

Union Calendar No. 446

107TH CONGRESS
2^D SESSION

H. R. 5521

[Report No. 107-716]

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, 2003, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 2, 2002

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

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, 2003, 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, 2003, 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 to be deposited into a dedicated account, for a nationwide
7 program to be administered by the Mayor, for District of
8 Columbia resident tuition support, \$17,000,000, to remain
9 available until expended: *Provided*, That such funds, in-
10 cluding any interest accrued thereon, may be used on be-
11 half of eligible District of Columbia residents to pay an
12 amount based upon the difference between in-State and
13 out-of-State tuition at public institutions of higher edu-
14 cation, or to pay up to \$2,500 each year at eligible private
15 institutions of higher education: *Provided further*, That the
16 awarding of such funds may be prioritized on the basis
17 of a resident's academic merit, the income and need of
18 eligible students and such other factors as may be author-
19 ized: *Provided further*, That the District of Columbia gov-
20 ernment shall establish a dedicated account for the Resi-
21 dent Tuition Support Program that shall consist of the
22 Federal funds appropriated to the Program in this Act
23 and any subsequent appropriations, any unobligated bal-
24 ances from prior fiscal years, and any interest earned in
25 this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia
2 Chief Financial Officer who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Resident Tuition
5 Support Program Office and the Office of the Chief Fi-
6 nancial Officer shall provide a quarterly financial report
7 to the Committees on Appropriations of the House of Rep-
8 resentatives and Senate for these funds showing, by object
9 class, the expenditures made and the purpose therefor:
10 *Provided further*, That not more than seven percent of the
11 total amount appropriated for this program may be used
12 for administrative expenses.

13 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
14 SECURITY COSTS

15 For necessary expenses, as determined by the Mayor
16 of the District of Columbia in written consultation with
17 the elected county or city officials of surrounding jurisdic-
18 tions, \$15,000,000, to remain available until expended, to
19 reimburse the District of Columbia for the costs of public
20 safety expenses related to National Special Security
21 Events in the District of Columbia and for the costs of
22 providing support to respond to immediate and specific
23 terrorist threats or attacks in the District of Columbia or
24 surrounding jurisdictions: *Provided*, That any amount pro-
25 vided under this heading shall be available only after no-

1 tice of its proposed use has been transmitted by the Presi-
2 dent to Congress and such amount has been apportioned
3 pursuant to chapter 15 of title 31, United States Code.

4 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
5 COURTS

6 For salaries and expenses for the District of Colum-
7 bia Courts, \$160,545,000, to be allocated as follows: for
8 the District of Columbia Court of Appeals, \$8,352,000,
9 of which not to exceed \$1,500 is for official reception and
10 representation expenses; for the District of Columbia Su-
11 perior Court, \$80,140,000, of which not to exceed \$1,500
12 is for official reception and representation expenses; for
13 the District of Columbia Court System, \$40,402,000, of
14 which not to exceed \$1,500 is for official reception and
15 representation expenses; and \$31,651,000 for capital im-
16 provements for District of Columbia courthouse facilities:
17 *Provided*, That funds made available for capital improve-
18 ments shall be expended consistent with the General Serv-
19 ices Administration master plan study and building eval-
20 uation report: *Provided further*, That notwithstanding any
21 other provision of law, all amounts under this heading
22 shall be apportioned quarterly by the Office of Manage-
23 ment and Budget and obligated and expended in the same
24 manner as funds appropriated for salaries and expenses
25 of other Federal agencies, with payroll and financial serv-

1 ices to be provided on a contractual basis with the General
2 Services Administration (GSA), said services to include
3 the preparation of monthly financial reports, copies of
4 which shall be submitted directly by GSA to the President
5 and to the Committees on Appropriations of the House
6 of Representatives and Senate, the Committee on Govern-
7 ment Reform of the House of Representatives, and the
8 Committee on Governmental Affairs of the Senate: *Pro-*
9 *vided further*, That funds made available for capital im-
10 provements may remain available until September 30,
11 2004.

12 DEFENDER SERVICES IN DISTRICT OF COLUMBIA

13 COURTS

14 For payments authorized under section 11–2604 and
15 section 11–2605, D.C. Official Code (relating to represen-
16 tation provided under the District of Columbia Criminal
17 Justice Act), payments for counsel appointed in pro-
18 ceedings in the Family Division of the Superior Court of
19 the District of Columbia under chapter 23 of title 16, D.C.
20 Official Code, and payments for counsel authorized under
21 section 21–2060, D.C. Official Code (relating to represen-
22 tation provided under the District of Columbia Guardian-
23 ship, Protective Proceedings, and Durable Power of Attor-
24 ney Act of 1986), \$32,000,000, to remain available until
25 expended: *Provided*, That the funds provided in this Act

1 under the heading “Federal Payment to the District of
2 Columbia Courts” (other than the \$31,651,000 provided
3 under such heading for capital improvements for District
4 of Columbia courthouse facilities) may also be used for
5 payments under this heading: *Provided further*, That in
6 addition to the funds provided under this heading, the
7 Joint Committee on Judicial Administration in the Dis-
8 trict of Columbia shall use funds provided in this Act
9 under the heading “Federal Payment to the District of
10 Columbia Courts” (other than the \$31,651,000 provided
11 under such heading for capital improvements for District
12 of Columbia courthouse facilities), to make payments de-
13 scribed under this heading for obligations incurred during
14 any fiscal year: *Provided further*, That of the amounts pro-
15 vided in previous fiscal years for payments described
16 under this heading which remain unobligated as of the
17 date of the enactment of this Act, such sums as may be
18 necessary shall be applied toward the portion of the
19 amount provided under this heading which is attributable
20 to increases in the maximum amounts which may be paid
21 for representation services in the District of Columbia
22 courts: *Provided further*, That funds provided under this
23 heading shall be administered by the Joint Committee on
24 Judicial Administration in the District of Columbia: *Pro-*
25 *vided further*, That notwithstanding any other provision of

1 law, this appropriation shall be apportioned quarterly by
2 the Office of Management and Budget and obligated and
3 expended in the same manner as funds appropriated for
4 expenses of other Federal agencies, with payroll and finan-
5 cial services to be provided on a contractual basis with
6 the General Services Administration (GSA), said services
7 to include the preparation of monthly financial reports,
8 copies of which shall be submitted directly by GSA to the
9 President and to the Committees on Appropriations of the
10 House of Representatives and Senate, the Committee on
11 Government Reform of the House of Representatives, and
12 the Committee on Governmental Affairs of the Senate.

13 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
14 FENDER SUPERVISION AGENCY FOR THE DISTRICT
15 OF COLUMBIA

16 (INCLUDING TRANSFER OF FUNDS)

17 For salaries and expenses, including the transfer and
18 hire of motor vehicles, of the Court Services and Offender
19 Supervision Agency for the District of Columbia, as au-
20 thorized by the National Capital Revitalization and Self-
21 Government Improvement Act of 1997 (Public Law 105-
22 33; 111 Stat. 712), \$154,707,000, of which not to exceed
23 \$2,000 is for official receptions related to offender and
24 defendant support programs; \$95,682,000 shall be for
25 necessary expenses of Community Supervision and Sex Of-

1 fender Registration, to include expenses relating to the su-
2 pervision of adults subject to protection orders or the pro-
3 vision of services for or related to such persons;
4 \$23,070,000 shall be transferred to the Public Defender
5 Service; and \$35,955,000 shall be available to the Pretrial
6 Services Agency: *Provided*, That notwithstanding any
7 other provision of law, all amounts under this heading
8 shall be apportioned quarterly by the Office of Manage-
9 ment and Budget and obligated and expended in the same
10 manner as funds appropriated for salaries and expenses
11 of other Federal agencies: *Provided further*, That notwith-
12 standing chapter 33 of title 40, United States Code, the
13 Director may acquire by purchase, lease, condemnation,
14 or donation, and renovate as necessary, Building Number
15 17, 1900 Massachusetts Avenue, Southeast, Washington,
16 District of Columbia to house or supervise offenders and
17 defendants, with funds made available for this purpose in
18 Public Law 107-96: *Provided further*, That the Director
19 is authorized to accept and use gifts in the form of in-
20 kind contributions of space and hospitality to support of-
21 fender and defendant programs, and equipment and voca-
22 tional training services to educate and train offenders and
23 defendants: *Provided further*, That the Director shall keep
24 accurate and detailed records of the acceptance and use
25 of any gift or donation under the previous proviso, and

1 shall make such records available for audit and public in-
2 spection.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

4 DEPARTMENT OF TRANSPORTATION

5 For a Federal payment to the District of Columbia
6 Department of Transportation, \$1,000,000: *Provided*,
7 That such funds will be used to implement transportation
8 systems management initiatives and strategies rec-
9 ommended in the October 2001 report by the Interagency
10 Task Force of the National Capital Planning Commission
11 in coordination with the National Capital Planning Com-
12 mission.

