

107TH CONGRESS
1ST SESSION

H. R. 2944

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2001

Received; read twice and referred to the Committee on Appropriations

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, 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 District of Columbia for the fiscal year ending September
6 30, 2002, and for other purposes, namely:

7 FEDERAL FUNDS

8 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

9 For a Federal payment to the District of Columbia
10 for a nationwide program, to be administered by the
11 Mayor, for District of Columbia resident tuition support,
12 \$17,000,000, to remain available until expended: *Pro-*
13 *vided*, That such funds may be used on behalf of eligible
14 District of Columbia residents to pay an amount based
15 upon the difference between in-State and out-of-State tui-
16 tion at public institutions of higher education, usable at
17 both public and private institutions for higher education:
18 *Provided further*, That the awarding of such funds may
19 be prioritized on the basis of a resident's academic merit
20 and such other factors as may be authorized: *Provided fur-*
21 *ther*, That not more than 7 percent of the total amount
22 appropriated for this program may be used for administra-
23 tive expenses.

1 FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF
2 CHILDREN

3 The paragraph under the heading “Federal Payment
4 for Incentives for Adoption of Children” in Public Law
5 106–113, approved November 29, 1999 (113 Stat. 1501),
6 is amended to read as follows: “For a Federal payment
7 to the District of Columbia to create incentives to promote
8 the adoption of children in the District of Columbia foster
9 care system, \$5,000,000: *Provided*, That such funds shall
10 remain available until September 30, 2003, and shall be
11 used to carry out all of the provisions of title 38 of the
12 Fiscal Year 2001 Budget Support Act of 2000, effective
13 October 19, 2000 (D.C. Law 13–172), as amended, except
14 for section 3808.”.

15 FEDERAL PAYMENT TO THE CAPITOL CITY CAREER
16 DEVELOPMENT AND JOB TRAINING PARTNERSHIP

17 For a Federal Payment to the Capitol City Career
18 Development and Job Training Partnership, \$1,500,000.

19 FEDERAL PAYMENT TO THE FIRE AND EMERGENCY
20 MEDICAL SERVICES DEPARTMENT

21 For a Federal payment to the Fire and Emergency
22 Medical Services Department, \$500,000 for dry-docking
23 of the Fire Boat.

1 FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

2 For a Federal payment to the Chief Medical Exam-
3 iner, \$585,000 for reduction in the backlog of autopsies,
4 case reports and for the purchase of toxicology and his-
5 tology equipment.

6 FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

7 For a Federal payment to the Youth Life Founda-
8 tion, \$250,000 for technical assistance, operational ex-
9 penses, and establishment of a National Training Insti-
10 tute.

11 FEDERAL PAYMENT TO FOOD AND FRIENDS

12 For a Federal payment to Food and Friends,
13 \$2,000,000 for their Capital Campaign.

14 FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

15 For a Federal payment to the City Administrator,
16 \$300,000 for the Criminal Justice Coordinating Council
17 for the District of Columbia.

18 FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

19 For a Federal payment to Southeastern University,
20 \$500,000 for a public/private partnership with the District
21 of Columbia Public Schools at the McKinley Technology
22 High School campus.

1 FEDERAL PAYMENT FOR VOYAGER UNIVERSAL
2 LITERACY SYSTEM

3 For a Federal payment to Voyager Expanded Learn-
4 ing, to implement the Voyager Universal Literacy System
5 in the District of Columbia public schools and public char-
6 ter schools, \$1,000,000: *Provided*, That the payment
7 under this heading is contingent upon a certification by
8 the Inspector General of the District of Columbia that the
9 District of Columbia has deposited matching funds to im-
10 plement such System into an escrow account held by the
11 Chief Financial Officer of the District of Columbia.

12 FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF
13 TECHNOLOGY OFFICER

14 For a Federal payment to the Chief Technology Offi-
15 cer of the District of Columbia to carry out the Local-
16 Federal Mobile Wireless Interoperability Demonstration
17 Project, \$500,000: *Provided*, That the payment under this
18 heading is contingent upon a certification by the Inspector
19 General of the District of Columbia that each entity of
20 the Federal Government which is participating in such
21 Project has deposited matching funds to carry out the
22 Project into an escrow account held by the Chief Financial
23 Officer of the District of Columbia.

1 FEDERAL PAYMENT FOR EMERGENCY PLANNING

2 For a Federal payment to the District of Columbia
3 for emergency planning, \$16,058,000: *Provided*, That
4 \$4,623,000 of such amount shall be made available imme-
5 diately for development of an emergency operations plan
6 for the District of Columbia, to be submitted to the appro-
7 priate Federal agencies as soon as practicable: *Provided*
8 *further*, That upon submission of such plan, \$8,029,000
9 of such amount shall be made available to begin implemen-
10 tation of the plan: *Provided further*, That \$3,406,000 of
11 such amount shall be made available immediately for reim-
12 bursement of planning and related expenses incurred by
13 the District of Columbia in anticipation of providing secu-
14 rity for the planned meetings in September 2001 of the
15 World Bank and the International Monetary Fund in the
16 District of Columbia: *Provided further*, That one-half of
17 the amounts under the headings “Federal Payment for
18 Resident Tuition Support”, “Federal Payment to the Fire
19 and Emergency Medical Services Department”, “Federal
20 Payment to the Chief Medical Examiner”, and “Federal
21 Payment to the City Administrator”, shall not be made
22 available until the emergency operations plan has been
23 submitted to the appropriate Federal agencies in accord-
24 ance with the preceding proviso: *Provided further*, That
25 the Chief Financial Officer of the District of Columbia

1 shall provide quarterly reports to the Committees on Ap-
2 propriations on the use of the funds under this heading,
3 beginning not later than January 2, 2002.

4 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER
5 OF THE DISTRICT OF COLUMBIA

6 For a Federal payment to the Chief Financial Officer
7 of the District of Columbia, \$2,350,000, of which
8 \$1,000,000 shall be for payment to the Excel Institute
9 Adult Education Program to be used by the Institute for
10 construction and to acquire construction services provided
11 by the General Services Administration on a reimbursable
12 basis; \$300,000 shall be for payment to the Woodlawn
13 Cemetery for restoration of the Cemetery; \$250,000 shall
14 be for payment to the Real World Schools concerning 21st
15 Century reform models for secondary education and the
16 use of technology to support learning in the District of
17 Columbia; \$300,000 shall be for payment to a mentoring
18 program and for hotline services; \$250,000 shall be for
19 payment to a youth development program with a character
20 building curriculum; and \$250,000 shall be for payment
21 to a basic values training program.

22 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
23 CORRECTIONS TRUSTEE OPERATIONS

24 For salaries and expenses of the District of Columbia
25 Corrections Trustee, \$32,700,000 for the administration

1 and operation of correctional facilities and for the admin-
2 istrative operating costs of the Office of the Corrections
3 Trustee, as authorized by section 11202 of the National
4 Capital Revitalization and Self-Government Improvement
5 Act of 1997 (Public Law 105–33; 111 Stat. 712) of which
6 \$1,000,000 is to fund an initiative to improve case proc-
7 essing in the District of Columbia criminal justice system,
8 \$2,500,000 to remain available until September 30, 2003,
9 for building renovations required to accommodate func-
10 tions transferred from the Lorton Correctional Complex,
11 and \$2,000,000 to remain available until September 30,
12 2003, to be transferred to the appropriate agency for the
13 closing of the sewage treatment plant and the removal of
14 underground storage tanks at the Lorton Correctional
15 Complex: *Provided*, That notwithstanding any other provi-
16 sion of law, funds appropriated in this Act for the District
17 of Columbia Corrections Trustee shall be apportioned
18 quarterly by the Office of Management and Budget and
19 obligated and expended in the same manner as funds ap-
20 propriated for salaries and expenses of other Federal
21 agencies.

