

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3797

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 2004

Received; read twice and referred to the Committee on Governmental Affairs

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## AN ACT

To authorize improvements in the operations of the government of the District of Columbia, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “2004 District of Co-  
3 lumbia Omnibus Authorization Act”.

4 **SEC. 2. REQUIRING SUBMISSION OF PLAN BY SCHOOL**  
5 **BOARD FOR ALLOCATION OF FUNDS UNDER**  
6 **MAYOR’S PROPOSED BUDGET.**

7 Section 452 of the District of Columbia Home Rule  
8 Act (sec. 1–204.52, D.C. Official Code) is amended—

9 (1) in the first sentence, by striking “With re-  
10 spect to” and inserting “(a) ROLE OF MAYOR AND  
11 COUNCIL.—With respect to”;

12 (2) in the second sentence, by striking “This  
13 section” and inserting “This subsection”; and

14 (3) by adding at the end the following new sub-  
15 section:

16 “(b) PLAN FOR ALLOCATION OF FUNDS UNDER  
17 PROPOSED BUDGET.—

18 “(1) SUBMISSION OF PLAN TO COUNCIL.—Not  
19 later than March 1 of each year or the date on  
20 which the Mayor makes the proposed annual budget  
21 for a year available under section 442 (whichever oc-  
22 curs later), the Board of Education shall submit to  
23 the Council a plan for the allocation of the Mayor’s  
24 proposed budget among various object classes and  
25 responsibility centers (as defined under regulations  
26 of the Board).

1           “(2) CONTENTS.—The plan submitted under  
2 this subsection shall include a detailed presentation  
3 of how much money will be allocated to each school,  
4 including—

5                   “(A) a specific description of the amount  
6 of funds available to the school for which spend-  
7 ing decisions are under the control of the  
8 school; and

9                   “(B) a specific description of other respon-  
10 sibility center funds which will be spent in a  
11 manner directly benefiting the school, including  
12 funds which will be spent for personnel, equip-  
13 ment and supplies, property maintenance, and  
14 student services.”.

15 **SEC. 3. MULTIYEAR CONTRACTING AUTHORITY AND LEAS-**  
16 **ING AGREEMENTS FOR DISTRICT OF COLUM-**  
17 **BIA COURTS.**

18           (a) AUTHORITY.—Subchapter III of chapter 17 of  
19 title 11, District of Columbia Code, is amended by insert-  
20 ing after section 11–1742 the following new section:

21 **“§ 11–1742a. Multiyear contracting authority and**  
22 **leasing agreements**

23           “(a) SEVERABLE SERVICES CONTRACTS FOR PERI-  
24 ODS CROSSING FISCAL YEARS.—The Executive Officer  
25 may enter into a contract for procurement of severable

1 services in the same manner and to the same extent as  
2 the head of an executive agency may enter into such a  
3 contract under section 303L of title III of the Federal  
4 Property and Administrative Services Act of 1949 (41  
5 U.S.C. 2531).

6 “(b) MULTIYEAR LEASING AGREEMENTS.—

7 “(1) AUTHORITY.—The Executive Officer may  
8 enter into a lease agreement for the accommodation  
9 of the District of Columbia courts in a building  
10 which is in existence or being erected by the lessor  
11 to accommodate the District of Columbia courts.

12 “(2) TERMS.—A lease agreement under this  
13 subsection shall be on terms the Executive Officer  
14 considers to be in the interest of the Federal Gov-  
15 ernment and the District of Columbia and necessary  
16 for the accommodation of the District of Columbia  
17 courts. However, the lease agreement may not bind  
18 the District of Columbia courts for more than 10  
19 years and the obligation of amounts for a lease  
20 under this subsection is limited to the current fiscal  
21 year for which payments are due without regard to  
22 section 1341(a)(1)(B) of title 31, United States  
23 Code.

24 “(c) MULTIYEAR CONTRACTS.—

1           “(1) AUTHORITY.—The Executive Officer may  
2 enter into a multiyear contract for the acquisition of  
3 property or services in the same manner and to the  
4 same extent as an executive agency may enter into  
5 such a contract under section 304B of title III of  
6 the Federal Property and Administrative Services  
7 Act of 1949 (41 U.S.C. 254e). In applying such au-  
8 thority—

9           “(A) in section 304B(a)(2)(B)—

10           “(i) ‘the best interests of the District  
11 of Columbia and the Federal Government’  
12 shall be substituted for ‘the best interests  
13 of the United States’; and

14           “(ii) ‘the courts’ programs’ shall be  
15 substituted for ‘the agency’s programs’;

16           “(B) the second sentence of section  
17 304B(b), and subsection (e), shall not apply;  
18 and

19           “(C) in section 304B(c), ‘\$5,000,000’ shall  
20 be substituted for ‘\$10,000,000’.

