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

NOT VOTING—14

Boucher	Cooksey	Kingston
Buyer	Dooley	McNulty
Carson	Green (TX)	Scarborough
Clay	Jefferson	Young (AK)
Conyers	John	

□ 1625

Mr. GUTIERREZ and Mr. BERMAN changed their vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 2, DOLLARS TO THE CLASSROOM ACT OF 1999, AND H.R. 2300, ACADEMIC ACHIEVEMENT FOR ALL ACT

Mr. LINDER. Mr. Speaker, today a Dear Colleague letter was sent to all Members informing them that the Committee on Rules is planning to meet next week to grant a rule for the consideration of H.R. 2, the ''dollars to the classroom act of 1999.''

The Committee on Rules may grant a rule which would require that amendments to H.R. 2 be preprinted in the CONGRESSIONAL RECORD. In this case, amendments must be preprinted prior to their consideration on the floor. Amendments should be drafted to the version of the bill reported by the Committee on Education and the Workforce.

A second Dear Colleague letter was also sent to all Members today informing them that the Committee on Rules is planning to meet next week to grant a rule which may limit the amendment process for floor consideration of H.R. 2300, the ''academic achievement for all act.''

The Committee on Education and the Workforce ordered H.R. 2300 reported on October 13 and is expected to file its committee report on Monday, October 18.

Any Member wishing to offer an amendment should submit 55 copies and a brief explanation of the amendment to the Committee on Rules in Room H–312 of the Capitol by 2 p.m. on Tuesday, October 19. Amendments should be drafted to the bill as ordered reported by the Committee on Education and the Workforce. Copies of the bill may be obtained from that committee.

Members should use the Office of Legislative Counsel to ensure that their amendments to both bills are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

PERSONAL EXPLANATION

Mr. FORD. Mr. Speaker, during the debate surrounding H.R. 2436, the ''unborn victims of violence act,'' I was present on the House floor. When the yeas and nays were recorded for roll call votes 463 and 464, the electronic voting device correctly recorded my vote as ''no'' and ''aye'' respectively.

However, on roll call vote 465, the voting device failed to properly record my vote due to what was later determined to be a malfunctioning voting card. Indeed, Mr. Speaker, I was present and did note ''no'' on roll call 465. However, due to a defective voting card, my vote was not recorded.

Mr. Speaker, I could not be present for roll call votes 466 through 469. Had I been present for roll call vote 466, I would have voted ''aye.'' For roll call vote 467, I would have voted ''aye.'' For roll call vote 468, I would have voted ''no.'' And on roll call vote 469, I would have voted ''aye.''

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. ISTOOK. Mr. Speaker, pursuant to House Resolution 330, I call up the bill (H.R. 3064) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of H.R. 3064 is as follows:

H.R. 3064

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

TITLE I—FISCAL YEAR 2000 APPROPRIATIONS

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

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

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

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

FEDERAL PAYMENT TO THE CITIZEN COMPLAINT REVIEW BOARD

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

FEDERAL PAYMENT TO THE DEPARTMENT OF HUMAN SERVICES

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

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, $176,000,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712): *Provided,* That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections

Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further,* That in addition to the funds provided under this heading, the District of Columbia Corrections Trustee may use a portion of the interest earned on the Federal payment made to the Trustee under the District of Columbia Appropriations Act, 1998, (not to exceed $4,600,000) to carry out the activities funded under this heading.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

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

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $33,336,000, to remain available until expended: *Provided,* That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $8,000,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading *Provided further,* That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use a portion (not to exceed $1,200,000) of the interest earned on the Federal payment made to the District of Columbia courts under the District of Columbia Appropriations Act, 1999, together with funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $8,000,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during fiscal year 1999 if the Comptroller General certifies that the amount of obligations lawfully incurred for such payments during fiscal year 1999 exceeds the obligational authority otherwise available for making such payments: *Provided further,* That such funds shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further,* That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration [GSA], said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

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

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

CHILDREN'S NATIONAL MEDICAL CENTER

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

FEDERAL PAYMENT FOR METROPOLITAN POLICE DEPARTMENT

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

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

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

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $162,356,000 (including $137,134,000 from local funds, $11,670,000 from Federal funds, and $13,552,000 from other funds): *Provided,* That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for official purposes: *Provided further,* That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further,* That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further,* That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further,* That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor.

ECONOMIC DEVELOPMENT AND REGULATION

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

PUBLIC SAFETY AND JUSTICE

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

further, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: *Provided further,* That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further,* That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further,* That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further,* That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: *Provided further,* That $100,000 shall be available for inmates released on medical and geriatric parole: *Provided further,* That commencing on December 31, 1999, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia: *Provided further,* That up to $700,000 in local funds shall be available for the operations of the Citizen Complaint Review Board.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $867,411,000 (including $721,847,000 from local funds, $120,951,000 from Federal funds, and $24,613,000 from other funds), to be allocated as follows: $713,197,000 (including $600,936,000 from local funds, $106,213,000 from Federal funds, and $6,048,000 from other funds), for the public schools of the District of Columbia; $10,700,000 from local funds for the District of Columbia Teachers' Retirement Fund; $17,000,000 from local funds, previously appropriated in this Act as a Federal payment, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; $27,885,000 from local funds for public charter schools: *Provided,* That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for new public charter schools on a per pupil basis: *Provided further,* That $480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: $72,347,000 (including $40,491,000 from local funds, $13,536,000 from Federal funds, and $18,320,000 from other funds) for the University of the District of Columbia; $24,171,000 (including $23,128,000 from local funds, $798,000 from Federal funds, and $245,000 from other funds) for the Public Library; $2,111,000 (including $1,707,000 from local funds and $404,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further,* That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further,* That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further,* That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled ''An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes'', approved February 4, 1925 (D.C. Code, sec. 31–401 et seq.): *Provided further,* That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2000 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further,* That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2000, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further,* That the District of Columbia Public Schools shall not spend less than $365,500,000 on local schools through the Weighted Student Formula in fiscal year 2000: *Provided further,* That notwithstanding any other provision of law, the Chief Financial Officer of the District of Columbia shall apportion from the budget of the District of Columbia Public Schools a sum totaling 5 percent of the total budget to be set aside until the current student count for Public and Charter schools has been completed, and that this amount shall be apportioned between the Public and Charter schools based on their respective student population count: *Provided further,* That the District of Columbia Public Schools may spend $500,000 to engage in a Schools Without Violence program based on a model developed by the University of North Carolina, located in Greensboro, North Carolina.

HUMAN SUPPORT SERVICES

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

PUBLIC WORKS

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

RECEIVERSHIP PROGRAMS

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

WORKFORCE INVESTMENTS

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

RESERVE

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

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

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

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973, as amended, and that funds shall be allocated for expenses associated with the Wilson Building, $328,417,000 from local funds: *Provided,* That for equipment leases, the Mayor may finance $27,527,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: *Provided further,* That $5,300,000 is allocated to the Metropolitan Police Department, $3,200,000 for the Fire and Emergency Medical Services Department, $350,000 for the Department of Corrections, $15,949,000 for the Department of Public Works and $2,728,000 for the Public Benefit Corporation.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1990, $38,286,000 from

local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act (105 Stat. 540; D.C. Code, sec. 47–321(a)(1)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

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

CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, $7,950,000 from local funds.

OPTICAL AND DENTAL INSURANCE PAYMENTS

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

PRODUCTIVITY BANK

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

PRODUCTIVITY BANK SAVINGS

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

PROCUREMENT AND MANAGEMENT SAVINGS

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

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

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

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

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

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

SPORTS AND ENTERTAINMENT COMMISSION

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

DISTRICT OF COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION

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

DISTRICT OF COLUMBIA RETIREMENT BOARD

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

CORRECTIONAL INDUSTRIES FUND

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

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

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

GENERAL PROVISIONS

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

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

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

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

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the

Mayor: *Provided*, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

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

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

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

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

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

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

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

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

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

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

SEC. 116. None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in the Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project, or responsibility center; unless the Appropriations Committees of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

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

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

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

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

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

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

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

SEC. 122. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) a compilation of all employees in the District of Columbia public schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 137. If a department or agency of the government of the District of Columbia is under the administration of a court-appointed receiver or other court-appointed official during fiscal year 2000 or any succeeding fiscal year, the receiver or official shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia for the year, annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the department or agency. All such estimates shall be forwarded by the Mayor to the Council, for its action pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act, without revision but subject to the Mayor's recommendations. Notwithstanding any provision of the District of Columbia Home Rule Act (87 Stat. 774; Public Law 93–198) the Council may comment or make recommendations concerning such annual estimates but shall have no authority under such Act to revise such estimates.

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

(1) classified as an Educational Service employee;

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

(3) subject to all Board of Education rules.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(j) RESERVE.—

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

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

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

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

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

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

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

''(k) POSITIVE FUND BALANCE.—

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

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

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

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

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

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

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

SEC. 151. (a) RESTRICTIONS.—None of the funds contained in this Act may be used to make rental payments under a lease for the use of real property by the District of Columbia government (including any independent agency of the District) unless—

(1) the lease and an abstract of the lease have been filed with the central office of the Deputy Mayor for Economic Development; and

(2)(A) the District of Columbia government occupies the property during the period of time covered by the rental payment; or

(B) within 60 days of the enactment of this Act the Mayor certifies to Congress and the landlord that occupancy is impracticable and submits with the certification a plan to terminate or renegotiate the lease or rental agreement; or

(C) within 60 days of the enactment of this Act the Council certifies to Congress and the landlord that occupancy is impracticable and submits with the certification a plan to terminate or renegotiate the lease or rental agreement.

(b) UNOCCUPIED PROPERTY.—After 120 days from the date of the enactment of this Act, none of the funds contained in this Act may be used to make rental payments for property described in subsections (a)(2)(B) or (a)(2)(C) of this section.

(c) SEMI-ANNUAL REPORTS BY MAYOR.—Not later than 20 days after the end of each 6-month period that begins on October 1, 1999, the Mayor of the District of Columbia shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate listing the leases for the use of real property by the District of Columbia government that were in effect during the 6-month period, and including for each such lease the location of the property, the name of any person with any ownership interest in the property, the rate of payment, the period of time covered by the lease, and the conditions under which the lease may be terminated.