22 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
23 COURTS

24 For salaries and expenses for the District of Colum-
25 bia Courts, \$111,238,000, to be allocated as follows: for

1 the District of Columbia Court of Appeals, \$8,003,000,
2 of which not to exceed \$1,500 is for official reception and
3 representation expenses; for the District of Columbia Su-
4 perior Court, \$66,091,000, of which not to exceed \$1,500
5 is for official reception and representation expenses; for
6 the District of Columbia Court System, \$31,149,000, of
7 which not to exceed \$1,500 is for official reception and
8 representation expenses; and \$5,995,000 to remain avail-
9 able until September 30, 2003, for capital improvements
10 for District of Columbia courthouse facilities: *Provided*,
11 That none of the funds in this Act or in any other Act
12 shall be available for the purchase, installation or oper-
13 ation of an Integrated Justice Information System until
14 a detailed plan and design has been submitted by the
15 courts and approved by the Committees on Appropriations
16 of the House of Representatives and the Senate: *Provided*
17 *further*, That notwithstanding any other provision of law,
18 all amounts under this heading shall be apportioned quar-
19 terly by the Office of Management and Budget and obli-
20 gated and expended in the same manner as funds appro-
21 priated for salaries and expenses of other Federal agen-
22 cies, with payroll and financial services to be provided on
23 a contractual basis with the General Services Administra-
24 tion (GSA), said services to include the preparation of
25 monthly financial reports, copies of which shall be sub-

1 mitted directly by GSA to the President and to the Com-
2 mittees on Appropriations of the Senate and House of
3 Representatives, the Committee on Governmental Affairs
4 of the Senate, and the Committee on Government Reform
5 of the House of Representatives.

6 FEDERAL PAYMENT FOR FAMILY COURT ACT

7 For carrying out the District of Columbia Family
8 Court Act of 2001, \$23,316,000, of which \$18,316,000
9 shall be for the Superior Court of the District of Columbia
10 and \$5,000,000 shall be for the Mayor of the District of
11 Columbia: *Provided*, That the chief judge of the Superior
12 Court shall submit the transition plan for the Family
13 Court of the Superior Court required under section
14 2(b)(1) of the District of Columbia Family Court Act of
15 2001 to the Comptroller General (in addition to any other
16 requirements under such section): *Provided further*, That
17 the Comptroller General shall prepare and submit to the
18 President and Congress an analysis of the contents and
19 effectiveness of the plan, including an analysis of whether
20 the plan contains all of the information required under
21 such section: *Provided further*, That the funds provided
22 under this heading to the Superior Court shall not be
23 made available until the expiration of the 30-day period
24 (excluding Saturdays, Sundays, legal public holidays, and
25 any day on which neither House of Congress is in session

1 because of an adjournment sine die, a recess of more than
2 3 days, or an adjournment of more than 3 days) which
3 begins on the date the Comptroller General submits such
4 analysis to the President and Congress: *Provided further,*
5 That the Mayor shall prepare and submit to the President,
6 Congress, and the Comptroller General a plan for the use
7 of the funds provided to the Mayor under this heading,
8 consistent with the requirements of the District of Colum-
9 bia Family Court Act of 2001, including the requirement
10 to integrate the computer systems of the District govern-
11 ment with the computer systems of the Superior Court:
12 *Provided further,* That the Comptroller General shall pre-
13 pare and submit to the President and Congress an anal-
14 ysis of the contents and effectiveness of the plan: *Provided*
15 *further,* That the funds provided under this heading to the
16 Mayor shall not be made available until the expiration of
17 the 30-day period (excluding Saturdays, Sundays, legal
18 public holidays, and any day on which neither House of
19 Congress is in session because of an adjournment sine die,
20 a recess of more than 3 days, or an adjournment of more
21 than 3 days) which begins on the date the Comptroller
22 General submits such plan to the President and Congress.

1 of Columbia courthouse facilities), to make payments de-
2 scribed under this heading for obligations incurred during
3 any fiscal year: *Provided further*, That such funds shall
4 be administered by the Joint Committee on Judicial Ad-
5 ministration in the District of Columbia: *Provided further*,
6 That notwithstanding any other provision of law, this ap-
7 propriation shall be apportioned quarterly by the Office
8 of Management and Budget and obligated and expended
9 in the same manner as funds appropriated for expenses
10 of other Federal agencies, with payroll and financial serv-
11 ices to be provided on a contractual basis with the General
12 Services Administration (GSA), said services to include
13 the preparation of monthly financial reports, copies of
14 which shall be submitted directly by GSA to the President
15 and to the Committees on Appropriations of the Senate
16 and House of Representatives, the Committee on Govern-
17 mental Affairs of the Senate, and the Committee on Gov-
18 ernment Reform of the House of Representatives.

19 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
20 FENDER SUPERVISION AGENCY FOR THE DISTRICT
21 OF COLUMBIA

22 (INCLUDING TRANSFER OF FUNDS)

23 For salaries and expenses, including the transfer and
24 hire of motor vehicles, of the Court Services and Offender
25 Supervision Agency for the District of Columbia, as au-

1 thorized by the National Capital Revitalization and Self-
2 Government Improvement Act of 1997 (Public Law 105-
3 33; 111 Stat. 712), \$147,300,000, of which \$13,015,000
4 shall remain available until expended for construction
5 project; not to exceed \$1,500 is for official receptions re-
6 lated to offender and defendant support programs;
7 \$94,112,000 shall be for necessary expenses of Commu-
8 nity Supervision and Sex Offender Registration, to include
9 expenses relating to supervision of adults subject to pro-
10 tection orders or provision of services for or related to such
11 persons; \$20,829,000 shall be transferred to the Public
12 Defender Service; and \$32,359,000 shall be available to
13 the Pretrial Services Agency: *Provided*, That notwith-
14 standing any other provision of law, all amounts under
15 this heading shall be apportioned quarterly by the Office
16 of Management and Budget and obligated and expended
17 in the same manner as funds appropriated for salaries and
18 expenses of other Federal agencies: *Provided further*, That
19 notwithstanding chapter 12 of title 40, United States
20 Code, the Director may acquire by purchase, lease, con-
21 demnation, or donation, and renovate as necessary, Build-
22 ing Number 17, 1900 Massachusetts Avenue, Southeast
23 Washington, District of Columbia, to house or supervise
24 offenders and defendants, with funds made available by
25 this Act: *Provided further*, That the Director is authorized

1 to accept and use gifts in the form of in-kind contributions
2 of space and hospitality to support offender and defendant
3 programs, and equipment and vocational training services
4 to educate and train offenders and defendants: *Provided*
5 *further*, That the Director shall keep accurate and detailed
6 records of the acceptance and use of any gift or donation
7 under the previous proviso, and shall make such records
8 available for audit and public inspection.

9 CHILDREN'S NATIONAL MEDICAL CENTER

10 For a Federal contribution to the Children's National
11 Medical Center in the District of Columbia, \$5,500,000,
12 of which \$500,000 shall be used for the network of sat-
13 ellite pediatric health clinics for children and families in
14 underserved neighborhoods and communities in the Dis-
15 trict of Columbia and \$5,000,000 shall be used to mod-
16 ernize the Children's National Medical Center and update
17 its medical equipment.

18 ST. COLETTA OF GREATER WASHINGTON EXPANSION

19 PROJECT

20 For a Federal contribution to St. Coletta of Greater
21 Washington, Inc. for costs associated with the establish-
22 ment of a day program and comprehensive case manage-
23 ment services for mentally retarded and multiple-handi-
24 capped adolescents and adults in the District of Columbia,

1 including property acquisition and construction,
2 \$1,000,000.

3 FEDERAL PAYMENT TO FAITH AND POLITICS INSTITUTE

4 For a Federal payment to the Faith and Politics In-
5 stitute, \$50,000, for grass roots-based racial sensitivity
6 programs in the District of Columbia.

7 FEDERAL PAYMENT FOR BROWNFIELD REMEDIATION

8 Notwithstanding any other provision of law, the
9 funds made available in the District of Columbia Appro-
10 priations Act, 2001 (Public Law 106–522; 114 Stat.
11 2445), for Brownfield Remediation shall be available until
12 expended.

