vehicle; the
14 acquisition date and cost; the general condition of the ve-
15 hicle; annual operating and maintenance costs; current
16 mileage; and whether the vehicle is allowed to be taken
17 home by a District officer or employee and if so, the officer
18 or employee's title and resident location.

19 SEC. 139. (a) For purposes of determining the
20 amount of funds expended by any entity within the Dis-
21 trict of Columbia government during fiscal year 2000 and
22 each succeeding fiscal year, any expenditures of the Dis-
23 trict government attributable to any officer or employee
24 of the District government who provides services which are
25 within the authority and jurisdiction of the entity (includ-

1 ing any portion of the compensation paid to the officer
 2 or employee attributable to the time spent in providing
 3 such services) shall be treated as expenditures made from
 4 the entity's budget, without regard to whether the officer
 5 or employee is assigned to the entity or otherwise treated
 6 as an officer or employee of the entity.

7 (b) The District of Columbia Government Com-
 8 prehensive Merit Personnel Act of 1978 (D.C. Code, sec.
 9 1-601.1 et seq.), as amended, is further amended in sec-
 10 tion 2408(a) by deleting "1999" and inserting, "2000";
 11 in subsection (b), by deleting "1999" and inserting
 12 "2000"; in subsection (i), by deleting "1999" and insert-
 13 ing, "2000"; and in subsection (k), by deleting "1999"
 14 and inserting, "2000".

15 SEC. 140. Notwithstanding any other provision of
 16 law, not later than 120 days after the date that a District
 17 of Columbia Public Schools [DCPS] student is referred
 18 for evaluation or assessment—

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

23 (2) if a student is classified as having a dis-
 24 ability, as defined in section 101(a)(1) of the Indi-
 25 viduals with Disabilities Education Act (84 Stat.

1 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the
2 Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.
3 706(8)), the Board and DCPS shall place that stu-
4 dent in an appropriate program of special education
5 services.

6 SEC. 141. Notwithstanding any provision of any Fed-
7 erally-granted charter or any other provision of law, begin-
8 ning with fiscal year 1999 and for each fiscal year there-
9 after, the real property of the National Education Associa-
10 tion located in the District of Columbia shall be subject
11 to taxation by the District of Columbia in the same man-
12 ner as any similar organization.

13 SEC. 142. None of the funds contained in this Act
14 may be used for purposes of the annual independent audit
15 of the District of Columbia government (including the Dis-
16 trict of Columbia Financial Responsibility and Manage-
17 ment Assistance Authority) for fiscal year 2000 unless—

18 (1) the audit is conducted by the Inspector
19 General of the District of Columbia pursuant to sec-
20 tion 208(a)(4) of the District of Columbia Procure-
21 ment Practices Act of 1985 (D.C. Code, sec. 1–
22 1182.8(a)(4)); and

23 (2) the audit includes a comparison of audited
24 actual year-end results with the revenues submitted

1 in the budget document for such year and the appro-
2 priations enacted into law for such year.

3 SEC. 143. Nothing in this Act shall be construed to
4 authorize any office, agency or entity to expend funds for
5 programs or functions for which a reorganization plan is
6 required but has not been approved by the District of Co-
7 lumbia Financial Responsibility and Management Assist-
8 ance Authority. Appropriations made by this Act for such
9 programs or functions are conditioned only on the ap-
10 proval by the Authority of the required reorganization
11 plans.

12 SEC. 144. Notwithstanding any other provision of
13 law, rule, or regulation, the evaluation process and instru-
14 ments for evaluating District of Columbia Public Schools
15 employees shall be a non-negotiable item for collective bar-
16 gaining purposes.

17 SEC. 145. None of the funds contained in this Act
18 may be used by the District of Columbia Corporation
19 Counsel or any other officer or entity of the District gov-
20 ernment to provide assistance for any petition drive or civil
21 action which seeks to require Congress to provide for vot-
22 ing representation in Congress for the District of Colum-
23 bia.