SEC. 152. None of the funds contained in this Act or the District of Columbia Appropriations Act, 1999, may be used to enter into a lease on or after the date of the enactment of this Act (or to make rental payments under such a lease) for the use of real property by the District of Columbia government (including any independent agency of the District) or to purchase real property for the use of the District of Columbia government (including any independent agency of the District) or to manage real property for the use of the District of Columbia (including any independent agency of the District) unless—

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

(2) notwithstanding any other provisions of law, there is made available for sale or lease all property of the District of Columbia which the Mayor and Council from time to time determine is surplus to the needs of the District of Columbia;

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

(4) the Mayor and Council within 60 days of the date of the enactment of this Act has filed a report with the appropriations and authorizing committees of the House and Senate providing a comprehensive plan for the management of District of Columbia real property assets and is proceeding with the implementation of the plan.

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

(1) by inserting ''and public charter'' after ''public''; and

(2) by adding at the end the following: ''Of such amounts and proceeds, $5,000,000 shall be set aside for use as a credit enhancement fund for public charter schools in the District of Columbia, with the administration of the fund (including the making of loans) to be carried out by the Mayor through a committee consisting of 3 individuals appointed by the Mayor of the District of Columbia and 2 individuals appointed by the Public Charter School Board established under section 2214 of the District of Columbia School Reform Act of 1995.''.

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

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

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

SEC. 157. (a) TRANSFER OF FUNDS.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter referred to as the ''Authority'') to the District of Columbia the sum of $18,000,000 for severance payments to individuals separated from employment during fiscal year 2000 (under such terms and conditions as the Mayor considers appropriate), expanded contracting authority of the Mayor, and the implementation of a system of managed competition among public and private providers of goods and services by and on behalf of the District of Columbia: *Provided*, That such funds shall be used only in accordance with a plan agreed to by the Council and the Mayor and

approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further,* That the Authority and the Mayor shall coordinate the spending of funds for this program so that continuous progress is made. The Authority shall release said funds, on a quarterly basis, to reimburse such expenses, so long as the Authority certifies that the expenses reduce re-occurring future costs at an annual ratio of at least 2 to 1 relative to the funds provided, and that the program is in accordance with the best practices of municipal government.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 165. It is the sense of the Congress that the District of Columbia should not impose or take into consideration any height, square footage, set-back, or other construction or zoning requirements in authorizing the issuance of industrial revenue bonds for a project of the American National Red Cross at 2025 E Street Northwest, Washington, D.C., in as much as this project is subject to approval of the National Capital Planning Commission and the Commission of Fine Arts pursuant to section 11 of the joint resolution entitled ''Joint Resolution to grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, District of Columbia'', approved July 1, 1947 (Public Law 100–637; 36 U.S.C. 300108 note).

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

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

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

(1) AUTHORITY OF PRETRIAL SERVICES, PAROLE, ADULT PROBATION AND OFFENDER SUPERVISION TRUSTEE.—Notwithstanding section 11232(b)(1) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code, sec. 24–1232(b)(1)), the Pretrial Services, Parole, Adult Probation and Offender Supervision Trustee appointed under section 11232(a) of such Act (hereafter referred to as the ''Trustee'') shall, in accordance with section 11232 of such Act, exercise the powers and functions of the Court Services and Offender Supervision Agency

for the District of Columbia (hereafter referred to as the ''Agency'') relating to sex offender registration (as granted to the Agency under any District of Columbia law) only upon the Trustee's certification that the Trustee is able to assume such powers and functions.

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

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

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

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

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

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

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

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

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

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

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

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

(3) The District of Columbia has seen a rash of inmate escapes from halfway houses. According to Department of Corrections records, between October 21, 1998 and January 19, 1999, 376 of the 1,125 inmates assigned to halfway houses walked away. Nearly 280 of the 376 escapees were awaiting trial including 2 charged with murder.

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

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

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

(7) Findings of a 1999 report by the Annie E. Casey Foundation that measured the well-being of children reflected that, with 1 exception, the District ranked worst in the United States in every category from infant mortality to the rate of teenage births to statistics chronicling child poverty.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that in considering the District of Columbia's fiscal year 2001 budget, the Congress will take into consideration progress or lack of progress in addressing the following issues:

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

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

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

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

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

(6) Application for and management of Federal grants.

(7) Indicators of child well-being.

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

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

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

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

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

TITLE II—TAX REDUCTION

SEC. 201. COMMENDING REDUCTION OF TAXES BY DISTRICT OF COLUMBIA.

Congress commends the District of Columbia for its action to reduce taxes, and ratifies D.C. Act 13–110 (commonly known as the Service Improvement and Fiscal Year 2000 Budget Support Act of 1999).

SEC. 202. RULE OF CONSTRUCTION.

Nothing in this title may be construed to limit the ability of the Council of the District of Columbia to amend or repeal any provision of law described in this title.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 330, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

□ 1630

(By unanimous consent, Mr. ARMEY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. ARMEY. Mr. Speaker, as the body knows, we are working on conference reports on appropriations bills. We are working well and making good progress on the remaining bills. Nevertheless, as it is turning out, we will not be able to file reports this evening that would make it possible for us to have bills on the floor tomorrow. In that regard, I think it is only fair that I advise the Members that as we enter this bill and this discussion, we will be taking on the final work of the day and the next series of votes should be expected to be the final votes of the day and, therefore, the final votes of the week. Members should expect to conclude our work at approximately 6 o'clock this evening.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding. I would like to add to what the majority leader said and explain that it had been our intention to file the conference report on the Interior appropriations bill this evening, but just at the last minute a new proposal was submitted, the administration had a very strong position on something, the Senate agreed that it should be considered, and so we are not going to have time to do that and file the bill and get it to the Committee on Rules tonight. We apologize. We had expected to have this bill ready for consideration on the floor tomorrow except for this last-minute wrinkle that developed.

Mr. ARMEY. Mr. Speaker, my final observation, I am sure the Members at large will want to join me in expressing our appreciation to the members of the Committee on Appropriations and other conferees on other conferences for their willingness to continue this work tomorrow and even over the

weekend even though the House will not be formally in session.

The SPEAKER pro tempore (Mr. LAHOOD). The House will now proceed on the District of Columbia appropriations bill.

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

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3064, and that I may include tabular and extraneous material.

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

There was no objection.

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

We are here, Mr. Speaker, on bringing back the appropriations bill for the District of Columbia that previously passed this House a few weeks ago and was vetoed by the President. It is because of the President's veto that we are still here.

The President in his veto message mentioned several items which I will cover in a moment. But I think if we look first, as we should, at what underlies this bill in the appropriations, we will understand why some of these other issues that are raised as a barrier to the passage of the bill should not be raised against it.

Mr. Speaker, this bill is important to the District of Columbia. It adopts and approves their budget as put forth to Congress by the mayor and the city council. We did not change their budget submission. We have a new mayor, a new council, we are trying to work closely with them. I have spent a great many hours working with them and other persons in the District of Columbia. I appreciate the fresh attitudes that many of them have brought to this effort.

This bill has Federal funding, not required under any sort of formula, Federal funding to assist in drug testing and drug treatment for some 30,000 persons in the District of Columbia that are on probation and parole, that are a great source of crime in the District. It has the crackdown money for the open air drug markets; again not money that the Congress was required to provide to the Nation's capital but which we are doing because it is the Nation's capital, it has a serious drug problem, we are trying to help them with their problem of drugs and the interrelated problem of crime.

We have extra Federal funding to help them clear the backlog of over 3,000 kids in D.C. that are stuck in foster homes that need to be adopted into permanent, stable, loving homes. We have funding for the incentives for that. We have funding for cleaning up the Anacostia River. We have a strengthening of the charter school movement which is taking great hold in D.C. in providing kids an alternative to some very troubled public schools in the Nation's capital. We have a scholarship program to help them attend college, several million dollars set aside for that purpose. We have funding for the court system, funding for the criminal justice system, funding for the prison and corrections system.

This is a very important bill to help cure some of the accumulated problems of the Nation's capital. We are assisting them in reducing the size of the District government, to help them buy up employment contracts so they can shrink the size of the District government. We have approval for the tax cuts that the D.C. mayor and council have adopted, historic tax cuts and reductions to make the Nation's capital a better and safer place to live, to work and to visit.

In the midst of all these, we also have some things that have been part of this bill for years, that nevertheless the President chose those things, to ignore all these other things which have had universal approval, to ignore all these others, and the President chose certain issues in his veto message.

There are seven things in his veto message. First, he said he was vetoing it because it did not allow the District of Columbia to decide for itself whether marijuana would be legal. Of course, that is why we have national drug laws. Second, because it does not permit the District to be involved in providing free needles to drug addicts, he vetoed it over that. Third, because it has a restriction that has been in this bill for 21 years, saying you do not use taxpayer money for unrestricted abortion, only in the cases of rape, incest and life of the mother. Next, he vetoed it because it continues a restriction that has been in effect for 8 years, saying that you do not provide taxpayer-funded benefits to unmarried persons living together, you do not give them the same consideration as persons living together in marriage. Next, he said he vetoed it because it does not allow taxpayer money to be used to finance a lawsuit, which was filed and is already proceeding, but it does not let taxpayer money finance a lawsuit against the House and the Senate challenging the Constitution's restriction that does not give D.C. a vote the same as another State in the Congress. Next, he vetoed it because he said we should not restrict the salaries of the D.C. city council members. There was a lid on how much they could go up. And, finally, because it had a restriction on how much hourly rates could be for attorneys that sue the schools in the District of Columbia, which the D.C. schools had told us was important because millions of dollars were being drained away from the schools by those lawsuits.

That was the President's veto message. What is different about this bill from when he vetoed it? We have taken away the restriction on the D.C. council members' salaries. We have made an adjustment, albeit a small one, on the hourly rate legal fees paid to attorneys. We have not changed the provisions relating to needles for drug addicts. We have not changed the provisions on taxpayer funding for this lawsuit which currently is proceeding with private funding. It is in the courts. Nobody's rights have been blocked. It is being funded with private dollars. They want to use taxpayers' money to pay attorneys that are right now willing to work for free. One of the leading law firms in the country, Covington & Burling, is handling that so-called voting rights lawsuit. We have not changed the provisions regarding abortion nor the so-called domestic partners benefits. And we have expressly retained the language saying the laws in the Nation's capital cannot conflict with the drug laws of the country. And we have expressly disapproved the initiative of the D.C. voters trying to legalize so-called medical marijuana.