13 DISTRICT OF COLUMBIA FUNDS

14 OPERATING EXPENSES

15 DIVISION OF EXPENSES

16 The following amounts are appropriated for the Dis-
17 trict of Columbia for the current fiscal year out of the
18 general fund of the District of Columbia, except as other-
19 wise specifically provided: *Provided*, That notwithstanding
20 any other provision of law, except as provided in section
21 450A of the District of Columbia Home Rule Act and sec-
22 tion 119 of this Act (Public Law 93–198; D.C. Official
23 Code, sec. 1–204.50a), the total amount appropriated in
24 this Act for operating expenses for the District of Colum-
25 bia for fiscal year 2002 under this heading shall not ex-

1 ceed the lesser of the sum of the total revenues of the
2 District of Columbia for such fiscal year or
3 \$6,043,881,000 (of which \$124,163,000 shall be from
4 intra-District funds and \$3,571,343,000 shall be from
5 local funds): *Provided further*, That the Chief Financial
6 Officer of the District of Columbia shall take such steps
7 as are necessary to assure that the District of Columbia
8 meets these requirements, including the apportioning by
9 the Chief Financial Officer of the appropriations and
10 funds made available to the District during fiscal year
11 2002, except that the Chief Financial Officer may not re-
12 program for operating expenses any funds derived from
13 bonds, notes, or other obligations issued for capital
14 projects.

15 GOVERNMENTAL DIRECTION AND SUPPORT

16 Governmental direction and support, \$285,359,000
17 (including \$229,271,000 from local funds, \$38,809,000
18 from Federal funds, and \$17,279,000 from other funds):
19 *Provided*, That not to exceed \$2,500 for the Mayor,
20 \$2,500 for the Chairman of the Council of the District
21 of Columbia, and \$2,500 for the City Administrator shall
22 be available from this appropriation for official purposes:
23 *Provided further*, That any program fees collected from the
24 issuance of debt shall be available for the payment of ex-
25 penses of the debt management program of the District

1 of Columbia: *Provided further*, That no revenues from
2 Federal sources shall be used to support the operations
3 or activities of the Statehood Commission and Statehood
4 Compact Commission: *Provided further*, That the District
5 of Columbia shall identify the sources of funding for Ad-
6 mission to Statehood from its own locally-generated reve-
7 nues: *Provided further*, That notwithstanding any other
8 provision of law, or Mayor's Order 86-45, issued March
9 18, 1986, the Office of the Chief Technology Officer's del-
10 egated small purchase authority shall be \$500,000: *Pro-*
11 *vided further*, That the District of Columbia government
12 may not require the Office of the Chief Technology Officer
13 to submit to any other procurement review process, or to
14 obtain the approval of or be restricted in any manner by
15 any official or employee of the District of Columbia gov-
16 ernment, for purchases that do not exceed \$500,000: *Pro-*
17 *vided further*, That not less than \$353,000 shall be avail-
18 able to the Office of the Corporation Counsel to support
19 increases in the Attorney Retention Allowance: *Provided*
20 *further*, That not less than \$50,000 shall be available to
21 support a mediation services program within the Office of
22 the Corporation Counsel: *Provided further*, That not less
23 than \$50,000 shall be available to support a TANF Unit
24 within the Child Support Enforcement Division of the Of-
25 fice of the Corporation Counsel.

1 ECONOMIC DEVELOPMENT AND REGULATION

2 Economic development and regulation, \$230,878,000
3 (including \$60,786,000 from local funds, \$96,199,000
4 from Federal funds, and \$73,893,000 from other funds),
5 of which \$15,000,000 collected by the District of Colum-
6 bia in the form of BID tax revenue shall be paid to the
7 respective BIDs pursuant to the Business Improvement
8 Districts Act of 1996 (D.C. Law 11–134; D.C. Official
9 Code, sec. 2–1215.01 et seq.), and the Business Improve-
10 ment Districts Amendment Act of 1997 (D.C. Law 12–
11 26; D.C. Official Code, sec. 2–1215.15(1)(2)): *Provided*,
12 That such funds are available for acquiring services pro-
13 vided by the General Services Administration: *Provided*
14 *further*, That Business Improvement Districts shall be ex-
15 empt from taxes levied by the District of Columbia: *Pro-*
16 *vided further*, That the fees established and collected pur-
17 suant to D.C. Law 13–281 shall be identified, and an ac-
18 counting provided, to the District of Columbia Council’s
19 Committee on Consumer and Regulatory Affairs.

20 PUBLIC SAFETY AND JUSTICE

21 Public safety and justice, \$633,853,000 (including
22 \$594,803,000 from local funds, \$8,298,000 from Federal
23 funds, and \$30,752,000 from other funds): *Provided*, That
24 not to exceed \$500,000 shall be available from this appro-
25 priation for the Chief of Police for the prevention and de-

1 tection of crime: *Provided further*, That notwithstanding
2 any other law, section 3703 of title XXXVII of the Fiscal
3 Year 2002 Budget Support Act of 2001 (D.C. Bill 14–
4 144), adopted by the Council of the District of Columbia,
5 is enacted into law: *Provided further*, That the Mayor shall
6 reimburse 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: *Provided further*, That no less
19 than \$173,000,000 shall be available to the Metropolitan
20 Police Department for salary in support of 3,800 sworn
21 officers: *Provided further*, That no less than \$100,000
22 shall be available in the Department of Corrections budget
23 to support the Corrections Information Council: *Provided*
24 *further*, That not less than \$296,000 shall be available to
25 support the Child Fatality Review Committee.

1 PUBLIC EDUCATION SYSTEM

2 Public education system, including the development
3 of national defense education programs, \$1,106,165,000
4 (including \$894,494,000 from local funds, \$185,044,000
5 from Federal funds, and \$26,627,000 from other funds),
6 to be allocated as follows: \$810,542,000 (including
7 \$658,624,000 from local funds, \$144,630,000 from Fed-
8 eral funds, and \$7,288,000 from other funds), for the pub-
9 lic schools of the District of Columbia; \$47,370,000 (in-
10 cluding \$19,911,000 from local funds of which
11 \$17,000,000 is from a Federal payment previously appro-
12 priated in this Act for resident tuition support at public
13 and private institutions of higher learning for eligible Dis-
14 trict of Columbia residents, \$26,917,000 from Federal
15 funds, and \$542,000 from other funds), for the State
16 Education Office, and \$142,257,000 from local funds for
17 public charter schools: *Provided*, That there shall be quar-
18 terly disbursement of funds to the District of Columbia
19 public charter schools, with the first payment to occur
20 within 15 days of the beginning of each fiscal year: *Pro-*
21 *vided further*, That if the entirety of this allocation has
22 not been provided as payments to any public charter
23 school currently in operation through the per pupil fund-
24 ing formula, the funds shall be available for public edu-
25 cation in accordance with the School Reform Act of 1995

1 (Public Law 104–134; D.C. Official Code, sec. 38–
2 1804.03(a)(2)(D): *Provided further*, That \$480,000 of this
3 amount shall be available to the District of Columbia Pub-
4 lic Charter School Board for administrative costs: *Pro-*
5 *vided further*, That \$76,542,000 (including \$45,912,000
6 from local funds, \$12,539,000 from Federal funds, and
7 \$18,091,000 from other funds) shall be available for the
8 University of the District of Columbia: *Provided further*,
9 That \$750,000 shall be available for Enhancing and
10 Actualizing Internationalism and Multiculturalism in the
11 Academic Programs of the University of the District of
12 Columbia: \$1,000,000 shall be paid to the Excel Institute
13 Adult Education Program by the Chief Financial Officer
14 quarterly on the first day of each quarter, and not less
15 than \$200,000 for the Adult Education and \$27,256,000
16 (including \$26,030,000 from local funds, \$560,000 from
17 Federal funds and \$666,000 other funds) for the Public
18 Library: *Provided further*, That \$2,198,000 (including
19 \$1,760,000 from local funds, \$398,000 from Federal
20 funds and \$40,000 from other funds) shall be available
21 for the Commission on the Arts and Humanities: *Provided*
22 *further*, That the public schools of the District of Columbia
23 are authorized to accept not to exceed 31 motor vehicles
24 for exclusive use in the driver education program: *Provided*
25 *further*, That not to exceed \$2,500 for the Superintendent

