

# Union Calendar No. 130

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2944

[Report No. 107-216]

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.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2001

Mr. KNOLLENBERG, 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

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## 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, 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

1 District of Columbia for the fiscal year ending September  
2 30, 2002, and for other purposes, namely:

3 FEDERAL FUNDS

4 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

5 For a Federal payment to the District of Columbia  
6 for a nationwide program, to be administered by the  
7 Mayor, for District of Columbia resident tuition support,  
8 \$17,000,000, to remain available until expended: *Pro-*  
9 *vided*, That such funds may be used on behalf of eligible  
10 District of Columbia residents to pay an amount based  
11 upon the difference between in-State and out-of-State tui-  
12 tion at public institutions of higher education, usable at  
13 both public and private institutions for higher education:  
14 *Provided further*, That the awarding of such funds may  
15 be prioritized on the basis of a resident's academic merit  
16 and such other factors as may be authorized: *Provided fur-*  
17 *ther*, That not more than 7 percent of the total amount  
18 appropriated for this program may be used for administra-  
19 tive expenses.

20 FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF  
21 CHILDREN

22 The paragraph under the heading "Federal Payment  
23 for Incentives for Adoption of Children" in Public Law  
24 106-113, approved November 29, 1999 (113 Stat. 1501),  
25 is amended to read as follows: "For a Federal payment

1 to the District of Columbia to create incentives to promote  
2 the adoption of children in the District of Columbia foster  
3 care system, \$5,000,000: *Provided*, That such funds shall  
4 remain available until September 30, 2003, and shall be  
5 used to carry out all of the provisions of title 38 of the  
6 Fiscal Year 2001 Budget Support Act of 2000, effective  
7 October 19, 2000 (D.C. Law 13–172), as amended, except  
8 for section 3808.”.

9 FEDERAL PAYMENT TO THE CAPITOL CITY CAREER  
10 DEVELOPMENT AND JOB TRAINING PARTNERSHIP

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

13 FEDERAL PAYMENT TO THE FIRE AND EMERGENCY  
14 MEDICAL SERVICES DEPARTMENT

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

18 FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

19 For a Federal payment to the Chief Medical Exam-  
20 iner, \$585,000 for reduction in the backlog of autopsies,  
21 case reports and for the purchase of toxicology and his-  
22 tology equipment.

23 FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

24 For a Federal payment to the Youth Life Founda-  
25 tion, \$250,000 for technical assistance, operational ex-

1 penses, and establishment of a National Training Insti-  
2 tute.

3 FEDERAL PAYMENT TO FOOD AND FRIENDS

4 For a Federal payment to Food and Friends,  
5 \$2,000,000 for their Capital Campaign.

6 FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

7 For a Federal payment to the City Administrator,  
8 \$300,000 for the Criminal Justice Coordinating Council  
9 for the District of Columbia.

10 FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

11 For a Federal payment to Southeastern University,  
12 \$500,000 for a public/private partnership with the District  
13 of Columbia Public Schools at the McKinley Technology  
14 High School campus.

15 FEDERAL PAYMENT FOR VOYAGER UNIVERSAL

16 LITERACY SYSTEM

17 For a Federal payment to Voyager Expanded Learn-  
18 ing, to implement the Voyager Universal Literacy System  
19 in the District of Columbia public schools and public char-  
20 ter schools, \$1,000,000: *Provided*, That the payment  
21 under this heading is contingent upon a certification by  
22 the Inspector General of the District of Columbia that the  
23 District of Columbia has deposited matching funds to im-  
24 plement such System into an escrow account held by the  
25 Chief Financial Officer of the District of Columbia.

1 FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF  
2 TECHNOLOGY OFFICER

3 For a Federal payment to the Chief Technology Offi-  
4 cer of the District of Columbia to carry out the Local-  
5 Federal Mobile Wireless Interoperability Demonstration  
6 Project, \$500,000: *Provided*, That the payment under this  
7 heading is contingent upon a certification by the Inspector  
8 General of the District of Columbia that each entity of  
9 the Federal Government which is participating in such  
10 Project has deposited matching funds to carry out the  
11 Project into an escrow account held by the Chief Financial  
12 Officer of the District of Columbia.

13 FEDERAL PAYMENT FOR EMERGENCY PLANNING

14 For a Federal payment to the District of Columbia  
15 for emergency planning, \$16,058,000: *Provided*, That  
16 \$4,623,000 of such amount shall be made available imme-  
17 diately for development of an emergency operations plan  
18 for the District of Columbia, to be submitted to the appro-  
19 priate Federal agencies as soon as practicable: *Provided*  
20 *further*, That upon submission of such plan, \$8,029,000  
21 of such amount shall be made available to begin implemen-  
22 tation of the plan: *Provided further*, That \$3,406,000 of  
23 such amount shall be made available immediately for reim-  
24 bursement of planning and related expenses incurred by  
25 the District of Columbia in anticipation of providing secu-

1 rity for the planned meetings in September 2001 of the  
2 World Bank and the International Monetary Fund in the  
3 District of Columbia: *Provided further*, That one-half of  
4 the amounts under the headings “Federal Payment for  
5 Resident Tuition Support”, “Federal Payment to the Fire  
6 and Emergency Medical Services Department”, “Federal  
7 Payment to the Chief Medical Examiner”, and “Federal  
8 Payment to the City Administrator”, shall not be made  
9 available until the emergency operations plan has been  
10 submitted to the appropriate Federal agencies in accord-  
11 ance with the preceding proviso: *Provided further*, That  
12 the Chief Financial Officer of the District of Columbia  
13 shall provide quarterly reports to the Committees on Ap-  
14 propriations on the use of the funds under this heading,  
15 beginning not later than January 2, 2002.

16 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER  
17 OF THE DISTRICT OF COLUMBIA

18 For a Federal payment to the Chief Financial Officer  
19 of the District of Columbia, \$2,350,000, of which  
20 \$1,000,000 shall be for payment to the Excel Institute  
21 Adult Education Program to be used by the Institute for  
22 construction and to acquire construction services provided  
23 by the General Services Administration on a reimbursable  
24 basis; \$300,000 shall be for payment to the Woodlawn  
25 Cemetery for restoration of the Cemetery; \$250,000 shall

1 be for payment to the Real World Schools concerning 21st  
2 Century reform models for secondary education and the  
3 use of technology to support learning in the District of  
4 Columbia; \$300,000 shall be for payment to a mentoring  
5 program and for hotline services; \$250,000 shall be for  
6 payment to a youth development program with a character  
7 building curriculum; and \$250,000 shall be for payment  
8 to a basic values training program.