13 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER

14 OF THE DISTRICT OF COLUMBIA

15 For a Federal payment to the Chief Financial Officer
16 of the District of Columbia, \$23,450,000: *Provided*, That
17 these funds are to be allocated as follows: \$100,000 for
18 Project Reality to implement the Game Plan abstinence
19 education program in the District of Columbia public
20 schools; \$100,000 to Friends of Fort Dupont to restore
21 and upgrade unused Fort Dupont baseball fields;
22 \$100,000 to the Association for the Preservation of His-
23 toric Congressional Cemetery for repairs and renovations;
24 \$250,000 for Values First, Inc. to continue to implement
25 a values infusion program in the District of Columbia pub-

1 lie schools; \$250,000 to continue the Voyager Expanded
2 Learning literacy program in kindergarten and first grade
3 classrooms in the District of Columbia Public Schools;
4 \$250,000 to the Best Friends Foundation to provide a
5 youth development program to District of Columbia youth;
6 \$250,000 to the National Music Center and Museum
7 Foundation for a program to use the performing and vis-
8 ual arts as teaching and learning tools in the District of
9 Columbia Public Education System; \$250,000 to the Na-
10 tional Council of Negro Women, Inc. for renovations at
11 633 Pennsylvania Avenue; \$300,000 to the International
12 Youth Service and Development Corps for the Wash-
13 ington, D.C. Mentoring Friends Program and the People's
14 House Hotline; \$300,000 to the Public Access Corporation
15 of the District of Columbia for the Future Producers Pro-
16 gram; \$300,000 to the Criminal Justice Coordinating
17 Council for the District of Columbia; \$350,000 to the Na-
18 tional Center for Manufacturing Sciences for a partner-
19 ship with the Excel Institute to develop a job training pro-
20 gram for District residents; \$400,000 to the Excel Insti-
21 tute Adult Education Program for construction; \$500,000
22 to the historical Society of Washington for capital im-
23 provements to the City Museum; \$500,000 to the United
24 Negro College Fund Special Programs for a study on how
25 the District of Columbia Public School System could im-

1 prove the educational performance and achievement of its
2 students; \$500,000 to the American Cities Foundation to
3 collect national data and disseminate information to Dis-
4 trict entities on innovative approaches to the delivery of
5 K–12 education; \$500,000 to the Innovative Emergency
6 Management, Inc. to assist the Emergency Management
7 Office in developing an evacuation plan for the District
8 of Columbia; \$500,000 to the University of New Orleans
9 Center for Hazards Assessment and the George Wash-
10 ington University Institute for Crisis, Disaster and Risk
11 Management to assist the District in city security and
12 emergency preparedness; \$500,000 to the Capitol City Ca-
13 reer Development and Training Partnership to provide job
14 training and career development services to District resi-
15 dents; \$500,000 to the Washington Center on Best Prac-
16 tices for assistance to and promotion of early college
17 awareness programs; \$500,000 to the Caribbean American
18 Mission for Education Research and Action to support the
19 Mission’s efforts to build linkages between Caribbean edu-
20 cational entities and District of Columbia and other re-
21 gional higher education institutions for the purposes of
22 sharing of U.S. expertise in educational methodologies;
23 \$1,000,000 to Real World Schools to further develop and
24 implement advanced technology curriculum models and
25 learning reforms for secondary education in the District

1 of Columbia Public Schools; \$1,000,000 to the Whitman-
2 Walker Clinic for infrastructure improvements;
3 \$1,000,000 to the Metropolitan Washington Council of
4 Governments to support the Regional Incident Commu-
5 nication and Coordination System; \$1,000,000 to the
6 Council of Court Excellence to continue ongoing inde-
7 pendent oversight of the District of Columbia's justice sys-
8 tem, including the District of Columbia Court system;
9 \$1,250,000 to the Excel Institute for operations in equal
10 quarterly installments within 15 days of the beginning of
11 each quarter; \$2,000,000 to the National Center for Man-
12 ufacturing Sciences for civil infrastructure vulnerability
13 assessment and implementation of resulting protection
14 profiles; \$2,000,000 to the Canal Park Development Asso-
15 ciation for development of a park on 2nd Street between
16 I Street and M Street in Southeast Washington;
17 \$2,000,000 to St. Coletta of Greater Washington, Inc. for
18 construction of a facility to provide services for mentally
19 retarded and multiple-handicapped adolescents and adults
20 in the District of Columbia; and \$5,000,000 to Children's
21 National Medical Center in the District of Columbia for
22 capital and equipment improvements: *Provided further,*
23 That each entity that receives funding under this heading
24 shall submit to the Committees on Appropriations of the
25 House of Representatives and the Senate a report due

1 February 15, 2003, on the activities carried out with such
2 funds.

3 FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS

4 For a Federal payment to the District of Columbia
5 Department of Housing and Community Development,
6 \$1,000,000 to continue improvements on the historic Po-
7 tomac Southwest Waterfront: *Provided*, That the Depart-
8 ment shall submit to the Committees on Appropriations
9 of the House of Representatives and the Senate a report
10 due February 15, 2003, on the activities carried out with
11 such funds.

12 FEDERAL PAYMENT FOR ASBESTOS REMEDIATION

13 For a Federal payment to the General Services Ad-
14 ministration (GSA), \$1,000,000 to reimburse Fairfax
15 County, Virginia for the remediation of asbestos on the
16 former site of the Lorton Correctional Complex: *Provided*,
17 That GSA shall submit to the Committees on Appropria-
18 tions of the House of Representatives and the Senate a
19 report due February 15, 2003, on the activities carried
20 out with such funds.

21 FEDERAL PAYMENT FOR CAPITAL IMPROVEMENTS

22 For a Federal payment to the District of Columbia
23 Fire and Emergency Medical Services Department,
24 \$2,000,000 to repair, renovate, and rehabilitate fire sta-
25 tions in need of capital improvements: *Provided*, That the

1 Department shall submit to the Committees on Appropria-
2 tions of the House of Representatives and the Senate a
3 report due February 15, 2003, on the activities carried
4 out with such funds.

5 FEDERAL PAYMENT FOR SPECIAL EDUCATION

6 For a Federal payment to the District of Columbia
7 Public Education System, \$14,000,000, to remain avail-
8 able until expended, of which \$5,000,000 shall be for spe-
9 cial education transportation services and \$9,000,000
10 shall be for special education satellite facilities located in
11 the District of Columbia.

12 FEDERAL PAYMENT TO THE CREDIT ENHANCEMENT

13 REVOLVING FUND

14 For a Federal payment to the District of Columbia,
15 \$16,000,000, to remain available until expended to be de-
16 posited in, and administered through, the credit enhance-
17 ment revolving fund established pursuant to section
18 603(e) of the Student Loan Marketing Association Reor-
19 ganization Act of 1996, as amended.

20 FEDERAL PAYMENT FOR THE FAMILY LITERACY

21 PROGRAM

22 For a Federal payment to the District of Columbia
23 Child and Family Services Agency, \$5,000,000 for the
24 Family Literacy Program to address the needs of literacy-

1 challenged parents while endowing their children with an
2 appreciation for literacy and strengthening familial ties.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

4 WATER AND SEWER AUTHORITY

5 For a Federal payment to the District of Columbia
6 Water and Sewer Authority, \$50,000,000, to remain avail-
7 able until expended, to begin implementing the Combined
8 Sewer Overflow Long-Term Plan: *Provided*, That the Dis-
9 trict of Columbia Water and Sewer Authority shall provide
10 a 100 percent match in fiscal year 2003.