Mr. Speaker, I heard persons on the other side of the aisle say, ''Oh, these other things aren't issues,'' and sometimes it is one thing and sometimes it is another. But I have never, never, never, never, never heard them say, ''We will accept the provision that requires D.C.'s drug laws to be consistent with the drug laws of the country.'' They have never said that. They have never asked the President to withdraw his veto on those grounds.

I have heard people try to say, ''Well, the President didn't really veto it over that.'' Yes, he did. These are excerpts from the President's own veto statement.

He wrote to this Congress, it is in the CONGRESSIONAL RECORD, ''Congress has interfered in local decisions in this bill in a way that it would not have done to any other local jurisdiction in the country.''

What is he talking about? He said, ''The bill would prohibit the District from legislating with respect to certain controlled substances.'' Controlled substances. That is drugs. That is what the law talks about. That is how we define drugs in the law. Because it does not allow the District to legalize marijuana as they are trying to do. And he says, ''Congress should not impose such conditions on the District of Columbia.'' Congress imposes those conditions on Oklahoma City. It imposes them on Alexandria, Virginia. It imposes them on Grand Rapids, Michigan. Every place in the country is covered by the national drug laws. The President vetoed the bill because he says, ''King's X, Washington D.C. shouldn't be covered,'' that they ought to be able to adopt their own rules of this so-called medical marijuana.

Mr. Speaker, that is greatly misleading. We have had testimony a number of times from the persons that we finance with a $16-billion-a-year effort to fight drugs in this country, including the White House's own office, the so-called drug czar, the Office of National Drug Policy. Here is the statement from the drug czar of the United States, General Barry McCaffrey:

''Medical marijuana initiatives present even greater risks to our young people. Referenda that tell our children that marijuana is a 'medicine' send them the wrong signal about the dangers of illegal drugs, increasing the likelihood that more children will turn to drugs.''

Why did the President not listen to his own White House people about the effort to legalize drugs? And they have told the Congress before that this is just part of the national effort to legalize drugs, city by city, State by State, poking holes in the consistent Federal law against it. I would like to hear a clear statement from my friends across the aisle, ''We will accept that language in the bill. We will accept that the District of Columbia should be under the universal drug laws that cover all parts of the United States of America.'' That is all we are asking. They have not said it. Maybe they will today. But I hope it is clear and consistent that they ask the White House to retract this part of the veto statement by the President.

Why do they do such a thing? I can only surmise that he is trying to pander to certain political extremists, perhaps to assist the Vice President in securing an important part of his hoped-for constituency in his race for President. That is my theory. That is the only reason I can understand for why this would occur. I believe that it is really absurd and ridiculous for the President of the United States to say drug policy in America is going to change from a consistent national policy to protect our kids, and instead we are going to let people shoot holes in the laws all over the country.

I will place in the CONGRESSIONAL RECORD a copy of an April 1998 article from Readers Digest detailing the financed effort, using a lot of hype, a lot of misleading things, to promote the so-called medical marijuana.

We had a hearing before our subcommittee. We had the officials from the Justice Department and the White House and the Office of National Drug Control Policy come and testify. They confirmed to us that it is never, never medically necessary or suggested that smoking marijuana is the best way to alleviate any health problem. We have had legal for over 20 years, under prescriptions, the active ingredient, THC, which people can get via a doctor's prescription with a drug called Marinol and they have consistently said, let us handle the issue of drugs through the Food and Drug Administration and through considered policy rather than use these anecdotes and sob stories that sometimes people use in political referenda.

And certainly the police chief of Washington, D.C. is not fooled. Charles Ramsey, the chief of police of Washington, D.C., publicly issued this statement before D.C. had this vote.

□ 1645

The police chief said, quote:

''Legalized marijuana under the guise of medicine is a sure fire prescription for more marijuana on the streets of D.C., more trafficking and abuse, and more drug-related crime and violence in our neighborhoods. This measure would provide adequate cover in the name of medicine for offenders whose real purpose is to manufacture, distribute and abuse marijuana.''

That is the police chief right here in Washington, D.C.

All I ask my friends across the aisle and the White House is to withdraw their objections to that part of the bill that says you do not legalize marijuana in the Nation's capital. I am asking the White House to retract that statement. Then we could focus on other issues.

Finally, in my comments at this time I recognize and will hear some about this voting rights effort to the lawsuit, trying to win through the courts, not through the Constitution, a vote for D.C. in the House and votes in the Senate. I understand their concern. The restriction in the bill does not say they cannot have such a suit; it says do not use taxpayers' money for it; that such a suit has been pending; it has been for many months, handled at private expense. The attorneys are handling it pro bono, which means they do not charge anything, and nobody's rights have been denied.

The District officials said, ''Oh, we want to be able to pay the attorneys that are right now willing to do it for free.'' That is the issue. It has acquired some symbolism on both times.

I made a good faith effort in the House/Senate conference to craft something that would satisfy D.C. and satisfy the Senate. The Senate has not at this time been willing to go along with it.

I think symbolism has got people pushed on both sides, and I am not looking at the symbols, I am looking at the reality that the lawsuit is going to go forward with or without the funding; and nominal funding is one thing, large funding is another. Maybe we can work that out in conference because we are going to have a conference between the House and the Senate.

We are not trying to ramrod anything. I have been in communication with the White House officials through the Office of Management and Budget; I have been in communication with my friends across the aisle, with the persons in the District, with a ton of other people. We have had lots of discussions on this.

I hope nobody would believe anything to the contrary, and we are still going to have further discussions, but right now we need to move it along and get this bill passed. Then we will have the House/Senate conference, and we will try to work out the differences. I wish we could work them all out today. It will do no end of good if we could just have our friends across the aisle and the White House abandon their support of the effort of D.C. to legalize marijuana.

H.R. 3064 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000

(Amounts in thousands)

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

H.R. 3064 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	H.R. 2587 (vetoed)	H.R. 3064	H.R. 3064 vs. H.R. 2587
Correctional Industries Fund	(3,332)	(1,810)	(1,810)	(1,810)	.....
Washington Convention Center	(48,139)	(50,226)	(50,226)	(50,226)	.....
Total, Enterprise Funds	(660,978)	(675,790)	(675,790)	(675,790)	.....
Total, operating expenses	(5,079,008)	(5,329,472)	(5,362,626)	(5,362,626)	.....
Capital Outlay					
General fund	(1,711,161)	(1,218,638)	(1,218,638)	(1,218,638)	.....
Water and Sewer Fund	.....	(197,169)	(197,169)	(197,169)	.....
Total, Capital Outlay	1,711,161	1,415,807	1,415,807	1,415,807	.....
Total, District of Columbia funds	(6,790,169)	(6,745,279)	(6,778,433)	(6,778,433)	.....
Total:					
Federal Funds to the District of Columbia	683,639	393,740	429,100	429,100	.....
District of Columbia funds	(6,790,169)	(6,745,279)	(6,778,433)	(6,778,433)	.....

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

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

First of all, Mr. Speaker, let me respond to the challenge from the distinguished gentleman and chairman of this appropriation subcommittee as to what we are attempting to seek. I will say it as explicitly as possible.

The citizens of the District of Columbia do want to be held to the same Federal law that applies to every other citizen of the United States. We have said it, and in fact that is what this bill is all about. The only real issue here is whether D.C. citizens should have the same responsibilities and the same rights and be held accountable in the same manner as every other citizen in the United States.

That is what this whole issue is all about: apply the same Federal law on medicinal use of marijuana as we apply in every other State and every other community.

So we got a lot of red herrings here, and it has been suggested that the President on the one hand wants to legalize drugs and on the other hand, we quote, the very people he has appointed to fight drugs, quote them, that they are opposed to legalizing drugs. They cannot have it both ways unless all they are interested in is political rhetoric.

The fact is that the President does not oppose this bill for the specific issues in these riders but because these riders do not belong in an appropriations bill, and it is not fair to the citizens of the District of Columbia to treat them differently than every other American citizen is treated.

Now, Mr. Speaker, I am disappointed that I cannot support this bill, because the gentleman from Oklahoma (Mr. ISTOOK) did do a very fine job on the spending parts of this bill. In terms of appropriations, nice job, Mr. Chairman. Well done; it is a good bill. Unfortunately, it is the nonappropriation issues, the issues that do not belong in this bill, that have caused the problems. If it were not for those so-called social riders that should have been taken up by the authorizing committees that are substantive legislation that do not belong in an appropriations bill in our opinion, we are not for that; and this bill would pass unanimously.

We could offer as a substitute today the appropriations bill that was approved by the full Committee on Appropriations. We did not get everything we wanted. In fact, we yielded and lost on a number of issues. But we had a bipartisan vote; it was almost a unanimous vote in full committee and an almost unanimous vote on the floor. We accepted the will of the majority. It was fair. There was some compromise. It was a good appropriations bill. Give us that bill, and our work is done, and I know the President will sign this.

Give us the bill that the full majority-controlled Committee on Appropriations passed. Give us the bill that this House floor passed, and our work is done. We will sign in a moment, we will vote for it in a moment, and I am sure the President will sign it in a moment.

Efforts to micromanage the affairs of the District were kept to a minimum in that bill. The functions that the Federal Government assumed under the revitalization act, that was terrific legislation thanks to the gentleman from Virginia (Mr. DAVIS), the Chair of the authorizing committee, where these other issues should be dealt with. Those issues were funded at the appropriate levels. Those programs, they are good programs, crime, drug treatment, education, the environment, health care, and in fact they boosted funding for them. We wanted to keep that money; we wanted to support their efforts on that.

Mr. Speaker, as I say, after we had an opportunity to debate the pros and cons and do some compromise, we agreed that it was a good bill, it deserved our support.

