

Union Calendar No. 312

103D CONGRESS
2D SESSION

H. R. 4649

[Report No. 103-558]

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1995, and for other purposes.

JUNE 24, 1994

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

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IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 1994

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

A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1995, and for other purposes.

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

1 District of Columbia for the fiscal year ending September
2 30, 1995, and for other purposes, namely:

3 TITLE I

4 FISCAL YEAR 1995 APPROPRIATIONS

5 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

6 For payment to the District of Columbia for the fiscal
7 year ending September 30, 1995, \$667,930,000, as au-
8 thorized by section 502(a) of the District of Columbia
9 Self-Government and Governmental Reorganization Act,
10 Public Law 93-198, as amended (D.C. Code, sec. 47-
11 3406.1).

12 FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

13 For the Federal contribution to the Police Officers
14 and Fire Fighters', Teachers', and Judges' Retirement
15 Funds, as authorized by the District of Columbia Retire-
16 ment Reform Act, approved November 17, 1979 (93 Stat.
17 866; Public Law 96-122), \$52,070,000.

18 DIVISION OF EXPENSES

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

23 GOVERNMENTAL DIRECTION AND SUPPORT

24 Governmental direction and support, \$81,159,000:
25 *Provided*, That not to exceed \$2,500 for the Mayor,

1 \$2,500 for the Chairman of the Council of the District
2 of Columbia, and \$2,500 for the City Administrator shall
3 be available from this appropriation for expenditures for
4 official purposes: *Provided further*, That any program fees
5 collected from the issuance of debt shall be available for
6 the payment of expenses of the debt management program
7 of the District of Columbia: *Provided further*, That not-
8 withstanding any other provision of law, there is hereby
9 appropriated from the earnings of the applicable retire-
10 ment funds \$12,432,000 to pay legal, management, in-
11 vestment, and other fees and administrative expenses of
12 the District of Columbia Retirement Board: *Provided fur-*
13 *ther*, That the District of Columbia Retirement Board
14 shall provide to the Congress and to the Council of the
15 District of Columbia a quarterly report of the allocations
16 of charges by fund and of expenditures of all funds: *Pro-*
17 *vided further*, That the District of Columbia Retirement
18 Board shall provide the Mayor, for transmittal to the
19 Council of the District of Columbia, an item accounting
20 of the planned use of appropriated funds in time for each
21 annual budget submission and the actual use of such
22 funds in time for each annual audited financial report:
23 *Provided further*, That no revenues from Federal sources
24 shall be used to support the operations or activities of the
25 Statehood Commission and Statehood Compact Commis-

1 sion: *Provided further*, That the District of Columbia shall
2 identify the sources of funding for Admission to Statehood
3 from its own locally generated revenues.

4 ECONOMIC DEVELOPMENT AND REGULATION

5 Economic development and regulation, \$56,343,000:

6 *Provided*, That the District of Columbia Housing Finance
7 Agency, established by section 201 of the District of Co-
8 lumbia Housing Finance Agency Act, effective March 3,
9 1979 (D.C. Law 2-135; D.C. Code, sec. 45-2111), based
10 upon its capability of repayments as determined each year
11 by the Council of the District of Columbia from the Hous-
12 ing Finance Agency's annual audited financial statements
13 to the Council of the District of Columbia, shall repay to
14 the general fund an amount equal to the appropriated ad-
15 ministrative costs plus interest at a rate of four percent
16 per annum for a term of 15 years, with a deferral of pay-
17 ments for the first three years: *Provided further*, That not-
18 withstanding the foregoing provision, the obligation to
19 repay all or part of the amounts due shall be subject to
20 the rights of the owners of any bonds or notes issued by
21 the Housing Finance Agency and shall be repaid to the
22 District of Columbia government only from available oper-
23 ating revenues of the Housing Finance Agency that are
24 in excess of the amounts required for debt service, reserve
25 funds, and operating expenses: *Provided further*, That

1 upon commencement of the debt service payments, such
2 payments shall be deposited into the general fund of the
3 District of Columbia.

4 HUMAN RESOURCES DEVELOPMENT

5 Human resources development, \$41,046,000.

6 PUBLIC SAFETY AND JUSTICE

7 Public safety and justice, including purchase of 135
8 passenger-carrying vehicles for replacement only, includ-
9 ing 130 for police-type use and five for fire-type use, with-
10 out regard to the general purchase price limitation for the
11 current fiscal year, \$884,926,000: *Provided*, That the
12 Metropolitan Police Department is authorized to replace
13 not to exceed 25 passenger-carrying vehicles and the Fire
14 Department of the District of Columbia is authorized to
15 replace not to exceed five passenger-carrying vehicles an-
16 nually whenever the cost of repair to any damaged vehicle
17 exceeds three-fourths of the cost of the replacement: *Pro-*
18 *vided further*, That not to exceed \$500,000 shall be avail-
19 able from this appropriation for the Chief of Police for
20 the prevention and detection of crime: *Provided further*,
21 That the Metropolitan Police Department shall provide
22 quarterly reports to the Committees on Appropriations of
23 the House and Senate on efforts to increase efficiency and
24 improve the professionalism in the department: *Provided*
25 *further*, That notwithstanding any other provision of law,