9 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

10 CORRECTIONS TRUSTEE OPERATIONS

11 For salaries and expenses of the District of Columbia  
12 Corrections Trustee, \$32,700,000 for the administration  
13 and operation of correctional facilities and for the admin-  
14 istrative operating costs of the Office of the Corrections  
15 Trustee, as authorized by section 11202 of the National  
16 Capital Revitalization and Self-Government Improvement  
17 Act of 1997 (Public Law 105-33; 111 Stat. 712) of which  
18 \$1,000,000 is to fund an initiative to improve case proc-  
19 essing in the District of Columbia criminal justice system,  
20 \$2,500,000 to remain available until September 30, 2003,  
21 for building renovations required to accommodate func-  
22 tions transferred from the Lorton Correctional Complex,  
23 and \$2,000,000 to remain available until September 30,  
24 2003, to be transferred to the appropriate agency for the  
25 closing of the sewage treatment plant and the removal of

1 underground storage tanks at the Lorton Correctional  
2 Complex: *Provided*, That notwithstanding any other provi-  
3 sion of law, funds appropriated in this Act for the District  
4 of Columbia Corrections Trustee shall be apportioned  
5 quarterly by the Office of Management and Budget and  
6 obligated and expended in the same manner as funds ap-  
7 propriated for salaries and expenses of other Federal  
8 agencies.

9 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
10 COURTS

11 For salaries and expenses for the District of Colum-  
12 bia Courts, \$111,238,000, to be allocated as follows: for  
13 the District of Columbia Court of Appeals, \$8,003,000,  
14 of which not to exceed \$1,500 is for official reception and  
15 representation expenses; for the District of Columbia Su-  
16 perior Court, \$66,091,000, of which not to exceed \$1,500  
17 is for official reception and representation expenses; for  
18 the District of Columbia Court System, \$31,149,000, of  
19 which not to exceed \$1,500 is for official reception and  
20 representation expenses; and \$5,995,000 to remain avail-  
21 able until September 30, 2003, for capital improvements  
22 for District of Columbia courthouse facilities: *Provided*,  
23 That none of the funds in this Act or in any other Act  
24 shall be available for the purchase, installation or oper-  
25 ation of an Integrated Justice Information System until

1 a detailed plan and design has been submitted by the  
2 courts and approved by the Committees on Appropriations  
3 of the House of Representatives and the Senate: *Provided*  
4 *further*, That notwithstanding any other provision of law,  
5 all amounts under this heading shall be apportioned quar-  
6 terly by the Office of Management and Budget and obli-  
7 gated and expended in the same manner as funds appro-  
8 priated for salaries and expenses of other Federal agen-  
9 cies, with payroll and financial services to be provided on  
10 a contractual basis with the General Services Administra-  
11 tion (GSA), said services to include the preparation of  
12 monthly financial reports, copies of which shall be sub-  
13 mitted directly by GSA to the President and to the Com-  
14 mittees on Appropriations of the Senate and House of  
15 Representatives, the Committee on Governmental Affairs  
16 of the Senate, and the Committee on Government Reform  
17 of the House of Representatives.

18 FEDERAL PAYMENT FOR FAMILY COURT ACT

19 For carrying out the District of Columbia Family  
20 Court Act of 2001, \$23,316,000, of which \$18,316,000  
21 shall be for the Superior Court of the District of Columbia  
22 and \$5,000,000 shall be for the Mayor of the District of  
23 Columbia: *Provided*, That the chief judge of the Superior  
24 Court shall submit the transition plan for the Family  
25 Court of the Superior Court required under section

1 2(b)(1) of the District of Columbia Family Court Act of  
2 2001 to the Comptroller General (in addition to any other  
3 requirements under such section): *Provided further*, That  
4 the Comptroller General shall prepare and submit to the  
5 President and Congress an analysis of the contents and  
6 effectiveness of the plan, including an analysis of whether  
7 the plan contains all of the information required under  
8 such section: *Provided further*, That the funds provided  
9 under this heading to the Superior Court shall not be  
10 made available until the expiration of the 30-day period  
11 (excluding Saturdays, Sundays, legal public holidays, and  
12 any day on which neither House of Congress is in session  
13 because of an adjournment sine die, a recess of more than  
14 three days, or an adjournment of more than three days)  
15 which begins on the date the Comptroller General submits  
16 such analysis to the President and Congress: *Provided fur-*  
17 *ther*, That the Mayor shall prepare and submit to the  
18 President, Congress, and the Comptroller General a plan  
19 for the use of the funds provided to the Mayor under this  
20 heading, consistent with the requirements of the District  
21 of Columbia Family Court Act of 2001, including the re-  
22 quirement to integrate the computer systems of the Dis-  
23 trict government with the computer systems of the Supe-  
24 rior Court: *Provided further*, That the Comptroller General  
25 shall prepare and submit to the President and Congress

1 an analysis of the contents and effectiveness of the plan:  
2 *Provided further*, That the funds provided under this head-  
3 ing to the Mayor shall not be made available until the expi-  
4 ration of the 30-day period (excluding Saturdays, Sun-  
5 days, legal public holidays, and any day on which neither  
6 House of Congress is in session because of an adjourn-  
7 ment sine die, a recess of more than three days, or an  
8 adjournment of more than three days) which begins on  
9 the date the Comptroller General submits such plan to the  
10 President and Congress.

11 DEFENDER SERVICES IN DISTRICT OF COLUMBIA

12 COURTS

13 For payments authorized under section 11–2604 and  
14 section 11–2605, D.C. Official Code (relating to represen-  
15 tation provided under the District of Columbia Criminal  
16 Justice Act), payments for counsel appointed in pro-  
17 ceedings in the Family Division of the Superior Court of  
18 the District of Columbia under chapter 23 of title 16, D.C.  
19 Official Code, and payments for counsel authorized under  
20 section 21–2060, D.C. Official Code (relating to represen-  
21 tation provided under the District of Columbia Guardian-  
22 ship, Protective Proceedings, and Durable Power of Attor-  
23 ney Act of 1986), \$34,311,000, to remain available until  
24 expended: *Provided*, That the funds provided in this Act  
25 under the heading “Federal Payment to the District of

1 Columbia Courts” (other than the \$5,995,000 provided  
2 under such heading for capital improvements for District  
3 of Columbia courthouse facilities) may also be used for  
4 payments under this heading: *Provided further*, That, in  
5 addition to the funds provided under this heading, the  
6 Joint Committee on Judicial Administration in the Dis-  
7 trict of Columbia shall use funds provided in this Act  
8 under the heading “Federal Payment to the District of  
9 Columbia Courts” (other than the \$5,995,000 provided  
10 under such heading for capital improvements for District  
11 of Columbia courthouse facilities), to make payments de-  
12 scribed under this heading for obligations incurred during  
13 any fiscal year: *Provided further*, That such funds shall  
14 be administered by the Joint Committee on Judicial Ad-  
15 ministration in the District of Columbia: *Provided further*,  
16 That notwithstanding any other provision of law, this ap-  
17 propriation shall be apportioned quarterly by the Office  
18 of Management and Budget and obligated and expended  
19 in the same manner as funds appropriated for expenses  
20 of other Federal agencies, with payroll and financial serv-  
21 ices to be provided on a contractual basis with the General  
22 Services Administration (GSA), said services to include  
23 the preparation of monthly financial reports, copies of  
24 which shall be submitted directly by GSA to the President  
25 and to the Committees on Appropriations of the Senate

1 and House of Representatives, the Committee on Govern-  
2 mental Affairs of the Senate, and the Committee on Gov-  
3 ernment Reform of the House of Representatives.