11 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

12 FOR CAPITAL DEVELOPMENT

13 For a Federal payment to the District of Columbia
14 for Capital Development, \$24,298,000, to remain available
15 until expended, of which \$150,000 shall be for renovations
16 at Eastern Market; \$5,000,000 shall be for a full service
17 forensic laboratory to improve the quality of service in the
18 District by consolidating criminal investigation functions
19 and assessments of public health and safety threats; and
20 \$19,148,000 shall be for the Unified Communications
21 Center.

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 2003 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 \$6,434,709,000 (of which \$3,783,948,000 shall be from
17 local funds, \$1,770,948,000 shall be from Federal funds,
18 and \$879,813,000 shall be from other funds): *Provided*
19 *further*, That this amount may be increased by proceeds
20 of one-time transactions, which are expended for emer-
21 gency or unanticipated operating or capital needs: *Pro-*
22 *vided further*, That such increases shall be approved by
23 enactment of local District law and shall comply with all
24 reserve requirements contained in the District of Columbia
25 Home Rule Act as amended by this Act: *Provided further*,

1 That the Chief Financial Officer of the District of Colum-
2 bia shall take such steps as are necessary to assure that
3 the District of Columbia meets these requirements, includ-
4 ing the apportioning by the Chief Financial Officer of the
5 appropriations and funds made available to the District
6 during fiscal year 2003, except that the Chief Financial
7 Officer may not reprogram for operating expenses any
8 funds derived from bonds, notes, or other obligations
9 issued for capital projects.

10 GOVERNMENTAL DIRECTION AND SUPPORT

11 Governmental direction and support, \$303,586,000
12 (including \$225,234,000 from local funds, \$60,004,000
13 from Federal funds, and \$18,348,000 from other funds):
14 *Provided*, That not to exceed \$2,500 for the Mayor,
15 \$2,500 for the Chairman of the Council of the District
16 of Columbia, \$2,500 for the City Administrator, and
17 \$2,500 for the Office of the Chief Financial Officer shall
18 be available from this appropriation for official purposes:
19 *Provided further*, That any program fees collected from the
20 issuance of debt shall be available for the payment of ex-
21 penses of the debt management program of the District
22 of Columbia: *Provided further*, That no revenues from
23 Federal sources shall be used to support the operations
24 or activities of the Statehood Commission and Statehood
25 Compact Commission: *Provided further*, That the District

1 of Columbia shall identify the sources of funding for Ad-
2 mission to Statehood from its own locally generated reve-
3 nues: *Provided further*, That notwithstanding any other
4 provision of law, or Mayor's Order 86-45, issued March
5 18, 1986, the Office of the Chief Technology Officer's del-
6 egated small purchase authority shall be \$500,000: *Pro-*
7 *vided further*, That the District of Columbia government
8 may not require the Office of the Chief Technology Officer
9 to submit to any other procurement review process, or to
10 obtain the approval of or be restricted in any manner by
11 any official or employee of the District of Columbia gov-
12 ernment, for purchases that do not exceed \$500,000: *Pro-*
13 *vided further*, That not to exceed \$500,000 of the funds
14 in the District of Columbia Antitrust Fund established
15 pursuant to section 2 of the District of Columbia Antitrust
16 Act of 1980 (D.C. Law 3-169; D.C. Official Code, sec.
17 28-4516), not to exceed \$100,000 of the funds in the
18 Antifraud Fund established pursuant to section 820 of the
19 District of Columbia Procurement Practices Act of 1985
20 (D.C. Law 6-85; D.C. Official Code, sec. 2-308.20), and
21 not to exceed \$910,000 of the funds in the District of Co-
22 lumbia Consumer Protection Fund established pursuant
23 to section 1402 of the District of Columbia Budget Sup-
24 port Act for fiscal year 2001 (D.C. Law 13-172; D.C. Of-
25 ficial Code, sec. 28-3911) are hereby made available for

1 the use of the Office of the Corporation Counsel of the
2 District of Columbia until September 30, 2004, in accord-
3 ance with the laws establishing these funds.

4 ECONOMIC DEVELOPMENT AND REGULATION

5 Economic development and regulation, \$258,539,000
6 (including \$64,553,000 from local funds, \$97,796,000
7 from Federal funds, and \$96,190,000 from other funds),
8 of which \$15,000,000 collected by the District of Colum-
9 bia in the form of BID tax revenue shall be paid to the
10 respective BIDs pursuant to the Business Improvement
11 Districts Act of 1996 (D.C. Law 11-134; D.C. Official
12 Code, sec. 2-1215.01 et seq.), and the Business Improve-
13 ment Districts Amendment Act of 1997 (D.C. Law 12-
14 26; D.C. Official Code, sec. 2-1215.15 et seq.): *Provided*,
15 That such funds are available for acquiring services pro-
16 vided by the General Services Administration: *Provided*
17 *further*, That Business Improvement Districts shall be ex-
18 empt from taxes levied by the District of Columbia: *Pro-*
19 *vided further*, That \$725,000, of which no amount may
20 be expended for administrative expenses, shall be available
21 to the Department of Employment Services when the
22 Council Committee on Public Services approves a spending
23 plan prepared and submitted, by the agency, to the Com-
24 mittee on Public Services for its approval.

1 PUBLIC SAFETY AND JUSTICE

2 Public safety and justice, \$639,892,000 (including
3 \$620,039,000 from local funds, \$11,329,000 from Federal
4 funds, and \$8,524,000 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 not less than
8 \$240,000 shall be for the Corrections Information Coun-
9 cil, established by section 11201(g) of the National Capital
10 Revitalization and Self-Government Improvement Act of
11 1997 (D.C. Official Code, sec. 24–101(h)), to support its
12 operations and perform its duties: *Provided further*, That
13 not less than \$169,000 shall be for the Criminal Justice
14 Coordinating Council, established by the Criminal Justice
15 Coordinating Council for the District of Columbia Estab-
16 lishment Act of 2001 (D.C. Law 14–28; D.C. Official
17 Code, sec. 22–4231 et seq.), to support its operations and
18 perform its duties: *Provided further*, That the Mayor shall
19 reimburse the District of Columbia National Guard for ex-
20 penses incurred in connection with services that are per-
21 formed in emergencies by the National Guard in a militia
22 status and are requested by the Mayor, in amounts that
23 shall be jointly determined and certified as due and pay-
24 able for these services by the Mayor and the Commanding
25 General of the District of Columbia National Guard: *Pro-*

1 *vided further*, That such sums as may be necessary for
2 reimbursement to the District of Columbia National
3 Guard under the preceding proviso shall be available from
4 this appropriation, and the availability of the sums shall
5 be deemed as constituting payment in advance for emer-
6 gency services involved.

7 PUBLIC EDUCATION SYSTEM

8 (INCLUDING TRANSFER OF FUNDS)

9 Public education system, including the development
10 of national defense education programs, \$1,257,201,000
11 (including \$980,206,000 from local funds, \$218,470,000
12 from Federal funds, \$31,525,000 from other funds, and
13 not to exceed \$27,000,000 from the Medicaid and Special
14 Education Reform Fund established pursuant to the Med-
15 icaid and Special Education Reform Fund Establishment
16 Act of 2002 (D.C. Act 14–403)), \$17,000,000 from local
17 funds, previously appropriated in this Act as a Federal
18 payment, and such sums as may be derived from interest
19 earned on funds contained in the dedicated account estab-
20 lished by the Chief Financial Officer of the District of Co-
21 lumbia, for resident tuition support at public and private
22 institutions of higher learning for eligible District of Co-
23 lumbia residents, to be allocated as follows:

24 (1) DISTRICT OF COLUMBIA PUBLIC
25 SCHOOLS.—\$944,157,000 (including \$743,715,000

1 from local funds, \$161,800,000 from Federal funds,
2 \$11,642,000 from other funds, and not to exceed
3 \$27,000,000 from the Medicaid and Special Edu-
4 cation Reform Fund established pursuant to the
5 Medicaid and Special Education Reform Fund Es-
6 tablishment Act of 2002 (D.C. Act 14–403)) shall be
7 available for District of Columbia Public Schools:
8 *Provided*, That notwithstanding any other provision
9 of law, rule, or regulation, the evaluation process
10 and instruments for evaluating District of Columbia
11 Public School employees shall be a non-negotiable
12 item for collective bargaining purposes: *Provided fur-*
13 *ther*, That this appropriation shall not be available
14 to subsidize the education of any nonresident of the
15 District of Columbia at any District of Columbia
16 public elementary and secondary school during fiscal
17 year 2003 unless the nonresident pays tuition to the
18 District of Columbia at a rate that covers 100 per-
19 cent of the costs incurred by the District of Colum-
20 bia which are attributable to the education of the
21 nonresident (as established by the Superintendent of
22 the District of Columbia Public Schools: *Provided*
23 *further*, That notwithstanding the amounts otherwise
24 provided under this heading or any other provision
25 of law, there shall be appropriated to the District of