1 of Schools, \$2,500 for the President of the University of
2 the District of Columbia, and \$2,000 for the Public Li-
3 brarian shall be available from this appropriation for offi-
4 cial purposes: *Provided further*, That none of the funds
5 contained in this Act may be made available to pay the
6 salaries of any District of Columbia Public School teacher,
7 principal, administrator, official, or employee who know-
8 ingly provides false enrollment or attendance information
9 under article II, section 5 of the Act entitled “An Act to
10 provide for compulsory school attendance, for the taking
11 of a school census in the District of Columbia, and for
12 other purposes”, approved February 4, 1925 (D.C. Offi-
13 cial Code, sec. 38–201 et seq.): *Provided further*, That this
14 appropriation shall not be available to subsidize the edu-
15 cation of any nonresident of the District of Columbia at
16 any District of Columbia public elementary and secondary
17 school during fiscal year 2002 unless the nonresident pays
18 tuition to the District of Columbia at a rate that covers
19 100 percent of the costs incurred by the District of Colum-
20 bia which are attributable to the education of the non-
21 resident (as established by the Superintendent of the Dis-
22 trict of Columbia Public Schools): *Provided further*, That
23 this appropriation shall not be available to subsidize the
24 education of nonresidents of the District of Columbia at
25 the University of the District of Columbia, unless the

1 Board of Trustees of the University of the District of Co-
2 lumbia adopts, for the fiscal year ending September 30,
3 2002, a tuition rate schedule that will establish the tuition
4 rate for nonresident students at a level no lower than the
5 nonresident tuition rate charged at comparable public in-
6 stitutions of higher education in the metropolitan area:
7 *Provided further*, That notwithstanding any other provi-
8 sion of law, rule, or regulation, the evaluation process and
9 instruments for evaluating District of Columbia Public
10 School employees shall be a non-negotiable item for collec-
11 tive bargaining purposes: *Provided further*, That the Dis-
12 trict of Columbia Public Schools shall spend \$1,200,000
13 to implement the D.C. Teaching Fellows Program in the
14 District's public schools: *Provided further*, That notwith-
15 standing the amounts otherwise provided under this head-
16 ing or any other provision of law, there shall be appro-
17 priated to the District of Columbia public charter schools
18 on July 1, 2002, an amount equal to 25 percent of the
19 total amount provided for payments to public charter
20 schools in the proposed budget of the District of Columbia
21 for fiscal year 2003 (as submitted to Congress), and the
22 amount of such payment shall be chargeable against the
23 final amount provided for such payments under the Dis-
24 trict of Columbia Appropriations Act, 2003: *Provided fur-*
25 *ther*, That notwithstanding the amounts otherwise pro-

1 vided under this heading or any other provision of law,
2 there shall be appropriated to the District of Columbia
3 Public Schools on July 1, 2002, an amount equal to 10
4 percent of the total amount provided for the District of
5 Columbia Public Schools in the proposed budget of the
6 District of Columbia for fiscal year 2003 (as submitted
7 to Congress), and the amount of such payment shall be
8 chargeable against the final amount provided for the Dis-
9 trict of Columbia Public Schools under the District of Co-
10 lumbia Appropriations Act, 2003.

11 HUMAN SUPPORT SERVICES

12 Human support services, \$1,803,923,000 (including
13 \$711,072,000 from local funds, \$1,075,960,000 from
14 Federal funds, and \$16,891,000 from other funds): *Pro-*
15 *vided*, That \$27,986,000 of this appropriation, to remain
16 available until expended, shall be available solely for Dis-
17 trict of Columbia employees' disability compensation: *Pro-*
18 *vided further*, That \$90,000,000 transferred pursuant to
19 the District of Columbia Appropriations Act, 2001 (Public
20 Law 106-522; 114 Stat. 2452), to the Public Benefit Cor-
21 poration for restructuring shall be made available to the
22 Department of Health's Health Care Safety Net Adminis-
23 tration for the purpose of restructuring the delivery of
24 health services in the District of Columbia shall remain
25 available for obligation during fiscal year 2002: *Provided*

1 *further*, That the District of Columbia shall not provide
2 free government services such as water, sewer, solid waste
3 disposal or collection, utilities, maintenance, repairs, or
4 similar services to any legally constituted private nonprofit
5 organization, as defined in section 411(5) of the Stewart
6 B. McKinney Homeless Assistance Act (101 Stat. 485;
7 Public Law 100–77; 42 U.S.C. 11371), providing emer-
8 gency shelter services in the District, if the District would
9 not be qualified to receive reimbursement pursuant to such
10 Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301
11 et seq.): *Provided further*, That no less than \$500,000 of
12 the \$7,500,000 appropriated for the Addiction Recovery
13 Fund shall be used solely to pay treatment providers who
14 provide substance abuse treatment to TANF recipients
15 under the Drug Treatment Choice Program: *Provided fur-*
16 *ther*, That no less than \$2,000,000 of this appropriation
17 shall be used solely to establish, by contract, a 2-year pilot
18 substance abuse program for youth ages 16 through 21
19 years of age: *Provided further*, That no less than \$60,000
20 be available for a D.C. Energy Office Matching Grant:
21 *Provided further*, That no less than \$2,150,000 be avail-
22 able for a pilot Interim Disability Assistance program pur-
23 suant to title L of the Fiscal Year 2002 Budget Support
24 Act (D.C. Bill 14–144).

1 PUBLIC WORKS

2 Public works, including rental of one passenger-car-
3 rying vehicle for use by the Mayor and three passenger-
4 carrying vehicles for use by the Council of the District of
5 Columbia and leasing of passenger-carrying vehicles,
6 \$300,151,000 (including \$286,334,000 from local funds,
7 \$4,392,000 from Federal funds, and \$9,425,000 from
8 other funds): *Provided*, That \$11,000,000 of this appro-
9 priation shall be available for transfer to the Highway
10 Trust Fund's Local Roads, Construction and Maintenance
11 Fund upon certification by the Chief Financial Officer
12 that funds are available from the fiscal year 2001 budg-
13 eted reserve or where the Chief Financial Officer certifies
14 that additional local revenues are available: *Provided fur-*
15 *ther*, That this appropriation shall not be available for col-
16 lecting ashes or miscellaneous refuse from hotels and
17 places of business.

18 RECEIVERSHIP PROGRAMS

19 For all agencies of the District of Columbia govern-
20 ment under court ordered receivership, \$403,368,000 (in-
21 cluding \$250,015,000 from local funds, \$134,339,000
22 from Federal funds, and \$19,014,000 from other funds).

23 WORKFORCE INVESTMENTS

24 For workforce investments, \$42,896,000 from local
25 funds, to be transferred by the Mayor of the District of

1 Columbia within the various appropriation headings in
2 this Act for which employees are properly payable.

3 RESERVE

4 For replacement of funds expended, if any, during
5 fiscal year 2001 from the Reserve established by section
6 202(j) of the District of Columbia Financial Responsibility
7 and Management Assistance Act of 1995, Public Law
8 104–8, \$150,000,000 from local funds: *Provided*, That
9 none of these funds shall be obligated or expended under
10 this heading until the emergency reserve fund established
11 under Sec. 450A(a) of the District of Columbia Home
12 Rule Act (Public Law 93–198 as amended; 114 Stat.
13 2478; D.C. Official Code, Sec. 1–204.50a(a)) has been
14 fully funded for fiscal year 2002.

15 CONTINGENCY RESERVE FUND

16 For the contingency reserve fund established under
17 section 450A(b) of the District of Columbia Home Rule
18 Act (Public Law 93–198; D.C. Official Code, sec. 1–
19 204.50a(b)), the amount provided for fiscal year 2002
20 under such section, to be derived from local funds.

21 REPAYMENT OF LOANS AND INTEREST

22 For payment of principal, interest, and certain fees
23 directly resulting from borrowing by the District of Co-
24 lumbia to fund District of Columbia capital projects as
25 authorized by sections 462, 475, and 490 of the District

1 of Columbia Home Rule Act (Public Law 93–198 as
2 amended; D.C. Official Code, secs. 1–204.62, 1–204.75,
3 1–204.90), \$247,902,000 from local funds: *Provided*,
4 That any funds set aside pursuant to section 148 of the
5 District of Columbia Appropriations Act, 2000 (Public
6 Law 106–113; 113 Stat. 1523) that are not used in the
7 reserve funds established herein shall be used for Pay-As-
8 You-Go Capital Funds: *Provided further*, That for equip-
9 ment leases, the Mayor may finance \$14,300,000 of equip-
10 ment cost, plus cost of issuance not to exceed 2 percent
11 of the par amount being financed on a lease purchase
12 basis with a maturity not to exceed 5 years: *Provided fur-*
13 *ther*, That \$4,440,000 is allocated for the Fire and Emer-
14 gency Medical Services Department, \$2,010,000 for the
15 Department of Parks and Recreation, and \$7,850,000 for
16 the Department of Public Works.