4 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-  
5 FENDER SUPERVISION AGENCY FOR THE DISTRICT  
6 OF COLUMBIA

7 (INCLUDING TRANSFER OF FUNDS)

8 For salaries and expenses, including the transfer and  
9 hire of motor vehicles, of the Court Services and Offender  
10 Supervision Agency for the District of Columbia, as au-  
11 thorized by the National Capital Revitalization and Self-  
12 Government Improvement Act of 1997 (Public Law 105-  
13 33; 111 Stat. 712), \$147,300,000, of which \$13,015,000  
14 shall remain available until expended for construction  
15 project; not to exceed \$1,500 is for official receptions re-  
16 lated to offender and defendant support programs;  
17 \$94,112,000 shall be for necessary expenses of Commu-  
18 nity Supervision and Sex Offender Registration, to include  
19 expenses relating to supervision of adults subject to pro-  
20 tection orders or provision of services for or related to such  
21 persons; \$20,829,000 shall be transferred to the Public  
22 Defender Service; and \$32,359,000 shall be available to  
23 the Pretrial Services Agency: *Provided*, That notwith-  
24 standing any other provision of law, all amounts under  
25 this heading shall be apportioned quarterly by the Office

1 of Management and Budget and obligated and expended  
2 in the same manner as funds appropriated for salaries and  
3 expenses of other Federal agencies: *Provided further*, That  
4 notwithstanding chapter 12 of title 40, United States  
5 Code, the Director may acquire by purchase, lease, con-  
6 demnation, or donation, and renovate as necessary, Build-  
7 ing Number 17, 1900 Massachusetts Avenue, Southeast  
8 Washington, District of Columbia, to house or supervise  
9 offenders and defendants, with funds made available by  
10 this Act: *Provided further*, That the Director is authorized  
11 to accept and use gifts in the form of in-kind contributions  
12 of space and hospitality to support offender and defendant  
13 programs, and equipment and vocational training services  
14 to educate and train offenders and defendants: *Provided*  
15 *further*, That the Director shall keep accurate and detailed  
16 records of the acceptance and use of any gift or donation  
17 under the previous proviso, and shall make such records  
18 available for audit and public inspection.

19 CHILDREN'S NATIONAL MEDICAL CENTER

20 For a Federal contribution to the Children's National  
21 Medical Center in the District of Columbia, \$5,500,000,  
22 of which \$500,000 shall be used for the network of sat-  
23 ellite pediatric health clinics for children and families in  
24 underserved neighborhoods and communities in the Dis-  
25 trict of Columbia and \$5,000,000 shall be used to mod-

1 ernize the Children's National Medical Center and update  
2 its medical equipment.

3 ST. COLETTA OF GREATER WASHINGTON EXPANSION  
4 PROJECT

5 For a Federal contribution to St. Coletta of Greater  
6 Washington, Inc. for costs associated with the establish-  
7 ment of a day program and comprehensive case manage-  
8 ment services for mentally retarded and multiple-handi-  
9 capped adolescents and adults in the District of Columbia,  
10 including property acquisition and construction,  
11 \$1,000,000.

12 FEDERAL PAYMENT TO FAITH AND POLITICS INSTITUTE

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

16 FEDERAL PAYMENT FOR BROWNFIELD REMEDIATION

17 Notwithstanding any other provision of law, the  
18 funds made available in the District of Columbia Appro-  
19 priations Act, 2001 (Public Law 106-522; 114 Stat.  
20 2445), for Brownfield Remediation shall be available until  
21 expended.

1                   DISTRICT OF COLUMBIA FUNDS  
2                   OPERATING EXPENSES  
3                   DIVISION OF EXPENSES

4           The following amounts are appropriated for the Dis-  
5 trict of Columbia for the current fiscal year out of the  
6 general fund of the District of Columbia, except as other-  
7 wise specifically provided: *Provided*, That notwithstanding  
8 any other provision of law, except as provided in section  
9 450A of the District of Columbia Home Rule Act and sec-  
10 tion 119 of this Act (Public Law 93–198; D.C. Official  
11 Code, sec. 1–204.50a), the total amount appropriated in  
12 this Act for operating expenses for the District of Colum-  
13 bia for fiscal year 2002 under this heading shall not ex-  
14 ceed the lesser of the sum of the total revenues of the  
15 District of Columbia for such fiscal year or  
16 \$6,043,881,000 (of which \$124,163,000 shall be from  
17 intra-District funds and \$3,571,343,000 shall be from  
18 local funds): *Provided further*, That the Chief Financial  
19 Officer of the District of Columbia shall take such steps  
20 as are necessary to assure that the District of Columbia  
21 meets these requirements, including the apportioning by  
22 the Chief Financial Officer of the appropriations and  
23 funds made available to the District during fiscal year  
24 2002, except that the Chief Financial Officer may not re-  
25 program for operating expenses any funds derived from

1 bonds, notes, or other obligations issued for capital  
2 projects.