1 Columbia Public Schools on July 1, 2003, an
2 amount equal to 10 percent of the total amount pro-
3 vided for the District of Columbia Public Schools in
4 the proposed budget of the District of Columbia for
5 fiscal year 2004 (as submitted to Congress), and the
6 amount of such payment shall be chargeable against
7 the final amount provided for the District of Colum-
8 bia Public Schools under the District of Columbia
9 Appropriations Act, 2004: *Provided further*, That the
10 District of Columbia Public Schools shall not spend
11 less than \$496,000,000 in the “Schools” responsi-
12 bility centers, including 5100 (Elementary Schools),
13 6300 (Middle/Junior High Schools), 7100 (Senior
14 High Schools), 7700 (Charter and Private Schools),
15 and 7800 (other School Based Services): *Provided*
16 *further*, That \$16,800,000 shall be for negotiated
17 teacher wage increases: *Provided further*, That not to
18 exceed \$2,500 for the Superintendent of Schools
19 shall be available from this appropriation for official
20 purposes.

21 (2) STATE EDUCATION OFFICE.—\$49,687,000
22 (including \$22,594,000 from local funds,
23 \$26,917,000 from Federal funds, and \$176,000
24 from other funds), shall be available for the State
25 Education Office: *Provided*, That of the amounts

1 provided to the State Education Office, \$500,000
2 from local funds shall remain available until June
3 30, 2004 for an audit of the student enrollment of
4 each District of Columbia Public School and of each
5 District of Columbia public charter school.

6 (3) DISTRICT OF COLUMBIA PUBLIC CHARTER
7 SCHOOLS.—\$148,865,000 (including \$132,865,000
8 from local funds and \$16,000,000 from Federal
9 funds) shall be available for District of Columbia
10 public charter schools: *Provided*, That there shall be
11 quarterly disbursement of funds to the District of
12 Columbia public charter schools, with the first pay-
13 ment to occur within 15 days of the beginning of the
14 fiscal year: *Provided further*, That if the entirety of
15 this allocation has not been provided as payments to
16 any public charter school currently in operation
17 through the per pupil funding formula, the funds
18 shall be available for public education in accordance
19 with section 2403(b)(2) of the District of Columbia
20 School Reform Act of 1995 (D.C. Official Code, sec.
21 38–1804.03(b)(2)): *Provided further*, That of the
22 amounts made available to District of Columbia pub-
23 lic charter schools, \$25,000 shall be made available
24 to the Office of the Chief Financial Officer as au-
25 thorized by section 2403(b)(5) of the District of Co-

1 olumbia School Reform Act of 1995 (D.C. Official
2 Code, sec. 38–1804.03(b)(6)): *Provided further*, That
3 \$589,000 of this amount shall be available to the
4 District of Columbia Public Charter School Board
5 for administrative costs: *Provided further*, That not-
6 withstanding the amounts otherwise provided under
7 this heading or any other provision of law, there
8 shall be appropriated to the District of Columbia
9 Public Charter Schools on July 1, 2003, an amount
10 equal to 25 percent of the total amount provided for
11 payments to public charter schools in the proposed
12 budget of the District of Columbia for fiscal year
13 2004 (as submitted to Congress), and the amount of
14 such payment shall be chargeable against the final
15 amount provided for such payments under the Dis-
16 trict of Columbia Appropriations Act, 2004.

17 (4) UNIVERSITY OF THE DISTRICT OF COLUM-
18 BIA.—\$83,990,000 (including \$52,272,000 from
19 local funds, \$12,668,000 from Federal funds, and
20 \$19,050,000 from other funds) shall be available for
21 the University of the District of Columbia: *Provided*,
22 That this appropriation shall not be available to sub-
23 sidize the education of nonresidents of the District
24 of Columbia at the University of the District of Co-
25 lumbia, unless the Board of Trustees of the Univer-

1 sity of the District of Columbia adopts, for the fiscal
2 year ending September 30, 2003, a tuition rate
3 schedule that will establish the tuition rate for non-
4 resident students at a level no lower than the non-
5 resident tuition rate charged at comparable public
6 institutions of higher education in the metropolitan
7 area: *Provided further*, That notwithstanding the
8 amounts otherwise provided under this heading or
9 any other provision of law, there shall be appro-
10 priated to the University of the District of Columbia
11 on July 1, 2003, an amount equal to 10 percent of
12 the total amount provided for the University of the
13 District of Columbia in the proposed budget of the
14 District of Columbia for fiscal year 2004 (as sub-
15 mitted to Congress), and the amount of such pay-
16 ment shall be chargeable against the final amount
17 provided for the University of the District of Colum-
18 bia under the District of Columbia Appropriations
19 Act, 2004: *Provided further*, That not to exceed
20 \$2,500 for the President of the University of the
21 District of Columbia shall be available from this ap-
22 propriation for official purposes.

23 (5) DISTRICT OF COLUMBIA PUBLIC LIBRARAR-
24 IES.—\$28,150,000 (including \$27,003,000 from
25 local funds, \$610,000 from Federal funds, and

1 \$537,000 from other funds) shall be available for
2 the District of Columbia Public Libraries: *Provided*,
3 That not to exceed \$2,000 for the Public Librarian
4 shall be available from this appropriation for official
5 purposes.

6 (6) COMMISSION ON THE ARTS AND HUMAN-
7 ITIES.—\$2,352,000 (including \$1,757,000 from local
8 funds, \$475,000 from Federal funds, and \$120,000
9 from other funds) shall be available for the Commis-
10 sion on the Arts and Humanities.

11 HUMAN SUPPORT SERVICES

12 (INCLUDING TRANSFER OF FUNDS)

13 Human support services, \$2,474,297,000 (including
14 \$1,019,763,000 from local funds, \$1,378,680,000 from
15 Federal funds, \$52,987,000 from other funds, and
16 \$22,867,000 from the Medicaid and Special Education
17 Reform Fund established pursuant to the Medicaid and
18 Special Education Reform Fund Establishment Act of
19 2002 (D.C. Act 14–403)): *Provided*, That the funds avail-
20 able from the Medicaid and Special Education Reform
21 Fund are allocated as follows: \$7,072,000 for Child and
22 Family Services, \$5,795,000 for the Department of
23 Human Services, and \$10,000,000 for the Department of
24 Mental Health: *Provided further*, That \$1,000,000 of this
25 appropriation shall be available to the Department of

1 Health to support smoking cessation efforts: *Provided fur-*
2 *ther*, That \$27,959,000 of this appropriation, to remain
3 available until expended, shall be available solely for Dis-
4 trict of Columbia employees' disability compensation: *Pro-*
5 *vided further*, That \$7,000,000 of this appropriation, to
6 remain available until expended, shall be deposited in the
7 Addiction Recovery Fund, established pursuant to section
8 5 of the Choice in Drug Treatment Act of 2000 (D.C.
9 Law 13–146; D.C. Official Code, sec. 7–3004) and used
10 exclusively for the purpose of the Drug Treatment Choice
11 Program established pursuant to section 4 of the Choice
12 in Drug Treatment Act of 2000 (D.C. Law 13–146; D.C.
13 Official Code, sec. 7–3003): *Provided further*, That no less
14 than \$2,000,000 of this appropriation shall be available
15 exclusively for the purpose of funding the pilot substance
16 abuse program for youth ages 16 through 21 years estab-
17 lished pursuant to section 4212 of the Pilot Substance
18 Abuse Program for Youth Act of 2001 (D.C. Law 14–
19 28; D.C. Official Code, sec. 7–3101): *Provided further*,
20 That \$7,309,000 of this appropriation, to remain available
21 until expended, shall be deposited in the Interim Disability
22 Assistance Fund established pursuant to section 201 of
23 the District of Columbia Public Assistance Act of 1982
24 (D.C. Law 4–101; D.C. Official Code, sec. 4–202.01), to
25 be used exclusively for the Interim Disability Assistance

1 program and the purposes for that program set forth in
2 section 407 of the District of Columbia Public Assistance
3 Act of 1982 (D.C. Law 13–252; D.C. Official Code, sec.
4 4–204.07): *Provided further*, That no less than \$500,000
5 of this appropriation shall be available exclusively for the
6 Mobile Crisis Intervention Program for Kids: *Provided*
7 *further*, That the amount available under this heading in
8 Public Law 107–96 for Interim Disability Assistance shall
9 remain available until expended.