1 or Mayor's Order 86-45, issued March 18, 1986, the Met-
2 ropolitan Police Department's delegated small purchase
3 authority shall be \$500,000: *Provided further*, That the
4 District of Columbia government may not require the Met-
5 ropolitan Police Department to submit to any other pro-
6 curement review process, or to obtain the approval of or
7 be restricted in any manner by any official or employee
8 of the District of Columbia government, for purchases
9 that do not exceed \$500,000: *Provided further*, That funds
10 appropriated for expenses under the District of Columbia
11 Criminal Justice Act, approved September 3, 1974 (88
12 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601
13 et seq.), for the fiscal year ending September 30, 1995,
14 shall be available for obligations incurred under the Act
15 in each fiscal year since inception in the fiscal year 1975:
16 *Provided further*, That funds appropriated for expenses
17 under the District of Columbia Neglect Representation
18 Equity Act of 1984, effective March 13, 1985 (D.C. Law
19 5-129; D.C. Code, sec. 16-2304), for the fiscal year end-
20 ing September 30, 1995, shall be available for obligations
21 incurred under the Act in each fiscal year since inception
22 in the fiscal year 1985: *Provided further*, That funds ap-
23 propriated for expenses under the District of Columbia
24 Guardianship, Protective Proceedings, and Durable Power
25 of Attorney Act of 1986, effective February 27, 1987

1 (D.C. Law 6–204; D.C. Code, sec. 21–2060), for the fiscal
2 year ending September 30, 1995, shall be available for ob-
3 ligations incurred under the Act in each fiscal year since
4 inception in fiscal year 1989: *Provided further*, That not
5 to exceed \$1,500 for the Chief Judge of the District of
6 Columbia Court of Appeals, \$1,500 for the Chief Judge
7 of the Superior Court of the District of Columbia, and
8 \$1,500 for the Executive Officer of the District of Colum-
9 bia Courts shall be available from this appropriation for
10 official purposes: *Provided further*, That the District of
11 Columbia shall operate and maintain a free, 24-hour tele-
12 phone information service whereby residents of the area
13 surrounding Lorton prison in Fairfax County, Virginia,
14 can promptly obtain information from District of Colum-
15 bia government officials on all disturbances at the prison,
16 including escapes, fires, riots, and similar incidents: *Pro-*
17 *vided further*, That the District of Columbia government
18 shall also take steps to publicize the availability of the 24-
19 hour telephone information service among the residents of
20 the area surrounding the Lorton prison: *Provided further*,
21 That not to exceed \$100,000 of this appropriation shall
22 be used to reimburse Fairfax County, Virginia, and Prince
23 William County, Virginia, for expenses incurred by the
24 counties during the fiscal year ending September 30,
25 1995, in relation to the Lorton prison complex: *Provided*

1 *further*, That such reimbursements shall be paid in all in-
2 stances in which the District requests the counties to pro-
3 vide police, fire, rescue, and related services to help deal
4 with escapes, fires, riots, and similar disturbances involv-
5 ing the prison: *Provided further*, That the Mayor shall re-
6 imburse the District of Columbia National Guard for ex-
7 penses incurred in connection with services that are per-
8 formed in emergencies by the National Guard in a militia
9 status and are requested by the Mayor, in amounts that
10 shall be jointly determined and certified as due and pay-
11 able for these services by the Mayor and the Commanding
12 General of the District of Columbia National Guard: *Pro-*
13 *vided further*, That such sums as may be necessary for
14 reimbursement to the District of Columbia National
15 Guard under the preceding proviso shall be available from
16 this appropriation, and the availability of the sums shall
17 be deemed as constituting payment in advance for emer-
18 gency services involved.

19 PUBLIC EDUCATION SYSTEM

20 Public education system, including the development
21 of national defense education programs, \$720,258,000, to
22 be allocated as follows: \$542,682,000 for the public
23 schools of the District of Columbia; \$87,100,000 shall be
24 allocated for the District of Columbia Teachers' Retire-
25 ment Fund; \$60,348,000 for the University of the District

1 of Columbia; \$21,260,000 for the Public Library, of which
2 \$200,000 shall be transferred to the Children's Museum;
3 \$3,301,000 for the Commission on the Arts and Human-
4 ities; and \$5,567,000 for the District of Columbia School
5 of Law: *Provided*, That the public schools of the District
6 of Columbia are authorized to accept not to exceed 31
7 motor vehicles for exclusive use in the driver education
8 program: *Provided further*, That not to exceed \$2,500 for
9 the Superintendent of Schools, \$2,500 for the President
10 of the University of the District of Columbia, and \$2,000
11 for the Public Librarian shall be available from this appro-
12 priation for expenditures for official purposes: *Provided*
13 *further*, That this appropriation shall not be available to
14 subsidize the education of nonresidents of the District of
15 Columbia at the University of the District of Columbia,
16 unless the Board of Trustees of the University of the Dis-
17 trict of Columbia adopts, for the fiscal year ending Sep-
18 tember 30, 1995, a tuition rate schedule that will establish
19 the tuition rate for nonresident students at a level no
20 lower than the nonresident tuition rate charged at com-
21 parable public institutions of higher education in the met-
22 ropolitan area.

23 HUMAN SUPPORT SERVICES

24 Human support services, \$898,034,000: *Provided*,
25 That \$20,800,000 of this appropriation, to remain avail-

1 able until expended, shall be available solely for District
2 of Columbia employees' disability compensation: *Provided*
3 *further*, That the District shall not provide free govern-
4 ment services such as water, sewer, solid waste disposal
5 or collection, utilities, maintenance, repairs, or similar
6 services to any legally constituted private nonprofit organi-
7 zation (as defined in section 411(5) of Public Law 100-
8 77, approved July 22, 1987) providing emergency shelter
9 services in the District, if the District would not be quali-
10 fied to receive reimbursement pursuant to the Stewart B.
11 McKinney Homeless Assistance Act, approved July 22,
12 1987 (101 Stat. 485; Public Law 100-77; 42 U.S.C.
13 11301 et seq.).

