

***In the Senate of the United States,***

*November 18, 2003.*

*Resolved*, That the bill from the House of Representatives (H.R. 2765) entitled “An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for the*
- 3 *District of Columbia and related agencies for the fiscal year*
- 4 *ending September 30, 2004, and for other purposes, namely:*

1                    *TITLE I—FEDERAL FUNDS*2            *FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT*

3            *For a Federal payment to the District of Columbia,*  
4 *to be deposited into a dedicated account, for a nationwide*  
5 *program to be administered by the Mayor, for District of*  
6 *Columbia resident tuition support, \$17,000,000, to remain*  
7 *available until expended: Provided, That such funds, in-*  
8 *cluding any interest accrued thereon, may be used on behalf*  
9 *of eligible District of Columbia residents to pay an amount*  
10 *based upon the difference between in-State and out-of-State*  
11 *tuition at public institutions of higher education, or to pay*  
12 *up to \$2,500 each year at eligible private institutions of*  
13 *higher education: Provided further, That the awarding of*  
14 *such funds may be prioritized on the basis of a resident's*  
15 *academic merit, the income and need of eligible students*  
16 *and such other factors as may be authorized: Provided fur-*  
17 *ther, That the District of Columbia government shall main-*  
18 *tain a dedicated account for the Resident Tuition Support*  
19 *Program that shall consist of the Federal funds appro-*  
20 *priated to the Program in this Act and any subsequent ap-*  
21 *propriations, any unobligated balances from prior fiscal*  
22 *years, and any interest earned in this or any fiscal year:*  
23 *Provided further, That the account shall be under the con-*  
24 *trol of the District of Columbia Chief Financial Officer who*  
25 *shall use those funds solely for the purposes of carrying out*

1 *the Resident Tuition Support Program: Provided further,*  
 2 *That the Resident Tuition Support Program Office and the*  
 3 *Office of the Chief Financial Officer shall provide a quar-*  
 4 *terly financial report to the Committees on Appropriations*  
 5 *of the House of Representatives and Senate for these funds*  
 6 *showing, by object class, the expenditures made and the pur-*  
 7 *pose therefor: Provided further, That not more than 7 per-*  
 8 *cent of the total amount appropriated for this program may*  
 9 *be used for administrative expenses.*

10 *FEDERAL PAYMENT FOR EMERGENCY PLANNING AND*  
 11 *SECURITY COSTS IN THE DISTRICT OF COLUMBIA*

12 *For necessary expenses, as determined by the Mayor*  
 13 *of the District of Columbia in written consultation with the*  
 14 *elected county or city officials of surrounding jurisdictions,*  
 15 *\$15,000,000, to remain available until expended, to reim-*  
 16 *burse the District of Columbia for the costs of public safety*  
 17 *expenses related to security events in the District of Colum-*  
 18 *bia and for the costs of providing support to respond to*  
 19 *immediate and specific terrorist threats or attacks in the*  
 20 *District of Columbia or surrounding jurisdictions: Pro-*  
 21 *vided, That any amount provided under this heading shall*  
 22 *be available only after notice of its proposed use has been*  
 23 *transmitted by the President to Congress and such amount*  
 24 *has been apportioned pursuant to chapter 15 of title 31,*  
 25 *United States Code.*

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

† **HR 2765 EAS**

1 *plan study and building evaluation report: Provided fur-*  
 2 *ther, That notwithstanding any other provision of law, all*  
 3 *amounts under this heading shall be apportioned quarterly*  
 4 *by the Office of Management and Budget and obligated and*  
 5 *expended in the same manner as funds appropriated for*  
 6 *salaries and expenses of other Federal agencies, with payroll*  
 7 *and financial services to be provided on a contractual basis*  
 8 *with the General Services Administration (GSA), said serv-*  
 9 *ices to include the preparation of monthly financial reports,*  
 10 *copies of which shall be submitted directly by GSA to the*  
 11 *President and to the Committees on Appropriations of the*  
 12 *House of Representatives and Senate, the Committee on*  
 13 *Government Reform of the House of Representatives, and*  
 14 *the Committee on Governmental Affairs of the Senate: Pro-*  
 15 *vided further, That funds made available for capital im-*  
 16 *provements may remain available until September 30,*  
 17 *2005: Provided further, That 30 days after providing writ-*  
 18 *ten notice to the Committees on Appropriations of the*  
 19 *House of Representatives and Senate, the District of Colum-*  
 20 *bia Courts may reallocate not more than \$1,000,000 of the*  
 21 *funds provided under this heading among the items and*  
 22 *entities funded under such heading.*

23 *DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS*

24 *For payments authorized under section 11–2604 and*  
 25 *section 11–2605, D.C. Official Code (relating to representa-*

1 tion provided under the District of Columbia Criminal Jus-  
 2 tice Act), payments for counsel appointed in adoption pro-  
 3 ceedings under Chapter 3 of title 16, D.C. Code, payments  
 4 for counsel appointed in proceedings in the Family Court  
 5 of the Superior Court of the District of Columbia under  
 6 chapter 23 of title 16, D.C. Official Code or pursuant to  
 7 a contract with a non-profit organization to provide guard-  
 8 ian ad litem representation, training, technical assistance  
 9 and such other services as are necessary to improve the  
 10 quality of guardian ad litem representation, and payments  
 11 for counsel authorized under section 21–2060, D.C. Official  
 12 Code (relating to representation provided under the District  
 13 of Columbia Guardianship, Protective Proceedings, and  
 14 Durable Power of Attorney Act of 1986), \$32,000,000, to  
 15 remain available until expended: Provided, That funds pro-  
 16 vided under this heading shall be administered by the Joint  
 17 Committee on Judicial Administration in the District of  
 18 Columbia: Provided further, That notwithstanding any  
 19 other provision of law, this appropriation shall be appor-  
 20 tioned quarterly by the Office of Management and Budget  
 21 and obligated and expended in the same manner as funds  
 22 appropriated for expenses of other Federal agencies, with  
 23 payroll and financial services to be provided on a contrac-  
 24 tual basis with the General Services Administration (GSA),  
 25 said services to include the preparation of monthly finan-

1 cial reports, copies of which shall be submitted directly by  
 2 GSA to the President and to the Committees on Appropria-  
 3 tions of the House of Representatives and Senate, the Com-  
 4 mittee on Government Reform of the House of Representa-  
 5 tives, and the Committee on Governmental Affairs of the  
 6 Senate.

7 *FEDERAL PAYMENT TO THE COURT SERVICES AND OF-*  
 8 *FENDER SUPERVISION AGENCY FOR THE DISTRICT OF*  
 9 *COLUMBIA*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For salaries and expenses, including the transfer and*  
 12 *hire of motor vehicles, of the Court Services and Offender*  
 13 *Supervision Agency for the District of Columbia, and the*  
 14 *Public Defender Service for the District of Columbia as au-*  
 15 *thorized by the National Capital Revitalization and Self-*  
 16 *Government Improvement Act of 1997, \$173,396,000, of*  
 17 *which not to exceed \$25,000 is for dues and assessments*  
 18 *relating to the implementation of the Court Services and*  
 19 *Offender Supervision Agency Interstate Supervision Act of*  
 20 *2002, of which not to exceed \$2,000 is for official receptions*  
 21 *and representation expenses related to Community and Pre-*  
 22 *trial Services Agency Programs; of which \$110,775,000*  
 23 *shall be for necessary expenses of Community Supervision*  
 24 *and Sex Offender Registration, to include expenses relating*  
 25 *to the supervision of adults subject to protection orders or*

1 *the provision of services for or related to such persons; of*  
 2 *which \$25,210,000 shall be transferred to the Public De-*  
 3 *fender Service for the District of Columbia to include ex-*  
 4 *penses relating to the provision of legal representation and*  
 5 *including related services provided to the local courts and*  
 6 *Criminal Justice Act bar; and of which \$37,411,000 shall*  
 7 *be available to the Pretrial Services Agency: Provided, That*  
 8 *notwithstanding any other provision of law, all amounts*  
 9 *under this heading shall be apportioned quarterly by the*  
 10 *Office of Management and Budget and obligated and ex-*  
 11 *pended in the same manner as funds appropriated for sala-*  
 12 *ries and expenses of other Federal agencies: Provided fur-*  
 13 *ther, That notwithstanding chapter 33 of title 40, United*  
 14 *States Code, the Director shall acquire by purchase, lease,*  
 15 *condemnation, or donation, and renovate as necessary,*  
 16 *Building Number 17, 1900 Massachusetts Avenue, South-*  
 17 *east, Washington, District of Columbia to house or supervise*  
 18 *offenders and defendants, with funds made available for this*  
 19 *purpose in Public Law 107–96: Provided further, That the*  
 20 *Director is authorized to accept and use gifts in the form*  
 21 *of in-kind contributions of space and hospitality to support*  
 22 *offender and defendant programs, and equipment and voca-*  
 23 *tional training services to educate and train offenders and*  
 24 *defendants: Provided further, That the Director shall keep*  
 25 *accurate and detailed records of the acceptance and use of*

1 *any gift or donation under the previous proviso, and shall*  
 2 *make such records available for audit and public inspection:*  
 3 *Provided further, That the Director is authorized to accept*  
 4 *appropriation reimbursements from the District of Colum-*  
 5 *bia Government for space and services provided on a cost*  
 6 *reimbursable basis: Provided further, That these reimburse-*  
 7 *ments are subject to approved apportionments from the Of-*  
 8 *fice of Management and Budget.*

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

11 *For a Federal payment to the Chief Financial Officer*  
 12 *of the District of Columbia, \$33,000,000: Provided, That*  
 13 *these funds shall be available for the projects and in the*  
 14 *amounts specified in the statement of the managers on the*  
 15 *conference report accompanying this Act: Provided further,*  
 16 *That each entity that receives funding under this heading*  
 17 *shall submit to the Committees on Appropriations of the*  
 18 *House of Representatives and Senate a report due March*  
 19 *15, 2004, on the activities carried out with such funds.*