3 GOVERNMENTAL DIRECTION AND SUPPORT

4 Governmental direction and support, \$285,359,000  
5 (including \$229,271,000 from local funds, \$38,809,000  
6 from Federal funds, and \$17,279,000 from other funds):  
7 *Provided*, That not to exceed \$2,500 for the Mayor,  
8 \$2,500 for the Chairman of the Council of the District  
9 of Columbia, and \$2,500 for the City Administrator shall  
10 be available from this appropriation for official purposes:  
11 *Provided further*, That any program fees collected from the  
12 issuance of debt shall be available for the payment of ex-  
13 penses of the debt management program of the District  
14 of Columbia: *Provided further*, That no revenues from  
15 Federal sources shall be used to support the operations  
16 or activities of the Statehood Commission and Statehood  
17 Compact Commission: *Provided further*, That the District  
18 of Columbia shall identify the sources of funding for Ad-  
19 mission to Statehood from its own locally-generated reve-  
20 nues: *Provided further*, That notwithstanding any other  
21 provision of law, or Mayor's Order 86-45, issued March  
22 18, 1986, the Office of the Chief Technology Officer's del-  
23 egated small purchase authority shall be \$500,000: *Pro-*  
24 *vided further*, That the District of Columbia government  
25 may not require the Office of the Chief Technology Officer

1 to submit to any other procurement review process, or to  
2 obtain the approval of or be restricted in any manner by  
3 any official or employee of the District of Columbia gov-  
4 ernment, for purchases that do not exceed \$500,000.

5 ECONOMIC DEVELOPMENT AND REGULATION

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

## 1 PUBLIC SAFETY AND JUSTICE

2 Public safety and justice, \$633,853,000 (including  
3 \$594,803,000 from local funds, \$8,298,000 from Federal  
4 funds, and \$30,752,000 from other funds): *Provided*, That  
5 not to exceed \$500,000 shall be available from this appro-  
6 priation for the Chief of Police for the prevention and de-  
7 tection of crime: *Provided further*, That notwithstanding  
8 any other law, section 3703 of title XXXVII of the Fiscal  
9 Year 2002 Budget Support Act of 2001 (D.C. Bill 14-  
10 144), adopted by the Council of the District of Columbia,  
11 is enacted into law: *Provided further*, That the Mayor shall  
12 reimburse the District of Columbia National Guard for ex-  
13 penses incurred in connection with services that are per-  
14 formed in emergencies by the National Guard in a militia  
15 status and are requested by the Mayor, in amounts that  
16 shall be jointly determined and certified as due and pay-  
17 able for these services by the Mayor and the Commanding  
18 General of the District of Columbia National Guard: *Pro-*  
19 *vided further*, That such sums as may be necessary for  
20 reimbursement to the District of Columbia National  
21 Guard under the preceding proviso shall be available from  
22 this appropriation, and the availability of the sums shall  
23 be deemed as constituting payment in advance for emer-  
24 gency services involved.

## 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.).

#### 12 PUBLIC WORKS

13 Public works, including rental of one passenger-car-  
14 rying vehicle for use by the Mayor and three passenger-  
15 carrying vehicles for use by the Council of the District of  
16 Columbia and leasing of passenger-carrying vehicles,  
17 \$300,151,000 (including \$286,334,000 from local funds,  
18 \$4,392,000 from Federal funds, and \$9,425,000 from  
19 other funds): *Provided*, That \$11,000,000 of this appro-  
20 priation shall be available for transfer to the Highway  
21 Trust Fund’s Local Roads, Construction and Maintenance  
22 Fund upon certification by the Chief Financial Officer  
23 that funds are available from the fiscal year 2001 budg-  
24 eted reserve or where the Chief Financial Officer certifies  
25 that additional local revenues are available: *Provided fur-*

1 *ther*, That this appropriation shall not be available for col-  
2 lecting ashes or miscellaneous refuse from hotels and  
3 places of business.

#### 4 RECEIVERSHIP PROGRAMS

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

#### 9 WORKFORCE INVESTMENTS

10 For workforce investments, \$42,896,000 from local  
11 funds, to be transferred by the Mayor of the District of  
12 Columbia within the various appropriation headings in  
13 this Act for which employees are properly payable.

#### 14 RESERVE

15 For replacement of funds expended, if any, during  
16 fiscal year 2001 from the Reserve established by section  
17 202(j) of the District of Columbia Financial Responsibility  
18 and Management Assistance Act of 1995, Public Law  
19 104–8, \$150,000,000 from local funds: *Provided*, That  
20 none of these funds shall be obligated or expended under  
21 this heading until the emergency reserve fund established  
22 under Sec. 450A(a) of the District of Columbia Home  
23 Rule Act (Public Law 93–198 as amended; 114 Stat.  
24 2478; D.C. Official Code, Sec. 1–204.50a(a)) has been  
25 fully funded for fiscal year 2002.

## 1 CONTINGENCY RESERVE FUND

2 For the contingency reserve fund established under  
3 section 450A(b) of the District of Columbia Home Rule  
4 Act (Public Law 93–198; D.C. Official Code, sec. 1–  
5 204.50a(b)), the amount provided for fiscal year 2002  
6 under such section, to be derived from local funds.

## 7 REPAYMENT OF LOANS AND INTEREST

8 For payment of principal, interest, and certain fees  
9 directly resulting from borrowing by the District of Co-  
10 lumbia to fund District of Columbia capital projects as  
11 authorized by sections 462, 475, and 490 of the District  
12 of Columbia Home Rule Act (Public Law 93–198 as  
13 amended; D.C. Official Code, secs. 1–204.62, 1–204.75,  
14 1–204.90), \$247,902,000 from local funds: *Provided*, That  
15 any funds set aside pursuant to section 148 of the District  
16 of Columbia Appropriations Act, 2000 (Public Law 106–  
17 113; 113 Stat. 1523) that are not used in the reserve  
18 funds established herein shall be used for Pay-As-You-Go  
19 Capital Funds: *Provided further*, That for equipment  
20 leases, the Mayor may finance \$14,300,000 of equipment  
21 cost, plus cost of issuance not to exceed 2 percent of the  
22 par amount being financed on a lease purchase basis with  
23 a maturity not to exceed 5 years: *Provided further*, That  
24 \$4,440,000 is allocated for the Fire and Emergency Med-  
25 ical Services Department, \$2,010,000 for the Department

1 of Parks and Recreation, and \$7,850,000 for the Depart-  
2 ment of Public Works.

3 REPAYMENT OF GENERAL FUND RECOVERY DEBT

4 For the purpose of eliminating the \$331,589,000  
5 general fund accumulated deficit as of September 30,  
6 1990, \$39,300,000 from local funds, as authorized by sec-  
7 tion 461(a) of the District of Columbia Home Rule Act,  
8 (105 Stat. 540; D.C. Official Code, sec. 1-204.61(a)).

9 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

10 For payment of interest on short-term borrowing,  
11 \$500,000 from local funds.

12 EMERGENCY PLANNING

13 For an emergency operations plan, implementation of  
14 the emergency operations plan, and reimbursement of  
15 planning and related expenses incurred by the District of  
16 Columbia in anticipation of the planned World Bank and  
17 International Monetary Fund September 2001 meetings,  
18 \$16,058,000, from funds previously appropriated in this  
19 Act as a Federal payment: *Provided*, That this appropria-  
20 tion shall be apportioned by the Chief Financial Officer  
21 within the various appropriation heading in this Act.