10 PUBLIC WORKS

11 Public works, including rental of one passenger-car-
12 rying vehicle for use by the Mayor and three passenger-
13 carrying vehicles for use by the Council of the District of
14 Columbia and leasing of passenger-carrying vehicles,
15 \$324,828,000 (including \$309,834,000 from local funds,
16 \$4,669,000 from Federal funds, and \$10,325,000 from
17 other funds): *Provided*, That this appropriation shall not
18 be available for collecting ashes or miscellaneous refuse
19 from hotels and places of business.

20 RESERVE

21 For replacement of funds expended, if any, during
22 fiscal year 2002 from the budget reserve established pur-
23 suant to section 202(j) of the District of Columbia Finan-
24 cial Responsibility and Management Assistance Act of

1 1995 (D.C. Official Code, sec. 47-392.02(j)), \$70,000,000
2 from local funds.

3 EMERGENCY AND CONTINGENCY RESERVE FUNDS

4 For the emergency reserve fund and the contingency
5 reserve fund under section 450A of the District of Colum-
6 bia Home Rule Act (D.C. Official Code, sec. 1-204.50a),
7 such amounts from local funds as are necessary to meet
8 the fiscal year 2003 minimum balance requirements for
9 such funds under such section.

10 REPAYMENT OF LOANS AND INTEREST

11 For payment of principal, interest, and certain fees
12 directly resulting from borrowing by the District of Co-
13 lumbia to fund District of Columbia capital projects as
14 authorized by sections 462, 475, and 490 of the District
15 of Columbia Home Rule Act (D.C. Official Code, secs. 1-
16 204.62, 1-204.75, and 1-204.90), \$267,451,000 from
17 local funds: *Provided*, That for equipment leases, the
18 Mayor may finance \$14,300,000 of equipment cost, plus
19 cost of issuance not to exceed two percent of the par
20 amount being financed on a lease purchase basis with a
21 maturity not to exceed five years.

22 REPAYMENT OF GENERAL FUND RECOVERY DEBT

23 For the purpose of eliminating the \$331,589,000
24 general fund accumulated deficit as of September 30,
25 1990, \$39,300,000 from local funds, as authorized by sec-

1 tion 461(a) of the District of Columbia Home Rule Act
2 (D.C. Official Code, sec. 1–204.61(a)).

3 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

4 For payment of interest on short-term borrowing,
5 \$1,000,000 from local funds.

6 CERTIFICATES OF PARTICIPATION

7 For principal and interest payments on the District’s
8 Certificates of Participation, issued to finance the ground
9 lease underlying the building located at One Judiciary
10 Square, \$7,950,000 from local funds.

11 SETTLEMENTS AND JUDGMENTS

12 For making refunds and for the payment of legal set-
13 tlements or judgments that have been entered against the
14 District of Columbia government, \$22,822,000: *Provided*,
15 That this appropriation shall not be construed as modi-
16 fying or affecting the provisions of section 103 of this Act.

17 WILSON BUILDING

18 For expenses associated with the John A. Wilson
19 Building, \$4,194,000 from local funds.

20 WORKFORCE INVESTMENTS

21 For workforce investments, \$54,186,000 from local
22 funds, to be transferred by the Mayor of the District of
23 Columbia within the various appropriation headings in
24 this Act for which employees are properly payable.

1 TOBACCO SETTLEMENT TRUST FUND

2 For Tobacco Settlement Trust Fund, \$10,000,000
3 from local funds.

4 NON-DEPARTMENTAL AGENCY

5 To account for anticipated costs that cannot be allo-
6 cated to specific agencies during the development of the
7 proposed budget, including anticipated employee health in-
8 surance cost increases and contract security costs,
9 \$5,799,000 from local funds.

10 PAY-AS-YOU-GO CAPITAL

11 For Pay-As-You-Go Capital funds in lieu of capital
12 financing, \$16,750,000, to be transferred to the Capital
13 Fund pursuant to the Criteria for Spending Pay-As-You-
14 Go Funding Act of 2002 (D.C. Act 14–403). Pursuant
15 to that Act, there are authorized to be transferred from
16 Pay-As-You-Go Capital funds to other headings of this
17 Act, as necessary to carry out the purposes of that Act.

18 EMERGENCY PLANNING AND SECURITY COSTS

19 For necessary expenses, as determined by the Mayor
20 of the District of Columbia in written consultation with
21 the elected county or city officials of surrounding jurisdic-
22 tions, \$15,000,000, from funds previously appropriated in
23 this Act as a Federal payment, to remain available until
24 expended, to reimburse the District of Columbia for the
25 costs of public safety expenses related to National Special

1 Security Events in the District of Columbia and for the
2 costs of providing support to respond to immediate and
3 specific terrorist threats or attacks in the District of Co-
4 lumbia or surrounding jurisdictions: *Provided*, That any
5 amount provided under this heading shall be available only
6 after notice of its proposed use has been transmitted by
7 the President to Congress and such amount has been ap-
8 portioned pursuant to chapter 15 of title 31, United
9 States Code.

10 ENTERPRISE AND OTHER FUNDS

11 WATER AND SEWER AUTHORITY

12 For operation of the Water and Sewer Authority,
13 \$253,743,000 from other funds, of which \$43,800,000
14 shall be apportioned for repayment of loans and interest
15 incurred for capital improvement projects (\$18,094,000
16 payable to the District's debt service fund and
17 \$25,706,000 payable for other debt service).

18 For construction projects, \$342,458,000, to be dis-
19 tributed as follows: \$213,669,000 for the Blue Plains
20 Wastewater Treatment Plant, \$24,539,000 for the sewer
21 program, \$6,561,000 for the combined sewer program,
22 \$50,000,000 Federal payment for the Combined Sewer
23 Overflow Long-Term Plan, \$5,635,000 for the stormwater
24 program, \$34,054,000 for the water program, and
25 \$8,000,000 for the capital equipment program: *Provided*,

1 That the requirements and restrictions that are applicable
2 to general fund capital improvement projects and set forth
3 in this Act under the Capital Outlay appropriation account
4 shall apply to projects approved under this appropriation
5 account.

6 WASHINGTON AQUEDUCT

7 For operation of the Washington Aqueduct,
8 \$57,847,000 from other funds.

9 STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

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

12 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

13 For the Lottery and Charitable Games Enterprise
14 Fund, established by the District of Columbia Appropria-
15 tion Act, 1982, for the purpose of implementing the Law
16 to Legalize Lotteries, Daily Numbers Games, and Bingo
17 and Raffles for Charitable Purposes in the District of Co-
18 lumbia (D.C. Law 3-172; D.C. Official Code, sec. 3-1301
19 et seq. and sec. 22-1716 et seq.), \$232,881,000: *Provided*,
20 That the District of Columbia shall identify the source of
21 funding for this appropriation title from the District's own
22 locally generated revenues: *Provided further*, That no reve-
23 nues from Federal sources shall be used to support the
24 operations or activities of the Lottery and Charitable
25 Games Control Board.

1 SPORTS AND ENTERTAINMENT COMMISSION

2 For the Sports and Entertainment Commission,
3 \$15,510,000 from other funds.

4 DISTRICT OF COLUMBIA RETIREMENT BOARD

5 For the District of Columbia Retirement Board, es-
6 tablished pursuant to section 121 of the District of Colum-
7 bia Retirement Reform Act of 1979 (D.C. Official Code,
8 sec. 1-711), \$13,388,000 from the earnings of the appli-
9 cable retirement funds to pay legal, management, invest-
10 ment, and other fees and administrative expenses of the
11 District of Columbia Retirement Board: *Provided*, That
12 the District of Columbia Retirement Board shall provide
13 to the Congress and to the Council of the District of Co-
14 lumbia a quarterly report of the allocations of charges by
15 fund and of expenditures of all funds: *Provided further*,
16 That the District of Columbia Retirement Board shall pro-
17 vide the Mayor, for transmittal to the Council of the Dis-
18 trict of Columbia, an itemized accounting of the planned
19 use of appropriated funds in time for each annual budget
20 submission and the actual use of such funds in time for
21 each annual audited financial report.