20 *FEDERAL PAYMENT FOR TRANSPORTATION ASSISTANCE*

21 *For a Federal payment to the District of Columbia*  
 22 *Department of Transportation, \$3,500,000, of which*  
 23 *\$500,000 shall be allocated to implement a downtown*  
 24 *circulator transit system, and of which \$3,000,000 shall be*  
 25 *to offset a portion of the District of Columbia's allocated*

1 *operating subsidy payment to the Washington Metropolitan*  
 2 *Area Transit Authority.*

3 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

4 *WATER AND SEWER AUTHORITY*

5 *For a Federal payment to the District of Columbia*  
 6 *Water and Sewer Authority, \$25,000,000, to remain avail-*  
 7 *able until expended, to continue implementing the Com-*  
 8 *bined Sewer Overflow Long-Term Control Plan: Provided,*  
 9 *That the District of Columbia Water and Sewer Authority*  
 10 *provides a 100 percent match for the fiscal year 2004 Fed-*  
 11 *eral contribution.*

12 *FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT*

13 *INITIATIVE IN THE DISTRICT OF COLUMBIA*

14 *For a Federal payment to the District of Columbia*  
 15 *Department of Transportation, for implementation of the*  
 16 *Anacostia Waterfront Initiative, \$6,000,000, to remain*  
 17 *available until expended.*

18 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR*

19 *CAPITAL DEVELOPMENT*

20 *For a Federal payment to the District of Columbia*  
 21 *for capital development, \$5,000,000, to remain available*  
 22 *until expended, for the Unified Communications Center.*

1 *FEDERAL PAYMENT TO CHILDREN'S NATIONAL MEDICAL*  
 2 *CENTER*

3 *For a Federal payment to Children's National Medical*  
 4 *Center, \$10,000,000, for construction costs associated with*  
 5 *the expansion of a neo-natal care unit, pediatric intensive*  
 6 *care unit, and cardiac intensive care unit.*

7 *FEDERAL PAYMENT TO ST. COLETTA OF GREATER*  
 8 *WASHINGTON EXPANSION PROJECT*

9 *For a Federal payment to St. Coletta of Greater Wash-*  
 10 *ington, Inc., \$2,000,000, for costs associated with establish-*  
 11 *ment of a day program and comprehensive case manage-*  
 12 *ment services for mentally retarded and multiple-handi-*  
 13 *capped adolescents and adults in the District of Columbia,*  
 14 *including property acquisition and construction.*

15 *FEDERAL PAYMENT FOR FOSTER CARE IMPROVEMENTS IN*  
 16 *THE DISTRICT OF COLUMBIA*

17 *For a Federal payment to the District of Columbia*  
 18 *for foster care improvements, \$14,000,000: Provided, That*  
 19 *\$9,000,000 shall be for the Child and Family Services Agen-*  
 20 *cy, of which \$2,000,000 shall be to establish an early inter-*  
 21 *vention unit to provide intensive and immediate services*  
 22 *for foster children; of which \$1,000,000 shall be to establish*  
 23 *an emergency support fund to purchase items necessary to*  
 24 *allow children to remain in the care of an approved family*  
 25 *member; of which \$3,000,000 shall be for a loan repayment*

1 program for social workers who meet certain agency-estab-  
2 lished requirements; of which \$3,000,000 shall be to upgrade  
3 the agency's computer database to a web-based technology  
4 and to provide computer technology for social workers: Pro-  
5 vided further, That \$3,900,000 shall be for the Department  
6 of Mental Health to provide all court-ordered mental health  
7 assessments and treatments for children under the super-  
8 vision of the Child and Family Services Agency: Provided  
9 further, That the Director of the Department of Mental  
10 Health shall ensure that court-ordered mental health assess-  
11 ments are completed within 15 days of the court order and  
12 that all assessments be provided to the Court within 5 days  
13 of completion of the assessment: Provided further, That the  
14 Director shall initiate court-ordered mental health services  
15 within 10 days of the issuance of an order: Provided fur-  
16 ther, That \$1,100,000 shall be for the Washington Metro-  
17 politan Council of Governments to develop a program to  
18 provide respite care for and recruitment of foster parents:  
19 Provided further, That the Mayor shall submit a detailed  
20 expenditure plan for the use of funds provided under this  
21 heading within 15 days of enactment of this legislation to  
22 the Committees on Appropriations of the House of Rep-  
23 resentatives and Senate: Provided further, That the funds  
24 provided under this heading shall not be made available  
25 until 30 calendar days after the submission to Congress of

1 *a spending plan: Provided further, That no part of this ap-*  
 2 *propriation may be used for contractual community-based*  
 3 *services: Provided further, That the Comptroller General*  
 4 *shall prepare and submit to the Committees on Appropria-*  
 5 *tions of the House and Senate an accounting of all obliga-*  
 6 *tions and expenditures of the funds provided under this*  
 7 *heading: Provided further, That the Comptroller General*  
 8 *shall initiate management reviews of the Child and Family*  
 9 *Services Agency and the Department of Mental Health and*  
 10 *submit a report to the Committees on Appropriations of the*  
 11 *House and Senate no later than 6 months after enactment*  
 12 *of this Act.*

13 *FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT*

14 *For a Federal payment for a School Improvement Pro-*  
 15 *gram in the District of Columbia, \$27,000,000, to be allo-*  
 16 *cated as follows: for the State Education Office, \$13,000,000*  
 17 *to improve public school education in the District of Colum-*  
 18 *bia; for the State Education Office, \$13,000,000 to expand*  
 19 *quality charter schools in the District of Columbia.*

20 *AUTHORIZATION OF APPROPRIATIONS*

21 *There are authorized to be appropriated to carry out*  
 22 *this Act such sums as may be necessary.*

1        *TITLE II—DISTRICT OF COLUMBIA FUNDS*2                    *OPERATING EXPENSES*3                    *DIVISION OF EXPENSES*

4        *The following amounts are appropriated for the Dis-*  
5 *trict of Columbia for the current fiscal year out of the gen-*  
6 *eral fund of the District of Columbia, except as otherwise*  
7 *specifically provided: Provided, That notwithstanding any*  
8 *other provision of law, except as provided in section 450A*  
9 *of the District of Columbia Home Rule Act and provisions*  
10 *of this Act (D.C. Official Code, sec. 1–204.50a), the total*  
11 *amount appropriated in this Act for operating expenses for*  
12 *the District of Columbia for fiscal year 2004 under this*  
13 *heading shall not exceed the lesser of the sum of the total*  
14 *revenues of the District of Columbia for such fiscal year*  
15 *or \$6,326,138,000 (of which \$3,832,734,000 shall be from*  
16 *local funds (of which \$96,248,000 shall be funds identified*  
17 *in the fiscal year 2002 comprehensive annual financial re-*  
18 *port as the District of Columbia’s fund balance funds),*  
19 *\$1,568,734,000 shall be from Federal grant funds,*  
20 *\$13,766,000 shall be from private funds, \$910,904,000 shall*  
21 *be from other funds) and \$109,500,000 from funds pre-*  
22 *viously appropriated in this Act as Federal payments: Pro-*  
23 *vided further, That an amount of \$263,759,000 shall be for*  
24 *Intra-District funds: Provided further, That this amount*  
25 *may be increased by proceeds of one-time transactions,*

1 *which are expended for emergency or unanticipated oper-*  
 2 *ating or capital needs: Provided further, That such in-*  
 3 *creases shall be approved by enactment of local District law*  
 4 *and shall comply with all reserve requirements contained*  
 5 *in the District of Columbia Home Rule Act: Provided fur-*  
 6 *ther, That the Chief Financial Officer of the District of Co-*  
 7 *lumbia shall take such steps as are necessary to assure that*  
 8 *the District of Columbia meets these requirements, includ-*  
 9 *ing the apportioning by the Chief Financial Officer of the*  
 10 *appropriations and funds made available to the District*  
 11 *during fiscal year 2004, except that the Chief Financial Of-*  
 12 *ficer may not reprogram for operating expenses any funds*  
 13 *derived from bonds, notes, or other obligations issued for*  
 14 *capital projects.*

15           GOVERNMENTAL DIRECTION AND SUPPORT

16           Governmental direction and support, \$284,415,000  
 17 *(including \$206,825,000 from local funds, \$57,440,000 from*  
 18 *Federal funds, and \$20,150,000 from other funds), in addi-*  
 19 *tion, \$20,000,000 from funds previously appropriated in*  
 20 *this Act under the heading “Federal Payment to the Chief*  
 21 *Financial Officer of the District of Columbia”, and*  
 22 *\$1,100,000 from funds previously appropriated in this Act*  
 23 *under the heading “Federal Payment for Foster Care Im-*  
 24 *provement in the District of Columbia”: Provided, That not*  
 25 *to exceed \$2,500 for the Mayor, \$2,500 for the Chairman*

1 of the Council of the District of Columbia, \$2,500 for the  
 2 City Administrator, and \$2,500 for the Office of the Chief  
 3 Financial Officer shall be available from this appropriation  
 4 for official purposes: Provided further, That any program  
 5 fees collected from the issuance of debt shall be available  
 6 for the payment of expenses of the debt management pro-  
 7 gram of the District of Columbia: Provided further, That  
 8 no revenues from Federal sources shall be used to support  
 9 the operations or activities of the Statehood Commission  
 10 and Statehood Compact Commission: Provided further,  
 11 That the District of Columbia shall identify the sources of  
 12 funding for Admission to Statehood from its own locally  
 13 generated revenues: Provided further, That notwithstanding  
 14 any other provision of law, or Mayor's Order 86-45, issued  
 15 March 18, 1986, the Office of the Chief Technology Officer's  
 16 delegated small purchase authority shall be \$500,000: Pro-  
 17 vided further, That the District of Columbia government  
 18 may not require the Office of the Chief Technology Officer  
 19 to submit to any other procurement review process, or to  
 20 obtain the approval of or be restricted in any manner by  
 21 any official or employee of the District of Columbia govern-  
 22 ment, for purchases that do not exceed \$500,000: Provided  
 23 further, That an amount not to exceed \$25,000 of the funds  
 24 in the Antifraud Fund established pursuant to section 820  
 25 of the District of Columbia Procurement Practices Act of

1 1985, effective May 8, 1998 (D.C. Law 12–104; D.C. Offi-  
 2 cial Code, sec. 2–308.20), is hereby made available, to re-  
 3 main available until expended, for the use of the Office of  
 4 the Corporation Counsel of the District of Columbia in ac-  
 5 cordance with the laws establishing this fund.