24 SEC. 146. None of the funds contained in this Act
25 may be used after April 1, 2000, to transfer or confine

1 inmates classified above the medium security level, as de-
2 fined by the Federal Bureau of Prisons classification in-
3 strument, to the Northeast Ohio Correctional Center lo-
4 cated in Youngstown, Ohio.

5 SEC. 147. (a) No later than November 1, 1999, or
6 within 30 calendar days after the date of the enactment
7 of this Act, whichever occurs later, the Chief Financial Of-
8 ficer shall submit to the appropriate committees of Con-
9 gress, the Mayor, and the District of Columbia Financial
10 Responsibility and Management Assistance Authority a
11 revised appropriated funds operating budget for all agen-
12 cies of the District of Columbia government for such fiscal
13 year that is in the total amount of the approved appropria-
14 tion and that realigns budgeted data for personal services
15 and other-than-personal-services, respectively, with antici-
16 pated actual expenditures.

17 (b) The revised budget required by subsection (a) of
18 this section shall be submitted in the format of the budget
19 that the District of Columbia government submitted pur-
20 suant to section 442 of the District of Columbia Home
21 Rule Act, Public Law 93–198, as amended (D.C. Code,
22 sec. 47–301).

23 SEC. 148. (a) Section 202(i) of the District of Colum-
24 bia Financial Responsibility and Management Assistance

1 Act of 1995 (Public Law 104–8) is amended to read as
2 follows:

3 “(i) RESERVE.—

4 “(1) IN GENERAL.—Beginning with fiscal year
5 2000, the plan or budget submitted pursuant to this
6 Act shall contain \$150,000,000 for a reserve to be
7 established by the Mayor, Council of the District of
8 Columbia, Chief Financial Officer for the District of
9 Columbia, and the District of Columbia Financial
10 Responsibility and Management Assistance Author-
11 ity.

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

14 “(A) shall only be expended according to
15 criteria established by the Chief Financial Offi-
16 cer and approved by the Mayor, Council of the
17 District of Columbia, and District of Columbia
18 Financial Responsibility and Management As-
19 sistance Authority, but, in no case may any of
20 the reserve funds be expended until any other
21 surplus funds have been used;

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

1 “(C) shall not be used to fund shortfalls in
2 the projected reductions budgeted in the budget
3 proposed by the District of Columbia govern-
4 ment for general supply schedule savings and
5 management reform savings.

6 “(3) REPORT REQUIREMENT.—The Authority
7 shall notify the Appropriations Committees of both
8 the Senate and House of Representatives in writing
9 30 days in advance of any expenditure of the reserve
10 funds.”.

11 (b) Section 202 of the District of Columbia Financial
12 Responsibility and Management Assistance Act of 1995
13 (Public Law 104–8) is amended by adding at the end the
14 following:

15 “(j) POSITIVE FUND BALANCE.—

16 “(1) IN GENERAL.—The District of Columbia
17 shall maintain at the end of a fiscal year an annual
18 positive fund balance in the general fund of not less
19 than 4 percent of the projected general fund expend-
20 itures for the following fiscal year.

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

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

1 “(B) not less than 50 percent shall be used
2 to reduce the debt of the District of Colum-
3 bia.”.

4 SEC. 149. Notwithstanding any other provision of
5 law, funds provided by section 131 of Division A of Public
6 Law 105–277 (112 Stat. 2681–552) may also be used by
7 the Mayor, in consultation with the Council of the District
8 of Columbia and the National Capital Revitalization Cor-
9 poration, for the purposes of providing offsets against
10 local taxes for commercial revitalization in empowerment
11 zones and low and moderate income areas.

12 This Act may be cited as the “District of Columbia
13 Appropriations Act, 2000”.

Calendar No. 170

106TH CONGRESS
1ST Session

S. 1283

[Report No. 106-88]

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.

JUNE 24, 1999

Read twice and placed on the calendar