22 WILSON BUILDING

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

## 1           EMERGENCY RESERVE FUND TRANSFER

2           Subject to the issuance of bonds to pay the purchase  
3 price of the District of Columbia's right, title, and, inter-  
4 est in and to the Master Settlement Agreement, and con-  
5 sistent with the Tobacco Settlement Trust Fund Estab-  
6 lishment Act of 1999 (D.C. Official Code, sec. 7-  
7 1811.01(a)(2) et seq.) and the Tobacco Settlement Fi-  
8 nancing Act of 2000 (D.C. Official Code, sec. 7-1831.03),  
9 there is transferred the amount available pursuant there-  
10 to, but not to exceed \$33,254,000, to the Emergency Re-  
11 serve Fund established pursuant to section 450A(a) of the  
12 District of Columbia Home Rule Act (Public Law 93-198,  
13 as amended; 114 Stat. 2478; D.C. Official Code, sec. 1-  
14 204.50a(a)).

## 15                           NON-DEPARTMENTAL AGENCY

16           To account for anticipated costs that cannot be allo-  
17 cated to specific agencies during the development of the  
18 proposed budget including anticipated employee health in-  
19 surance cost increases and contract security costs,  
20 \$5,799,000 from local funds.

## 21                           ENTERPRISE AND OTHER FUNDS

## 22   WATER AND SEWER AUTHORITY

23           For operation of the Water and Sewer Authority,  
24 \$244,978,000 from other funds, of which \$44,244,000  
25 shall be apportioned for repayment of loans and interest

1 incurred for capital improvement projects (\$17,952,936  
2 payable to the District’s debt service fund and  
3 \$26,291,064 payable for other debt service). For construc-  
4 tion projects, \$152,114,000, in the following capital pro-  
5 grams; \$52,600,000 for the Blue Plains Wastewater  
6 Treatment Plant, \$11,148,000 for the sewer program,  
7 \$109,000 for the combined sewer program, \$118,000 for  
8 the stormwater program, \$77,957,000 for the water pro-  
9 gram, and \$10,182,000 for the capital equipment pro-  
10 gram: *Provided*, That the requirements and restrictions  
11 that are applicable to general fund capital improvements  
12 projects and set forth in this Act under the Capital Outlay  
13 appropriation title shall apply to projects approved under  
14 this appropriation title: *Provided further*, That section  
15 106(b)(2) of the District of Columbia Public Works Act  
16 of 1954 (sec. 34–2401.25(b)(2), D.C. Official Code) is  
17 amended by inserting after “the Office of Management  
18 and Budget,” the following: “the Secretary of the Treas-  
19 ury, and the head of each of the respective Federal depart-  
20 ments, independent establishments, and agencies,”: *Pro-*  
21 *vided further*, That section 212(b)(2) of the District of Co-  
22 lumbia Public Works Act of 1954 (sec. 34–2112(b)(2),  
23 D.C. Official Code) is amended by inserting after “the Of-  
24 fice of Management and Budget,” the following: “the Sec-  
25 retary of the Treasury, and the head of each of the respec-

1 tive Federal departments, independent establishments,  
2 and agencies,”.

3 WASHINGTON AQUEDUCT

4 For operation of the Washington Aqueduct,  
5 \$46,510,000 from other funds.

6 STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

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

9 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

10 For the Lottery and Charitable Games Enterprise  
11 Fund, established by the District of Columbia Appropria-  
12 tion Act, 1982 (95 Stat. 1174, 1175; Public Law 97–91),  
13 for the purpose of implementing the Law to Legalize Lot-  
14 teries, Daily Numbers Games, and Bingo and Raffles for  
15 Charitable Purposes in the District of Columbia (D.C.  
16 Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and  
17 sec. 22–1716 et seq.), \$229,688,000: *Provided*, That the  
18 District of Columbia shall identify the source of funding  
19 for this appropriation title from the District’s own locally  
20 generated revenues: *Provided further*, That no revenues  
21 from Federal sources shall be used to support the oper-  
22 ations or activities of the Lottery and Charitable Games  
23 Control Board.

## 1           SPORTS AND ENTERTAINMENT COMMISSION

2           For the Sports and Entertainment Commission,  
3 \$9,127,000 (including \$2,177,000 to be derived by trans-  
4 fer from the general fund of the District of Columbia and  
5 \$6,950,000 from other funds): *Provided*, That the transfer  
6 of \$2,177,000 from the general fund shall not be made  
7 unless the District of Columbia general fund has received  
8 \$2,177,000 from the D.C. Sports and Entertainment  
9 Commission prior to September 20, 2001: *Provided fur-*  
10 *ther*, That the Mayor shall submit a budget for the Armory  
11 Board for the forthcoming fiscal year as required by sec-  
12 tion 442(b) of the District of Columbia Home Rule Act  
13 (87 Stat. 824; Public Law 93–198; D.C. Official Code,  
14 sec. 1–204.42(b)).

## 15           DISTRICT OF COLUMBIA RETIREMENT BOARD

16           For the District of Columbia Retirement Board, es-  
17 tablished by section 121 of the District of Columbia Re-  
18 tirement Reform Act of 1979 (93 Stat. 866; D.C. Official  
19 Code, sec. 1–711), \$13,388,000 from the earnings of the  
20 applicable retirement funds to pay legal, management, in-  
21 vestment, and other fees and administrative expenses of  
22 the District of Columbia Retirement Board: *Provided*,  
23 That the District of Columbia Retirement Board shall pro-  
24 vide to the Congress and to the Council of the District  
25 of Columbia a quarterly report of the allocations of

1 charges by fund and of expenditures of all funds: *Provided*  
2 *further*, That the District of Columbia Retirement Board  
3 shall provide the Mayor, for transmittal to the Council of  
4 the District of Columbia, an itemized accounting of the  
5 planned use of appropriated funds in time for each annual  
6 budget submission and the actual use of such funds in  
7 time for each annual audited financial report.

8 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

11 HOUSING FINANCE AGENCY

12 For the Housing Finance Agency, \$4,711,000 from  
13 other funds.

14 NATIONAL CAPITAL REVITALIZATION CORPORATION

15 For the National Capital Revitalization Corporation,  
16 \$2,673,000 from other funds.

17 CAPITAL OUTLAY

18 (INCLUDING RESCISSIONS)

19 For construction projects, an increase of  
20 \$1,550,787,000 of which \$1,348,783,000 shall be from  
21 local funds, \$44,431,000 from Highway Trust funds, and  
22 \$157,573,000 from Federal funds, and a rescission of  
23 \$476,182,000 from local funds appropriated under this  
24 heading in prior fiscal years, for a net amount of  
25 \$1,074,605,000 to remain available until expended: *Pro-*



1        SEC. 102. Appropriations in this Act shall be avail-  
2 able for expenses of travel and for the payment of dues  
3 of organizations concerned with the work of the District  
4 of Columbia government, when authorized by the Mayor:  
5 *Provided*, That in the case of the Council of the District  
6 of Columbia, funds may be expended with the authoriza-  
7 tion of the chair of the Council.