17 REPAYMENT OF GENERAL FUND RECOVERY DEBT

18 For the purpose of eliminating the \$331,589,000
19 general fund accumulated deficit as of September 30,
20 1990, \$39,300,000 from local funds, as authorized by sec-
21 tion 461(a) of the District of Columbia Home Rule Act,
22 (105 Stat. 540; D.C. Official Code, sec. 1–204.61(a)).

23 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

24 For payment of interest on short-term borrowing,
25 \$500,000 from local funds.

1 EMERGENCY PLANNING

2 For an emergency operations plan, implementation of
3 the emergency operations plan, and reimbursement of
4 planning and related expenses incurred by the District of
5 Columbia in anticipation of the planned World Bank and
6 International Monetary Fund September 2001 meetings,
7 \$16,058,000, from funds previously appropriated in this
8 Act as a Federal payment: *Provided*, That this appropria-
9 tion shall be apportioned by the Chief Financial Officer
10 within the various appropriation heading in this Act.

11 WILSON BUILDING

12 For expenses associated with the John A. Wilson
13 Building, \$8,859,000 from local funds.

14 EMERGENCY RESERVE FUND TRANSFER

15 Subject to the issuance of bonds to pay the purchase
16 price of the District of Columbia's right, title, and, inter-
17 est in and to the Master Settlement Agreement, and con-
18 sistent with the Tobacco Settlement Trust Fund Estab-
19 lishment Act of 1999 (D.C. Official Code, sec. 7-
20 1811.01(a)(2) et seq.) and the Tobacco Settlement Fi-
21 nancing Act of 2000 (D.C. Official Code, sec. 7-1831.03),
22 there is transferred the amount available pursuant there-
23 to, but not to exceed \$33,254,000, to the Emergency Re-
24 serve Fund established pursuant to section 450A(a) of the
25 District of Columbia Home Rule Act (Public Law 93-198,

1 as amended; 114 Stat. 2478; D.C. Official Code, sec. 1–
2 204.50a(a)).

3 NON-DEPARTMENTAL AGENCY

4 To account for anticipated costs that cannot be allo-
5 cated to specific agencies during the development of the
6 proposed budget including anticipated employee health in-
7 surance cost increases and contract security costs,
8 \$5,799,000 from local funds.

9 ENTERPRISE AND OTHER FUNDS

10 WATER AND SEWER AUTHORITY

11 For operation of the Water and Sewer Authority,
12 \$244,978,000 from other funds, of which \$44,244,000
13 shall be apportioned for repayment of loans and interest
14 incurred for capital improvement projects (\$17,952,936
15 payable to the District’s debt service fund and
16 \$26,291,064 payable for other debt service). For construc-
17 tion projects, \$152,114,000, in the following capital pro-
18 grams; \$52,600,000 for the Blue Plains Wastewater
19 Treatment Plant, \$11,148,000 for the sewer program,
20 \$109,000 for the combined sewer program, \$118,000 for
21 the stormwater program, \$77,957,000 for the water pro-
22 gram, and \$10,182,000 for the capital equipment pro-
23 gram: *Provided*, That the requirements and restrictions
24 that are applicable to general fund capital improvements
25 projects and set forth in this Act under the Capital Outlay

1 appropriation title shall apply to projects approved under
2 this appropriation title: *Provided further*, That section
3 106(b)(2) of the District of Columbia Public Works Act
4 of 1954 (sec. 34–2401.25(b)(2), D.C. Official Code) is
5 amended by inserting after “the Office of Management
6 and Budget,” the following: “the Secretary of the Treas-
7 ury, and the head of each of the respective Federal depart-
8 ments, independent establishments, and agencies,”: *Pro-*
9 *vided further*, That section 212(b)(2) of the District of Co-
10 lumbia Public Works Act of 1954 (sec. 34–2112(b)(2),
11 D.C. Official Code) is amended by inserting after “the Of-
12 fice of Management and Budget,” the following: “the Sec-
13 retary of the Treasury, and the head of each of the respec-
14 tive Federal departments, independent establishments,
15 and agencies,”.

16 WASHINGTON AQUEDUCT

17 For operation of the Washington Aqueduct,
18 \$46,510,000 from other funds.

19 STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

20 For operation of the Stormwater Permit Compliance
21 Enterprise Fund, \$3,100,000 from other funds.

22 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

23 For the Lottery and Charitable Games Enterprise
24 Fund, established by the District of Columbia Appropria-
25 tion Act, 1982 (95 Stat. 1174, 1175; Public Law 97–91),

1 for the purpose of implementing the Law to Legalize Lot-
2 teries, Daily Numbers Games, and Bingo and Raffles for
3 Charitable Purposes in the District of Columbia (D.C.
4 Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and
5 sec. 22–1716 et seq.), \$229,688,000: *Provided*, That the
6 District of Columbia shall identify the source of funding
7 for this appropriation title from the District’s own locally
8 generated revenues: *Provided further*, That no revenues
9 from Federal sources shall be used to support the oper-
10 ations or activities of the Lottery and Charitable Games
11 Control Board.

12 SPORTS AND ENTERTAINMENT COMMISSION

13 For the Sports and Entertainment Commission,
14 \$9,127,000 (including \$2,177,000 to be derived by trans-
15 fer from the general fund of the District of Columbia and
16 \$6,950,000 from other funds): *Provided*, That the transfer
17 of \$2,177,000 from the general fund shall not be made
18 unless the District of Columbia general fund has received
19 \$2,177,000 from the D.C. Sports and Entertainment
20 Commission prior to September 20, 2001: *Provided fur-*
21 *ther*, That the Mayor shall submit a budget for the Armory
22 Board for the forthcoming fiscal year as required by sec-
23 tion 442(b) of the District of Columbia Home Rule Act
24 (87 Stat. 824; Public Law 93–198; D.C. Official Code,
25 sec. 1–204.42(b)).

1 DISTRICT OF COLUMBIA RETIREMENT BOARD

2 For the District of Columbia Retirement Board, es-
3 tablished by section 121 of the District of Columbia Re-
4 tirement Reform Act of 1979 (93 Stat. 866; D.C. Official
5 Code, sec. 1-711), \$13,388,000 from the earnings of the
6 applicable retirement funds to pay legal, management, in-
7 vestment, and other fees and administrative expenses of
8 the District of Columbia Retirement Board: *Provided*,
9 That the District of Columbia Retirement Board shall pro-
10 vide to the Congress and to the Council of the District
11 of Columbia a quarterly report of the allocations of
12 charges by fund and of expenditures of all funds: *Provided*
13 *further*, That the District of Columbia Retirement Board
14 shall provide the Mayor, for transmittal to the Council of
15 the District of Columbia, an itemized accounting of the
16 planned use of appropriated funds in time for each annual
17 budget submission and the actual use of such funds in
18 time for each annual audited financial report.

19 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

20 For the Washington Convention Center Enterprise
21 Fund, \$57,278,000 from other funds.

22 HOUSING FINANCE AGENCY

23 For the Housing Finance Agency, \$4,711,000 from
24 other funds.

1 NATIONAL CAPITAL REVITALIZATION CORPORATION

2 For the National Capital Revitalization Corporation,
3 \$2,673,000 from other funds.

4 CAPITAL OUTLAY

5 (INCLUDING RESCISSIONS)

6 For construction projects, an increase of
7 \$1,550,787,000 of which \$1,348,783,000 shall be from
8 local funds, \$44,431,000 from Highway Trust funds, and
9 \$157,573,000 from Federal funds, and a rescission of
10 \$476,182,000 from local funds appropriated under this
11 heading in prior fiscal years, for a net amount of
12 \$1,074,605,000 to remain available until expended: *Pro-*
13 *vided*, That funds for use of each capital project imple-
14 menting agency shall be managed and controlled in ac-
15 cordance with all procedures and limitations established
16 under the Financial Management System: *Provided fur-*
17 *ther*, That all funds provided by this appropriation title
18 shall be available only for the specific projects and pur-
19 poses intended: *Provided further*, That notwithstanding
20 the foregoing, all authorizations for capital outlay
21 projects, except those projects covered by the first sen-
22 tence of section 23(a) of the Federal Aid Highway Act
23 of 1968 (82 Stat. 827; Public Law 90–495), for which
24 funds are provided by this appropriation title, shall expire
25 on September 30, 2003, except authorizations for projects

1 as to which funds have been obligated in whole or in part
2 prior to September 30, 2003: *Provided further*, That upon
3 expiration of any such project authorization, the funds
4 provided herein for the project shall lapse.