21           “(2) CANCELLATION OR TERMINATION FOR IN-  
22 SUFFICIENT FUNDING AFTER FIRST YEAR.—In the  
23 event that funds are not made available for the con-  
24 tinuation of a multiyear contract for services into a  
25 subsequent fiscal year, the contract shall be canceled

1 or terminated, and the costs of cancellation or termi-  
 2 nation may be paid from—

3 “(A) appropriations originally available for  
 4 the performance of the contract concerned;

5 “(B) appropriations currently available for  
 6 procurement of the type of services concerned,  
 7 and not otherwise obligated; or

8 “(C) funds appropriated for those pay-  
 9 ments.”.

10 (b) CLERICAL AMENDMENT.—The table of sections  
 11 for subchapter III of chapter 17 of title 11, District of  
 12 Columbia Code, is amended by inserting after the item re-  
 13 lating to section 11–1742 the following new item:

“11–1742a. Multiyear contracting authority and leasing agreements.”.

14 **SEC. 4. ESTABLISHMENT OF ACADEMIC YEAR AS FISCAL**  
 15 **YEAR FOR DISTRICT OF COLUMBIA SCHOOLS.**

16 Section 441 of the District of Columbia Home Rule  
 17 Act (sec. 1–204.41, D.C. Official Code) is amended—

18 (1) in the first sentence, by striking “The fiscal  
 19 year” and inserting “(a) IN GENERAL.—Except as  
 20 provided in subsection (b), the fiscal year”;

21 (2) by striking the third sentence; and

22 (3) by adding at the end the following new sub-  
 23 section:

24 “(b) EXCEPTIONS.—

1           “(1) ARMORY BOARD.—The fiscal year for the  
2           Armory Board shall begin on the first day of Janu-  
3           ary and shall end on the thirty-first day of Decem-  
4           ber of each calendar year.

5           “(2) SCHOOLS.—Effective with respect to fiscal  
6           year 2007 and each succeeding fiscal year, the fiscal  
7           year for the District of Columbia Public Schools (in-  
8           cluding public charter schools) and the University of  
9           the District of Columbia shall begin on the first day  
10          of July and end on the thirtieth day of June of each  
11          calendar year.”.

12 **SEC. 5. EXTENSION OF DEADLINE FOR COUNCIL TO ADOPT**  
13 **BUDGET TO ACCOUNT FOR DAYS OF RECESS.**

14          Section 446(a) of the District of Columbia Home  
15          Rule Act (sec. 1–204.46(a), D.C. Official Code), as  
16          amended by section 101(a), is amended by striking “50  
17          calendar days” and inserting “56 calendar days”.

18 **SEC. 6. EXEMPTION OF DISTRICT GOVERNMENT EMPLOY-**  
19 **EES ON COMPRESSED SCHEDULE FROM FED-**  
20 **ERAL OVERTIME REQUIREMENTS.**

21          (a) IN GENERAL.—Section 7 of the Fair Labor  
22          Standards Act (29 U.S.C. 207) shall not apply to the  
23          hours of an employee of the District of Columbia govern-  
24          ment which constitute a compressed schedule.

1 (b) COMPRESSED SCHEDULE DEFINED.—In this sec-  
2 tion, the term “compressed schedule” means—

3 (1) in the case of a full-time employee, an 80-  
4 hour biweekly basic work requirement which is  
5 scheduled for less than 10 workdays, and

6 (2) in the case of a part-time employee, a bi-  
7 weekly basic work requirement of less than 80 hours  
8 which is scheduled for less than 10 workdays.

9 (c) EFFECTIVE DATE.—This section shall apply with  
10 respect to hours occurring on or after the date of the en-  
11 actment of this Act.

12 **SEC. 7. AVAILABILITY OF ENFORCED ANNUAL LEAVE OR**  
13 **ENFORCED LEAVE WITHOUT PAY AS DIS-**  
14 **CIPLINARY ACTION FOR CORPORATION**  
15 **COUNSEL ATTORNEYS.**

16 (a) IN GENERAL.—Section 856(a) of the District of  
17 Columbia Government Comprehensive Merit Personnel  
18 Act of 1978 (sec. 1–608.56(a), D.C. Official Code) is  
19 amended by striking “or reduction in grade,” and insert-  
20 ing “reduction in grade, or the placing of such attorney  
21 on enforced annual leave or enforced leave without pay,”.

22 (b) EFFECTIVE DATE.—The amendment made by  
23 subsection (a) shall take effect on the date of the enact-  
24 ment of this Act.