#### 6 *ECONOMIC DEVELOPMENT AND REGULATION*

7 *Economic development and regulation, \$276,647,000*  
 8 *(including \$53,336,000 from local funds, \$91,077,000 from*  
 9 *Federal funds, \$125,000 from private funds, and*  
 10 *\$132,109,000 from other funds), of which \$15,000,000 col-*  
 11 *lected by the District of Columbia in the form of BID tax*  
 12 *revenue shall be paid to the respective BIDs pursuant to*  
 13 *the Business Improvement Districts Act of 1996 (D.C. Law*  
 14 *11–134; D.C. Official Code, sec. 2–1215.01 et seq.), and the*  
 15 *Business Improvement Districts Amendment Act of 1997*  
 16 *(D.C. Law 12–26; D.C. Official Code, sec. 2–1215.15 et*  
 17 *seq.): Provided, That such funds are available for acquiring*  
 18 *services provided by the General Services Administration:*  
 19 *Provided further, That Business Improvement Districts*  
 20 *shall be exempt from taxes levied by the District of Colum-*  
 21 *bia.*

#### 22 *PUBLIC SAFETY AND JUSTICE*

23 *Public safety and justice, \$745,958,000 (including*  
 24 *\$716,715,000 from local funds, \$10,290,000 from Federal*  
 25 *funds, \$9,000 from private funds, and \$18,944,000 from*

1 *other funds): Provided, That not to exceed \$500,000 shall*  
 2 *be available from this appropriation for the Chief of Police*  
 3 *for the prevention and detection of crime: Provided further,*  
 4 *That the Mayor shall reimburse the District of Columbia*  
 5 *National Guard for expenses incurred in connection with*  
 6 *services that are performed in emergencies by the National*  
 7 *Guard in a militia status and are requested by the Mayor,*  
 8 *in amounts that shall be jointly determined and certified*  
 9 *as due and payable for these services by the Mayor and the*  
 10 *Commanding General of the District of Columbia National*  
 11 *Guard: Provided further, That such sums as may be nec-*  
 12 *essary for reimbursement to the District of Columbia Na-*  
 13 *tional Guard under the preceding proviso shall be available*  
 14 *from this appropriation, and the availability of the sums*  
 15 *shall be deemed as constituting payment in advance for*  
 16 *emergency services involved.*

17 *PUBLIC EDUCATION SYSTEM*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *Public education system, including the development of*  
 20 *national defense education programs, \$1,157,841,000 (in-*  
 21 *cluding \$962,941,000 from local funds, \$156,708,000 from*  
 22 *Federal grant funds, \$4,302,000 from private funds, and*  
 23 *not to exceed \$6,816,000, to remain available until ex-*  
 24 *pended, from the Medicaid and Special Education Reform*  
 25 *Fund), in addition, \$17,000,000 from funds previously ap-*

1 *propriated in this Act under the heading “Federal Payment*  
 2 *for Resident Tuition Support” and \$26,000,000 from funds*  
 3 *previously appropriated in this Act under the heading*  
 4 *“Federal Payment for School Improvement in the District*  
 5 *of Columbia”, to be allocated as follows:*

6           (1) *DISTRICT OF COLUMBIA PUBLIC SCHOOLS.—*  
 7       *\$870,135,000 (including \$738,444,000 from local*  
 8       *funds, \$114,749,000 from Federal funds, \$3,599,000*  
 9       *from private funds, and \$6,527,000 from other funds*  
 10       *shall be available for District of Columbia Public*  
 11       *Schools: Provided, That notwithstanding any other*  
 12       *provision of law, rule, or regulation, the evaluation*  
 13       *process and instruments for evaluating District of Co-*  
 14       *lumbia Public School employees shall be a non-nego-*  
 15       *tiable item for collective bargaining purposes: Pro-*  
 16       *vided further, That this appropriation shall not be*  
 17       *available to subsidize the education of any non-*  
 18       *resident of the District of Columbia at any District*  
 19       *of Columbia public elementary or secondary school*  
 20       *during fiscal year 2004, unless the nonresident pays*  
 21       *tuition to the District of Columbia at a rate that cov-*  
 22       *ers 100 percent of the costs incurred by the District*  
 23       *of Columbia that are attributable to the education of*  
 24       *the nonresident (as established by the Superintendent*  
 25       *of the District of Columbia Public Schools): Provided*

1     *further, That notwithstanding the amounts otherwise*  
2     *provided under this heading or any other provision of*  
3     *law, there shall be appropriated to the District of Co-*  
4     *lumbia Public Schools on July 1, 2004, an amount*  
5     *equal to 10 percent of the total amount provided for*  
6     *the District of Columbia Public Schools in the pro-*  
7     *posed budget of the District of Columbia for fiscal*  
8     *year 2005 (as submitted to Congress), and the amount*  
9     *of such payment shall be chargeable against the final*  
10    *amount provided for the District of Columbia Public*  
11    *Schools under the District of Columbia Appropria-*  
12    *tions Act, 2005: Provided further, That not to exceed*  
13    *\$2,500 for the Superintendent of Schools shall be*  
14    *available from this appropriation for official pur-*  
15    *poses: Provided further, That the District of Columbia*  
16    *Public Schools shall submit to the Board of Education*  
17    *by January 1 and July 1 of each year a Schedule A*  
18    *showing all the current funded positions of the Dis-*  
19    *trict of Columbia Public Schools, their compensation*  
20    *levels, and indicating whether the positions are en-*  
21    *cumbered: Provided further, That the Board of Edu-*  
22    *cation shall approve or disapprove each Schedule A*  
23    *within 30 days of its submission and provide the*  
24    *Council of the District of Columbia a copy of the*  
25    *Schedule A upon its approval.*

1           (2) *STATE EDUCATION OFFICE.*—\$38,752,000  
2           *(including \$9,959,000 from local funds, \$28,617,000*  
3           *from Federal grant funds, and \$176,000 from other*  
4           *funds), in addition, \$17,000,000 from funds pre-*  
5           *viously appropriated in this Act under the heading*  
6           *“Federal Payment for Resident Tuition Support”*  
7           *and \$26,000,000 from funds previously appropriated*  
8           *in this Act under the heading “Federal Payment for*  
9           *School Improvement in the District of Columbia”*  
10          *shall be available for the State Education Office: Pro-*  
11          *vided, That of the amounts provided to the State*  
12          *Education Office, \$500,000 from local funds shall re-*  
13          *main available until June 30, 2005 for an audit of*  
14          *the student enrollment of each District of Columbia*  
15          *Public School and of each District of Columbia public*  
16          *charter school.*

17          (3) *DISTRICT OF COLUMBIA PUBLIC CHARTER*  
18          *SCHOOLS.*—\$137,531,000 from local funds shall be  
19          *available for District of Columbia public charter*  
20          *schools: Provided, That there shall be quarterly dis-*  
21          *bursement of funds to the District of Columbia public*  
22          *charter schools, with the first payment to occur with-*  
23          *in 15 days of the beginning of the fiscal year: Pro-*  
24          *vided further, That if the entirety of this allocation*  
25          *has not been provided as payments to any public*

1     *charter school currently in operation through the per*  
 2     *pupil funding formula, the funds shall be available as*  
 3     *follows: (1) the first \$3,000,000 shall be deposited in*  
 4     *the Credit Enhancement Revolving Fund established*  
 5     *pursuant to section 603(e) of the Student Loan Mar-*  
 6     *keting Association Reorganization Act of 1996, ap-*  
 7     *proved September 20, 1996 (Public Law 104–208; 110*  
 8     *Stat. 3009; 20 U.S.C. 1155(e)); and (2) the balance*  
 9     *shall be for public education in accordance with sec-*  
 10    *tion 2403(b)(2) of the District of Columbia School Re-*  
 11    *form Act of 1995, approved November 19, 1997 (Pub-*  
 12    *lic Law 105–100, section 172; D.C. Official Code, sec-*  
 13    *tion 38–1804.03(b)(2)): Provided further, That of the*  
 14    *amounts made available to District of Columbia pub-*  
 15    *lic charter schools, \$25,000 shall be made available to*  
 16    *the Office of the Chief Financial Officer as authorized*  
 17    *by section 2403(b)(6) of the District of Columbia*  
 18    *School Reform Act of 1995 (D.C. Official Code, sec.*  
 19    *38–1804.03(b)(6)): Provided further, That \$660,000 of*  
 20    *this amount shall be available to the District of Co-*  
 21    *lumbia Public Charter School Board for administra-*  
 22    *tive costs: Provided further, That notwithstanding the*  
 23    *amounts otherwise provided under this heading or*  
 24    *any other provision of law, there shall be appro-*  
 25    *priated to the District of Columbia public charter*

1        *schools on July 1, 2004, an amount equal to 25 per-*  
 2        *cent of the total amount provided for payments to*  
 3        *public charter schools in the proposed budget of the*  
 4        *District of Columbia for fiscal year 2005 (as sub-*  
 5        *mitted to Congress), and the amount of such payment*  
 6        *shall be chargeable against the final amount provided*  
 7        *for such payments under the District of Columbia Ap-*  
 8        *propriations Act, 2005.*