14 PUBLIC WORKS

15 Public works, including rental of one passenger-car-
16 rying vehicle for use by the Mayor and three passenger-
17 carrying vehicles for use by the Council of the District of
18 Columbia and purchase of passenger-carrying vehicles for
19 replacement only, \$195,002,000: *Provided*, That this ap-
20 propriation shall not be available for collecting ashes or
21 miscellaneous refuse from hotels and places of business.

22 WASHINGTON CONVENTION CENTER FUND

23 For the Washington Convention Center Fund,
24 \$12,850,000.

1 REPAYMENT OF LOANS AND INTEREST

2 For reimbursement to the United States of funds
3 loaned in compliance with An Act to provide for the estab-
4 lishment of a modern, adequate, and efficient hospital cen-
5 ter in the District of Columbia, approved August 7, 1946
6 (60 Stat. 896; Public Law 79–648); section 1 of An Act
7 to authorize the Commissioners of the District of Colum-
8 bia to borrow funds for capital improvement programs and
9 to amend provisions of law relating to Federal Govern-
10 ment participation in meeting costs of maintaining the
11 Nation’s Capital City, approved June 6, 1958 (72 Stat.
12 183; Public Law 85–451; D.C. Code, sec. 9–219); section
13 4 of An Act to authorize the Commissioners of the District
14 of Columbia to plan, construct, operate, and maintain a
15 sanitary sewer to connect the Dulles International Airport
16 with the District of Columbia system, approved June 12,
17 1960 (74 Stat. 211; Public Law 86–515); sections 723
18 and 743(f) of the District of Columbia Self-Government
19 and Governmental Reorganization Act of 1973, approved
20 December 24, 1973, as amended (87 Stat. 821; Public
21 Law 93–198; D.C. Code, sec. 47–321, note; 91 Stat.
22 1156; Public Law 95–131; D.C. Code, sec. 9–219, note),
23 including interest as required thereby, \$306,768,000.

1 REPAYMENT OF GENERAL FUND RECOVERY DEBT

2 For the purpose of eliminating the \$331,589,000
3 general fund accumulated deficit as of September 30,
4 1990, \$38,678,000, as authorized by section 461(a) of the
5 District of Columbia Self-Government and Governmental
6 Reorganization Act, approved December 24, 1973, as
7 amended (105 Stat. 540; Public Law 102-106; D.C. Code,
8 sec. 47-321(a)).

9 SHORT-TERM BORROWING

10 For short-term borrowing, \$5,000,000.

11 OPTICAL AND DENTAL BENEFITS

12 For optical and dental costs for nonunion employees,
13 \$3,312,000.

14 PAY ADJUSTMENT

15 For pay increases and related costs, to be transferred
16 by the Mayor of the District of Columbia within the var-
17 ious appropriation headings in this Act for fiscal year
18 1995 from which employees are properly payable,
19 \$106,095,000.

20 D.C. GENERAL HOSPITAL DEFICIT PAYMENT

21 For the purpose of reimbursing the General Fund for
22 costs incurred for the operation of the D.C. General Hos-
23 pital pursuant to D.C. Law 1-134, the D.C. General Hos-
24 pital Commission Act of 1977, \$10,000,000.

1 RAINY DAY FUND

2 For mandatory unavoidable expenditures within one
3 or several of the various appropriation headings of this
4 Act, to be allocated to the budgets for personal services
5 and nonpersonal services as requested by the Mayor and
6 approved by the Council pursuant to the procedures in sec-
7 tion 4 of the Reprogramming Policy Act of 1980, effective
8 September 16, 1980 (D.C. Law 3-100; D.C. Code, sec.
9 47-363), \$22,508,000.

10 JOB-PRODUCING ECONOMIC DEVELOPMENT INCENTIVES

11 For tax incentive programs to be enacted by the
12 Council targeted specifically to stimulating job-producing
13 economic development in the District, \$22,600,000.

14 CASH RESERVE FUND

15 For the purpose of a cash reserve fund to replenish
16 the consolidated cash balances of the District of Columbia,
17 \$3,957,000.

18 PERSONAL AND NONPERSONAL SERVICES ADJUSTMENTS

19 The Mayor shall reduce appropriations and expendi-
20 tures for personal and nonpersonal services in the amount
21 of \$5,702,000, within one or several of the various appro-
22 priation headings in this Act.

23 CAPITAL OUTLAY

24 For construction projects, \$5,600,000, as authorized
25 by An Act authorizing the laying of water mains and serv-

1 ice sewers in the District of Columbia, the levying of as-
2 sessments therefor, and for other purposes, approved April
3 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code,
4 secs. 43-1512 through 43-1519); the District of Columbia
5 Public Works Act of 1954, approved May 18, 1954 (68
6 Stat. 101; Public Law 83-364); An Act to authorize the
7 Commissioners of the District of Columbia to borrow
8 funds for capital improvement programs and to amend
9 provisions of law relating to Federal Government partici-
10 pation in meeting costs of maintaining the Nation's Cap-
11 ital City, approved June 6, 1958 (72 Stat. 183; Public
12 Law 85-451; including acquisition of sites, preparation of
13 plans and specifications, conducting preliminary surveys,
14 erection of structures, including building improvement and
15 alteration and treatment of grounds, to remain available
16 until expended: *Provided*, That \$140,000 shall be available
17 for project management and \$110,000 for design by the
18 Director of the Department of Public Works or by con-
19 tract for architectural engineering services, as may be de-
20 termined by the Mayor: *Provided further*, That funds for
21 use of each capital project implementing agency shall be
22 managed and controlled in accordance with all procedures
23 and limitations established under the Financial Manage-
24 ment System: *Provided further*, That all funds provided
25 by this appropriation title shall be available only for the

1 specific projects and purposes intended: *Provided further,*
2 That notwithstanding the foregoing, all authorizations for
3 capital outlay projects, except those projects covered by
4 the first sentence of section 23(a) of the Federal-Aid
5 Highway Act of 1968, approved August 23, 1968 (82
6 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134,
7 note), for which funds are provided by this appropriation
8 title, shall expire on September 30, 1996, except author-
9 izations for projects as to which funds have been obligated
10 in whole or in part prior to September 30, 1996: *Provided*
11 *further,* That upon expiration of any such project author-
12 ization the funds provided herein for the project shall
13 lapse.