5 GENERAL PROVISIONS

6 SEC. 101. Whenever in this Act, an amount is speci-
7 fied within an appropriation for particular purposes or ob-
8 jects of expenditure, such amount, unless otherwise speci-
9 fied, shall be considered as the maximum amount that
10 may be expended for said purpose or object rather than
11 an amount set apart exclusively therefor.

12 SEC. 102. Appropriations in this Act shall be avail-
13 able for expenses of travel and for the payment of dues
14 of organizations concerned with the work of the District
15 of Columbia government, when authorized by the Mayor:
16 *Provided*, That in the case of the Council of the District
17 of Columbia, funds may be expended with the authoriza-
18 tion of the chair of the Council.

19 SEC. 103. There are appropriated from the applicable
20 funds of the District of Columbia such sums as may be
21 necessary for making refunds and for the payment of
22 judgments that have been entered against the District of
23 Columbia government: *Provided*, That nothing contained
24 in this section shall be construed as modifying or affecting
25 the provisions of section 11(c)(3) of title XII of the Dis-

1 triet of Columbia Income and Franchise Tax Act of 1947
2 (70 Stat. 78; Public Law 84–460; D.C. Official Code, sec.
3 47–1812.11(c)(3)).

4 SEC. 104. No part of any appropriation contained in
5 this Act shall remain available for obligation beyond the
6 current fiscal year unless expressly so provided herein.

7 SEC. 105. No funds appropriated in this Act for the
8 District of Columbia government for the operation of edu-
9 cational institutions, the compensation of personnel, or for
10 other educational purposes may be used to permit, encour-
11 age, facilitate, or further partisan political activities.
12 Nothing herein is intended to prohibit the availability of
13 school buildings for the use of any community or partisan
14 political group during non-school hours.

15 SEC. 106. None of the funds appropriated in this Act
16 shall be made available to pay the salary of any employee
17 of the District of Columbia government whose name, title,
18 grade, salary, past work experience, and salary history are
19 not available for inspection by the House and Senate Com-
20 mittees on Appropriations, the House Committee on Gov-
21 ernment Reform, the Senate Committee on Governmental
22 Affairs, and the Council of the District of Columbia, or
23 their duly authorized representative.

24 SEC. 107. There are appropriated from the applicable
25 funds of the District of Columbia such sums as may be

1 necessary for making payments authorized by the District
2 of Columbia Revenue Recovery Act of 1977 (D.C. Law
3 2–20; D.C. Code, sec. 47–422 et seq.).

4 SEC. 108. No part of this appropriation shall be used
5 for publicity or propaganda purposes or implementation
6 of any policy including boycott designed to support or de-
7 feat legislation pending before Congress or any State legis-
8 lature.

9 SEC. 109. At the start of the fiscal year, the Mayor
10 shall develop an annual plan, by quarter and by project,
11 for capital outlay borrowings: *Provided*, That within a rea-
12 sonable time after the close of each quarter, the Mayor
13 shall report to the Council of the District of Columbia and
14 the Congress the actual borrowings and spending progress
15 compared with projections.

16 SEC. 110. (a) None of the funds provided under this
17 Act to the agencies funded by this Act, both Federal and
18 District government agencies, that remain available for
19 obligation or expenditure in fiscal year 2002, or provided
20 from any accounts in the Treasury of the United States
21 derived by the collection of fees available to the agencies
22 funded by this Act, shall be available for obligation or ex-
23 penditure for an agency through a reprogramming of
24 funds which: (1) creates new programs; (2) eliminates a
25 program, project, or responsibility center; (3) establishes

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

16 (b) None of the local funds contained in this Act may
17 be available for obligation or expenditure for an agency
18 through a reprogramming of funds which transfers any
19 local funds from one appropriation to another unless the
20 Committees on Appropriations of the Senate and House
21 of Representatives are notified in writing 30 days in ad-
22 vance of the transfer, except that in no event may the
23 amount of any funds transferred exceed 2 percent of the
24 local funds in the appropriation.

1 SEC. 111. Consistent with the provisions of 31 U.S.C.
2 1301(a), appropriations under this Act shall be applied
3 only to the objects for which the appropriations were made
4 except as otherwise provided by law.

5 SEC. 112. (a) Notwithstanding any other provisions
6 of law, the provisions of the District of Columbia Govern-
7 ment Comprehensive Merit Personnel Act of 1978 (D.C.
8 Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.),
9 enacted pursuant to section 422(3) of the District of Co-
10 lumbia Home Rule Act (87 Stat. 790; Public Law 93–
11 198; D.C. Official Code, sec. 1–204.22(3)), shall apply
12 with respect to the compensation of District of Columbia
13 employees: *Provided*, That for pay purposes, employees of
14 the District of Columbia government shall not be subject
15 to the provisions of title 5, United States Code.

16 (b)(1) CERTIFICATION OF NEED BY CHIEF TECH-
17 NOLOGY OFFICER.—Section 2706(b) of the District of Co-
18 lumbia Government Comprehensive Merit Personnel Act
19 of 1978, as added by section 2 of the District Government
20 Personnel Exchange Agreement Amendment Act of 2000
21 (D.C. Law 13–296), is amended by inserting after “Direc-
22 tor of Personnel” each place it appears the following: “(or
23 the Chief Technology Officer, in the case of the Office of
24 the Chief Technology Officer)”.

1 (2) INCLUSION OF OVERHEAD COSTS IN AGREE-
2 MENTS.—Section 2706(c)(3) of such Act is amended by
3 striking the period at the end and inserting the following:
4 “, except that in the case of the Office of the Chief Tech-
5 nology Officer, general and administrative costs shall in-
6 clude reasonable overhead costs and shall be calculated by
7 the Chief Technology Officer (as determined under such
8 criteria as the Chief Technology Officer independently
9 deems appropriate, including a consideration of standards
10 used to calculate general, administrative, and overhead
11 costs for off-site employees found in Federal law and regu-
12 lation and in general private industry practice).”.

13 (3) REPORTING REQUIREMENT.—Section 2706 of
14 such Act is amended—

15 (A) by redesignating subsection (f) as sub-
16 section (g); and

17 (B) by inserting after subsection (e) the fol-
18 lowing new subsection:

19 “(f) Not later than 45 days after the end of each fis-
20 cal year (beginning with fiscal year 2002), the Chief Tech-
21 nology Officer shall prepare and submit to the Council and
22 to the Committees on Appropriations of the House of Rep-
23 resentatives and Senate a report describing all agreements
24 entered into by the Chief Technology Officer under this
25 section which are in effect during the fiscal year.”.

1 (c) NO LIMIT ON FTEs.—Notwithstanding any other
2 provision of law, no limit may be placed on the number
3 of full-time equivalent employees of the Office of the Chief
4 Technology Officer of the District of Columbia for any fis-
5 cal year.

6 (d) Section 424(b)(3) of the District of Columbia
7 Home Rule Act (sec. 1–204.24b(c), D.C. Official Code)
8 is amended by striking “level IV” and inserting “level I”.

9 (e) EFFECTIVE DATE.—The amendment made by
10 subsection (d) shall apply with respect to pay periods in
11 fiscal year 2002 and each succeeding fiscal year.

12 SEC. 113. No sole source contract with the District
13 of Columbia government or any agency thereof may be re-
14 newed or extended without opening that contract to the
15 competitive bidding process as set forth in section 303 of
16 the District of Columbia Procurement Practices Act of
17 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–303.03),
18 except that the District of Columbia government or any
19 agency thereof may renew or extend sole source contracts
20 for which competition is not feasible or practical: *Provided*,
21 That the determination as to whether to invoke the com-
22 petitive bidding process has been made in accordance with
23 duly promulgated rules and procedures.