9            (4) *UNIVERSITY OF THE DISTRICT OF COLUM-*  
 10        *BIA.—\$80,660,000 (including \$48,656,000 from local*  
 11        *funds, \$11,867,000 from Federal funds, \$703,000 from*  
 12        *private funds, and \$19,434,000 from other funds)*  
 13        *shall be available for the University of the District of*  
 14        *Columbia: Provided, That this appropriation shall*  
 15        *not be available to subsidize the education of non-*  
 16        *residents of the District of Columbia at the University*  
 17        *of the District of Columbia, unless the Board of*  
 18        *Trustees of the University of the District of Columbia*  
 19        *adopts, for the fiscal year ending September 30, 2004,*  
 20        *a tuition rate schedule that will establish the tuition*  
 21        *rate for nonresident students at a level no lower than*  
 22        *the nonresident tuition rate charged at comparable*  
 23        *public institutions of higher education in the metro-*  
 24        *politan area: Provided further, That notwithstanding*  
 25        *the amounts otherwise provided under this heading or*

1     *any other provision of law, there shall be appro-*  
 2     *priated to the University of the District of Columbia*  
 3     *on July 1, 2004, an amount equal to 10 percent of*  
 4     *the total amount provided for the University of the*  
 5     *District of Columbia in the proposed budget of the*  
 6     *District of Columbia for fiscal year 2005 (as sub-*  
 7     *mitted to Congress), and the amount of such payment*  
 8     *shall be chargeable against the final amount provided*  
 9     *for the University of the District of Columbia under*  
 10    *the District of Columbia Appropriations Act, 2005:*  
 11    *Provided further, That not to exceed \$2,500 for the*  
 12    *President of the University of the District of Colum-*  
 13    *bia shall be available from this appropriation for offi-*  
 14    *cial purposes.*

15           (5) *DISTRICT OF COLUMBIA PUBLIC LIBRAR-*  
 16    *IES.—\$28,287,000 (including \$26,750,000 from local*  
 17    *funds, \$1,000,000 from Federal funds, and \$537,000*  
 18    *from other funds) shall be available for the District of*  
 19    *Columbia Public Libraries: Provided, That not to ex-*  
 20    *ceed \$2,000 for the Public Librarian shall be avail-*  
 21    *able from this appropriation for official purposes.*

22           (6) *COMMISSION ON THE ARTS AND HUMAN-*  
 23    *ITIES.—\$2,476,000 (including \$1,601,000 from local*  
 24    *funds, \$475,000 from Federal funds, and \$400,000*

1       *from other funds) shall be available for the Commis-*  
 2       *sion on the Arts and Humanities.*

3                       *HUMAN SUPPORT SERVICES*

4                       *(INCLUDING TRANSFER OF FUNDS)*

5       *Human support services, \$2,360,067,000 (including*  
 6       *\$1,030,223,000 from local funds, \$1,247,945,000 from Fed-*  
 7       *eral funds, \$9,330,000 from private funds, and \$24,330,000*  
 8       *from other funds, of which \$48,239,000, to remain available*  
 9       *until expended, shall be available for deposit in the Med-*  
 10       *icaid and Special Education Reform Fund established pur-*  
 11       *suant to the Medicaid and Special Education Reform Fund*  
 12       *Establishment Act of 2002, effective October 1, 2002 (D.C.*  
 13       *Law 14–190; D.C. Official Code 4–204.51 et seq.)), in addi-*  
 14       *tion, \$12,900,000 from funds previously appropriated in*  
 15       *this Act under the heading “Federal Payment to Foster*  
 16       *Care Improvement in the District of Columbia”: Provided,*  
 17       *That the funds deposited in the Medicaid and Special Edu-*  
 18       *cation Reform Fund are allocated as follows: no more than*  
 19       *\$6,816,000 for District of Columbia Public Schools, no more*  
 20       *than \$18,744,000 for Child and Family Services, no more*  
 21       *than \$7,795,000 for the Department of Human Services,*  
 22       *and no more than \$21,700,000 for the Department of Men-*  
 23       *tal Health: Provided further, That \$27,959,000 of this ap-*  
 24       *propriation, to remain available until expended, shall be*  
 25       *available solely for District of Columbia employees’ dis-*

1 *ability compensation: Provided further, That \$7,500,000 of*  
 2 *this appropriation, to remain available until expended,*  
 3 *shall be deposited in the Addiction Recovery Fund, estab-*  
 4 *lished pursuant to section 5 of the Choice in Drug Treat-*  
 5 *ment Act of 2000 (D.C. Law 13–146; D.C. Official Code,*  
 6 *sec. 7–3004) and used exclusively for the purpose of the*  
 7 *Drug Treatment Choice Program established pursuant to*  
 8 *section 4 of the Choice in Drug Treatment Act of 2000 (D.C.*  
 9 *Law 13–146; D.C. Official Code, sec. 7–3003): Provided fur-*  
 10 *ther, That no less than \$2,000,000 of this appropriation*  
 11 *shall be available exclusively for the purpose of funding the*  
 12 *pilot substance abuse program for youth ages 14 through*  
 13 *21 years established pursuant to section 4212 of the Pilot*  
 14 *Substance Abuse Program for Youth Act of 2001 (D.C. Law*  
 15 *14–28; D.C. Official Code, sec. 7–3101): Provided further,*  
 16 *That \$4,500,000 of this appropriation, to remain available*  
 17 *until expended, shall be deposited in the Interim Disability*  
 18 *Assistance Fund established pursuant to section 201 of the*  
 19 *District of Columbia Public Assistance Act of 1982 (D.C.*  
 20 *Law 4–101; D.C. Official Code, sec. 4–202.01), to be used*  
 21 *exclusively for the Interim Disability Assistance program*  
 22 *and the purposes for that program set forth in section 407*  
 23 *of the District of Columbia Public Assistance Act of 1982*  
 24 *(D.C. Law 13–252; D.C. Official Code, sec. 4–204.07): Pro-*  
 25 *vided further, That no less than \$640,531 of this appropria-*

tion shall be available exclusively for the purpose of funding the Burial Assistance Program established by section 1802 of the Burial Assistance Program Reestablishment Act of 1999, effective October 20, 1999 (D.C. Law 13–38; D.C. Official Code, section 4–1001).

## PUBLIC WORKS

Public works, including rental of one passenger-car-rying vehicle for use by the Mayor and three passenger-car-rying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$327,046,000 (including \$308,028,000 from local funds, \$5,274,000 from Federal funds, and \$13,744,000 from other funds): Provided, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

## EMERGENCY AND CONTINGENCY RESERVE FUNDS

For the emergency reserve fund and the contingency reserve fund under section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50a), such amounts from local funds as are necessary to meet the balance requirements for such funds under such section.

## 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 author-

1 ized by sections 462, 475, and 490 of the District of Colum-  
 2 bia Home Rule Act (D.C. Official Code, secs. 1–204.62, 1–  
 3 204.75, and 1–204.90), \$311,504,000 from local funds: Pro-  
 4 vided, That for equipment leases, the Mayor may finance  
 5 \$14,300,000 of equipment cost, plus cost of issuance not to  
 6 exceed 2 percent of the par amount being financed on a  
 7 lease purchase basis with a maturity not to exceed 5 years.

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

9 For payment of interest on short-term borrowing,  
 10 \$3,000,000 from local funds.

#### 11 CERTIFICATES OF PARTICIPATION

12 For principal and interest payments on the District's  
 13 Certificates of Participation, issued to finance the ground  
 14 lease underlying the building located at One Judiciary  
 15 Square, \$4,911,000 from local funds.

#### 16 SETTLEMENTS AND JUDGMENTS

17 For making refunds and for the payment of legal set-  
 18 tlements or judgments that have been entered against the  
 19 District of Columbia government, \$22,522,000: Provided,  
 20 That this appropriation shall not be construed as modifying  
 21 or affecting the provisions of section 103 of this Act.

#### 22 WILSON BUILDING

23 For expenses associated with the John A. Wilson  
 24 Building, \$3,704,000 from local funds.

1 *WORKFORCE INVESTMENTS*

2 *For workforce investments, \$22,308,000 from local*  
3 *funds, to be transferred by the Mayor of the District of Co-*  
4 *lumbia within the various appropriation headings in this*  
5 *Act for which employees are properly payable.*

6 *NON-DEPARTMENTAL AGENCY*

7 *To account for anticipated costs that cannot be allo-*  
8 *cated to specific agencies during the development of the pro-*  
9 *posed budget, \$19,639,000 (including \$11,455,000 from*  
10 *local funds, and \$8,184,000 from other funds) to be trans-*  
11 *ferred by the Mayor of the District of Columbia within the*  
12 *various appropriation headings in this Act: Provided, That*  
13 *\$5,000,000 in local funds shall be available to meet contrac-*  
14 *tual obligations, and \$11,455,000 in local funds shall be*  
15 *for anticipated costs associated with the No Child Left Be-*  
16 *hind Act.*

17 *EMERGENCY PLANNING AND SECURITY COSTS*

18 *From funds previously appropriated in this Act under*  
19 *the heading “Federal Payment for Emergency Planning*  
20 *and Security Costs in the District of Columbia”,*  
21 *\$15,000,000.*

22 *TRANSPORTATION ASSISTANCE*

23 *From funds previously appropriated in this Act under*  
24 *the heading “Federal Payment for Transportation Assist-*  
25 *ance”, \$3,500,000.*

1 *PAY-AS-YOU-GO CAPITAL*

2 *For Pay-As-You-Go Capital funds in lieu of capital*  
 3 *financing, \$11,267,000, to be transferred to the Capital*  
 4 *Fund, subject to the Criteria for Spending Pay-as-You-Go*  
 5 *Funding Amendment Act of 2003, approved by the Council*  
 6 *of the District of Columbia on 1st reading, May 6, 2003*  
 7 *(Title 25 of Bill 15–218). Pursuant to this Act, there are*  
 8 *authorized to be transferred from Pay-As-You-Go Capital*  
 9 *funds to other headings of this Act, as necessary to carry*  
 10 *out the purposes of this Act.*