14 WATER AND SEWER ENTERPRISE FUND

15 For the Water and Sewer Enterprise Fund,
16 \$265,653,000, of which \$40,160,000 shall be apportioned
17 and payable to the debt service fund for repayment of
18 loans and interest incurred for capital improvement
19 projects: *Provided,* That of the amounts appropriated
20 under this heading in prior fiscal years for construction
21 projects from the water and sewer enterprise fund for the
22 Washington Aqueduct, \$21,365 are rescinded.

23 In addition, for the Water and Sewer Enterprise
24 Fund, such amounts as are necessary for reimbursement
25 to the United States of funds loaned to the Secretary of

1 the Army by the Secretary of the Treasury, including in-
2 terest as required thereby, for the Washington Aqueduct
3 Capital Improvement program.

4 Subject to approval of authorizing legislation, during
5 fiscal year 1995, new notes and other obligations shall be
6 issued by the Secretary of the Army to the Secretary of
7 the Treasury for the Washington Aqueduct Capital Im-
8 provement program in an aggregate principal amount of
9 \$10,000,000.

10 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

11 For the Lottery and Charitable Games Enterprise
12 Fund, established by the District of Columbia Appropria-
13 tion Act for the fiscal year ending September 30, 1982,
14 approved December 4, 1981 (95 Stat. 1174, 1175; Public
15 Law 97-91), as amended, for the purpose of implementing
16 the Law to Legalize Lotteries, Daily Numbers Games, and
17 Bingo and Raffles for Charitable Purposes in the District
18 of Columbia, effective March 10, 1981 (D.C. Law 3-172;
19 D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.),
20 \$8,318,000, to be derived from non-Federal District of
21 Columbia revenues: *Provided*, That the District of Colum-
22 bia shall identify the source of funding for this appropria-
23 tion title from the District's own locally-generated reve-
24 nues: *Provided further*, That no revenues from Federal

1 sources shall be used to support the operations or activi-
2 ties of the Lottery and Charitable Games Control Board.

3 CABLE TELEVISION ENTERPRISE FUND

4 For the Cable Television Enterprise Fund, estab-
5 lished by the Cable Television Communications Act of
6 1981, effective October 22, 1983 (D.C. Law 5-36; D.C.
7 Code, sec. 43-1801 et seq.), \$2,353,000, of which
8 \$140,000 shall be transferred to the general fund of the
9 District of Columbia.

10 STARPLEX FUND

11 For the Starplex Fund, an amount necessary for the
12 expenses incurred by the Armory Board in the exercise
13 of its powers granted by An Act to Establish a District
14 of Columbia Armory Board, and for other purposes, ap-
15 proved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-
16 301 et seq.) and the District of Columbia Stadium Act
17 of 1957, approved September 7, 1957 (71 Stat. 619; Pub-
18 lic Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided,*
19 That the Mayor shall submit a budget for the Armory
20 Board for the forthcoming fiscal year as required by sec-
21 tion 442(b) of the District of Columbia Self-Government
22 and Governmental Reorganization Act, approved Decem-
23 ber 24, 1973 (87 Stat. 824; Public Law 93-198; D.C.
24 Code, sec. 47-301(b)).

1 GENERAL PROVISIONS

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

9 SEC. 102. Except as otherwise provided in this Act,
10 all vouchers covering expenditures of appropriations con-
11 tained in this Act shall be audited before payment by the
12 designated certifying official and the vouchers as approved
13 shall be paid by checks issued by the designated disbursing
14 official.

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

21 SEC. 104. Appropriations in this Act shall be avail-
22 able, when authorized by the Mayor, for allowances for
23 privately owned automobiles and motorcycles used for the
24 performance of official duties at rates established by the
25 Mayor: *Provided*, That such rates shall not exceed the

1 maximum prevailing rates for such vehicles as prescribed
2 in the Federal Property Management Regulations 101-7
3 (Federal Travel Regulations).

4 SEC. 105. Appropriations in this Act shall be avail-
5 able for expenses of travel and for the payment of dues
6 of organizations concerned with the work of the District
7 of Columbia government, when authorized by the Mayor:
8 *Provided*, That the Council of the District of Columbia
9 and the District of Columbia Courts may expend such
10 funds without authorization by the Mayor.

11 SEC. 106. There are appropriated from the applicable
12 funds of the District of Columbia such sums as may be
13 necessary for making refunds and for the payment of
14 judgments that have been entered against the District of
15 Columbia government: *Provided*, That nothing contained
16 in this section shall be construed as modifying or affecting
17 the provisions of section 11(c)(3) of title XII of the Dis-
18 trict of Columbia Income and Franchise Tax Act of 1947,
19 approved March 31, 1956 (70 Stat. 78; Public Law 84-
20 460; D.C. Code, sec. 47-1812.11(c)(3)).