22 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

23 For the Washington Convention Center Enterprise
24 Fund, \$78,700,000 from other funds.

1 NATIONAL CAPITAL REVITALIZATION CORPORATION

2 For the National Capital Revitalization Corporation,
3 \$6,745,000 from other funds.

4 CAPITAL OUTLAY

5 (INCLUDING RESCISSIONS)

6 For construction projects, an increase of
7 \$920,358,908, of which \$538,096,996 shall be from local
8 funds, \$48,131,855 from Highway Trust funds, and
9 \$334,130,057 from Federal funds, and a rescission of
10 \$253,991,128 from local funds appropriated under this
11 heading in prior fiscal years, for a net amount of
12 \$666,367,780, 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 the District of Co-
20 lumbia Public Libraries shall allocate capital funds, from
21 existing resources, in fiscal year 2003 for the planning and
22 design of a new Francis Gregory Public Library.

23 GENERAL PROVISIONS

24 SEC. 101. Whenever in this Act, an amount is speci-
25 fied within an appropriation for particular purposes or ob-

1 jects of expenditure, such amount, unless otherwise speci-
2 fied, shall be considered as the maximum amount that
3 may be expended for said purpose or object rather than
4 an amount set apart exclusively therefor.

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

12 SEC. 103. There are appropriated from the applicable
13 funds of the District of Columbia such sums as may be
14 necessary for making refunds and for the payment of legal
15 settlements or judgments that have been entered against
16 the District of Columbia government: *Provided*, That
17 nothing contained in this section shall be construed as
18 modifying or affecting the provisions of section 11(c)(3)
19 of title XII of the District of Columbia Income and Fran-
20 chise Tax Act of 1947 (D.C. Official Code, sec. 47-
21 1812.11(c)(3)).

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

1 SEC. 105. No funds appropriated in this Act or any
2 subsequent Acts for the District of Columbia government
3 for the operation of educational institutions, the com-
4 pensation of personnel, or for other educational purposes
5 may be used to permit, encourage, facilitate, or further
6 partisan political activities. Nothing herein is intended to
7 prohibit the availability of school buildings for the use of
8 any community or partisan political group during non-
9 school hours.

10 SEC. 106. None of the funds appropriated in this Act
11 shall be made available to pay the salary of any employee
12 of the District of Columbia government whose name, title,
13 grade, and salary are not available for inspection by the
14 Committees on Appropriations of the House of Represent-
15 atives and Senate, the Committee on Government Reform
16 of the House of Representatives, the Committee on Gov-
17 ernmental Affairs of the Senate, and the Council of the
18 District of Columbia, or their duly authorized representa-
19 tive.

20 SEC. 107. (a) Except as provided in subsection (b),
21 no part of this appropriation shall be used for publicity
22 or propaganda purposes or implementation of any policy
23 including boycott designed to support or defeat legislation
24 pending before Congress or any State legislature.

1 (b) The District of Columbia may use local funds pro-
2 vided in this Act to carry out lobbying activities on any
3 matter other than—

4 (1) the promotion or support of any boycott; or

5 (2) statehood for the District of Columbia or
6 voting representation in Congress for the District of
7 Columbia.

8 (c) Nothing in this section may be construed to pro-
9 hibit any elected official from advocating with respect to
10 any of the issues referred to in subsection (b).

11 SEC. 108. At the start of fiscal year 2003 and any
12 subsequent fiscal year, the Mayor shall develop an annual
13 plan, by quarter and by project, for capital outlay bor-
14 rowings: *Provided*, That within a reasonable time after the
15 close of each quarter, the Mayor shall report to the Coun-
16 cil of the District of Columbia and the Committees on Ap-
17 propriations of the House of Representatives and Senate
18 the actual borrowings and spending progress compared
19 with projections.

20 SEC. 109. (a) None of the funds provided under this
21 Act to the agencies funded by this Act, both Federal and
22 District government agencies, that remain available for
23 obligation or expenditure in fiscal year 2003, or provided
24 from any accounts in the Treasury of the United States
25 derived by the collection of fees available to the agencies

1 funded by this Act, shall be available for obligation or ex-
2 penditure for an agency through a reprogramming of
3 funds which—

4 (1) creates new programs;

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

7 (3) establishes or changes allocations specifi-
8 cally denied, limited or increased under this Act;

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

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

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

18 (7) increases by 20 percent or more personnel
19 assigned to a specific program, project or responsi-
20 bility center;

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

24 (b) None of the local funds contained in this Act may
25 be available for obligation or expenditure for an agency

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

8 SEC. 110. Consistent with the provisions of section
9 1301(a) of title 31, United States Code, appropriations
10 under this Act shall be applied only to the objects for
11 which the appropriations were made except as otherwise
12 provided by law.

13 SEC. 111. Notwithstanding any other provisions of
14 law, the provisions of the District of Columbia Govern-
15 ment Comprehensive Merit Personnel Act of 1978 (D.C.
16 Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.),
17 enacted pursuant to section 422(3) of the District of Co-
18 lumbia Home Rule Act (D.C. Official Code, sec. 1–
19 204.22(3)), shall apply with respect to the compensation
20 of District of Columbia employees: *Provided*, That for pay
21 purposes, employees of the District of Columbia govern-
22 ment shall not be subject to the provisions of title 5,
23 United States Code.

24 SEC. 112. No later than 30 days after the end of the
25 first quarter of fiscal year 2003, the Mayor of the District

1 of Columbia shall submit to the Council of the District
2 of Columbia and the Committees on Appropriations of the
3 House of Representatives and Senate the new fiscal year
4 2003 revenue estimates as of the end of such quarter.
5 These estimates shall be used in the budget request for
6 fiscal year 2004. The officially revised estimates at mid-
7 year shall be used for the midyear report.

8 SEC. 113. At the start of fiscal year 2003 and any
9 subsequent fiscal year, no sole source contract with the
10 District of Columbia government or any agency thereof
11 may be renewed or extended without opening that contract
12 to the competitive bidding process as set forth in section
13 303 of the District of Columbia Procurement Practices
14 Act of 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–
15 303.03), except that the District of Columbia government
16 or any agency thereof may renew or extend sole source
17 contracts for which competition is not feasible or practical,
18 but only if the determination as to whether to invoke the
19 competitive bidding process has been made in accordance
20 with duly promulgated rules and procedures and has been
21 reviewed and certified by the Chief Financial Officer of
22 the District of Columbia.

23 SEC. 114. (a) In the event a sequestration order is
24 issued pursuant to the Balanced Budget and Emergency
25 Deficit Control Act of 1985 after the amounts appro-

1 priated to the District of Columbia for the fiscal year in-
2 volved have been paid to the District of Columbia, the
3 Mayor of the District of Columbia shall pay to the Sec-
4 retary of the Treasury, within 15 days after receipt of a
5 request therefor from the Secretary of the Treasury, such
6 amounts as are sequestered by the order: *Provided*, That
7 the sequestration percentage specified in the order shall
8 be applied proportionately to each of the Federal appro-
9 priation accounts in this Act that are not specifically ex-
10 empted from sequestration by such Act.

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

21 SEC. 115. (a)(1) An entity of the District of Colum-
22 bia government may accept and use a gift or donation dur-
23 ing fiscal year 2003 and any subsequent fiscal year if—

1 (A) the Mayor approves the acceptance and use
2 of the gift or donation (except as provided in para-
3 graph (2)); and

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

6 (2) The Council of the District of Columbia and the
7 District of Columbia courts may accept and use gifts with-
8 out prior approval by the Mayor.

9 (b) Each entity of the District of Columbia govern-
10 ment shall keep accurate and detailed records of the ac-
11 ceptance and use of any gift or donation under subsection
12 (a), and shall make such records available for audit and
13 public inspection.

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

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

22 SEC. 116. None of the Federal funds provided in this
23 Act may be used by the District of Columbia to provide
24 for salaries, expenses, or other costs associated with the
25 offices of United States Senator or United States Rep-

1 resentative under section 4(d) of the District of Columbia
2 Statehood Constitutional Convention Initiatives of 1979
3 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

4 SEC. 117. None of the funds appropriated under this
5 Act shall be expended for any abortion except where the
6 life of the mother would be endangered if the fetus were
7 carried to term or where the pregnancy is the result of
8 an act of rape or incest.