24 SEC. 114. In the event a sequestration order is issued
25 pursuant to the Balanced Budget and Emergency Deficit

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

12 ACCEPTANCE AND USE OF GIFTS

13 SEC. 115. (a) APPROVAL BY MAYOR.—

14 (1) IN GENERAL.—An entity of the District of
15 Columbia government may accept and use a gift or
16 donation during fiscal year 2002 if—

17 (A) the Mayor approves the acceptance
18 and use of the gift or donation (except as pro-
19 vided in paragraph (2)); and

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

22 (2) EXCEPTION FOR COUNCIL AND COURTS.—

23 The Council of the District of Columbia and the
24 District of Columbia courts may accept and use gifts
25 without prior approval by the Mayor.

1 (b) RECORDS AND PUBLIC INSPECTION.—Each enti-
2 ty of the District of Columbia government shall keep accu-
3 rate and detailed records of the acceptance and use of any
4 gift or donation under subsection (a), and shall make such
5 records available for audit and public inspection.

6 (c) INDEPENDENT AGENCIES INCLUDED.—For the
7 purposes of this section, the term “entity of the District
8 of Columbia government” includes an independent agency
9 of the District of Columbia.

10 (d) EXCEPTION FOR BOARD OF EDUCATION.—This
11 section shall not apply to the District of Columbia Board
12 of Education, which may, pursuant to the laws and regula-
13 tions of the District of Columbia, accept and use gifts to
14 the public schools without prior approval by the Mayor.

15 SEC. 116. None of the Federal funds provided in this
16 Act may be used by the District of Columbia to provide
17 for salaries, expenses, or other costs associated with the
18 offices of United States Senator or United States Rep-
19 resentative under section 4(d) of the District of Columbia
20 Statehood Constitutional Convention Initiatives of 1979
21 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

22 SEC. 117. None of the funds appropriated under this
23 Act shall be expended for any abortion except where the
24 life of the mother would be endangered if the fetus were

1 carried to term or where the pregnancy is the result of
2 an act of rape or incest.

3 SEC. 118. None of the Federal funds made available
4 in this Act may be used to implement or enforce the
5 Health Care Benefits Expansion Act of 1992 (D.C. Law
6 9–114; D.C. Official Code, sec. 32–701 et seq.) or to oth-
7 erwise implement or enforce any system of registration of
8 unmarried, cohabiting couples (whether homosexual, het-
9 erosexual, or lesbian), including but not limited to reg-
10 istration for the purpose of extending employment, health,
11 or governmental benefits to such couples on the same basis
12 that such benefits are extended to legally married couples.

13 SEC. 119. (a) ACCEPTANCE AND USE OF GRANTS
14 NOT INCLUDED IN CEILING.—

15 (1) IN GENERAL.—Notwithstanding any other
16 provision of this Act, the Mayor, in consultation with
17 the Chief Financial Officer may accept, obligate, and
18 expend Federal, private, and other grants received
19 by the District government that are not reflected in
20 the amounts appropriated in this Act.

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

1 (A) the Chief Financial Officer of the Dis-
2 trict of Columbia submits to the Council a re-
3 port setting forth detailed information regard-
4 ing such grant; and

5 (B) the Council within 15 days after re-
6 ceipt of the report submitted under (A) has re-
7 viewed and approved the acceptance, obligation,
8 and expenditure of such grant.

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

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

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

3 SEC. 120. (a) Except as otherwise provided in this
4 section, none of the funds made available by this Act or
5 by any other Act may be used to provide any officer or
6 employee of the District of Columbia with an official vehi-
7 cle unless the officer or employee uses the vehicle only in
8 the performance of the officer's or employee's official du-
9 ties. For purposes of this paragraph, the term "official
10 duties" does not include travel between the officer's or em-
11 ployee's residence and workplace (except: (1) in the case
12 of an officer or employee of the Metropolitan Police De-
13 partment who resides in the District of Columbia or is
14 otherwise designated by the Chief of the Department; (2)
15 at the discretion of the Fire Chief, an officer or employee
16 of the District of Columbia Fire and Emergency Medical
17 Services Department who resides in the District of Colum-
18 bia and is on call 24 hours a day; (3) the Mayor of the
19 District of Columbia; and (4) the Chairman of the Council
20 of the District of Columbia).

21 (b) The Chief Financial Officer of the District of Co-
22 lumbia shall submit, by November 15, 2001, an inventory,
23 as of September 30, 2001, of all vehicles owned, leased
24 or operated by the District of Columbia government. The
25 inventory shall include, but not be limited to, the depart-

1 ment to which the vehicle is assigned; the year and make
2 of the vehicle; the acquisition date and cost; the general
3 condition of the vehicle; annual operating and mainte-
4 nance costs; current mileage; and whether the vehicle is
5 allowed to be taken home by a District officer or employee
6 and if so, the officer or employee's title and resident loca-
7 tion.

8 (c) No officer or employee of the District of Columbia
9 government (including any independent agency of the Dis-
10 trict but excluding the Office of the Chief Technology Offi-
11 cer) may enter into an agreement in excess of \$2,500 for
12 the procurement of goods or services on behalf of any enti-
13 ty of the District government until the officer or employee
14 has conducted an analysis of how the procurement of the
15 goods and services involved under the applicable regula-
16 tions and procedures of the District government would dif-
17 fer from the procurement of the goods and services in-
18 volved under the Federal supply schedule and other appli-
19 cable regulations and procedures of the General Services
20 Administration, including an analysis of any differences
21 in the costs to be incurred and the time required to obtain
22 the goods or services.

23 SEC. 121. Notwithstanding any other provision of
24 law, not later than 120 days after the date that a District

1 of Columbia Public Schools (DCPS) student is referred
2 for evaluation or assessment—

3 (1) the District of Columbia Board of Edu-
4 cation, or its successor, and DCPS shall assess or
5 evaluate a student who may have a disability and
6 who may require special education services; and

7 (2) if a student is classified as having a dis-
8 ability, as defined in section 101(a)(1) of the Indi-
9 viduals with Disabilities Education Act (84 Stat.
10 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the
11 Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.
12 706(8)), the Board and DCPS shall place that stu-
13 dent in an appropriate program of special education
14 services.

15 SEC. 122. (a) COMPLIANCE WITH BUY AMERICAN
16 ACT.—None of the funds made available in this Act may
17 be expended by an entity unless the entity agrees that in
18 expending the funds the entity will comply with the Buy
19 American Act (41 U.S.C. 10a–10c).

20 (b) SENSE OF THE CONGRESS; REQUIREMENT RE-
21 GARDING NOTICE.—

22 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
23 AND PRODUCTS.—In the case of any equipment or
24 product that may be authorized to be purchased
25 with financial assistance provided using funds made

1 available in this Act, it is the sense of the Congress
2 that entities receiving the assistance should, in ex-
3 pending the assistance, purchase only American-
4 made equipment and products to the greatest extent
5 practicable.

6 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

7 In providing financial assistance using funds made
8 available in this Act, the head of each agency of the
9 Federal or District of Columbia government shall
10 provide to each recipient of the assistance a notice
11 describing the statement made in paragraph (1) by
12 the Congress.

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

15 If it has been finally determined by a court or Federal
16 agency that any person intentionally affixed a label bear-
17 ing a “Made in America” inscription, or any inscription
18 with the same meaning, to any product sold in or shipped
19 to the United States that is not made in the United
20 States, the person shall be ineligible to receive any con-
21 tract or subcontract made with funds made available in
22 this Act, pursuant to the debarment, suspension, and ineli-
23 gibility procedures described in sections 9.400 through
24 9.409 of title 48, Code of Federal Regulations.

1 SEC. 123. None of the funds contained in this Act
2 may be used for purposes of the annual independent audit
3 of the District of Columbia government for fiscal year
4 2002 unless—

5 (1) the audit is conducted by the Inspector
6 General of the District of Columbia pursuant to sec-
7 tion 208(a)(4) of the District of Columbia Procure-
8 ment Practices Act of 1985 (D.C. Official Code, sec.
9 2–302.8); and

10 (2) the audit includes as a basic financial state-
11 ment a comparison of audited actual year-end re-
12 sults with the revenues submitted in the budget doc-
13 ument for such year and the appropriations enacted
14 into law for such year using the format, terminology,
15 and classifications contained in the law making the
16 appropriations for the year and its legislative his-
17 tory.