11 *TAX INCREMENT FINANCING PROGRAM*

12 *For a Tax Increment Financing Program, \$1,940,000*  
 13 *from local funds.*

14 *CASH RESERVE*

15 *For the cumulative cash reserve established pursuant*  
 16 *to section 202(j)(2) of the District of Columbia Financial*  
 17 *Responsibility and Management Assistance Act of 1995, ap-*  
 18 *proved April 17, 1995 (Public Law 107–96; D.C. Official*  
 19 *Code, section 47–392.02(j)(2)), \$50,000,000 from local*  
 20 *funds.*

21 *MEDICAID DISALLOWANCE*

22 *For making refunds associated with disallowed Med-*  
 23 *icaid funding an amount not to exceed \$57,000,000 in local*  
 24 *funds to remain available until expended: Provided, That*  
 25 *funds are derived from a transfer from the funds identified*

1 *in the fiscal year 2002 comprehensive annual financial re-*  
 2 *port as the District of Columbia's Grants Disallowance bal-*  
 3 *ance.*

#### 4 *ENTERPRISE AND OTHER FUNDS*

##### 5 *WATER AND SEWER AUTHORITY*

6 *For operation of the Water and Sewer Authority,*  
 7 *\$259,095,000 from other funds, of which \$18,692,000 shall*  
 8 *be apportioned for repayment of loans and interest incurred*  
 9 *for capital improvement projects (\$18,094,000 and payable*  
 10 *to the District's debt service fund).*

11 *For construction projects, \$199,807,000, to be distrib-*  
 12 *uted as follows: \$99,449,000 for the Blue Plains Wastewater*  
 13 *Treatment Plant, \$16,739,000 for the sewer program,*  
 14 *\$42,047,000 for the combined sewer program, \$42,047,000*  
 15 *for the Combined Sewer Overflow Long-Term Control Plan,*  
 16 *\$5,993,000 for the stormwater program, \$24,431,000 for the*  
 17 *water program, and \$11,148,000 for the capital equipment*  
 18 *program, in addition, \$25,000,000 from funds previously*  
 19 *appropriated in this Act under the heading "Federal Pay-*  
 20 *ment to the District of Columbia Water and Sewer Author-*  
 21 *ity".*

##### 22 *WASHINGTON AQUEDUCT*

23 *For operation of the Washington Aqueduct,*  
 24 *\$55,553,000 from other funds.*

1     *STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND*

2           *For operation of the Stormwater Permit Compliance*  
 3     *Enterprise Fund, \$3,501,000 from other funds.*

4     *LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND*

5           *For the Lottery and Charitable Games Enterprise*  
 6     *Fund, established by the District of Columbia Appropria-*  
 7     *tion Act, 1982, for the purpose of implementing the Law*  
 8     *to Legalize Lotteries, Daily Numbers Games, and Bingo*  
 9     *and Raffles for Charitable Purposes in the District of Co-*  
 10    *lumbia (D.C. Law 3-172; D.C. Official Code, sec. 3-1301*  
 11    *et seq. and sec. 22-1716 et seq.), \$242,755,000: Provided,*  
 12    *That the District of Columbia shall identify the source of*  
 13    *funding for this appropriation title from the District's own*  
 14    *locally generated revenues: Provided further, That no reve-*  
 15    *nues from Federal sources shall be used to support the oper-*  
 16    *ations or activities of the Lottery and Charitable Games*  
 17    *Control Board.*

18           *SPORTS AND ENTERTAINMENT COMMISSION*

19           *For the Sports and Entertainment Commission,*  
 20    *\$13,979,000 from local funds.*

21           *DISTRICT OF COLUMBIA RETIREMENT BOARD*

22           *For the District of Columbia Retirement Board, estab-*  
 23    *lished pursuant to section 121 of the District of Columbia*  
 24    *Retirement Reform Act of 1979 (D.C. Official Code, sec. 1-*  
 25    *711), \$13,895,000 from the earnings of the applicable retire-*

1 *ment funds to pay legal, management, investment, and*  
 2 *other fees and administrative expenses of the District of Co-*  
 3 *lumbia Retirement Board: Provided, That the District of*  
 4 *Columbia Retirement Board shall provide to the Congress*  
 5 *and to the Council of the District of Columbia a quarterly*  
 6 *report of the allocations of charges by fund and of expendi-*  
 7 *tures of all funds: Provided further, That the District of*  
 8 *Columbia Retirement Board shall provide the Mayor, for*  
 9 *transmittal to the Council of the District of Columbia, an*  
 10 *itemized accounting of the planned use of appropriated*  
 11 *funds in time for each annual budget submission and the*  
 12 *actual use of such funds in time for each annual audited*  
 13 *financial report.*

14 *WASHINGTON CONVENTION CENTER ENTERPRISE FUND*

15 *For the Washington Convention Center Enterprise*  
 16 *Fund, \$69,742,000 from other funds.*

17 *NATIONAL CAPITAL REVITALIZATION CORPORATION*

18 *For the National Capital Revitalization Corporation,*  
 19 *\$7,849,000 from other funds.*

20 *CAPITAL OUTLAY*

21 *(INCLUDING RESCISSIONS)*

22 *For construction projects, an increase of*  
 23 *\$1,004,796,000, of which \$601,708,000 shall be from local*  
 24 *funds, \$46,014,000 from Highway Trust funds, \$38,311,000*  
 25 *from the Rights-of-way funds, \$218,880,000 from Federal*

1 *funds, and a rescission of \$99,884,000 from local funds ap-*  
 2 *propriated under this heading in prior fiscal years, for a*  
 3 *net amount of \$904,913,000, to remain available until ex-*  
 4 *pended, in addition, \$5,000,000 from funds previously ap-*  
 5 *propriated in this Act under the heading “Federal Payment*  
 6 *for Capital Development in the District of Columbia” and*  
 7 *\$6,000,000 from funds previously appropriated in this Act*  
 8 *for the “Anacostia Waterfront Initiative”: Provided, That*  
 9 *funds for use of each capital project implementing agency*  
 10 *shall be managed and controlled in accordance with all pro-*  
 11 *cedures and limitations established under the Financial*  
 12 *Management System: Provided further, That all funds pro-*  
 13 *vided by this appropriation title shall be available only for*  
 14 *the specific projects and purposes intended.*

### 15 *TITLE III GENERAL PROVISIONS*

16 *SEC. 301. Whenever in this Act, an amount is specified*  
 17 *within an appropriation for particular purposes or objects*  
 18 *of expenditure, such amount, unless otherwise specified,*  
 19 *shall be considered as the maximum amount that may be*  
 20 *expended for said purpose or object rather than an amount*  
 21 *set apart exclusively therefor.*

22 *SEC. 302. Appropriations in this Act shall be available*  
 23 *for expenses of travel and for the payment of dues of organi-*  
 24 *zations concerned with the work of the District of Columbia*  
 25 *government, when authorized by the Mayor: Provided, That*

1 *in the case of the Council of the District of Columbia, funds*  
 2 *may be expended with the authorization of the Chairman*  
 3 *of the Council.*

4       *SEC. 303. There are appropriated from the applicable*  
 5 *funds of the District of Columbia such sums as may be nec-*  
 6 *essary for making refunds and for the payment of legal set-*  
 7 *tlements or judgments that have been entered against the*  
 8 *District of Columbia government: Provided, That nothing*  
 9 *contained in this section shall be construed as modifying*  
 10 *or affecting the provisions of section 11(c)(3) of title XII*  
 11 *of the District of Columbia Income and Franchise Tax Act*  
 12 *of 1947 (D.C. Official Code, sec. 47-1812.11(c)(3)).*

13       *SEC. 304. No part of any appropriation contained in*  
 14 *this Act shall remain available for obligation beyond the*  
 15 *current fiscal year unless expressly so provided herein.*

16       *SEC. 305. No funds appropriated in this Act for the*  
 17 *District of Columbia government for the operation of edu-*  
 18 *cational institutions, the compensation of personnel, or for*  
 19 *other educational purposes may be used to permit, encour-*  
 20 *age, facilitate, or further partisan political activities. Noth-*  
 21 *ing herein is intended to prohibit the availability of school*  
 22 *buildings for the use of any community or partisan polit-*  
 23 *ical group during non-school hours.*

24       *SEC. 306. None of the funds appropriated in this Act*  
 25 *shall be made available to pay the salary of any employee*

1 *of the District of Columbia government whose name, title,*  
2 *grade, and salary are not available for inspection by the*  
3 *Committees on Appropriations of the House of Representa-*  
4 *tives and Senate, the Committee on Government Reform of*  
5 *the House of Representatives, the Committee on Govern-*  
6 *mental Affairs of the Senate, and the Council of the District*  
7 *of Columbia, or their duly authorized representative.*

8       *SEC. 307. None of the Federal funds provided in this*  
9 *Act may be used for publicity or propaganda purposes or*  
10 *implementation of any policy including boycott designed to*  
11 *support or defeat legislation pending before Congress or any*  
12 *State legislature.*

13       *SEC. 308. (a) None of the Federal funds provided in*  
14 *this Act may be used to carry out lobbying activities on*  
15 *any matter.*

16       *(b) Nothing in this section may be construed to pro-*  
17 *hibit any elected official from advocating with respect to*  
18 *any issue.*

19       *SEC. 309. (a) None of the funds provided under this*  
20 *Act to the agencies funded by this Act, both Federal and*  
21 *District government agencies, that remain available for ob-*  
22 *ligation or expenditure in fiscal year 2004, or provided*  
23 *from any accounts in the Treasury of the United States*  
24 *derived by the collection of fees available to the agencies*  
25 *funded by this Act, shall be available for obligation or ex-*

1 *penditure for an agency through a reprogramming of funds*  
 2 *which—*

3 *(1) creates new programs;*

4 *(2) eliminates a program, project, or responsi-*  
 5 *bility center;*

6 *(3) establishes or changes allocations specifically*  
 7 *denied, limited or increased under this Act;*