But then we got to conference, and it became clear that we were not making progress, that in fact it was not a spirit of compromise that pervaded in the conference; and that is why we turned around and did not support the bill. For example, in voting rights the chairman gave assurances to the delegate from the District of Columbia that he would take care of the voting rights issue in conference. Did not happen. Had it happened, we would not be in this posture, and I would be happy to yield to the gentleman just as often as he yielded to me.

So let us talk about the issues that are at stake here, and the point that I am trying to make, that we ought to treat the District just like our own constituents, nothing more, nothing less.

No one in this body, to my knowledge no one in the Senate, has offered an amendment, for example, and has told their constituents that they cannot use their own local funds to provide health care for domestic partners. No one has done that. No one is telling their constituents who participate in more than 67 State and local government health care plans, more than 95 college and university health plans and 70 Fortune 500 company health care plans, at least 450 other major business plans, not-for-profit union health care plans, no one has tried to make it illegal for those private entities and State and local governments to do what they think is right for their constituents. No one, but we have done it for the District.

No one in this body has offered an amendment to prohibit the 113, 113 other localities that have needle exchange programs. We have not tried. No one has tried to prevent them from using their local funds for those programs, and yet the District of Columbia has the very highest rate in the country of HIV infection, and that is why so many people care. It is the single greatest source of deaths for people between the ages of 25 and 35. Of all the communities that ought to be afraid to do what they think is necessary, no matter how radical some people may think it, the District has the worst problem.

I am sure we would not do it to any other community, tell them that they cannot deal with their problems in the way that they see fit, particularly since every scientific and medical study, every study has affirmed that needle exchange programs in fact work. They reduce the transmission of AIDS and HIV, and they do not increase the use of illegal drugs. Every study has said that. But the reason that the Whitman-Walker Clinic in the District wants to do it is because it enables them to get access to people who are addicted to drugs. If they come in for the needles, the needles cost nothing; but when they go in, they identify the drug addicts in the community, they can get them into treatment, and they do not get needles unless they can get into drug treatment and counseling.

That is what that is all about.

But we said in committee, let us not deal with this issue with Federal funds. We accept the will of the majority. Let us not use any public funds. No public funds can be used for needle exchange programs, and that is what the full committee passed.

Give us that language, and again this becomes the kind of bill that we could support. But our colleagues would not give us that language. They are saying private funds cannot be used. No willingness to compromise.

Lastly, no one here would consider offering legislation that would apply the same restrictions on the medicinal use of marijuana that we have applied for District residents. We are not saying that we buy into the program. We understand it is a very controversial issue. But six States have passed referenda. They passed the referenda. Why not let the District of Columbia pass the same referenda?

I have not seen anybody from any of those States try to prevent their States from passing such a referenda, only D.C. Is that fair? As my colleagues know, it obviously is not fair.

So all we want to say is let the Federal law apply as it does to those six other States. We are not trying to change Federal law; we are just trying not to interfere with the District's right to have the same rights and responsibilities that everyone of our constituents have.

Likewise the abortion issue. We fight about it every year, but we are willing to accept what is a more than fair compromise, keep the Federal funds out of it, prohibit Federal funds.

So we go down the list, and everyone of these issues come down to the same thing, not whether or not we support the program, but whether or not we support the rights of the citizens of the District of Columbia to make their own judgments with their own funds, not

with Federal funds. That is what this objection is all about.

Lastly is the issue of voting rights. We discussed it on the rule. All that needs to be allowed is for the D.C. Corporation Counsel to advise the D.C. City Council, the elected body of the District of Columbia, on the status of legislation directly affecting D.C. citizens. That is all they have to do because the cost is paid for pro bono by a large law firm, but right now the D.C. Corporation Counsel cannot even discuss it with the D.C. City Council. Now this is not an unreasonable request.

So I am going to offer an amendment, and all that amendment would do is to insert one word. It would say that no Federal funds can be used in the pursuit of, and actually I will give my colleagues the exact words; it would say: ''No Federal funds can be used by the District of Columbia Corporation Counsel or any other officer or entities of D.C. government to provide assistance for any petition drive or civil action which seeks to require Congress to provide the voting representation of Congress for D.C.''

□ 1700

No Federal funds can be used for that. That is what we want to do. I cannot imagine that my colleagues could come up with anything more reasonable as a compromise than that.

So with that, Mr. Speaker, I ask unanimous consent that the amendment that I have placed at the desk be considered as adopted.

The SPEAKER pro tempore (Mr. LAHOOD). Does the manager of the bill, the gentleman from Oklahoma (Mr. ISTOOK), who called the bill up for consideration, yield for this purpose?

Mr. ISTOOK. Mr. Speaker, under the rule, I do not believe I am permitted to yield for any amendments.

The SPEAKER pro tempore. Let me repeat the question. Does the manager of the bill, the gentleman from Oklahoma, who called the bill up for consideration, yield for that purpose?

Mr. ISTOOK. Mr. Speaker, I have not yielded for that purpose.

PARLIAMENTARY INQUIRY

Mr. MORAN of Virginia. Mr. Speaker, it is my understanding that, contrary to what the gentleman suggested, that that would not be prohibited by the rule for the gentleman to yield for this request.

The SPEAKER pro tempore. The gentleman has not yielded for that purpose.

Mr. MORAN of Virginia. Mr. Speaker, if I might explain my question of the Speaker, there is perhaps a misunderstanding, and maybe it is on my part, but is it not a correct understanding that it would be in order, if the gentleman were to yield, such yielding for this purpose would not be prohibited by the rule that was passed? Is that a correct interpretation?

The SPEAKER pro tempore. The Chair could entertain a unanimous consent request from the gentleman from Virginia if the gentleman from Oklahoma would yield for that purpose. He has not yielded.

Mr. MORAN of Virginia. Mr. Speaker, he has not yielded. I wanted to clarify that, that the gentleman was free to yield, but chose not to yield for that purpose. His yielding would not have been prohibited with the rule.

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

PARLIAMENTARY INQUIRY

Mr. TIAHRT. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TIAHRT. If the gentleman is making a unanimous consent request for the purpose of something that is already in the bill, would his request not already have taken place with the final vote of the bill?

The SPEAKER pro tempore. The Chair has not entertained any request.

Mr. ISTOOK. Mr. Speaker, I would inquire as to how much time remains on either side.

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. ISTOOK) has 15½ minutes remaining; the gentleman from Virginia (Mr. MORAN) has 18 minutes remaining.

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

Mr. MORAN of Virginia. Mr. Speaker, I yield 8 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me this time.

I appreciate that there has been some disposition on this floor to try to rescue this bill from its stalemate. I cannot speak to the riders because this matter, for me, no longer is about the riders. I do believe that the riders can be settled; that there is, and one can see it from at least some of the Members here, some disposition to try to deal realistically with the riders.

However, as I look at what is happening on this floor, it is like looking at a play where everyone is playing her part. I am unable to play the part of the Republican who is for the riders and the Democrat who opposes the riders, because this is serious business for me. I want to focus on the process so that we can find our way out.

This bill was vetoed on September 28. That was 16 days ago. Since that time, there has not been a single meeting among all of those concerned. There have been discussions with individuals, discussions that none of them had the power to consummate into a bill. I had amicable discussions, for example, with the chair of the subcommittee. We even agreed to the kind of thing we certainly would not agree to see in the bill, something that had been proposed that we certainly did not want to see happen, and he said he would be back to me after he looked at the veto message. I have not heard from him, but I cannot much blame him, because he knows that ELEANOR HOLMES NORTON is not empowered to make an agreement on this bill.

For those new to the House, there is no Member in the Chamber now who is empowered to solve this matter. That is not what happens after a veto. After a veto, one has to get the House and the Senate Members together, have an exchange, and see what we can come up with.

Mr. Speaker, that is what has not occurred on this bill.

I want the Members to know that this Member believes that an accommodation can be made on this bill, and I ask only that we get in a room to seek that accommodation. The administration has tried; it has been unable to do so, and that may be because getting everybody together has been the problem. If there is goodwill on both sides, let us seek to do that now.

The District of Columbia is used to being treated uniquely; the District of Columbia is used to being treated unfairly, but it is a new low to isolate the city, to have no communication about its appropriation with the Members of the House and Senate who are in a position to resolve the matter.

When I went to speak with the Speaker, and I want to say that I appreciate that the Speaker spoke with me when I asked to speak with him, even though I had no meeting, and I appreciate the wonderful tone that the gentleman from Florida (Mr. YOUNG) and the Speaker set when I took the Mayor of the District of Columbia to meet them both. And we agreed that we were going to try to move forward this year in a fashion that was satisfactory to all and did not involve confrontation, and I appreciate that we had very serious discussions when we met. I have been assured by the Speaker and his staff that there would indeed be discussions following this vote.

The problem I have with that procedure is that even though there have been some virtual negotiations here, what happens after we have a vote, instead of hardening sides, I want to put the position of the District of Columbia on the table. Here I speak for the Mayor. Here I speak for the entire City Council, and here I speak from the only Member of Congress that represents them.

The District of Columbia does not want a confrontation. The District of Columbia does not want a vote on this matter at this time. The District of Columbia does not want ''no'' votes for the Democrats and ''yes'' votes for the Republicans. The District of Columbia does not want a House ritual. The District of Columbia wants the House and Senate, Democrats and Republicans to get in a room with the administration and solve this matter this very day. And we say that, despite the fact that there are more anti-home rule riders in this bill than ever in 25 years of home rule. Yet, we are willing to engage in realistic discussions.

From the beginning I have said that I knew we would not have a perfect

bill. I have been prepared to iron out our concerns. I have found nobody who would get me in a room, and I do not even have to be in there. All that has to be in there is the agent of the person that has to sign the bill, we have nothing unless he signs it, and whoever is empowered in the House and the Senate to say yes. The gentleman from Oklahoma (Mr. ISTOOK) is not empowered to do that, he is not the chairman of the Committee on Appropriations, he is not the Speaker of the House. The gentleman from Virginia (Mr. MORAN) does not have the power to do that, he is not the ranking member of the Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY); and certainly nobody in this room is empowered to do that for the President of the United States. If one is serious about getting a bill done, everybody in this room knows that is the only way to do it.

This is no longer about any particular riders; all of the riders are now up for grabs. It is about whether we should go to a vote when this matter has been brought forward unilaterally. It is about whether we are willing to give respect to the new mayor and the new city council who have submitted a balanced budget and tax cuts and a surplus; it is about helping a city which has struggled out of insolvency.