21 SEC. 107. Appropriations in this Act shall be avail-
22 able for the payment of public assistance without reference
23 to the requirement of section 544 of the District of Colum-
24 bia Public Assistance Act of 1982, effective April 6, 1982
25 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the

1 non-Federal share of funds necessary to qualify for Fed-
2 eral assistance under the Juvenile Delinquency Prevention
3 and Control Act of 1968, approved July 31, 1968 (82
4 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

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

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

16 SEC. 110. The annual budget for the District of Co-
17 lumbia government for the fiscal year ending September
18 30, 1996, shall be transmitted to the Congress no later
19 than April 15, 1995.

20 SEC. 111. None of the funds appropriated in this Act
21 shall be made available to pay the salary of any employee
22 of the District of Columbia government whose name, title,
23 grade, salary, past work experience, and salary history are
24 not available for inspection by the House and Senate Com-
25 mittees on Appropriations, the House Committee on the

1 District of Columbia, the Subcommittee on General Serv-
2 ices, Federalism, and the District of Columbia, of the Sen-
3 ate Committee on Governmental Affairs, and the Council
4 of the District of Columbia, or their duly authorized rep-
5 resentative: *Provided*, That none of the funds contained
6 in this Act shall be made available to pay the salary of
7 any employee of the District of Columbia government
8 whose name and salary are not available for public inspec-
9 tion.

10 SEC. 112. There are appropriated from the applicable
11 funds of the District of Columbia such sums as may be
12 necessary for making payments authorized by the District
13 of Columbia Revenue Recovery Act of 1977, effective Sep-
14 tember 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-
15 421 et seq.).

16 SEC. 113. No part of this appropriation shall be used
17 for publicity or propaganda purposes or implementation
18 of any policy including boycott designed to support or de-
19 feat legislation pending before Congress or any State legis-
20 lature.

21 SEC. 114. At the start of the fiscal year, the Mayor
22 shall develop an annual plan, by quarter and by project,
23 for capital outlay borrowings: *Provided*, That within a rea-
24 sonable time after the close of each quarter, the Mayor
25 shall report to the Council of the District of Columbia and

1 the Congress the actual borrowings and spending progress
2 compared with projections.

3 SEC. 115. The Mayor shall not borrow any funds for
4 capital projects unless the Mayor has obtained prior ap-
5 proval from the Council of the District of Columbia, by
6 resolution, identifying the projects and amounts to be fi-
7 nanced with such borrowings.

8 SEC. 116. The Mayor shall not expend any moneys
9 borrowed for capital projects for the operating expenses
10 of the District of Columbia government.

11 SEC. 117. None of the funds appropriated by this Act
12 may be obligated or expended by reprogramming except
13 pursuant to advance approval of the reprogramming
14 granted according to the procedure set forth in the Joint
15 Explanatory Statement of the Committee of Conference
16 (House Report No. 96-443), which accompanied the Dis-
17 trict of Columbia Appropriation Act, 1980, approved Octo-
18 ber 30, 1979 (93 Stat. 713; Public Law 96-93), as modi-
19 fied in House Report No. 98-265, and in accordance with
20 the Reprogramming Policy Act of 1980, effective Septem-
21 ber 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361
22 et seq.).

23 SEC. 118. None of the Federal funds provided in this
24 Act shall be obligated or expended to provide a personal

1 cook, chauffeur, or other personal servants to any officer
2 or employee of the District of Columbia.

3 SEC. 119. None of the Federal funds provided in this
4 Act shall be obligated or expended to procure passenger
5 automobiles as defined in the Automobile Fuel Efficiency
6 Act of 1980, approved October 10, 1980 (94 Stat. 1824;
7 Public Law 96-425; 15 U.S.C. 2001(2)), with an Environ-
8 mental Protection Agency estimated miles per gallon aver-
9 age of less than 22 miles per gallon: *Provided*, That this
10 section shall not apply to security, emergency rescue, or
11 armored vehicles.

12 SEC. 120. (a) Notwithstanding section 422(7) of the
13 District of Columbia Self-Government and Governmental
14 Reorganization Act of 1973, approved December 24, 1973
15 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-
16 242(7)), the City Administrator shall be paid, during any
17 fiscal year, a salary at a rate established by the Mayor,
18 not to exceed the rate established for level IV of the Exec-
19 utive Schedule under 5 U.S.C. 5315.

20 (b) For purposes of applying any provision of law lim-
21 iting the availability of funds for payment of salary or pay
22 in any fiscal year, the highest rate of pay established by
23 the Mayor under subsection (a) of this section for any po-
24 sition for any period during the last quarter of calendar

1 year 1994 shall be deemed to be the rate of pay payable
2 for that position for September 30, 1994.

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

10 SEC. 121. Notwithstanding any other provisions of
11 law, the provisions of the District of Columbia Govern-
12 ment Comprehensive Merit Personnel Act of 1978, effec-
13 tive March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-
14 601.1 et seq.), enacted pursuant to section 422(3) of the
15 District of Columbia Self-Government and Governmental
16 Reorganization Act of 1973, approved December 24, 1973
17 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-
18 242(3)), shall apply with respect to the compensation of
19 District of Columbia employees: *Provided*, That for pay
20 purposes, employees of the District of Columbia govern-
21 ment shall not be subject to the provisions of title 5 of
22 the United States Code.

23 SEC. 122. The Director of the Department of Admin-
24 istrative Services may pay rentals and repair, alter, and
25 improve rented premises, without regard to the provisions

1 of section 322 of the Economy Act of 1932 (Public Law
2 72-212; 40 U.S.C. 278a), upon a determination by the
3 Director, that by reason of circumstances set forth in such
4 determination, the payment of these rents and the execu-
5 tion of this work, without reference to the limitations of
6 section 322, is advantageous to the District in terms of
7 economy, efficiency, and the District's best interest.