1 **SEC. 8. REGULATION OF DISTRICT OF COLUMBIA BANKS BY**  
2 **FEDERAL DEPOSIT INSURANCE CORPORA-**  
3 **TION.**

4 (a) FEDERAL DEPOSIT INSURANCE ACT.—(1) Sec-  
5 tion 3 of the Federal Deposit Insurance Act (12 U.S.C.  
6 1813) is amended—

7 (A) in subsection (a)(1)(A), by striking “, State  
8 bank, and District bank” and inserting “and State  
9 bank”;

10 (B) in subsection (a), by striking paragraph  
11 (4);

12 (C) in subsection (q)(1), by striking “, any Dis-  
13 trict bank,”;

14 (D) in subsection (q)(2)(A), by striking “(ex-  
15 cept a District bank)”;

16 (E) in subsection (q)(3), by striking “(except a  
17 District bank),”.

18 (2) Section 7(a)(1) of such Act (12 U.S.C.  
19 1817(a)(1)) is amended by striking “(except a District  
20 bank)”.

21 (3) Section 10(b)(2)(A) of such Act (12 U.S.C.  
22 1820(b)(2)(A)) is amended by striking “(except a District  
23 bank)”.

24 (4) Section 11 of such Act (12 U.S.C. 1821) is  
25 amended—

1 (A) in subsection (c)(2)(A)(i), by striking “or  
2 District bank”;

3 (B) in subsection (c)(2)(A)(ii)—

4 (i) by striking “or District bank”; and

5 (ii) by striking “ or the code of law for the  
6 District of Columbia”; and

7 (C) in subsection (c)(3)(A), by striking “(other  
8 than a District depository institution)”.

9 (5) Section 18 of such Act (12 U.S.C. 1828) is  
10 amended—

11 (A) in section (c)(2)(A), by striking “or a Dis-  
12 trict bank”;

13 (B) in subsection (c)(2)(B), by striking “(ex-  
14 cept a District bank)”;

15 (C) in subsection (c)(2)(C), by striking “a Dis-  
16 trict Bank or”;

17 (D) in subsection (d)(1), by striking “(except a  
18 District bank)” each place such term appears;

19 (E) in subsection (f), by striking “or a District  
20 bank”;

21 (F) in subsection (i)(1), by striking “(except a  
22 District bank)”;

23 (G) in subsection (i)(2), by striking subpara-  
24 graph (A) and by redesignating subparagraphs (B),

1 (C), and (D) as subparagraphs (A), (B), and (C),  
2 respectively;

3 (H) in subsection (i)(2)(A) (as so redesignated  
4 by subparagraph (G)), by striking “(except a Dis-  
5 trict bank)”; and

6 (I) in subsection (i)(2)(B) (as so redesignated  
7 by subparagraph (G)), by striking “(except a Dis-  
8 trict bank)”.

9 (b) NATIONAL HOUSING ACT.—Section 203(s)(5) of  
10 the National Housing Act (12 U.S.C. 1709(s)(5)) is  
11 amended by striking “or District bank”.

12 (c) BANK HOLDING COMPANY ACT.—The Bank  
13 Holding Company Act of 1956 is amended—

14 (1) in section 2(c) (12 U.S.C. 1841(c)), by  
15 striking paragraph (3); and

16 (2) in section 3(b)(1) (12 U.S.C. 1842(b)(1)),  
17 by striking “or a District bank”.

18 (d) BANK PROTECTION ACT OF 1968.—Section 2(1)  
19 of the Bank Protection Act of 1968 (12 U.S.C. 1881(1))  
20 is amended by striking “and district banks”.

21 (e) DEPOSITORY INSTITUTION MANAGEMENT INTER-  
22 LOCKS ACT.—The Depository Institution Management  
23 Interlocks Act (12 U.S.C. 3201 et seq.) is amended—

24 (1) in section 207(1), by striking “and banks  
25 located in the District of Columbia”; and

1           (2) in section 209(1), by striking “and banks  
2           located in the District of Columbia”.

3           (f) SECURITIES EXCHANGE ACT OF 1934.—The Se-  
4           curities Exchange Act of 1934 is amended—

5           (1) in section 3(a)(34) (15 U.S.C. 78c(34)), by  
6           striking “or a bank operating under the Code of  
7           Law for the District of Columbia” each place such  
8           term appears in clause (i) of subparagraphs (A),  
9           (B), (C), (D), and (F);

10          (2) in section 3(a)(34)(G)(i) (15 U.S.C.  
11          78c(34)(G)(i)), by striking “, a bank in the District  
12          of Columbia examined by the Comptroller of the  
13          Currency,”;

14          (3) in section 3(a)(34)(H)(i) (15 U.S.C.  
15          78c(34)(H)(i)), by striking “ or a bank in the Dis-  
16          trict of Columbia examined by the Comptroller of  
17          the Currency”;

18          (4) in section 12(i)(1) (15 U.S.C. 78l(i)(1)), by  
19          striking “and banks operating under the Code of  
20          Law for the District of Columbia”;

21          (5) in section 17(f)(4)(A) (15 U.S.C.  
22          78q(f)(4)(A)), by striking “and banks operating  
23          under the Code of Law for the District of Colum-  
24          bia”; and