We are well aware of our differences. We ask that we get the respect of not submitting us to the summary execution of a vote at this time, but allow discussions to go on before any vote occurs so that when we come back on Tuesday, we can have a vote which would be, in effect, a consensus vote.

Mr. ISTOOK. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the subcommittee.

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

I just want to say that there is a lot of confusion on that side. First I heard there were two issues pending, then I heard that there were seven issues pending, and then that we have not had enough meetings. The chairman has been available to meet with the President's point of contact for this very bill, but they have not returned his phone calls.

Let us go back to the two very objections: voting rights and needle exchange programs. Both of these issues are progressing forward under private funds and there is nothing in this legislation that would stop them from happening. So to consider that this is an objection to stop the bill is false. They are continuing at their own speed with private funds, and I think they should. They want to use tax dollars, and they are my tax dollars too. I pay taxes in the District of Columbia like a lot of people do. I pay my parking tickets, and I do not want my taxes going for either one of these issues. But I do want to talk about the needle exchange program because it does currently exist and I think it should be stopped because number one, it is simply bad policy.

The Drug Czar, General Barry McCaffrey, says in his Office of National Drug Control Policy in July of 1999 that we should not have a needle exchange program, and why? The public health risks outweigh the benefits. He said that treatment should be our priority. He says it sends the wrong message to our children and it places disadvantaged neighborhoods in greater risk. Well, if one does not agree with General McCaffrey, then call for his resignation. We can quote study after study, but the Drug Czar says we should not be doing this and let us not do it. If one does not agree with that, call for his resignation.

I do not think it works, because number two, the facts are very clear. If we look at what has happened in Baltimore, Baltimore has had a needle exchange program for 7 years; all of the opportunity in the world for it to work. But, according to the AP in a story released on July 5, nine out of 10 injection drug users in Baltimore have a blood-borne virus, nine out of 10. If nine out of 10 is not failure, how do we define failure?

The District of Columbia should not accept 10 percent as a passing grade. It simply does not work.

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

I know my friend from Kansas would appreciate having his quote fully explained so that no one might take it out of context.

General McCaffrey's quote was, ''I think the expanding number of needle exchange programs may go on at the community level, but it is our own viewpoint that Federal dollars need to be really conserved for effective drug treatment, particularly in support of the criminal justice system.''

General McCaffrey's office has told us that his remarks were taken out of context. He does support a ban on Federal funds for the use of needle exchange programs which, of course, is the language that we are trying to get in this bill, the very language General McCaffrey supports, but he has never supported a prohibition on local jurisdictions' efforts to implement a needle exchange program.

Now, these are the facts. I know the gentleman agrees with me that we are all entitled to our own opinion, but not to our own set of facts. These are facts. This is General McCaffrey's full quote, and I know he appreciates having his quote clarified so that it is not taken out of context.

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

Mr. ISTOOK. Mr. Speaker, I yield 30 seconds to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, the gentleman from Virginia is right. Facts are stubborn things and the facts are that nine out of 10 injection drug users in Baltimore are infected with a drug-borne virus. A complete failure.

But to go back to the gentleman's point about General McCaffrey, this program does exist at the local level, it continues with local funds, and that agrees with what he is trying to say. So I do not think there is a disagreement with that. The disagreement is that this is bad policy; it simply does not work; and it should not progress the way we have it here in the District of Columbia. We should make this a shining city, a jewel on the top of the hill and not some place as a drug haven.

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

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

□ 1715

Mr. DAVIS of Virginia. Mr. Speaker, is the glass half empty or is it half full? That is where we always seem to be on the District appropriation bill.

This bill has a number of good things in it. We have taken off some of the riders from the last visit to the House floor. We have taken off the limitation on Council's salaries. We have taken off the capping of attorney's fees for special ed attorneys and the limiting of counsel on the leased property, working with the mayor.

But this bill continues to have a number of good things, in fact, even some better things as a result of bringing it to the floor this second time. There are three additional million dollars for the Southwest waterfront that were not here, additional funding to the CJA attorneys for the local courts, so they can be paid for representing poor people in the district.

We have money for the D.C. Scholarship Act. This is something that will allow D.C. students to pay in-State tuition to Virginia and Maryland State colleges, a right other people enjoy in all the other States of the union; money for the clean-up of the Anacostia river, dollars for a study of the widening of the 14th Street Bridge, additional money for drug treatment, and some other very good things in here. It takes and ratifies what the Mayor and the Council agreed on, and the Control Board, for their budget. So those are the very positive things.

It has some riders in the bill, some additions to this bill that have some controversy. We have talked about the marijuana initiative. This is a very poor initiative, in my judgment, because it is very overly drawn. The courts would have a field day. We do not even need a doctor's prescription to use marijuana under this, and it is something that frankly, outside of the appropriations process, I cannot believe Congress would approve. If my county passed it, I know the Commonwealth of Virginia would not allow us to do that. That is an issue that I do not think under any circumstances

this Congress is going to have to yield to. It has the needle exchange program.

It has one particularly obnoxious rider that does not even allow the city to sue to get their voting status. I think that is wrong. I opposed it when it came up here. I would like to see this come out.

The city does not get a vote on the House floor. There are 600,000 people that do not get representation in a vote on the House floor, the only place in America, and we will not even allow them to use their own funds to bring a lawsuit to get those actions clarified.

Nevertheless, even with all of that, it has a number of good things. For that reason, on balance, I think this is a bill that I would urge my colleagues to support, and then say that when it goes to the Senate and when it comes back to conference, we need to continue the dialogue. We need to continue the dialogue with the delegate from the District of Columbia, continue the dialogue with Members of the other side, continue the dialogue with the District of Columbia government, and continue the dialogue with the President.

Eventually, we end up, I think, with a bill that we can all support, but to get there, this is an important stage in the process. If this goes down, we are back to ground zero. So I would urge my colleagues at this point to go ahead and support it.

I would just add, the budget was vetoed by the President on September 28. It is the city government that is now held hostage by not being able to move forward with this. The city has done nothing wrong in this except to ask approval of their budget. I hope we can get this resolved as expeditiously as possible.

Mr. ISTOOK. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. BIGGERT).

(Mrs. BIGGERT asked and was given permission to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, I rise today in support of the fiscal year 2000 District of Columbia Appropriations Act. I also urge President Clinton to take a firm stand against illicit drug use by signing this legislation into law when it arrives there.

Drug users today are no longer strangers relegated to dingy houses and back alleys. Drug users are too often our friends, colleagues, and family members. The Congressional Research Service estimates that 11 million Americans purchase illegal drugs and use them more than once a month. The FBI estimates that State and local authorities arrested roughly 1.5 million individuals for drug-related crimes in 1997. What is more, drug use is often a factor in cases of domestic abuse, child abuse, and mental illness.

Given these troubling numbers, I believe the President's decision last month to veto this legislation set an extremely bad precedent. While overcoming the challenge of drugs is a formidable task, it can be done. It will take resolve. It will take tough choices. It calls for bold leadership on the part of our political leaders.

I urge my colleagues to vote to send this bill to the President.

Mr. ISTOOK. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MICA), the chairman of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources.

(Mr. MICA asked and was given permission to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, we have a constitutional responsibility of stewardship over the District of Columbia.

The other side for 40 years had that responsibility. When we inherited, a little over 4 years ago, almost 5 years ago, that responsibility, we inherited a District of Columbia where the education system was a failure, where the hospitals were nearly closed down, where HUD and the housing authority were bankrupt.

We could not drink the water, and the water had to be turned over to others to operate. The utilities had to be turned over to others to operate. The prison system was such a disaster that we basically had to close down the prison and have it run by someone else.

The morgue was in such bad shape that the bodies were stacked, and there were unburied bodies. That is what we inherited as a new majority, plus a deficit that was running in the hundreds of millions, a half a billion dollars a year.

In 4 years, what we have done is we have begun to turn things around, reduce the murders in this city. This is today's paper. Read today's paper, the homicides. Aaron Walker, 18, found dead. Derrick Edwards, 22, found dead and murdered. Theodore Garvin, 17. These are just 2 days of deaths. Do we want to turn back to that time when they had their opportunity, and let us inherit a disaster as far as deaths, and most of them drug-related?

Baltimore, and these are the statistics from 1996, went from just a few drug addicts in the beginning of their needle exchange program to, in 1996, 38,000. We had testimony and comments from one of the city councilmen in Baltimore that that figure has risen to one in eight in the population. Do we want to turn back to that liberal policy? Do we want to see more deaths? I say no.

Mr. ISTOOK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of our subcommittee.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I happen to live in D.C. I am a resident. I think that for many, many years the other side has let D.C. deteriorate. We set up control boards. We focused on education. We fully funded charter schools. We funded education. We got a new mayor that I am proud of, Mayor Williams. He is working with us.

The things that we are doing in education, the waterfront, the Anacostia River, $5 million to clean up the most polluted river in the United States, with the highest fecal count of any river. Yet, my colleagues on the other side would vote against this bill.

I know what the leadership wants, the gentleman from Missouri (Mr. GEPHARDT). He is fighting for the majority. But to vote against this bill because they want to legalize marijuana is wrong.

My own son was involved with marijuana, Jim. He is in boot camp today. If there was a doctor's prescription and it was under real tight control, if someone had AIDS, someone had cancer, then yes, maybe. But I have talked to residents. I have talked to hundreds of people. Not a single one of them knew that it did not even take a doctor's prescription to use marijuana.

Maybe the President would like this. He could inhale, for a change. But it is wrong. Even the President saying, I would inhale if I could, is wrong. It is the wrong message. For the capital of the United States to say it is okay to legalize drugs is the wrong message. It is wrong.

With all of the fine things that are in this bill, my colleague, the gentleman from the other side, and he is my friend, he knows that, we have long discussions together through heat, through cold. But I believe that we have done a good job on this bill, I say to the gentleman from Virginia (Mr. MORAN), and that to deny, because the leadership wants to stop this bill for the crazy things, when we talk about home rule, it is wrong.