8 SEC. 123. No later than 30 days after the end of the
9 first quarter of the fiscal year ending September 30, 1995,
10 the Mayor of the District of Columbia shall submit to the
11 Council of the District of Columbia the new fiscal year
12 1995 revenue estimates as of the end of the first quarter
13 of fiscal year 1995. These estimates shall be used in the
14 budget request for the fiscal year ending September 30,
15 1996. The officially revised estimates at midyear shall be
16 used for the midyear report.

17 SEC. 124. Section 466(b) of the District of Columbia
18 Self-Government and Governmental Reorganization Act of
19 1973, approved December 24, 1973 (87 Stat. 806; Public
20 Law 93-198; D.C. Code, sec. 47-326), as amended, is
21 amended by striking "sold before October 1, 1994" and
22 inserting "sold before October 1, 1995".

23 SEC. 125. No sole source contract with the District
24 of Columbia government or any agency thereof may be re-
25 newed or extended without opening that contract to the

1 competitive bidding process as set forth in section 303 of
2 the District of Columbia Procurement Practices Act of
3 1985, effective February 21, 1986 (D.C. Law 6–85; D.C.
4 Code, sec. 1–1183.3), except that the District of Columbia
5 Public Schools may renew or extend sole source contracts
6 for which competition is not feasible or practical, provided
7 that the determination as to whether to invoke the com-
8 petitive bidding process has been made in accordance with
9 duly promulgated Board of Education rules and proce-
10 dures.

11 SEC. 126. For purposes of the Balanced Budget and
12 Emergency Deficit Control Act of 1985, approved Decem-
13 ber 12, 1985 (99 Stat. 1037; Public Law 99–177), as
14 amended, the term “program, project, and activity” shall
15 be synonymous with and refer specifically to each account
16 appropriating Federal funds in this Act, and any seques-
17 tration order shall be applied to each of the accounts rath-
18 er than to the aggregate total of those accounts: *Provided,*
19 That sequestration orders shall not be applied to any ac-
20 count that is specifically exempted from sequestration by
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985, approved December 12, 1985 (99 Stat. 1037;
23 Public Law 99–177), as amended.

24 SEC. 127. In the event a sequestration order is issued
25 pursuant to the Balanced Budget and Emergency Deficit

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

16 SEC. 128. Effective as if included in the enactment
17 of the District of Columbia Appropriations Act, 1990, sec-
18 tion 133(e) of such Act is amended by striking “shall take
19 effect” and all that follows and inserting “shall apply with
20 respect to water and sanitary sewer services furnished on
21 or after January 1, 1990.”.

22 SEC. 129. For the fiscal year ending September 30,
23 1995, the District of Columbia shall pay interest on its
24 quarterly payments to the United States that are made
25 more than 60 days from the date of receipt of an itemized

1 statement from the Federal Bureau of Prisons of amounts
2 due for housing District of Columbia convicts in Federal
3 penitentiaries for the preceding quarter.

4 SEC. 130. Nothing in this Act shall be construed to
5 authorize any office, agency or entity to expend funds for
6 programs or functions for which a reorganization plan is
7 required but has not been approved by the Council pursu-
8 ant to section 422(12) of the District of Columbia Self-
9 Government and Governmental Reorganization Act of
10 1973, approved December 24, 1973 (87 Stat. 790; Public
11 Law 93-198; D.C. Code, sec. 1-242(12)) and the Govern-
12 mental Reorganization Procedures Act of 1981, effective
13 October 17, 1981 (D.C. Law 4-42; D.C. Code, secs. 1-
14 299.1 to 1-299.7). Appropriations made by this Act for
15 such programs or functions are conditioned on the ap-
16 proval by the Council, prior to October 1, 1994, of the
17 required reorganization plans.

18 SEC. 131. (a) An entity of the District of Columbia
19 government may accept and use a gift or donation during
20 fiscal year 1995 if—

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

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

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

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

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

16 SEC. 132. Notwithstanding any other provision of
17 law, each agency, office, and instrumentality of the Dis-
18 trict shall implement a hiring freeze and shall fill only va-
19 cancies in essential positions, and to the extent prac-
20 ticable, shall fill essential positions from among employees
21 holding non-essential positions. A non-essential position
22 that becomes vacant, other than by termination for cause,
23 shall not be filled. The Council shall enact legislation to
24 implement this title, which may include, but shall not be
25 limited to, procedures for identifying essential and non-

1 essential positions, for filling vacant essential positions
2 from among employees holding non-essential positions,
3 and for reporting on implementation of the hiring freeze
4 required by this section.

5 SEC. 133. None of the Federal funds provided in this
6 Act may be used by the District of Columbia to provide
7 for salaries, expenses, or other costs associated with the
8 offices of United States Senator or United States Rep-
9 resentatives under section 4(d) of the District of Columbia
10 Statehood Constitutional Convention Initiatives of 1979,
11 effective March 10, 1981 (D.C. Law 3-171; D.C. Code,
12 sec. 1-113(d)).

13 SEC. 134. None of the Federal funds appropriated
14 under this Act shall be expended for any abortion except
15 when it is made known to the entity or official to which
16 funds are appropriated under this Act that such procedure
17 is necessary to save the life of the mother or that the preg-
18 nancy is the result of an act of rape or incest.

19 INDEPENDENT AUDIT OF RETIREMENT BOARD

20 SEC. 135. (a) IN GENERAL.—The District of Colum-
21 bia Retirement Board shall enter into an agreement with
22 an independent firm meeting the qualifications described
23 in subsection (b) to prepare and submit to the Retirement
24 Board a written set of findings and recommendations not
25 later than 6 months after the date of the enactment of
26 this Act regarding the appropriateness and adequacy of

1 the Retirement Board's fiduciary, management, and in-
2 vestment practices and procedures.