9 SEC. 118. None of the Federal funds made available
10 in this Act may be used to implement or enforce the
11 Health Care Benefits Expansion Act of 1992 (D.C. Law
12 9–114; D.C. Official Code, sec. 32–701 et seq.) or to oth-
13 erwise implement or enforce any system of registration of
14 unmarried, cohabiting couples, including but not limited
15 to registration for the purpose of extending employment,
16 health, or governmental benefits to such couples on the
17 same basis that such benefits are extended to legally mar-
18 ried couples.

19 SEC. 119. (a) Notwithstanding any other provision
20 of this Act, the Mayor, in consultation with the Chief Fi-
21 nancial Officer of the District of Columbia may accept,
22 obligate, and expend Federal, private, and other grants
23 received by the District government that are not reflected
24 in the amounts appropriated in this Act.

1 (b) No such Federal, private, or other grant may be
2 accepted, obligated, or expended pursuant to subsection
3 (a) until—

4 (1) the Chief Financial Officer of the District
5 of Columbia submits to the Council a report setting
6 forth detailed information regarding such grant; and

7 (2) the Council within 15 calendar days after
8 receipt of the report submitted under paragraph (1)
9 has reviewed and approved the acceptance, obliga-
10 tion, and expenditure of such grant.

11 (c) No amount may be obligated or expended from
12 the general fund or other funds of the District of Colum-
13 bia government in anticipation of the approval or receipt
14 of a grant under subsection (b)(2) or in anticipation of
15 the approval or receipt of a Federal, private, or other
16 grant not subject to such subsection.

17 (d) The Chief Financial Officer of the District of Co-
18 lumbia shall prepare a quarterly report setting forth de-
19 tailed information regarding all Federal, private, and
20 other grants subject to this section. Each such report shall
21 be submitted to the Council of the District of Columbia
22 and to the Committees on Appropriations of the House
23 of Representatives and the Senate not later than 15 days
24 after the end of the quarter covered by the report.

1 SEC. 120. (a) Except as otherwise provided in this
2 section, none of the funds made available by this Act or
3 by any other Act may be used to provide any officer or
4 employee of the District of Columbia with an official vehi-
5 cle unless the officer or employee uses the vehicle only in
6 the performance of the officer's or employee's official du-
7 ties. For purposes of this paragraph, the term "official
8 duties" does not include travel between the officer's or em-
9 ployee's residence and workplace, except in the case of—

10 (1) an officer or employee of the Metropolitan
11 Police Department who resides in the District of Co-
12 lumbia or is otherwise designated by the Chief of the
13 Department;

14 (2) at the discretion of the Fire Chief, an offi-
15 cer or employee of the District of Columbia Fire and
16 Emergency Medical Services Department who re-
17 sides in the District of Columbia and is on call 24
18 hours a day;

19 (3) the Mayor of the District of Columbia; and

20 (4) the Chairman of the Council of the District
21 of Columbia.

22 (b) The Chief Financial Officer of the District of Co-
23 lumbia shall submit by November 15, 2002 an inventory,
24 as of September 30, 2002, of all vehicles owned, leased
25 or operated by the District of Columbia government. The

1 inventory shall include, but not be limited to, the depart-
2 ment to which the vehicle is assigned; the year and make
3 of the vehicle; the acquisition date and cost; the general
4 condition of the vehicle; annual operating and mainte-
5 nance costs; current mileage; and whether the vehicle is
6 allowed to be taken home by a District officer or employee
7 and if so, the officer or employee's title and resident loca-
8 tion.

9 SEC. 121. No officer or employee of the District of
10 Columbia government (including any independent agency
11 of the District of Columbia, but excluding the Office of
12 the Chief Technology Officer, the Office of the Chief Fi-
13 nancial Officer of the District of Columbia, and the Metro-
14 politan Police Department) may enter into an agreement
15 in excess of \$2,500 for the procurement of goods or serv-
16 ices on behalf of any entity of the District government
17 until the officer or employee has conducted an analysis
18 of how the procurement of the goods and services involved
19 under the applicable regulations and procedures of the
20 District government would differ from the procurement of
21 the goods and services involved under the Federal supply
22 schedule and other applicable regulations and procedures
23 of the General Services Administration, including an anal-
24 ysis of any differences in the costs to be incurred and the
25 time required to obtain the goods or services.

1 SEC. 122. 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 2003 unless—

5 (1) the audit is conducted by the Inspector
6 General of the District of Columbia, in coordination
7 with the Chief Financial Officer of the District of
8 Columbia, pursuant to section 208(a)(4) of the Dis-
9 trict of Columbia Procurement Practices Act of
10 1985 (D.C. Official Code, sec. 2–302.8); and

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

19 SEC. 123. (a) None of the funds contained in this
20 Act may be used by the District of Columbia Corporation
21 Counsel or any other officer or entity of the District gov-
22 ernment to provide assistance for any petition drive or civil
23 action which seeks to require Congress to provide for vot-
24 ing representation in Congress for the District of Colum-
25 bia.

1 (b) Nothing in this section bars the District of Co-
2 lumbia Corporation Counsel from reviewing or com-
3 menting on briefs in private lawsuits, or from consulting
4 with officials of the District government regarding such
5 lawsuits.

6 SEC. 124. (a) None of the funds contained in this
7 Act may be used for any program of distributing sterile
8 needles or syringes for the hypodermic injection of any ille-
9 gal drug.

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

15 SEC. 125. None of the funds contained in this Act
16 may be used after the expiration of the 60-day period that
17 begins on the date of the enactment of this Act to pay
18 the salary of any chief financial officer of any office of
19 the District of Columbia government (including any inde-
20 pendent agency of the District of Columbia) who has not
21 filed a certification with the Mayor and the Chief Finan-
22 cial Officer of the District of Columbia that the officer
23 understands the duties and restrictions applicable to the
24 officer and the officer's agency as a result of this Act (and
25 the amendments made by this Act), including any duty

1 to prepare a report requested either in the Act or in any
2 of the reports accompanying the Act and the deadline by
3 which each report must be submitted. The Chief Financial
4 Officer of the District of Columbia shall provide to the
5 Committees on Appropriations of the House of Represent-
6 atives and Senate by the 10th day after the end of each
7 quarter a summary list showing each report, the due date,
8 and the date submitted to the Committees.

9 SEC. 126. (a) None of the funds contained in this
10 Act may be used to enact or carry out any law, rule, or
11 regulation to legalize or otherwise reduce penalties associ-
12 ated with the possession, use, or distribution of any sched-
13 ule I substance under the Controlled Substances Act (21
14 U.S.C. 802) or any tetrahydrocannabinols derivative.

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

19 SEC. 127. Nothing in this Act may be construed to
20 prevent the Council or Mayor of the District of Columbia
21 from addressing the issue of the provision of contraceptive
22 coverage by health insurance plans, but it is the intent
23 of Congress that any legislation enacted on such issue
24 should include a “conscience clause” which provides excep-
25 tions for religious beliefs and moral convictions.

1 SEC. 128. (a) If the Superior Court of the District
2 of Columbia or the District of Columbia Court of Appeals
3 does not make a payment described in subsection (b) prior
4 to the expiration of the 45-day period which begins on the
5 date the Court receives a completed voucher for a claim
6 for the payment, interest shall be assessed against the
7 amount of the payment which would otherwise be made
8 to take into account the period which begins on the day
9 after the expiration of such 45-day period and which ends
10 on the day the Court makes the payment.

11 (b) A payment described in this subsection is—

12 (1) a payment authorized under section 11–
13 2604 and section 11–2605, D.C. Official Code (re-
14 lating to representation provided under the District
15 of Columbia Criminal Justice Act);

16 (2) a payment for counsel appointed in pro-
17 ceedings in the Family Court of the Superior Court
18 of the District of Columbia under chapter 23 of title
19 16, D.C. Official Code; or

20 (3) a payment for counsel authorized under sec-
21 tion 21–2060, D.C. Official Code (relating to rep-
22 resentation provided under the District of Columbia
23 Guardianship, Protective Proceedings, and Durable
24 Power of Attorney Act of 1986).