They, this House, inhibits our cities; IDEA, the Individuals With Disabilities Act, OSHA, everything is inhibited by this body. We are saying with all the good things in this bill, please support it. It helps Washington, D.C.

Mr. MORAN of Virginia. Mr. Speaker, I yield myself 30 seconds to respond to my friend, the gentleman from California, that the issue that he talked about is really not the issue that is at stake here. He very well knows that the State of California passed a referendum dealing with allowing medicinal use of marijuana. They had lots of loopholes in it. But my friend did not get to the floor and try to overturn their law. He may have tried, but it never got to the floor. It never got enacted. They are still dealing with that legislation.

We are just asking for D.C. citizens to be treated the same as California citizens.

Mr. ISTOOK. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BARR).

Mr. BARR of Georgia. Mr. Speaker, I thank the gentleman for yielding time to me, and for his tremendous work in consistently highlighting the real problem here, and that is legalization of drugs in D.C.

Let me state for the record and for the benefit of those on the other side a

statement made by Merilee Warren, Deputy Assistant Attorney General of the criminal division of the United States Department of Justice on September 29 of this year, before the subcommittee on the District of Columbia in the Committee on Appropriations.

She is discussing the exact same issue that brings us here today. That is the initiative in the District of Columbia for the legalization of marijuana. She says, ''There is little doubt that the initiative undermines the Administration's consistent and effective national drug policy.''

Where have we heard this before? Well, we have heard this, as the chairman of the subcommittee has stated earlier, from General McCaffrey. One could, Mr. Speaker, take this very quote from General McCaffrey of 1997, strike through it, put today's date in, because it was just about 6 hours ago that General McCaffrey, the head of the Office of National Drug Control Policy, said the same thing. He is against medical marijuana, he is against these sorts of initiatives, and this is policy inconsistent with what the President is trying to do that brings us here today.

The initiative, 59, in the District of Columbia is inconsistent with Federal laws as they apply to the citizens of every State of the union. It is inconsistent with the will of this Congress, as represented by vote after vote after vote, including the one that we will take today, that the District of Columbia should continue to be subject to the Federal drug laws that apply elsewhere in the country.

They should not be given a bye, they should not be given special treatment. They should not be allowed to use marijuana with impunity and in violation of Federal laws. While the President feels otherwise, this provision must stand. This appropriations conference report, with the prohibition in it, must move forward. It is consistent with Federal policy and with the policy as enunciated by members of this administration.

Mr. ISTOOK. Mr. Speaker, I reserve the balance of my time to close.

□ 1730

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

Mr. Speaker, first of all, with regard to the last speaker, the gentleman from Georgia (Mr. BARR), we did, in fact, have a hearing on this issue. It was an enlightening hearing. It was not conclusive, in my opinion, because we had statements from such people as the administrative law judge for the Food and Drug Administration that after studying the issue for a couple of years determined that marijuana was not as harmful as it has been described, although obviously tobacco is harmful, too, and it certainly is as harmful as tobacco, but they did, in fact, say it had some therapeutic effect. I did not know that.

There are a lot of things that came out that were new to me, and I am sure would be new to a lot of people if there was a hearing, if we had all the facts out on the table, but we have not had that kind of a hearing because we are nowhere near making the medicinal use of marijuana legal for the rest of the country.

In fact, even though 6 States passed referenda, they do not implement it because the Federal law prohibits them. That would be the case in the District of Columbia. They would be treated the same way as 6 other States in the Nation, big States, important States, including California, Oregon, Arizona, Colorado, lots of important States; did not hear their constituents speaking up against their ability to have a referenda.

The needle exchange program, obviously controversial issue, difficult to discuss, like the abortion issue, but we have some very serious problems. More young adults die from HIV infection in the District of Columbia than from any other single cause. Yet, it is the principal cause, in fact, of transmission of AIDS to children, dirty needles. So the Whitman-Walker Clinic, private clinic, wants to be able to offer free needles so they can offer drug treatment and counseling to addicts. They need to be able to bring them in to the system, to try to save their lives.

In fact, every scientific study has concluded that the use of free needles does not increase the prevalence of AIDS and it does not increase the use of illegal drugs, every scientific study, but we are not asking to make that Federal law. In fact, we are suggesting, let us prohibit the use of all public funds for needle exchange programs.

Now, is that reasonable? Well, this body has decided on prior occasions that it is reasonable. The Labor Health and Human Services bill has that very same language. The Senate says it is okay to have needle exchange programs if the secretary certifies that it does not increase the use of illegal drugs and that it does not increase the prevalence of AIDS, the incidents of AIDS. That is a compromise. That is in this Labor Health and Human Services bill. We are just asking for the same language.

In other words, we are only asking that the citizens of the District of Columbia, Mr. Speaker, be treated as the citizens of every other State of the Union. We are asking for nothing more, but nothing less, and that is the problem with this bill. That is the problem with all those riders.

Imagine if a Member got up and offered legislation that prohibited a local jurisdiction in their district from using local property tax money for legal pursuits that their Commonwealth attorney or State attorney or whatever, or city attorney, might choose to pursue. That is all that is involved with this voting rights issue. All that the gentlewoman from the District of Columbia (Ms. NORTON) wants is for the D.C. corporation counsel to be able to advise the D.C. city council on the status of legislation directly affecting the city and demanded by their constituents.

All the language would say, that we have offered as a compromise, make sure no Federal funds are involved but let D.C. use its own money for that purpose. It is not much money. It is pennies, relative pennies, because a private law firm is doing the work. So all it does is to allow the D.C. corporation counsel to report to the D.C. city council on the status of the legislation. Big deal, and yet that is so threatening we cannot let D.C. do that? My gosh, it is not fair; it is not right.

Now, all of these suggestions have been made that this is really about the President wanting some kind of liberal drug agenda? Baloney. The President has not proposed any of that legislation. The President, in fact his professionals, the people he has appointed, have opposed needle exchanges, have opposed legalization of marijuana. Rightly or wrongly, they are on record opposing it. All the President wants is that the citizens of the District of Columbia be treated like the rest of his constituency, because he knows it is not fair to single out D.C. and to treat them in a punitive fashion and to strip them of their right to govern themselves with their own money. That is all this is all about. That is the only reason the President acted as he did in vetoing the bill.

In fact, we offered legislation, we offered a compromise, we probably went much too far, the gentleman from Wisconsin (Mr. OBEY) and myself and the gentlewoman from the District of Columbia (Ms. NORTON). We went further than we had any authority but we suggested, okay, let us just deal with the Voting Rights Act and we will do what we can do to get this bill passed. That, when it was rejected, made it clear that the real objection is not about drugs or about some kind of liberal agenda. The real objection is that the majority in this body apparently wants the right to punish, to treat D.C. citizens differently than they would treat their own residents. That can be the only conclusion.

We have not asked for anything unreasonable on any of these issues, and I do not think the President acted unreasonably either when he vetoed the bill, for the reasons that he vetoed the bill.

Now, Mr. Speaker, let me suggest that there may be still hope. I hope when we go to conference, even though we will be compelled to vote against this bill, we can still get a bill out of conference that resembles the House bill when it was first passed by the House that reflected the spirit of compromise in the House Committee on Appropriations.

If we can get that kind of a bill, then we are on board; then we have acted responsibly towards the citizens of the District of Columbia. Then we know we have fulfilled our responsibility as Federal legislators.

Mr. ISTOOK. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. PORTMAN).

(Mr. PORTMAN asked and was given permission to revise and extend his remarks.)

Mr. PORTMAN. Mr. Speaker, I rise in support of this bill and its cutting edge drug treatment testing and other anti-drug provisions.

Mr. Speaker, I rise today in support of the District of Columbia Appropriations legislation. I'd like to begin by commending the subcommittee, its Chairman (Mr. ISTOOK) and the full committee for their work on this important legislation.

As co-chairman of the Speaker's Working Group for a Drug-Free America, I'd like to focus my comments on the provisions of this legislation that are of particular interest to the drug prevention and education community.

Substance abuse contributes directly to many of our most difficult social problems—violence, child and spousal abuse, homelessness, robbery, theft and vandalism. And I'm pleased to say that this legislation contains some very important provisions to curb the problem of substance abuse here in our nation's capital—that could become a model for other communities around the country.

DRUG TESTING FOR PRISONERS AND PAROLEES

This legislation contains funding for drug testing of prisoners and parolees in the District of Columbia prison system. This is an important step, and I commend Chairman Istook for pushing hard for it.

Today, 80% of incarcerated prisoners in this nation were either under the influence or drugs or alcohol, were regular drug users or violated drug and alcohol laws at the time they committed their crimes. In 1996 alone, more than 1.5 million people were arrested for substance abuse-related offenses. As a result, our judicial system is overwhelmed with substance abusers.

You would think, when a criminal is locked up for a drug-related offense, the prison itself would be a drug-free environment and the prisoner would be forced to get drug treatment. But you'd be wrong. In fact, those who go to prison too often don't receive effective treatment to address their addiction—and they tend to wind up right back in the criminal justice system in future.

In fact, nationwide, only 13% of prisoners receive any sort of treatment for their drug problem at all and many of those treatment programs are considered inadequate.

And, instead of breaking the drug habits that underlie so much criminal behavior, our prisons too often fail to address—or sometimes worsen—them for thousands of prisoners and parolees. It's no surprise that, according to statistics from the National Center on Addiction and Substance Abuse, 50% of state parole and probation violators were under the influence of drugs, alcohol or both when they committed their new offense. In other words, these individuals continue to be a menace to society because their drug problems are not addressed behind bars.

There are a number of steps we can take to stop the revolving door of incarceration, parole and re-arrest—including the successful drug courts at the local level that use the threat of prison to get people to address their drug habits through treatment. In fact, a recent Federal Bureau of Prisons study showed that inmates, who receive treatment are 73% less likely to be re-arrested than untreated inmates.

To address this problem, I introduced the Drug-Free Prisons and Jails Act last year, which established a model program for comprehensive substance abuse treatment in the criminal justice system to reduce drug abuse, drug-related crime and the costs associated with incarceration.

And that's why I'm pleased to support the drug testing program in this legislation before us today. By identifying criminals and parolees in the District of Columbia with drug addiction problems, we will help to reduce crime in our nation's capital—and we will stop the costly revolving door of drug addiction and incarceration in the DC prison system.