3 (b) QUALIFICATIONS FOR FIRM.—A firm meets the
4 qualifications described in this subsection if the firm has
5 a demonstrated expertise in the areas of investment and
6 investment consulting, particularly with respect to—

7 (1) the review and analysis of the investment
8 portfolios of large public pension funds;

9 (2) the investment practices of the managers of
10 such funds;

11 (3) the relationship of such practices to the fi-
12 duciary responsibilities of the managers of such
13 funds; and

14 (4) the analysis of the investment returns
15 achieved by such funds on both an absolute and
16 risk-adjusted basis.

17 (c) REPORT TO CONGRESS.—Not later than 30 days
18 after receiving the findings and recommendations provided
19 under subsection (a), the Retirement Board shall submit
20 a report to the Committee on the District of Columbia
21 of the House of Representatives, the Committee on Gov-
22 ernmental Affairs of the Senate, and the Committees on
23 Appropriations of the House of Representatives and the
24 Senate on the findings and recommendations.

1 (d) EXPENDITURE OF FUNDS.—The Retirement Board shall spend not less than \$250,000 from
2 investment earnings to carry out this section. No additional funds may be provided by the Mayor of the
3 District of Columbia to the Retirement Board to
4 carry out this section.
5

6
7 MUNICIPAL FISH WHARF

8 SEC. 136. None of the funds appropriated in this Act
9 shall be obligated or expended on any proposed change in
10 either the use or configuration of, or on any proposed improvement to, the Municipal Fish Wharf until such proposed change or improvement has been reviewed and approved by Federal and local authorities including, but not
11 limited to, the National Capital Planning Commission, the
12 Commission of Fine Arts, and the Council of the District
13 of Columbia, in compliance with applicable local and Federal laws which require public hearings, compliance with
14 applicable environmental regulations including, but not
15 limited to, any amendments to the Washington, D.C.
16 urban renewal plan which must be approved by both the
17 Council of the District of Columbia and the National Capital Planning Commission.
18

19
20 FINANCIAL REPORTING

21 SEC. 137. (a) SUBMISSION OF QUARTERLY FINANCIAL REPORTS.—Not later than fifteen days after the end
22 of every calendar quarter (beginning October 1, 1994), the
23
24
25
26

1 Mayor shall submit to the Committee on the District of
2 Columbia of the House of Representatives, the Committee
3 on Governmental Affairs of the Senate, and the Sub-
4 committees on District of Columbia Appropriations of the
5 House of Representatives and the Senate a report on the
6 financial and budgetary status of the government of the
7 District of Columbia for the previous quarter.

8 (b) CONTENTS OF REPORT.—Each report submitted
9 under subsection (a) with respect to a quarter shall in-
10 clude the following information:

11 (1) A comparison of actual to forecasted cash
12 receipts and disbursements for each month of that
13 quarter, as presented in the District’s fiscal year
14 consolidated cash forecast;

15 (2) A projection of the remaining months’ cash
16 forecast for that fiscal year;

17 (3) Explanations of (a) the differences between
18 actual and forecasted cash amounts for each of the
19 months in the quarter, and (b) the changes in the
20 remaining months’ forecast as compared to the origi-
21 nal forecast for those months of that fiscal year; and

22 (4) The effect of these changes, actual and pro-
23 jected, on the total cash balance of the remaining
24 months and for the fiscal year.

1 This title may be cited as the “District of Columbia
2 Appropriations Act, 1995”.

3 TITLE II

4 FISCAL YEAR 1994 SUPPLEMENTAL
5 DISTRICT OF COLUMBIA FUNDS
6 GOVERNMENTAL DIRECTION AND SUPPORT

7 (INCLUDING RESCISSION)

8 For an additional amount for “Governmental direc-
9 tion and support” \$164,000: *Provided*, That of the funds
10 appropriated under this heading for the fiscal year ending
11 September 30, 1994 in the District of Columbia Appro-
12 priations Act, 1994, approved October 29, 1993 (Public
13 Law 103–127; 107 Stat. 1337), \$18,797,000 are re-
14 scinded for a net decrease of \$18,633,000.

15 ECONOMIC DEVELOPMENT AND REGULATION

16 (INCLUDING RESCISSION)

17 For an additional amount for “Economic develop-
18 ment and regulation”, \$1,311,000: *Provided*, That of the
19 funds appropriated under this heading for the fiscal year
20 ending September 30, 1994 in the District of Columbia
21 Appropriations Act, 1994, approved October 29, 1993
22 (Public Law 103–127; 107 Stat. 1337), \$31,697,000 are
23 rescinded for a net decrease of \$30,386,000.

24 HUMAN RESOURCES DEVELOPMENT

25 Human resources development, \$42,801,000.

1 PUBLIC SAFETY AND JUSTICE
2 (INCLUDING RESCISSION)

3 For an additional amount for “Public safety and jus-
4 tice”, \$16,398,000: *Provided*, That of the funds appro-
5 priated under this heading for the fiscal year ending Sep-
6 tember 30, 1994 in the District of Columbia Appropria-
7 tions Act, 1994, approved October 29, 1993 (Public Law
8 103–127; 107 Stat. 1338), \$4,742,000 are rescinded for
9 a net increase of \$11,656,000.