8 *(4) increases funds or personnel by any means*  
 9 *for any program, project, or responsibility center for*  
 10 *which funds have been denied or restricted;*

11 *(5) reestablishes any program or project pre-*  
 12 *viously deferred through reprogramming;*

13 *(6) augments any existing program, project, or*  
 14 *responsibility center through a reprogramming of*  
 15 *funds in excess of \$1,000,000 or 10 percent, whichever*  
 16 *is less; or*

17 *(7) increases by 20 percent or more personnel as-*  
 18 *signed to a specific program, project or responsibility*  
 19 *center,*

20 *unless the Committees on Appropriations of the House of*  
 21 *Representatives and Senate are notified in writing 30 days*  
 22 *in advance of the reprogramming.*

23 *(b) None of the local funds contained in this Act may*  
 24 *be available for obligation or expenditure for an agency*  
 25 *through a transfer of any local funds from one appropria-*

1 *tion heading to another unless the Committees on Appro-*  
 2 *priations of the House of Representatives and Senate are*  
 3 *notified in writing 30 days in advance of the transfer, ex-*  
 4 *cept that in no event may the amount of any funds trans-*  
 5 *ferred exceed 4 percent of the local funds in the appropria-*  
 6 *tion.*

7       *SEC. 310. Consistent with the provisions of section*  
 8 *1301(a) of title 31, United States Code, appropriations*  
 9 *under this Act shall be applied only to the objects for which*  
 10 *the appropriations were made except as otherwise provided*  
 11 *by law.*

12       *SEC. 311. Notwithstanding any other provisions of*  
 13 *law, the provisions of the District of Columbia Government*  
 14 *Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–*  
 15 *139; D.C. Official Code, sec. 1–601.01 et seq.), enacted pur-*  
 16 *suant to section 422(3) of the District of Columbia Home*  
 17 *Rule Act (D.C. Official Code, sec. 1–204.22(3)), shall apply*  
 18 *with respect to the compensation of District of Columbia*  
 19 *employees: Provided, That for pay purposes, employees of*  
 20 *the District of Columbia government shall not be subject*  
 21 *to the provisions of title 5, United States Code.*

22       *SEC. 312. No later than 30 days after the end of the*  
 23 *first quarter of fiscal year 2004, the Mayor of the District*  
 24 *of Columbia shall submit to the Council of the District of*  
 25 *Columbia and the Committees on Appropriations of the*

1 *House of Representatives and Senate the new fiscal year*  
 2 *2004 revenue estimates as of the end of such quarter. These*  
 3 *estimates shall be used in the budget request for fiscal year*  
 4 *2005. The officially revised estimates at midyear shall be*  
 5 *used for the midyear report.*

6 *SEC. 313. No sole source contract with the District of*  
 7 *Columbia government or any agency thereof may be re-*  
 8 *newed or extended without opening that contract to the*  
 9 *competitive bidding process as set forth in section 303 of*  
 10 *the District of Columbia Procurement Practices Act of 1985*  
 11 *(D.C. Law 6–85; D.C. Official Code, sec. 2–303.03), except*  
 12 *that the District of Columbia government or any agency*  
 13 *thereof may renew or extend sole source contracts for which*  
 14 *competition is not feasible or practical, but only if the deter-*  
 15 *mination as to whether to invoke the competitive bidding*  
 16 *process has been made in accordance with duly promulgated*  
 17 *rules and procedures and has been reviewed and certified*  
 18 *by the Chief Financial Officer of the District of Columbia.*

19 *SEC. 314. (a) In the event a sequestration order is*  
 20 *issued pursuant to the Balanced Budget and Emergency*  
 21 *Deficit Control Act of 1985 after the amounts appropriated*  
 22 *to the District of Columbia for the fiscal year involved have*  
 23 *been paid to the District of Columbia, the Mayor of the Dis-*  
 24 *trict of Columbia shall pay to the Secretary of the Treasury,*  
 25 *within 15 days after receipt of a request therefor from the*

1 *Secretary of the Treasury, such amounts as are sequestered*  
 2 *by the order: Provided, That the sequestration percentage*  
 3 *specified in the order shall be applied proportionately to*  
 4 *each of the Federal appropriation accounts in this Act that*  
 5 *are not specifically exempted from sequestration by such*  
 6 *Act.*

7       (b) *For purposes of the Balanced Budget and Emer-*  
 8 *gency Deficit Control Act of 1985, the term “program,*  
 9 *project, and activity” shall be synonymous with and refer*  
 10 *specifically to each account appropriating Federal funds in*  
 11 *this Act, and any sequestration order shall be applied to*  
 12 *each of the accounts rather than to the aggregate total of*  
 13 *those accounts: Provided, That sequestration orders shall*  
 14 *not be applied to any account that is specifically exempted*  
 15 *from sequestration by the Balanced Budget and Emergency*  
 16 *Deficit Control Act of 1985.*

17       SEC. 315. (a)(1) *An entity of the District of Columbia*  
 18 *government may accept and use a gift or donation during*  
 19 *fiscal year 2004 if—*

20               (A) *the Mayor approves the acceptance and use*  
 21 *of the gift or donation (except as provided in para-*  
 22 *graph (2) of this subsection); and*

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

1       (2) *The Council of the District of Columbia and the*  
 2 *District of Columbia courts may accept and use gifts with-*  
 3 *out prior approval by the Mayor.*

4       (b) *Each entity of the District of Columbia government*  
 5 *shall keep accurate and detailed records of the acceptance*  
 6 *and use of any gift or donation under subsection (a), and*  
 7 *shall make such records available for audit and public in-*  
 8 *spection.*

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

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

17       SEC. 316. *None of the Federal funds provided in this*  
 18 *Act may be used by the District of Columbia to provide*  
 19 *for salaries, expenses, or other costs associated with the of-*  
 20 *fices of United States Senator or United States Representa-*  
 21 *tive under section 4(d) of the District of Columbia State-*  
 22 *hood Constitutional Convention Initiatives of 1979 (D.C.*  
 23 *Law 3–171; D.C. Official Code, sec. 1–123).*

24       SEC. 317. *None of the funds appropriated under this*  
 25 *Act shall be expended for any abortion except where the life*

1 *of the mother would be endangered if the fetus were carried*  
 2 *to term or where the pregnancy is the result of an act of*  
 3 *rape or incest.*

4       *SEC. 318. None of the Federal funds made available*  
 5 *in this Act may be used to implement or enforce the Health*  
 6 *Care Benefits Expansion Act of 1992 (D.C. Law 9–114;*  
 7 *D.C. Official Code, sec. 32–701 et seq.) or to otherwise im-*  
 8 *plement or enforce any system of registration of unmarried,*  
 9 *cohabiting couples, including but not limited to registration*  
 10 *for the purpose of extending employment, health, or govern-*  
 11 *mental benefits to such couples on the same basis that such*  
 12 *benefits are extended to legally married couples.*

13       *SEC. 319. (a) Notwithstanding any other provision of*  
 14 *this Act, the Mayor, in consultation with the Chief Finan-*  
 15 *cial Officer of the District of Columbia may accept, obligate,*  
 16 *and expend Federal, private, and other grants received by*  
 17 *the District government that are not reflected in the*  
 18 *amounts appropriated in this Act.*

19       *(b) No such Federal, private, or other grant may be*  
 20 *accepted, obligated, or expended pursuant to subsection (a)*  
 21 *until—*

22               *(1) the Chief Financial Officer of the District of*  
 23       *Columbia submits to the Council a report setting*  
 24       *forth detailed information regarding such grant; and*

1           (2) *the Council within 15 calendar days after re-*  
 2           *ceipt of the report submitted under paragraph (1) has*  
 3           *reviewed and approved the acceptance, obligation,*  
 4           *and expenditure of such grant.*

5           (c) *No amount may be obligated or expended from the*  
 6           *general fund or other funds of the District of Columbia gov-*  
 7           *ernment in anticipation of the approval or receipt of a*  
 8           *grant under subsection (b)(2) or in anticipation of the ap-*  
 9           *proval or receipt of a Federal, private, or other grant not*  
 10          *subject to such subsection.*

11          (d) *The Chief Financial Officer of the District of Co-*  
 12          *lumbia shall prepare a quarterly report setting forth de-*  
 13          *tailed information regarding all Federal, private, and other*  
 14          *grants subject to this section. Each such report shall be sub-*  
 15          *mitted to the Council of the District of Columbia and to*  
 16          *the Committees on Appropriations of the House of Rep-*  
 17          *resentatives and Senate not later than 15 days after the*  
 18          *end of the quarter covered by the report.*

19          SEC. 320. (a) *Except as otherwise provided in this sec-*  
 20          *tion, none of the funds made available by this Act or by*  
 21          *any other Act may be used to provide any officer or em-*  
 22          *ployee of the District of Columbia with an official vehicle*  
 23          *unless the officer or employee uses the vehicle only in the*  
 24          *performance of the officer's or employee's official duties. For*  
 25          *purposes of this paragraph, the term "official duties" does*

1 *not include travel between the officer's or employee's resi-*  
2 *dence and workplace, except in the case of—*

3 *(1) an officer or employee of the Metropolitan*  
4 *Police Department who resides in the District of Co-*  
5 *lumbia or is otherwise designated by the Chief of the*  
6 *Department;*

7 *(2) at the discretion of the Fire Chief, an officer*  
8 *or employee of the District of Columbia Fire and*  
9 *Emergency Medical Services Department who resides*  
10 *in the District of Columbia and is on call 24 hours*  
11 *a day;*