1 (c) The chief judges of the Superior Court of the Dis-
2 trict of Columbia and the District of Columbia Court of
3 Appeals shall establish standards and criteria for deter-
4 mining whether vouchers submitted for claims for pay-
5 ments described in subsection (b) are complete, and shall
6 publish and make such standards and criteria available to
7 attorneys who practice before such Courts.

8 (d) Nothing in this section shall be construed to re-
9 quire the assessment of interest against any claim (or por-
10 tion of any claim) which is denied by the Court involved.

11 (e) This section shall apply with respect to claims re-
12 ceived by the Superior Court of the District of Columbia
13 or the District of Columbia Court of Appeals during fiscal
14 year 2003 and any subsequent fiscal year.

15 SEC. 129. The Mayor of the District of Columbia
16 shall submit to the Committees on Appropriations of the
17 House of Representatives and Senate, the Committee on
18 Government Reform of the House of Representatives, and
19 the Committee on Governmental Affairs of the Senate
20 quarterly reports addressing the following issues—

21 (1) crime, including the homicide rate, imple-
22 mentation of community policing, the number of po-
23 lice officers on local beats, and the closing down of
24 open-air drug markets;

1 (2) access to substance and alcohol abuse treat-
2 ment, including the number of treatment slots, the
3 number of people served, the number of people on
4 waiting lists, and the effectiveness of treatment pro-
5 grams;

6 (3) management of parolees and pre-trial vio-
7 lent offenders, including the number of halfway
8 house escapes and steps taken to improve moni-
9 toring and supervision of halfway house residents to
10 reduce the number of escapes to be provided in con-
11 sultation with the Court Services and Offender Su-
12 pervision Agency for the District of Columbia;

13 (4) education, including access to special edu-
14 cation services and student achievement to be pro-
15 vided in consultation with the District of Columbia
16 Public Schools and the District of Columbia public
17 charter schools;

18 (5) improvement in basic District services, in-
19 cluding rat control and abatement;

20 (6) application for and management of Federal
21 grants, including the number and type of grants for
22 which the District was eligible but failed to apply
23 and the number and type of grants awarded to the
24 District but for which the District failed to spend
25 the amounts received; and

1 (7) indicators of child well-being.

2 SEC. 130. Section 450A(b)(1) of the District of Co-
3 lumbia Home Rule Act (D.C. Official Code, sec. 1-
4 204.50a(b)(1)) is amended by striking “October 1” and
5 inserting “February 15”.

6 SEC. 131. No later than 30 days after the date of
7 the enactment of this Act, the Chief Financial Officer of
8 the District of Columbia shall submit to the appropriate
9 committees of Congress, the Mayor, and the Council of
10 the District of Columbia a revised appropriated funds op-
11 erating budget in the format of the budget that the Dis-
12 trict of Columbia government submitted pursuant to sec-
13 tion 442 of the District of Columbia Home Rule Act (D.C.
14 Official Code, sec. 1-204.42), for all agencies of the Dis-
15 trict of Columbia government for fiscal year 2003 that is
16 in the total amount of the approved appropriation and
17 that realigns all budgeted data for personal services and
18 other-than-personal-services, respectively, with anticipated
19 actual expenditures.

20 SEC. 132. None of the funds contained in this Act
21 may be used to issue, administer, or enforce any order
22 by the District of Columbia Commission on Human Rights
23 relating to docket numbers 93-030-(PA) and 93-031-
24 (PA).

1 SEC. 133. None of the Federal funds made available
2 in this Act may be transferred to any department, agency,
3 or instrumentality of the United States Government, ex-
4 cept pursuant to a transfer made by, or transfer authority
5 provided in, this Act or any other appropriation Act.

6 SEC. 134. All funds from the Crime Victims Com-
7 pensation Fund, established pursuant to section 16 of the
8 Victims of Violent Crime Compensation Act of 1996 (D.C.
9 Law 11–243; D.C. Official Code, sec. 4–514) (“Com-
10 pensation Act”), that are designated for outreach activi-
11 ties pursuant to section 16(d)(2) of the Compensation Act
12 shall be deposited in the Crime Victims Assistance Fund,
13 established pursuant to section 16a of the Compensation
14 Act, for the purpose of outreach activities, and shall re-
15 main available until expended.

16 SEC. 135. Notwithstanding any other law, the Dis-
17 trict of Columbia Courts shall transfer to the general
18 treasury of the District of Columbia all fines levied and
19 collected by the Courts in cases charging Driving Under
20 the Influence and Driving While Impaired. The trans-
21 ferred funds shall remain available until expended and
22 shall be used by the Office of the Corporation Counsel for
23 enforcement and prosecution of District traffic alcohol
24 laws in accordance with section 10(b)(3) of the District

1 of Columbia Traffic Control Act (D.C. Official Code, sec.
2 50–2201.05(b)(3)).

3 SEC. 136. Section 47–363(a–1) of the District of Co-
4 lumbia Official Code is amended by adding at the end the
5 following new paragraph:

6 “(3)(A) After the adoption of the annual budg-
7 et for a fiscal year that is not a control year, no re-
8 programming of amounts in the budget may occur
9 unless—

10 “(i) the Mayor submits a request for such
11 reprogramming to the Council and the Chief
12 Financial Officer of the District of Columbia;

13 “(ii) the Chief Financial Officer transmits
14 to the Council a statement certifying the avail-
15 ability of funds for the reprogramming and con-
16 taining an analysis of the effect of the re-
17 programming on the financial plan and budget
18 for the fiscal year; and

19 “(iii) the Council approves the request
20 after receiving the statement described in clause
21 (ii), but only if any additional expenditures pro-
22 vided under the request are offset by reductions
23 in expenditures for another activity.

24 “(B) If the Chief Financial Officer does not
25 transmit to the Council the statement described in

1 subparagraph (A)(ii) during the 15-day period which
2 begins on the date the Chief Financial Officer re-
3 ceives the request for the reprogramming from the
4 Mayor, the Chief Financial Officer shall be deemed
5 to have transmitted the statement to the Council.
6 Upon written notice to the Mayor and Council, the
7 Chief Financial Officer may extend the time period
8 to transmit the statement and analysis to the Coun-
9 cil, not to exceed 10 additional days.

10 “(C) In this paragraph, the term ‘control year’
11 has the meaning given such term in section 305(4)
12 of the District of Columbia Financial Responsibility
13 and Management Assistance Act of 1995 (D.C. Offi-
14 cial Code, sec. 47-393(4)).”.

15 SEC. 137. From the local funds appropriated under
16 this Act, any agency of the District government may
17 transfer to the Office of Labor Relations and Collective
18 Bargaining (OLRCB) such amounts as may be necessary
19 to pay for representation by OLRCB in third-party cases,
20 grievances, and dispute resolution, pursuant to an intra-
21 District agreement with OLRCB. These amounts shall be
22 available for use by OLRCB to reimburse the cost of pro-
23 viding the representation.

24 SEC. 138. (a) Not later than October 2, 2002, the
25 District of Columbia shall submit to Congress a revised

1 financial plan and budget for the District Government for
2 fiscal year 2003 which will ensure that the budget will be
3 in balance, based upon the most recent estimate of the
4 Chief Financial Officer of the District of Columbia of the
5 amount of revenues attributable to local funds which will
6 be available to the District of Columbia during fiscal year
7 2003.

8 (b) Except as provided in subsection (c), the amounts
9 of the local funds provided under the appropriations head-
10 ings in this Act shall be revised to reflect the revised finan-
11 cial plan and budget submitted under subsection (a).

12 (c) If the District of Columbia fails to meet the re-
13 quirements of subsection (a), subsection (b) shall not
14 apply, and each amount of the local funds provided under
15 each of the appropriations headings in this Act (other than
16 any local funds under the heading “ENTERPRISE AND
17 OTHER FUNDS”) shall be reduced by such uniform per-
18 centage as will result in a reduction in the aggregate
19 amount provided for all such funds equal to the difference
20 between the amount of revenues attributable to local funds
21 which is contained in this Act and the amount of revenues
22 attributable to local funds which will be available to the
23 District of Columbia during fiscal year 2003 (based upon
24 the most recent estimate of the Chief Financial Officer).

1 This Act may be cited as the “District of Columbia
2 Appropriations Act, 2003”.

Union Calendar No. 446

107TH CONGRESS
2^D SESSION

H. R. 5521

[Report No. 107-716]

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, 2003, and for other purposes.

OCTOBER 2, 2002

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