8        SEC. 103. There are appropriated from the applicable  
9 funds of the District of Columbia such sums as may be  
10 necessary for making refunds and for the payment of  
11 judgments that have been entered against the District of  
12 Columbia government: *Provided*, That nothing contained  
13 in this section shall be construed as modifying or affecting  
14 the provisions of section 11(c)(3) of title XII of the Dis-  
15 trict of Columbia Income and Franchise Tax Act of 1947  
16 (70 Stat. 78; Public Law 84-460; D.C. Official Code, sec.  
17 47-1812.11(c)(3)).

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

21        SEC. 105. No funds appropriated in this Act for the  
22 District of Columbia government for the operation of edu-  
23 cational institutions, the compensation of personnel, or for  
24 other educational purposes may be used to permit, encour-  
25 age, facilitate, or further partisan political activities.

1 Nothing herein is intended to prohibit the availability of  
2 school buildings for the use of any community or partisan  
3 political group during non-school hours.

4       SEC. 106. None of the funds appropriated in this Act  
5 shall be made available to pay the salary of any employee  
6 of the District of Columbia government whose name, title,  
7 grade, salary, past work experience, and salary history are  
8 not available for inspection by the House and Senate Com-  
9 mittees on Appropriations, the House Committee on Gov-  
10 ernment Reform, the Senate Committee on Governmental  
11 Affairs, and the Council of the District of Columbia, or  
12 their duly authorized representative.

13       SEC. 107. There are appropriated from the applicable  
14 funds of the District of Columbia such sums as may be  
15 necessary for making payments authorized by the District  
16 of Columbia Revenue Recovery Act of 1977 (D.C. Law  
17 2-20; D.C. Code, sec. 47-422 et seq.).

18       SEC. 108. No part of this appropriation shall be used  
19 for publicity or propaganda purposes or implementation  
20 of any policy including boycott designed to support or de-  
21 feat legislation pending before Congress or any State legis-  
22 lature.

23       SEC. 109. At the start of the fiscal year, the Mayor  
24 shall develop an annual plan, by quarter and by project,  
25 for capital outlay borrowings: *Provided*, That within a rea-

1 sonable time after the close of each quarter, the Mayor  
2 shall report to the Council of the District of Columbia and  
3 the Congress the actual borrowings and spending progress  
4 compared with projections.

5       SEC. 110. (a) None of the funds provided under this  
6 Act to the agencies funded by this Act, both Federal and  
7 District government agencies, that remain available for  
8 obligation or expenditure in fiscal year 2002, or provided  
9 from any accounts in the Treasury of the United States  
10 derived by the collection of fees available to the agencies  
11 funded by this Act, shall be available for obligation or ex-  
12 penditure for an agency through a reprogramming of  
13 funds which: (1) creates new programs; (2) eliminates a  
14 program, project, or responsibility center; (3) establishes  
15 or changes allocations specifically denied, limited or in-  
16 creased by Congress in this Act; (4) increases funds or  
17 personnel by any means for any program, project, or re-  
18 sponsibility center for which funds have been denied or  
19 restricted; (5) reestablishes through reprogramming any  
20 program or project previously deferred through re-  
21 programming; (6) augments existing programs, projects,  
22 or responsibility centers through a reprogramming of  
23 funds in excess of \$1,000,000 or 10 percent, whichever  
24 is less; or (7) increases by 20 percent or more personnel  
25 assigned to a specific program, project or responsibility

1 center; unless the Committees on Appropriations of both  
2 the Senate and House of Representatives are notified in  
3 writing 30 days in advance of any reprogramming as set  
4 forth in this section.

5 (b) None of the local funds contained in this Act may  
6 be available for obligation or expenditure for an agency  
7 through a reprogramming of funds which transfers any  
8 local funds from one appropriation to another unless the  
9 Committees on Appropriations of the Senate and House  
10 of Representatives are notified in writing 30 days in ad-  
11 vance of the transfer, except that in no event may the  
12 amount of any funds transferred exceed two percent of  
13 the local funds in the appropriation.

14 SEC. 111. Consistent with the provisions of 31 U.S.C.  
15 1301(a), appropriations under this Act shall be applied  
16 only to the objects for which the appropriations were made  
17 except as otherwise provided by law.

18 SEC. 112. (a) Notwithstanding any other provisions  
19 of law, the provisions of the District of Columbia Govern-  
20 ment Comprehensive Merit Personnel Act of 1978 (D.C.  
21 Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.),  
22 enacted pursuant to section 422(3) of the District of Co-  
23 lumbia Home Rule Act (87 Stat. 790; Public Law 93-  
24 198; D.C. Official Code, sec. 1-204.22(3)), shall apply  
25 with respect to the compensation of District of Columbia

1 employees: *Provided*, That for pay purposes, employees of  
2 the District of Columbia government shall not be subject  
3 to the provisions of title 5, United States Code.

4 (b)(1) CERTIFICATION OF NEED BY CHIEF TECH-  
5 NOLOGY OFFICER.—Section 2706(b) of the District of Co-  
6 lumbia Government Comprehensive Merit Personnel Act  
7 of 1978, as added by section 2 of the District Government  
8 Personnel Exchange Agreement Amendment Act of 2000  
9 (D.C. Law 13–296), is amended by inserting after “Direc-  
10 tor of Personnel” each place it appears the following: “(or  
11 the Chief Technology Officer, in the case of the Office of  
12 the Chief Technology Officer)”.

13 (2) INCLUSION OF OVERHEAD COSTS IN AGREE-  
14 MENTS.—Section 2706(c)(3) of such Act is amended by  
15 striking the period at the end and inserting the following:  
16 “, except that in the case of the Office of the Chief Tech-  
17 nology Officer, general and administrative costs shall in-  
18 clude reasonable overhead costs and shall be calculated by  
19 the Chief Technology Officer (as determined under such  
20 criteria as the Chief Technology Officer independently  
21 deems appropriate, including a consideration of standards  
22 used to calculate general, administrative, and overhead  
23 costs for off-site employees found in Federal law and regu-  
24 lation and in general private industry practice).”.