MEDICAL MARIJUANA

Let me touch on two other provisions of this legislation that are important to the anti-drug community. First—the so-called ''medical marijuana'' ballot initiative.

I am very skeptical about the recent spate of ballot initiatives that seek to legalize the use of marijuana for medicinal purposes. The federal Food, Drug and Cosmetic Act—which created the FDA—specifically states that only the federal government has the authority to approve drugs for medical use. If a street drug like marijuana were to be studied for legitimate medical uses, FDA would regulate it as an investigational drug. FDA has not chosen to do so with marijuana, and the notion that states or the District of Columbia can choose to ''opt out'' of FDA regulation and approve drugs for use on their own strikes me as a threat to public health and safety.

We don't allow states or localities to opt out of Federal Aviation Administration regulations. We don't allow states or localities to opt out of OSHA regulations. And we should not allow state or local ballot initiatives to take the regulatory authority over the use of drugs out of the hands of the FDA.

I am even more skeptical about ''medical marijuana'' after reviewing the conclusions of the recent Institutes of Medicine report: Marijuana and Medicine: ''Assessing the Science Base,'' which made it very clear that smoked marijuana is absolutely not beneficial as medicine.

The continued public debate over what, if any, medical benefits some chemical compounds found in marijuana may have makes it harder to convince our kids that drug use ends dreams and ruins lives. Every day, parents, teachers and community leaders confirm our worst fears about teenage drug use—not only has the overall number of kids trying drugs doubled since 1992, but they are using drugs in greater amounts, more frequently, and at younger ages. Recent studies indicate that 8–10% of our kids are currently or will become addicts. It's a national disgrace.

We know what works: Nothing is as important to turning around this trend than a powerful, unequivocal and consistent message from Washington, from our statehouses, from our courthouses, from our schools, our places of worship and our homes that drug use is wrong and dangerous. These ballot initiatives send the wrong message to the very kids who should hear that drug use is wrong and dangerous—period.

NEEDLE EXCHANGE

Finally, on the issue of needle exchange—I am pleased that this legislation takes steps to prohibit the use of federal funds for needle exchange programs.

Clearly, HIV transmission is a major public health issue—and no one disputes that needle sharing among IV drug users is a major source of HIV transmission.

The question is how best to respond to this problem. Do we simply give addicts clean needles and hope that they engage in ''safe'' drug usage? The Clinton Administration thinks so. We believe the answer is to address the underlying behavior—the drug use. And we are backed by strong scientific evidence.

Needle Exchange Programs Don't Work: A 1993 Centers for Disease Control study conducted by the University of California reviewed the impact of needle exchange programs on HIV infection rates—and found no difference in HIV infection rates between those participating in needle exchange and those who did not.

A 1996 study in Vancouver of more than 1000 IV drug users who visited needle exchanges showed that 40% of the group still borrowed needles and 18.6% of the group became infected with HIV during the test period.

And a 1997 Montreal study found that addicts who participated in needle exchange programs were more than twice as likely to become infected with HIV as those who didn't.

Why? (1) Addiction is a consuming habit, and hard-core addicts are more focused on getting their next ''hit'' than using clean needles;

(2) Needle exchange overlooks the core behavior—drug abuse—that causes people to engage in risky behavior, including risky sexual behavior that increases the chances of HIV infection. A recent University of Pennsylvania study found that overdoses, homicide, heart disease, kidney failure, liver disease, and suicide are far more likely causes of death for addicts than HIV; and

(3) Needle exchange advocates argue that they're protecting not just the addict but also that person's needle exchange and/or sexual partners—but overlook the amount of violent crime caused by drug addicts.

Mr. Speaker, I think it is necessary that this legislation bar the use of federal funds to support needle exchange in the District of Columbia. The siren song of needle exchange—that we can have safe drug use without negative social consequences—is fundamentally flawed. We need to focus on the real solution—getting the addicts into treatment so they change their risky behavior—and stop wasting taxpayer dollars on programs whose alleged benefits are highly questionable.

I urge my colleagues to support this appropriations bill that contains these important anti-drug provisions, and I yield back the balance of my time.

Mr. ISTOOK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MICA).

(Mr. MICA asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. MICA. Mr. Speaker, I submit for the RECORD an article entitled ''Needle Exchange Programs Have Not Proven to Prevent HIV/AIDS.''

[From Drug Watch International]

NEEDLE EXCHANGE PROGRAMS: 1998 REPORT

(By Janet D. Lapey, MD)

NEEDLE EXCHANGE PROGRAMS HAVE NOT BEEN PROVEN TO PREVENT HIV/AIDS

Outreach/education programs have been shown to be very effective in preventing HIV/

AIDS. For instance, a Chicago study showed that HIV seroconversion rates fell from 8.4 to 2.4 per 100 person-years, a drop of 71%, in IV drug addicts through outreach/education alone without provision of needles. Needle exchange programs (NEPs) add needle provision to such programs. Therefore, in order to prove that the needle component of a program is beneficial, NEPs must be compared to outreach/education programs which do not dispense needles. This point was made in a Montreal study which stated, ''We caution against trying to prove directly the causal relation between NEP use and reduction in HIV incidence. Evaluating the effect of NEPs per se without accounting for other interventions and changes over time in the dynamics of the epidemic may prove to be a perilous exercise. The authors conclude, ''Observational epidemiological studies . . . are yet to provide unequivocal evidence of benefit for NEPs.'' An example of this failure to control for variables is a NEP study in The Lancet which compared HIV prevalence in different cities but did not compare differences in outreach/education and/or treatment facilities.

Furthermore, recent studies of Needle Exchange Programs show a marked increase in AIDS. A 1997 Vancouver study reported that when their NEP started in 1988, HIV prevalence in IV drug addicts was only 1–2%, now it is 23%. HIV seroconversion rate in addicts (92% of whom have used the NEP) is now 18.6 per 100 person-years. Vancouver, with a population of 450,000, has the largest NEP in North America, providing over 2 million needles per year. However, a very high rate of needle sharing still occurs. The study found that 40% of HIV-positive addicts had lent their used syringe in the previous 6 months, and 39% of HIV-negative addicts had borrowed a used syringe in the previous 6 months. Heroin use has also risen as will be described below. Ironically, the Vancouver NEP was highly praised in a 1993 study sponsored by the Centers for Disease Control.

The Vancouver study corroborates a previous Chicago study which also demonstrated that their NEP did not reduce needle-sharing and other risky injecting behavior among participants. The Chicago study found that 39% of program participants shared syringes vs 38% of non-participants; 39% of program participants ''handed off'' dirty needles vs 38% of non-participants; and 68% of program participants displayed injecting risks vs 66% of non-participants.

A Montreal study showed that IV addicts who used the NEP were more than twice as likely to become infected with HIV as IV addicts who did not use the NEP.vii(7) There was an HIV seroconversion rate of 7.9 per 100 person years among those who attended the needle program, and a rate of 3.1 per 100 person-years among those who did not. The data was collected from 1988–1995 with 974 subjects involved in the seroconversion analysis.

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

Mr. Speaker, I wish we were here just talking, as the gentleman from Virginia (Mr. MORAN) was just mentioning, just about this lawsuit, which is frankly already in court and the District of Columbia says we want the right to pay the attorneys for the work they are doing for free.

In fact, realizing that it is a highly symbolic issue, both with D.C. and some other Members of Congress, I sought to craft a compromise and get the House conferees to support a compromise in the earlier conference but was not successful. That is symbolism. When it comes to drugs, it is not symbolic, it is reality. If someone's kid is using drugs, that is reality, and it does not get any deeper than that.

This bill has language that says, the District of Columbia cannot have laws that differ from the laws of the land. We are all bound by them.

We are bound by article 1, Section 8, that gives us the responsibility for D.C. we do not have for any place else in the country. The Constitution, article 1, Section 8, says it is the Congress of the United States that has exclusive legislative authority over the District of Columbia.

Now, in other places we are only in charge of enforcing the Federal laws. If California or Arizona, anyplace, puts a law on the books we still make sure the Federal laws on marijuana and other drugs are still being enforced and we are making sure of that, but we do not have the ability about what the laws say. Here in D.C., we do. We are responsible if D.C.'s laws are bad. The Constitution says we are responsible, and if I am responsible I want to do the right thing.

The President of the United States, do not give me this business about saying the President of the United States does not want to legalize marijuana. Read the veto message he sent to us on this bill. He vetoed it because it prohibits the district from legislating with respect to certain controlled substances, controlled substances, drugs, marijuana. The only thing pending, of course, was the marijuana initiative.

The President vetoed the bill and told us it was because we would not let D.C. legalize marijuana, and we should not.

It is our responsibility. The police chief here in Washington, D.C. is not fooled. He has told the public, it will lead to more drug trafficking and abuse and more drug-related crime and violence in our neighborhoods.

If this bill is voted against, it is a vote to legalize drugs in Washington. I urge a yes vote.

Ms. STABENOW. Mr. Speaker, I rise today to oppose this legislation an to make clear my reasons for doing so. I want to make it perfectly clear at the outset that I do not support the legalization of marijuana or any reduction in penalties for Class One drugs. I was pleased when Mr. BARR'S amendment affirming this principle passed unanimously during House consideration of the initial D.C. Appropriations bill. In fact, I voted for this bill with that provision included when the House overwhelmingly approved the initial bill in July to keep the legislative process moving forward.

Mr. Speaker, I am opposed to this bill because it continues to broach the concept of local control for the District of Columbia, prohibiting the use of District and private funds on a host of matters, including the pursuit of voting rights in Congress for the citizens of the District. Furthermore, the process by which this bill has reached the floor has been flawed. The Republicans have not negotiated on these issues in good faith, and have not adequately worked with Representative NORTON. I know that we can reach agreement on a bill that maintains a strong prohibition on the legalization of all Class One drugs, if the majority will simply reach across the aisle. I hope this happens soon.

Mr. SANDLIN. Mr. Speaker, I intend to cast my vote today against the D.C. Appropriations Conference Report. I will vote against this bill not because I disagree with provisions banning the use of funds for needle exchange programs—I voted for the amendment adding this language to the House bill when it was passed by this body back in July. I am also strongly opposed to the use of marijuana for any purpose. I support these restrictions, and they are not the reasons for my concern.