12 *(3) the Mayor of the District of Columbia; and*

13 *(4) the Chairman of the Council of the District*  
14 *of Columbia.*

15 *(b) The Chief Financial Officer of the District of Co-*  
16 *lumbia shall submit by March 1, 2004 an inventory, as of*  
17 *September 30, 2003, of all vehicles owned, leased or operated*  
18 *by the District of Columbia government. The inventory*  
19 *shall include, but not be limited to, the department to which*  
20 *the vehicle is assigned; the year and make of the vehicle;*  
21 *the acquisition date and cost; the general condition of the*  
22 *vehicle; annual operating and maintenance costs; current*  
23 *mileage; and whether the vehicle is allowed to be taken home*  
24 *by a District officer or employee and if so, the officer or*  
25 *employee's title and resident location.*

1        *SEC. 321. No officer or employee of the District of Co-*  
2 *lumbia government (including any independent agency of*  
3 *the District of Columbia, but excluding the Office of the*  
4 *Chief Technology Officer, the Office of the Chief Financial*  
5 *Officer of the District of Columbia, and the Metropolitan*  
6 *Police Department) may enter into an agreement in excess*  
7 *of \$2,500 for the procurement of goods or services on behalf*  
8 *of any entity of the District government until the officer*  
9 *or employee has conducted an analysis of how the procure-*  
10 *ment of the goods and services involved under the applicable*  
11 *regulations and procedures of the District government*  
12 *would differ from the procurement of the goods and services*  
13 *involved under the Federal supply schedule and other appli-*  
14 *cable regulations and procedures of the General Services Ad-*  
15 *ministration, including an analysis of any differences in*  
16 *the costs to be incurred and the time required to obtain the*  
17 *goods or services.*

18        *SEC. 322. None of the funds contained in this Act may*  
19 *be used for purposes of the annual independent audit of*  
20 *the District of Columbia government for fiscal year 2004*  
21 *unless—*

22            *(1) the audit is conducted by the Inspector Gen-*  
23 *eral of the District of Columbia, in coordination with*  
24 *the Chief Financial Officer of the District of Colum-*  
25 *bia, pursuant to section 208(a)(4) of the District of*

1        *Columbia Procurement Practices Act of 1985 (D.C.*  
 2        *Official Code, sec. 2–302.8); and*

3            *(2) the audit includes as a basic financial state-*  
 4        *ment a comparison of audited actual year-end results*  
 5        *with the revenues submitted in the budget document*  
 6        *for such year and the appropriations enacted into law*  
 7        *for such year using the format, terminology, and clas-*  
 8        *sifications contained in the law making the appro-*  
 9        *priations for the year and its legislative history.*

10        *SEC. 323. (a) None of the funds contained in this Act*  
 11        *may be used by the District of Columbia Corporation Coun-*  
 12        *sel or any other officer or entity of the District government*  
 13        *to provide assistance for any petition drive or civil action*  
 14        *which seeks to require Congress to provide for voting rep-*  
 15        *resentation in Congress for the District of Columbia.*

16        *(b) Nothing in this section bars the District of Colum-*  
 17        *bia Corporation Counsel from reviewing or commenting on*  
 18        *briefs in private lawsuits, or from consulting with officials*  
 19        *of the District government regarding such lawsuits.*

20        *SEC. 324. (a) None of the Federal funds contained in*  
 21        *this Act may be used for any program of distributing sterile*  
 22        *needles or syringes for the hypodermic injection of any ille-*  
 23        *gal drug.*

24        *(b) Any individual or entity who receives any funds*  
 25        *contained in this Act and who carries out any program*

1 *described in subsection (a) shall account for all funds used*  
 2 *for such program separately from any funds contained in*  
 3 *this Act.*

4       *SEC. 325. None of the funds contained in this Act may*  
 5 *be used after the expiration of the 60-day period that begins*  
 6 *on the date of the enactment of this Act to pay the salary*  
 7 *of any chief financial officer of any office of the District*  
 8 *of Columbia government (including any independent agen-*  
 9 *cy of the District of Columbia) who has not filed a certifi-*  
 10 *cation with the Mayor and the Chief Financial Officer of*  
 11 *the District of Columbia that the officer understands the*  
 12 *duties and restrictions applicable to the officer and the offi-*  
 13 *cer's agency as a result of this Act (and the amendments*  
 14 *made by this Act), including any duty to prepare a report*  
 15 *requested either in the Act or in any of the reports accom-*  
 16 *panying the Act and the deadline by which each report*  
 17 *must be submitted. The Chief Financial Officer of the Dis-*  
 18 *trict of Columbia shall provide to the Committees on Appro-*  
 19 *priations of the House of Representatives and Senate by*  
 20 *the 10th day after the end of each quarter a summary list*  
 21 *showing each report, the due date, and the date submitted*  
 22 *to the Committees.*

23       *SEC. 326. (a) None of the funds contained in this Act*  
 24 *may be used to enact or carry out any law, rule, or regula-*  
 25 *tion to legalize or otherwise reduce penalties associated with*

1 *the possession, use, or distribution of any schedule I sub-*  
 2 *stance under the Controlled Substances Act (21 U.S.C. 802)*  
 3 *or any tetrahydrocannabinols derivative.*

4 *(b) The Legalization of Marijuana for Medical Treat-*  
 5 *ment Initiative of 1998, also known as Initiative 59, ap-*  
 6 *proved by the electors of the District of Columbia on Novem-*  
 7 *ber 3, 1998, shall not take effect.*

8 *SEC. 327. Nothing in this Act may be construed to pre-*  
 9 *vent the Council or Mayor of the District of Columbia from*  
 10 *addressing the issue of the provision of contraceptive cov-*  
 11 *erage by health insurance plans, but it is the intent of Con-*  
 12 *gress that any legislation enacted on such issue should in-*  
 13 *clude a “conscience clause” which provides exceptions for*  
 14 *religious beliefs and moral convictions.*

15 *SEC. 328. (a) If the Superior Court of the District of*  
 16 *Columbia or the District of Columbia Court of Appeals does*  
 17 *not make a payment described in subsection (b) prior to*  
 18 *the expiration of the 45-day period which begins on the date*  
 19 *the Court receives a completed voucher for a claim for the*  
 20 *payment, interest shall be assessed against the amount of*  
 21 *the payment which would otherwise be made to take into*  
 22 *account the period which begins on the day after the expira-*  
 23 *tion of such 45-day period and which ends on the day the*  
 24 *Court makes the payment.*

25 *(b) A payment described in this subsection is—*

1           (1) *a payment authorized under section 11–2604*  
2           *and section 11–2605, D.C. Official Code (relating to*  
3           *representation provided under the District of Colum-*  
4           *bia Criminal Justice Act);*

5           (2) *a payment for counsel appointed in pro-*  
6           *ceedings in the Family Court of the Superior Court*  
7           *of the District of Columbia under chapter 23 of title*  
8           *16, D.C. Official Code; or*

9           (3) *a payment for counsel authorized under sec-*  
10          *tion 21–2060, D.C. Official Code (relating to rep-*  
11          *resentation provided under the District of Columbia*  
12          *Guardianship, Protective Proceedings, and Durable*  
13          *Power of Attorney Act of 1986).*

14          (c) *The chief judges of the Superior Court of the Dis-*  
15          *trict of Columbia and the District of Columbia Court of*  
16          *Appeals shall establish standards and criteria for deter-*  
17          *mining whether vouchers submitted for claims for payments*  
18          *described in subsection (b) are complete, and shall publish*  
19          *and make such standards and criteria available to attor-*  
20          *neys who practice before such Courts.*

21          (d) *Nothing in this section shall be construed to require*  
22          *the assessment of interest against any claim (or portion of*  
23          *any claim) which is denied by the Court involved.*

24          (e) *This section shall apply with respect to claims re-*  
25          *ceived by the Superior Court of the District of Columbia*

1 *or the District of Columbia Court of Appeals during fiscal*  
2 *year 2003 and any subsequent fiscal year.*

3 *SEC. 329. The Mayor of the District of Columbia shall*  
4 *submit to the Committees on Appropriations of the House*  
5 *of Representatives and Senate, the Committee on Govern-*  
6 *ment Reform of the House of Representatives, and the Com-*  
7 *mittee on Governmental Affairs of the Senate quarterly re-*  
8 *ports addressing the following issues—*

9 *(1) crime, including the homicide rate, imple-*  
10 *mentation of community policing, the number of po-*  
11 *lice officers on local beats, and the closing down of*  
12 *open-air drug markets;*

13 *(2) access to substance and alcohol abuse treat-*  
14 *ment, including the number of treatment slots, the*  
15 *number of people served, the number of people on*  
16 *waiting lists, and the effectiveness of treatment pro-*  
17 *grams;*

18 *(3) management of parolees and pre-trial violent*  
19 *offenders, including the number of halfway house es-*  
20 *capades and steps taken to improve monitoring and su-*  
21 *pervision of halfway house residents to reduce the*  
22 *number of escapes to be provided in consultation with*  
23 *the Court Services and Offender Supervision Agency*  
24 *for the District of Columbia;*

1           (4) *education, including access to special edu-*  
2           *cation services and student achievement to be pro-*  
3           *vided in consultation with the District of Columbia*  
4           *Public Schools and the District of Columbia public*  
5           *charter schools;*

6           (5) *improvement in basic District services, in-*  
7           *cluding rat control and abatement;*

8           (6) *application for and management of Federal*  
9           *grants, including the number and type of grants for*  
10          *which the District was eligible but failed to apply*  
11          *and the number and type of grants awarded to the*  
12          *District but for which the District failed to spend the*  
13          *amounts received; and*

14          (7) *indicators of child well-being.*

15          SEC. 330. *No later than 30 calendar days after the*  
16          *date of the enactment of this Act, the Chief Financial Offi-*  
17          *cer of the District of Columbia shall submit to the appro-*  
18          *priate committees of Congress, the Mayor, and the Council*  
19          *of the District of Columbia a revised appropriated funds*  
20          *operating budget in the format of the budget that the Dis-*  
21          *trict of Columbia government submitted pursuant to section*  
22          *442 of the District of Columbia Home Rule Act (D.C. Offi-*  
23          *cial Code, sec. 1–204.42), for all agencies of the District of*  
24          *Columbia government for fiscal year 2004 that is in the*  
25          *total amount of the approved appropriation and that re-*