1       (3) REPORTING REQUIREMENT.—Section 2706 of  
2 such Act is amended—

3           (A) by redesignating subsection (f) as sub-  
4 section (g); and

5           (B) by inserting after subsection (e) the fol-  
6 lowing new subsection:

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

14       (c) NO LIMIT ON FTEs.—Notwithstanding any other  
15 provision of law, no limit may be placed on the number  
16 of full-time equivalent employees of the Office of the Chief  
17 Technology Officer of the District of Columbia for any fis-  
18 cal year.

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

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

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

13        SEC. 114. In the event a sequestration order is issued  
14 pursuant to the Balanced Budget and Emergency Deficit  
15 Control Act of 1985 (99 Stat. 1037; Public Law 99–177),  
16 after the amounts appropriated to the District of Colum-  
17 bia for the fiscal year involved have been paid to the Dis-  
18 trict of Columbia, the Mayor of the District of Columbia  
19 shall pay to the Secretary of the Treasury, within 15 days  
20 after receipt of a request therefor from the Secretary of  
21 the Treasury, such amounts as are sequestered by the  
22 order: *Provided*, That the sequestration percentage speci-  
23 fied in the order shall be applied proportionately to each  
24 of the Federal appropriation accounts in this Act that are  
25 not specifically exempted from sequestration by such Act.

## 1 ACCEPTANCE AND USE OF GIFTS

## 2 SEC. 115. (a) APPROVAL BY MAYOR.—

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

6 (A) the Mayor approves the acceptance  
7 and use of the gift or donation (except as pro-  
8 vided in paragraph (2)); and

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

## 11 (2) EXCEPTION FOR COUNCIL AND COURTS.—

12 The Council of the District of Columbia and the  
13 District of Columbia courts may accept and use gifts  
14 without prior approval by the Mayor.

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

20 (c) INDEPENDENT AGENCIES INCLUDED.—For the  
21 purposes of this section, the term “entity of the District  
22 of Columbia government” includes an independent agency  
23 of the District of Columbia.

24 (d) EXCEPTION FOR BOARD OF EDUCATION.—This  
25 section shall not apply to the District of Columbia Board

1 of Education, which may, pursuant to the laws and regula-  
2 tions of the District of Columbia, accept and use gifts to  
3 the public schools without prior approval by the Mayor.

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

11       SEC. 117. None of the funds appropriated under this  
12 Act shall be expended for any abortion except where the  
13 life of the mother would be endangered if the fetus were  
14 carried to term or where the pregnancy is the result of  
15 an act of rape or incest.

16       SEC. 118. None of the Federal funds made available  
17 in this Act may be used to implement or enforce the  
18 Health Care Benefits Expansion Act of 1992 (D.C. Law  
19 9–114; D.C. Official Code, sec. 32–701 et seq.) or to oth-  
20 erwise implement or enforce any system of registration of  
21 unmarried, cohabiting couples (whether homosexual, het-  
22 erosexual, or lesbian), including but not limited to reg-  
23 istration for the purpose of extending employment, health,  
24 or governmental benefits to such couples on the same basis  
25 that such benefits are extended to legally married couples.

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

3            (1) IN GENERAL.—Notwithstanding any other  
4 provision of this Act, the Mayor, in consultation with  
5 the Chief Financial Officer may accept, obligate, and  
6 expend Federal, private, and other grants received  
7 by the District government that are not reflected in  
8 the amounts appropriated in this Act.

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

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

18            (B) the Council within 15 days after re-  
19 ceipt of the report submitted under (A) has re-  
20 viewed and approved the acceptance, obligation,  
21 and expenditure of such grant.

22            (3) PROHIBITION ON SPENDING IN ANTICIPA-  
23 TION OF APPROVAL OR RECEIPT.—No amount may  
24 be obligated or expended from the general fund or  
25 other funds of the District government in anticipa-

1       tion of the approval or receipt of a grant under  
2       paragraph (2)(B) of this subsection or in anticipa-  
3       tion of the approval or receipt of a Federal, private,  
4       or other grant not subject to such paragraph.

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

15      SEC. 120. (a) Except as otherwise provided in this  
16      section, none of the funds made available by this Act or  
17      by any other Act may be used to provide any officer or  
18      employee of the District of Columbia with an official vehi-  
19      cle unless the officer or employee uses the vehicle only in  
20      the performance of the officer's or employee's official du-  
21      ties. For purposes of this paragraph, the term "official  
22      duties" does not include travel between the officer's or em-  
23      ployee's residence and workplace (except: (1) in the case  
24      of an officer or employee of the Metropolitan Police De-  
25      partment who resides in the District of Columbia or is

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

8 (b) The Chief Financial Officer of the District of Co-  
9 lumbia shall submit, by November 15, 2001, an inventory,  
10 as of September 30, 2001, of all vehicles owned, leased  
11 or operated by the District of Columbia government. The  
12 inventory shall include, but not be limited to, the depart-  
13 ment to which the vehicle is assigned; the year and make  
14 of the vehicle; the acquisition date and cost; the general  
15 condition of the vehicle; annual operating and mainte-  
16 nance costs; current mileage; and whether the vehicle is  
17 allowed to be taken home by a District officer or employee  
18 and if so, the officer or employee's title and resident loca-  
19 tion.

20 (c) No officer or employee of the District of Columbia  
21 government (including any independent agency of the Dis-  
22 trict but excluding the Office of the Chief Technology Offi-  
23 cer) may enter into an agreement in excess of \$2,500 for  
24 the procurement of goods or services on behalf of any enti-  
25 ty of the District government until the officer or employee

1 has conducted an analysis of how the procurement of the  
2 goods and services involved under the applicable regula-  
3 tions and procedures of the District government would dif-  
4 fer from the procurement of the goods and services in-  
5 volved under the Federal supply schedule and other appli-  
6 cable regulations and procedures of the General Services  
7 Administration, including an analysis of any differences  
8 in the costs to be incurred and the time required to obtain  
9 the goods or services.

10 SEC. 121. Notwithstanding any other provision of  
11 law, not later than 120 days after the date that a District  
12 of Columbia Public Schools (DCPS) student is referred  
13 for evaluation or assessment—

14 (1) the District of Columbia Board of Edu-  
15 cation, or its successor, and DCPS shall assess or  
16 evaluate a student who may have a disability and  
17 who may require special education services; and

18 (2) if a student is classified as having a dis-  
19 ability, as defined in section 101(a)(1) of the Indi-  
20 viduals with Disabilities Education Act (84 Stat.  
21 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the  
22 Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.  
23 706(8)), the Board and DCPS shall place that stu-  
24 dent in an appropriate program of special education  
25 services.