18 SEC. 124. None of the funds contained in this Act
19 may be used by the District of Columbia Corporation
20 Counsel or any other officer or entity of the District gov-
21 ernment to provide assistance for any petition drive or civil
22 action which seeks to require Congress to provide for vot-
23 ing representation in Congress for the District of Colum-
24 bia.

1 SEC. 125. (a) None of the funds contained in this
2 Act may be used for any program of distributing sterile
3 needles or syringes for the hypodermic injection of any ille-
4 gal drug.

5 (b) Any individual or entity who receives any funds
6 contained in this Act and who carries out any program
7 described in subsection (a) shall account for all funds used
8 for such program separately from any funds contained in
9 this Act.

10 SEC. 126. None of the funds contained in this Act
11 may be used after the expiration of the 60-day period that
12 begins on the date of the enactment of this Act to pay
13 the salary of any chief financial officer of any office of
14 the District of Columbia government (including any inde-
15 pendent agency of the District) who has not filed a certifi-
16 cation with the Mayor and the Chief Financial Officer of
17 the District of Columbia that the officer understands the
18 duties and restrictions applicable to the officer and the
19 officer's agency as a result of this Act (and the amend-
20 ments made by this Act), including any duty to prepare
21 a report requested either in the Act or in any of the re-
22 ports accompanying the Act and the deadline by which
23 each report must be submitted, and the District's Chief
24 Financial Officer shall provide to the Committees on Ap-
25 propriations of the Senate and the House of Representa-

1 tives by the 10th day after the end of each quarter a sum-
2 mary list showing each report, the due date and the date
3 submitted to the Committees.

4 SEC. 127. In submitting any document showing the
5 budget for an office of the District of Columbia govern-
6 ment (including an independent agency of the District)
7 that contains a category of activities labeled as “other”,
8 “miscellaneous”, or a similar general, nondescriptive term,
9 the document shall include a description of the types of
10 activities covered in the category and a detailed breakdown
11 of the amount allocated for each such activity.

12 SEC. 128. (a) None of the funds contained in this
13 Act may be used to enact or carry out any law, rule, or
14 regulation to legalize or otherwise reduce penalties associ-
15 ated with the possession, use, or distribution of any sched-
16 ule I substance under the Controlled Substances Act (21
17 U.S.C. 802) or any tetrahydrocannabinols derivative.

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

22 SEC. 129. Notwithstanding any other provision of
23 law, the Mayor of the District of Columbia is hereby solely
24 authorized to allocate the District’s limitation amount of
25 qualified zone academy bonds (established pursuant to 26

1 U.S.C. 1397E) among qualified zone academies within the
2 District.

3 SEC. 130. Nothing in this Act may be construed to
4 prevent the Council or Mayor of the District of Columbia
5 from addressing the issue of the provision of contraceptive
6 coverage by health insurance plans, but it is the intent
7 of Congress that any legislation enacted on such issue
8 should include a “conscience clause” which provides excep-
9 tions for religious beliefs and moral convictions.

10 SEC. 131. Section 149 of division A, Miscellaneous
11 Appropriations Act, 2001, as enacted by section 1(A)(4)
12 of Public Law 106–554 shall apply with respect to claims
13 received by the Superior Court of the District of Columbia
14 or the District of Columbia Court of Appeals during fiscal
15 year 2002, and claims received previously that remain un-
16 paid at the end of fiscal year 2001 and would have quali-
17 fied for interest payment under such section 149.

18 FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW
19 BANNING POSSESSION OF TOBACCO PRODUCTS BY
20 MINORS

21 SEC. 132. (a) CONTRIBUTION.—There is hereby ap-
22 propriated a Federal contribution of \$100,000 to the Met-
23 ropolitan Police Department of the District of Columbia,
24 effective upon the enactment by the District of Columbia
25 of a law which reads as follows:

1 “BAN ON POSSESSION OF TOBACCO PRODUCTS BY
2 MINORS

3 “SECTION 1. (a) IN GENERAL.—It shall be unlawful
4 for any individual under 18 years of age to possess any
5 cigarette or other tobacco product in the District of Co-
6 lumbia.

7 “(b) EXCEPTIONS.—

8 “(1) POSSESSION IN COURSE OF EMPLOY-
9 MENT.—Subsection (a) shall not apply with respect
10 to an individual making a delivery of cigarettes or
11 tobacco products in pursuance of employment.

12 “(2) PARTICIPATION IN LAW ENFORCEMENT
13 OPERATION.—Subsection (a) shall not apply with re-
14 spect to an individual possessing products in the
15 course of a valid, supervised law enforcement oper-
16 ation.

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

19 “(1) For any violation, the individual may be
20 required to perform community service or attend a
21 tobacco cessation program.

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

1 “(3) Upon the second and each subsequent vio-
2 lation, the individual shall be subject to a civil pen-
3 alty not to exceed \$100.

4 “(4) Upon the third and each subsequent viola-
5 tion, the individual may have his or her driving
6 privileges in the District of Columbia suspended for
7 a period of 90 consecutive days.”.

8 (b) USE OF CONTRIBUTION.—The Metropolitan Po-
9 lice Department shall use the contribution made under
10 subsection (a) to enforce the law referred to in such sub-
11 section.

12 SEC. 133. Nothing in this Act bars the District of
13 Columbia Corporation Counsel from reviewing or com-
14 menting on briefs in private lawsuits, or from consulting
15 with officials of the District government regarding such
16 lawsuits.

17 SEC. 134. (a) Section 11201(g)(4)(A) of the National
18 Capital Revitalization and Self-Government Improvement
19 Act of 1997 (sec. 24–1201(g)(4)(A), D.C. Code), as
20 amended by section 163 of the District of Columbia Ap-
21 propriations Act, 2001, is amended—

22 (1) by striking “and” at the end of clause (ix);

23 (2) by striking the period at the end of clause

24 (x); and

1 (3) by adding at the end the following new
2 clause:

3 “(xi) obligate and expend the proceeds
4 and funds deposited under clauses (ix) and
5 (x) as provided in such clauses.”.

6 (b) The amendment made by subsection (a) shall take
7 effect on October 1, 2002.

8 SEC. 135. No later than the later of November 1,
9 2001, or 30 calendar days after the date of the enactment
10 of this Act, the Chief Financial Officer of the District of
11 Columbia shall submit to the appropriate committees of
12 Congress, the Mayor, and the Council a revised appro-
13 priated funds operating budget in the format of the budget
14 that the District of Columbia government submitted pur-
15 suant to section 442 of the District of Columbia Home
16 Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–
17 204.42), for all agencies of the District of Columbia gov-
18 ernment for such fiscal year that is in the total amount
19 of the approved appropriation and that realigns all budg-
20 eted data for personal services and other-than-personal-
21 services, respectively, with anticipated actual expenditures.

22 SEC. 136. Section 403 of the District of Columbia
23 Home Rule Act, approved December 24, 1973 (Public
24 Law 93–198; D.C. Official Code, sec. 1–204.03), is
25 amended as follows:

1 (1) Subsection (c) is amended by striking “shall
2 receive, in addition to the compensation to which he
3 is entitled as a member of the Council, \$10,000 per
4 annum, payable in equal installments, for each year
5 he serves as Chairman, but the Chairman”.

6 (2) A new subsection (d) is added to read as
7 follows:

8 “(d) Notwithstanding subsection (a), as of the effec-
9 tive date of the District of Columbia Appropriations Act,
10 2001, the Chairman shall receive compensation, payable
11 in equal installments, at a rate equal to \$10,000 less than
12 the compensation of the Mayor.”.

13 SEC. 137. No funds appropriated in this Act may be
14 made available to any person or entity that violates the
15 Buy American Act (41 U.S.C. 10a–10c).

16 SEC. 138. None of the funds contained in this Act
17 may be used to issue, administer, or enforce any order
18 by the District of Columbia Commission on Human Rights
19 relating to docket numbers 93–030–(PA) and 93–031–
20 (PA).

21 This Act may be cited as the “District of Columbia
22 Appropriations Act, 2002”.

 Passed the House of Representatives September 25,
 2001.

Attest:

JEFF TRANDAHL,

Clerk.