1 *aligns all budgeted data for personal services and other-*  
 2 *than-personal-services, respectively, with anticipated actual*  
 3 *expenditures.*

4 *SEC. 331. None of the funds contained in this Act may*  
 5 *be used to issue, administer, or enforce any order by the*  
 6 *District of Columbia Commission on Human Rights relat-*  
 7 *ing to docket numbers 93–030–(PA) and 93–031–(PA).*

8 *SEC. 332. None of the Federal funds made available*  
 9 *in this Act may be transferred to any department, agency,*  
 10 *or instrumentality of the United States Government, except*  
 11 *pursuant to a transfer made by, or transfer authority pro-*  
 12 *vided in, this Act or any other appropriation Act.*

13 *SEC. 333. In addition to any other authority to pay*  
 14 *claims and judgments, any department, agency, or instru-*  
 15 *mentality of the District government may pay the settle-*  
 16 *ment or judgment of a claim or lawsuit in an amount less*  
 17 *than \$10,000, in accordance with the Risk Management for*  
 18 *Settlements and Judgments Amendment Act of 2000 (D.C.*  
 19 *Law 13–172; D.C. Official Code, sec. 2–402).*

20 *SEC. 334. All funds from the Crime Victims Com-*  
 21 *pensation Fund, established pursuant to section 16 of the*  
 22 *Victims of Violent Crime Compensation Act of 1996 (D.C.*  
 23 *Law 11–243; D.C. Official Code, sec. 4–514) (“Compensa-*  
 24 *tion Act”), that are designated for outreach activities pur-*  
 25 *suant to section 16(d)(2) of the Compensation Act shall be*

1 *deposited in the Crime Victims Assistance Fund, established*  
2 *pursuant to section 16a of the Compensation Act, for the*  
3 *purpose of outreach activities, and shall remain available*  
4 *until expended.*

5       *SEC. 335. Notwithstanding any other law, the District*  
6 *of Columbia Courts shall transfer to the general treasury*  
7 *of the District of Columbia all fines levied and collected by*  
8 *the Courts in cases charging Driving Under the Influence*  
9 *and Driving While Impaired. The transferred funds shall*  
10 *remain available until expended and shall be used by the*  
11 *Office of the Corporation Counsel for enforcement and pros-*  
12 *ecution of District traffic alcohol laws in accordance with*  
13 *section 10(b)(3) of the District of Columbia Traffic Control*  
14 *Act (D.C. Official Code, sec. 50–2201.05(b)(3)).*

15       *SEC. 336. From the local funds appropriated under*  
16 *this Act, any agency of the District government may trans-*  
17 *fer to the Office of Labor Relations and Collective Bar-*  
18 *gaining (OLRCB) such amounts as may be necessary to*  
19 *pay for representation by OLRCB in third-party cases,*  
20 *grievances, and dispute resolution, pursuant to an intra-*  
21 *District agreement with OLRCB. These amounts shall be*  
22 *available for use by OLRCB to reimburse the cost of pro-*  
23 *viding the representation.*

24       *SEC. 337. None of the funds contained in this Act may*  
25 *be made available to pay—*

1           (1) *the fees of an attorney who represents a*  
 2           *party in an action or an attorney who defends any*  
 3           *action, including an administrative proceeding,*  
 4           *brought against the District of Columbia Public*  
 5           *Schools under the Individuals with Disabilities Edu-*  
 6           *cation Act (20 U.S.C. 1400 et seq.) in excess of \$4,000*  
 7           *for that action; or*

8           (2) *the fees of an attorney or firm whom the*  
 9           *Chief Financial Officer of the District of Columbia*  
 10          *determines to have a pecuniary interest, either*  
 11          *through an attorney, officer or employee of the firm,*  
 12          *in any special education diagnostic services, schools,*  
 13          *or other special education service providers.*

14          *SEC. 338. The Chief Financial Officer of the District*  
 15          *of Columbia shall require attorneys in special education*  
 16          *cases brought under the Individuals with Disabilities Act*  
 17          *(IDEA) in the District of Columbia to certify in writing*  
 18          *that the attorney or representative rendered any and all*  
 19          *services for which they receive awards, including those re-*  
 20          *ceived under a settlement agreement or as part of an ad-*  
 21          *ministrative proceeding, under the IDEA from the District*  
 22          *of Columbia: Provided, That as part of the certification,*  
 23          *the Chief Financial Officer of the District of Columbia re-*  
 24          *quire all attorneys in IDEA cases to disclose any financial,*  
 25          *corporate, legal, memberships on boards of directors, or*

1 *other relationships with any special education diagnostic*  
 2 *services, schools, or other special education service providers*  
 3 *to which the attorneys have referred any clients as part of*  
 4 *this certification: Provided further, That the Chief Finan-*  
 5 *cial Officer shall prepare and submit quarterly reports to*  
 6 *the Committees on Appropriations of the Senate and the*  
 7 *House of Representatives on the certification of and the*  
 8 *amount paid by the government of the District of Columbia,*  
 9 *including the District of Columbia Public Schools, to attor-*  
 10 *neys in cases brought under IDEA: Provided further, That*  
 11 *the Inspector General of the District of Columbia may con-*  
 12 *duct investigations to determine the accuracy of the certifi-*  
 13 *cations.*

14 *SEC. 339. Chapter 3 of title 16, District of Columbia*  
 15 *Code, is amended by inserting at the end the following new*  
 16 *section:*

17 **“SEC. 16–316. APPOINTMENT AND COMPENSATION OF**  
 18 **COUNSEL; GUARDIAN AD LITEM.**

19 *“(a) When a petition for adoption has been filed and*  
 20 *there has been no termination or relinquishment of parental*  
 21 *rights with respect to the proposed adoptee or consent to*  
 22 *the proposed adoption by a parent or guardian whose con-*  
 23 *sent is required under D.C. Code section 16–304, the Court*  
 24 *may appoint an attorney to represent such parent or*

1 guardian in the adoption proceeding if the individual is  
 2 financially unable to obtain adequate representation.

3 “(b) The Court may appoint a guardian ad litem who  
 4 is an attorney to represent the child in an adoption pro-  
 5 ceeding. The guardian ad litem shall in general be charged  
 6 with the representation of the child’s best interest.

7 “(c) An attorney appointed pursuant to subsection (a)  
 8 or (b) of this section shall be compensated in accordance  
 9 with D.C. Code section 16–2326.01, except that compensa-  
 10 tion in the adoption case shall be subject to the limitation  
 11 set forth in D.C. Code section 16–2326.01(b)(2).”.

12 The table of sections for chapter 3 of title 16, District  
 13 of Columbia Code, is amended by inserting at the end the  
 14 following new item:

“Sec. 16–316. Appointment and compensation of counsel; guardian ad litem.”.

15 SEC. 340. (a) The amount appropriated by this Act  
 16 as Other Type Funds may be increased no more than 25  
 17 percent to an account for unanticipated growth in revenue  
 18 collections.

19 (b) CONDITIONS OF USE.—The District of Columbia  
 20 may obligate or expend these amounts only in accordance  
 21 with the following conditions:

22 (1) CERTIFICATION BY THE CHIEF FINANCIAL  
 23 OFFICER.—The Chief Financial Officer of the District  
 24 of Columbia shall certify that anticipated revenue col-

1        *lections support an increase in Other Type authority*  
 2        *in the amount request.*

3            (2) *NOTICE REQUIREMENT.*—*The amounts may*  
 4        *be obligated or expended only if the Mayor notifies the*  
 5        *Committees on Appropriations of the House of Rep-*  
 6        *resentatives and the Senate in writing 30 days in ad-*  
 7        *vance of any obligation or expenditure.*

8        *SEC. 341. (a) The amount appropriated by this Act*  
 9        *may be increased by no more than \$15,000,000 from funds*  
 10       *identified in the comprehensive annual financial report as*  
 11       *the District's fund balance.*

12       (b) *CONDITIONS ON USE.*—*The District of Columbia*  
 13       *may obligate or expend these amounts only in accordance*  
 14       *with the following conditions:*

15            (1) *CERTIFICATION BY THE CHIEF FINANCIAL*  
 16        *OFFICER.*—*The Chief Financial Officer of the District*  
 17        *of Columbia shall certify that the use of any such*  
 18        *amounts is not anticipated to have a negative impact*  
 19        *on the District of Columbia's long-term financial, fis-*  
 20        *cal, and economic vitality.*

21            (2) *PURPOSE.*—*The District of Columbia may*  
 22        *only use these funds for the following expenditures:*

- 23                    (A) *Unanticipated one-time expenditures;*
- 24                    (B) *To address potential deficits;*
- 25                    (C) *Debt reduction;*

1                   (D) *Unanticipated program needs; or*

2                   (E) *To cover revenue shortfalls.*

3                   (3) *LOCAL LAW.—The amounts shall be obligated*  
 4                   *or expended in accordance with laws enacted by the*  
 5                   *Council in support of each such obligation or expendi-*  
 6                   *ture.*

7                   (4) *RECEIVERSHIP.—The amounts may not be*  
 8                   *used to fund the agencies of the District of Columbia*  
 9                   *government under court-ordered receivership.*

10                  (5) *NOTICE REQUIREMENT.—The amounts may*  
 11                  *be obligated or expended only if the Mayor notifies the*  
 12                  *Committees on Appropriations of the House of Rep-*  
 13                  *resentatives and the Senate in writing 30 days in ad-*  
 14                  *vance of any obligation or expenditure.*

15                  (6) *AVAILABILITY OF FUNDS.—Funds made*  
 16                  *available pursuant to this section shall remain avail-*  
 17                  *able until expended.*

18                  *This Act may be cited as the “District of Columbia*  
 19                  *Appropriations Act, 2004”.*

Attest:

*Secretary.*

108TH CONGRESS  
1ST SESSION

**H. R. 2765**

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**AMENDMENT**