I am, however, opposed to this bill because it deprives the people of the District of Columbia of their right to pursue legal recourse on voting rights. It effectively ties their hands, preventing them from using even their own money to address this issue in court.

Ms. Speaker, I do not believe that Congress has the right to dictate to the District, or to any other locality for that matter, how it should use its own money. Most of us agree that Congress should not tell cities across the country how they should use their own tax money; why should the District of Columbia be any different?

Mr. HAYES. Mr. Speaker, I spent a considerable amount of time last week touring the flood ravaged farms of eastern North Carolina.

And what the people of North Carolina cannot understand, is how the President can advocate policies that legalize marijuana and reward junkies with free needles, while at the same time, pledging to use the resources of the federal government to wipe out tobacco farmers with a federal lawsuit.

Mr. Speaker, this policy says, if you want to smoke pot—okay; if you're a junkie and you need another needle to shoot up—come on down and the government will give it to you.

But if you want to plant an acre of tobacco, you are public enemy number one and we are going to get you.

Mr. Speaker, this is obviously wrong, and it shows how far off track our government has fallen.

Mr. Speaker, I urge my colleagues to do what is right and take a stand against this ridiculous policy by voting for this bill.

Ms. PELOSI. Mr. Speaker, I rise in opposition to the second Conference Agreement on the District of Columbia Appropriations bill. This legislation is dangerous to the residents of the District—it prevents the use of federal or local funds for life saving needle exchange programs; prohibits the use of funds to provide medicinal marijuana; and forbids implementation of a Domestic Partners program that would extend health insurance coverage in the District.

Needle exchange must be part of the District's response to the growing AIDS epidemic. AIDS is the third leading cause of death in Washington, and last year more than a third of all AIDS cases where related to intravenous drug use. One half of all AIDS cases in children are the result of injection drug use by one or both parents.

In the district I represent, we have eliminated cases of perinatal HIV transmission through needle exchange programs and outreach to pregnant women. The leading scientists in our country have concluded that needle exchange programs reduce the spread of HIV and do not encourage drug use. We

must allow public health officials in the District of Columbia to follow the advice of leading government scientists in order to save the lives of children.

Congress should also not prohibit the medicinal use of marijuana. The Institute of Medicine has issued a report commissioned by the Office of National Drug Control Policy. The IOM study found that marijuana is, ''potentially effective in treating pain, nausea, the anorexia of AIDS wasting, and other symptoms.'' the American Academy of Family Physicians, the American Preventive Medical Association, and the American Public Health Association all support access to marijuana for medicinal purposes.

The District has prepared a balanced budget which cuts taxes and meets the needs of its citizens. It has a new management-oriented administration and is making progress on education and other local priorities.

Congress must stop trampling on the rights of District voters, residents, and tax payers. Congress must stop preventing the District from saving lives and fighting the devastating AIDS epidemic by following the guidance of leading government scientists.

I urge my colleagues to vote ''no'' on this bill.

Mr. CUNNINGHAM. Mr. Speaker, I rise in support of this bill. It continues our program of restoring Washington, D.C., to its rightful place as a world capital, putting further into history the city's problems borne of decades of neglect. Very simply, this bill adopts the City's budget. It keeps expanding and improving educational opportunity for citizens of the District. It helps restore the waterways and waterfronts of our Nation's Capital, so that they can be something all Americans can be proud of. And it is fiscally responsible, keeping its books in balance.

As the House goes to conference with the Senate for a second time on this measure, I hope that we will continue to work to make this the best possible legislation—in the interest of improving our nation's capital city for this generation and the next, and in the interest of our commitment to constitutional home rule.

For example, the measure provides for an infrastructure fund requested by the City. Recently, representatives of the City provided the Subcommittee its recommended allocation for the use of these funds. This allocation was developed by the Mayor's office, in consultation with the City Council. In light of the City's request to allocate these funds, I hope that the Conference Committee will see fit to adopt the entire recommended allocation as part of a conference agreement on the District budget, rather than the more limited list provided in this bill.

Secondly, one of the most important issues that this bill addresses is the reform of how the City handles leases of real property. There simply needs to be a predictable, orderly process for the development and execution of these leases, where the Mayor and the City Council each have clearly defined roles that move an accountable and transparent process forward. The provisions included in this bill go a long way toward providing that kind of clarification. I urge the Conference Committee to continue working with the City so that, when these provisions are enacted into law, there is no longer unnecessary confusion between the appropriate roles of the City's executive and legislative branches of government with regard to lease negotiations.

Again, I thank Chairman ISTOOK for his work on this legislation.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 330, the bill is considered read for amendment and the previous question is ordered.

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

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

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

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

The vote was taken by electronic device, and there were—yeas 211, nays 205, not voting 18, as follows:

[Roll No. 504]

YEAS—211

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

NAYS—205

Abercrombie
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Chenoweth-Hage
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Fossella
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Schaffer
Schakowsky
Scott
Serrano
Shadegg
Sherman
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—18

Ackerman
Buyer
Carson
Clay
Cook
Cox
Green (TX)
Jefferson
John
Kingston
Lofgren
McIntosh
McNulty
Paul
Sanders
Scarborough
Weldon (PA)
Young (AK)

□ 1805

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD during the vote). A few minutes ago, the Chair noted a disturbance in the gallery in contravention of the law and Rules of the House. The Sergeant at Arms removed those persons responsible for the disturbance and restored order to the gallery.

Mr. MASCARA changed his vote from ''yea to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2561) ''An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1275 AND H.R. 1304

Mr. COBURN. Mr. Speaker, I ask unanimous consent to remove my name from H.R. 1275 and H.R. 1304.

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

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2670, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND OTHER RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. COBURN. Mr. Speaker, pursuant to clause 7(c) of Rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 2670, the Commerce, Justice, State appropriations bill. The form of the motion is as follows:

Mr. COBURN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to agree, to the extent within the scope of the conference, to provisions that—

(1) reduce nonessential spending in programs within the Departments of Commerce, Justice, and State, the Judiciary, and other related agencies;

(2) reduce spending on international organizations, in particular, in order to honor the commitment of the Congress to protect Social Security; and

(3) do not increase overall spending to a level that exceeds the higher of the House bill or the Senate amendment.

APPOINTMENT OF CONFEREES ON H.R. 1000, AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1000) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none and, without objection, appoints the following conferees:

Messrs. SHUSTER, YOUNG of Alaska, PETRI, DUNCAN, EWING, HORN, QUINN, EHLERS, BASS, PEASE, SWEENEY, OBERSTAR, RAHALL, LIPINSKI, DEFAZIO, COSTELLO, and Ms. DANNER, Ms. EDDIE BERNICE-JOHNSON of Texas, Ms. MILLENDER-MCDONALD, and Mr. BOSWELL;

From the Committee on the Budget, for consideration of title IX and title X of the House bill, and modifications committed to conference:

Messrs. CHAMBLISS, SHAYS, and SPRATT;

From the Committee on Ways and Means, for consideration of title XI of the House bill, and modifications committed to conference:

Messrs. ARCHER, CRANE, and RANGEL;

From the Committee on Science, for consideration of title XIII of the Senate amendment, and modifications committed to conference:

Mr. SENSENBRENNER, Mrs. MORELLA, and Mr. HALL of Texas.

There was no objection.

PERMISSION TO HAVE UNTIL MIDNIGHT, FRIDAY, OCTOBER 15, 1999, TO FILE CONFERENCE REPORT ON H.R. 2466, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. REGULA. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight, Friday, October 15, 1999, to file a conference report on the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Texas (Mr. ARMEY) the majority leader for the purposes of inquiring as to the schedule for the rest of the day and week and for the following week.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce that we have completed the legislative business for the week.

On Monday, October 18, the House will meet at 12:30 p.m. for morning hour debate and at 2 p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices tomorrow.

On Monday we do not expect recorded votes until 6 o'clock p.m.

On Tuesday, October 19, through Friday, October 22, the House will take up the following measures, all of which will be subject to rules:

H.R. 2, the Student Results Act; H.R. 2260, the Pain Relief Promotion Act of 1999; H.R. 2300, Academic Achievement For All Act; and H.R. 1180, Work Incentives Improvement Act.

Mr. Speaker, there should also be a number of appropriations conference reports ready for consideration in the House throughout the week, and the House will likely take up a continuing resolution at some point next week.

Mr. Speaker, I would like to wish my colleagues a safe travel to their weekend work period and look forward to seeing them all again on Monday.

Mr. BONIOR. Mr. Speaker, reclaiming my time, I thank my colleague for his comments.

If he could help us with which appropriation conference report he expects to reach the floor next week, I am interested specifically in the Interior bill, but any others that he might be able to enlighten us on.

Mr. ARMEY. Mr. Speaker, if the gentleman would continue to yield, we have just seen the gentleman from Ohio (Mr. REGULA), the Chairman of the Appropriations Subcommittee on Interior, ask for permission to file. We would expect that next week.

We would also expect Commerce, Justice, State.

Mr. BONIOR. Mr. Speaker, can the gentleman give us a date on the Interior bill? It will not be Monday?

Mr. ARMEY. Mr. Speaker, if the gentleman will continue to yield, no, it will not be Monday.

Mr. BONIOR. Mr. Speaker, and what about late night sessions next week? Any evenings?

Mr. ARMEY. Mr. Speaker, I can only tell my colleague my best judgment is we should all be prepared to work late perhaps every night next week. We may not necessarily work late on each night, but I cannot tell my colleague which nights we might.

As soon as we have the conference reports and are able to move them, we will do so. I will just try to keep Members advised as the days go on.

Mr. BONIOR. Mr. Speaker, on the HMO bill that was passed by what I consider a very large margin last week, when will conferees be appointed for this bill?

Mr. ARMEY. Mr. Speaker, if the gentleman will continue to yield, the Speaker plans to make those appointments next week.

Mr. BONIOR. Mr. Speaker, and then finally, I would ask my friend the gentleman from Texas (Mr. ARMEY) and point out to him that he undoubtedly understands that people all over the country have gotten raises recently. The military and the latest defense bill that we passed today will get a raise.