10 PUBLIC EDUCATION SYSTEM
11 (INCLUDING RESCISSION)

12 For an additional amount for “Public education sys-
13 tem”, \$17,243,000 for public schools of the District of Co-
14 lumbia and \$735,000 for the University of the District
15 of Columbia: *Provided*, That of the funds appropriated
16 under this heading for the fiscal year ending September
17 30, 1994 in the District of Columbia Appropriations Act,
18 1994, approved October 29, 1993 (Public Law 103–127;
19 107 Stat. 1339), \$487,000 for the Education Licensure
20 Commission, \$91,000 for the Commission on the Arts and
21 Humanities, \$30,000 for the District of Columbia Law
22 School and \$245,000 for the District of Columbia Public
23 Library are rescinded for a net increase of \$17,125,000.

1 HUMAN SUPPORT SERVICES

2 (INCLUDING RESCISSION)

3 For an additional amount for “Human support serv-
4 ices”, \$32,461,000: *Provided*, That \$4,657,000 of this ap-
5 propriation, to remain available until expended, shall be
6 available solely for District of Columbia employees’ dis-
7 ability compensation: *Provided further*, That of the funds
8 appropriated under this heading for the fiscal year ending
9 September 30, 1994 in the District of Columbia Appro-
10 priations Act, 1994, approved October 29, 1993 (Public
11 Law 103–127; 107 Stat. 1340), \$831,000 are rescinded
12 for a net increase of \$31,630,000.

13 PUBLIC WORKS

14 (RESCISSION)

15 Of the funds appropriated under this heading for the
16 fiscal year ending September 30, 1994 in the District of
17 Columbia Appropriations Act, 1994, approved October 29,
18 1993 (Public Law 103–127; 107 Stat. 1340), \$9,092,000
19 are rescinded.

20 WASHINGTON CONVENTION CENTER FUND

21 (RESCISSION)

22 Of the funds appropriated under this heading for the
23 fiscal year ending September 30, 1994 in the District of
24 Columbia Appropriations Act, 1994, approved October 29,

1 1993 (Public Law 103-127, 107 Stat. 1340), \$338,000
2 are rescinded.

3 REPAYMENT OF LOANS AND INTEREST

4 (RESCISSION)

5 Of the funds appropriated under this heading for the
6 fiscal year ending September 30, 1994 in the District of
7 Columbia Appropriations Act, 1994, approved October 29,
8 1993 (Public Law 103-127; 107 Stat. 1340 and 1341),
9 \$15,161,000 are rescinded.

10 REPAYMENT OF GENERAL FUND RECOVERY DEBT

11 For an additional amount for “Repayment of General
12 Fund Recovery Debt”, \$312,000.

13 OPTICAL AND DENTAL BENEFITS

14 (RESCISSION)

15 Of the funds appropriated under this heading for the
16 fiscal year ending September 30, 1994 in the District of
17 Columbia Appropriations Act, 1994, approved October 29,
18 1993 (Public Law 103-127; 107 Stat. 1341), \$11,000 are
19 rescinded.

20 SEVERANCE PAY

21 For an additional amount for “Severance pay”,
22 \$6,000,000.

1 D.C. GENERAL HOSPITAL DEFICIT PAYMENT

2 (RESCISSION)

3 Of the funds appropriated under this heading for the
4 fiscal year ending September 30, 1994 in the District of
5 Columbia Appropriations Act, 1994, approved October 29,
6 1993 (Public Law 103-127; 107 Stat. 1341), \$5,500,000
7 are rescinded.

8 CASH RESERVE FUND

9 (RESCISSION)

10 Of the funds appropriated under this heading for the
11 fiscal year ending September 30, 1994 in the District of
12 Columbia Appropriations Act, 1994, approved October 29,
13 1993 (Public Law 103-127; 107 Stat. 1341), \$3,957,000
14 are rescinded.

15 SHORT-TERM BORROWING

16 For "Short-term borrowing", \$3,500,000.

17 WATER AND SEWER ENTERPRISE FUND

18 (RESCISSION)

19 Of the funds appropriated under this heading for the
20 fiscal year ending September 30, 1994 in the District of
21 Columbia Appropriations Act, 1994, approved October 29,
22 1993 (Public Law 103-127; 107 Stat. 1343), \$9,411,000
23 are rescinded: *Provided*, That \$37,436,000 of the amounts
24 available for fiscal year 1994 shall be apportioned and
25 payable to the debt service fund for repayment of loans

1 and interest incurred for capital improvement projects in-
2 stead of \$40,438,000 as provided under this heading in
3 the District of Columbia Appropriations Act, 1994, ap-
4 proved October 29, 1993 (Public Law 103-127; 107 Stat.
5 1343).

6 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

7 For an additional amount for “Lottery and Chari-
8 table Games Enterprise Fund”, \$1,235,000.

9 CABLE TELEVISION ENTERPRISE FUND

10 The paragraph under the heading “Cable Television
11 Enterprise Fund” in the District of Columbia Appropria-
12 tions Act, 1994, approved October 29, 1993, is amended
13 by inserting after the figure “\$2,353,000” the following:
14 “of which \$140,000 shall be transferred to the General
15 Fund of the District of Columbia.”.

16 STARPLEX FUND

17 The paragraph under the heading “Starplex Fund”
18 in the District of Columbia Appropriations Act, 1994, ap-
19 proved October 29, 1993, is amended by inserting after
20 the phrase “Television” the following: “and an additional
21 \$1,400,000 shall be transferred to the General Fund of
22 the District of Columbia.”.

23 GENERAL PROVISIONS

24 SEC. 201. Notwithstanding any other provision of
25 law, appropriations made and authority granted pursuant

1 to this title shall be deemed to be available for the fiscal
2 year ending September 30, 1994.

3 This title may be cited as the “District of Columbia
4 Supplemental Appropriations and Rescissions Act, 1994”.

HR 4649 RH—2

HR 4649 RH—3

HR 4649 RH—4