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

6        (b) SENSE OF THE CONGRESS; REQUIREMENT RE-  
7 GARDING NOTICE.—

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

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

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

1 If it has been finally determined by a court or Federal  
2 agency that any person intentionally affixed a label bear-  
3 ing a “Made in America” inscription, or any inscription  
4 with the same meaning, to any product sold in or shipped  
5 to the United States that is not made in the United  
6 States, the person shall be ineligible to receive any con-  
7 tract or subcontract made with funds made available in  
8 this Act, pursuant to the debarment, suspension, and ineli-  
9 gibility procedures described in sections 9.400 through  
10 9.409 of title 48, Code of Federal Regulations.

11 SEC. 123. None of the funds contained in this Act  
12 may be used for purposes of the annual independent audit  
13 of the District of Columbia government for fiscal year  
14 2002 unless—

15 (1) the audit is conducted by the Inspector  
16 General of the District of Columbia pursuant to sec-  
17 tion 208(a)(4) of the District of Columbia Procure-  
18 ment Practices Act of 1985 (D.C. Official Code, sec.  
19 2–302.8); and

20 (2) the audit includes as a basic financial state-  
21 ment a comparison of audited actual year-end re-  
22 sults with the revenues submitted in the budget doc-  
23 ument for such year and the appropriations enacted  
24 into law for such year using the format, terminology,  
25 and classifications contained in the law making the

1 appropriations for the year and its legislative his-  
2 tory.

3 SEC. 124. None of the funds contained in this Act  
4 may be used by the District of Columbia Corporation  
5 Counsel or any other officer or entity of the District gov-  
6 ernment to provide assistance for any petition drive or civil  
7 action which seeks to require Congress to provide for vot-  
8 ing representation in Congress for the District of Colum-  
9 bia.

10 SEC. 125. (a) None of the funds contained in this  
11 Act may be used for any program of distributing sterile  
12 needles or syringes for the hypodermic injection of any ille-  
13 gal drug.

14 (b) Any individual or entity who receives any funds  
15 contained in this Act and who carries out any program  
16 described in subsection (a) shall account for all funds used  
17 for such program separately from any funds contained in  
18 this Act.

19 SEC. 126. None of the funds contained in this Act  
20 may be used after the expiration of the 60-day period that  
21 begins on the date of the enactment of this Act to pay  
22 the salary of any chief financial officer of any office of  
23 the District of Columbia government (including any inde-  
24 pendent agency of the District) who has not filed a certifi-  
25 cation with the Mayor and the Chief Financial Officer of

1 the District of Columbia that the officer understands the  
2 duties and restrictions applicable to the officer and the  
3 officer's agency as a result of this Act (and the amend-  
4 ments made by this Act), including any duty to prepare  
5 a report requested either in the Act or in any of the re-  
6 ports accompanying the Act and the deadline by which  
7 each report must be submitted, and the District's Chief  
8 Financial Officer shall provide to the Committees on Ap-  
9 propriations of the Senate and the House of Representa-  
10 tives by the 10th day after the end of each quarter a sum-  
11 mary list showing each report, the due date and the date  
12 submitted to the Committees.

13       SEC. 127. In submitting any document showing the  
14 budget for an office of the District of Columbia govern-  
15 ment (including an independent agency of the District)  
16 that contains a category of activities labeled as "other",  
17 "miscellaneous", or a similar general, nondescriptive term,  
18 the document shall include a description of the types of  
19 activities covered in the category and a detailed breakdown  
20 of the amount allocated for each such activity.

21       SEC. 128. (a) None of the funds contained in this  
22 Act may be used to enact or carry out any law, rule, or  
23 regulation to legalize or otherwise reduce penalties associ-  
24 ated with the possession, use, or distribution of any sched-

1   ule I substance under the Controlled Substances Act (21  
2   U.S.C. 802) or any tetrahydrocannabinols derivative.

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

7           SEC. 129. Notwithstanding any other provision of  
8   law, the Mayor of the District of Columbia is hereby solely  
9   authorized to allocate the District’s limitation amount of  
10   qualified zone academy bonds (established pursuant to 26  
11   U.S.C. 1397E) among qualified zone academies within the  
12   District.

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

20          SEC. 131. Section 149 of division A, Miscellaneous  
21   Appropriations Act, 2001, as enacted by section 1(A)(4)  
22   of Public Law 106–554 shall apply with respect to claims  
23   received by the Superior Court of the District of Columbia  
24   or the District of Columbia Court of Appeals during fiscal  
25   year 2002, and claims received previously that remain un-

1 paid at the end of fiscal year 2001 and would have quali-  
2 fied for interest payment under such section 149.

3 FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW  
4 BANNING POSSESSION OF TOBACCO PRODUCTS BY  
5 MINORS

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

11 “BAN ON POSSESSION OF TOBACCO PRODUCTS BY  
12 MINORS

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

17 “(b) EXCEPTIONS.—

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

22 “(2) PARTICIPATION IN LAW ENFORCEMENT  
23 OPERATION.—Subsection (a) shall not apply with re-  
24 spect to an individual possessing products in the  
25 course of a valid, supervised law enforcement oper-  
26 ation.

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

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

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

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

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

15       (b) USE OF CONTRIBUTION.—The Metropolitan Po-  
16 lice Department shall use the contribution made under  
17 subsection (a) to enforce the law referred to in such sub-  
18 section.

19       SEC. 133. Nothing in this Act bars the District of  
20 Columbia Corporation Counsel from reviewing or com-  
21 menting on briefs in private lawsuits, or from consulting  
22 with officials of the District government regarding such  
23 lawsuits.

24       SEC. 134. (a) Section 11201(g)(4)(A) of the National  
25 Capital Revitalization and Self-Government Improvement

1 Act of 1997 (sec. 24–1201(g)(4)(A), D.C. Code), as  
2 amended by section 163 of the District of Columbia Ap-  
3 propriations Act, 2001, is amended—

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

5 (2) by striking the period at the end of clause  
6 (x); and

7 (3) by adding at the end the following new  
8 clause:

9 “(xi) obligate and expend the proceeds  
10 and funds deposited under clauses (ix) and  
11 (x) as provided in such clauses.”.

12 (b) The amendment made by subsection (a) shall take  
13 effect as if included in the enactment of the Lorton Tech-  
14 nical Corrections Act of 1998 (Public Law 105–277; 112  
15 Stat. 2681–600).

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

**Union Calendar No. 130**

107TH CONGRESS  
1ST SESSION

**H. R. 2944**

**[Report No. 107-216]**

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**A BILL**

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

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SEPTEMBER 24, 2001

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