

Union Calendar No. 319

108TH CONGRESS
2^D SESSION

H. R. 3797

[Report No. 108-551, Part I]

To authorize improvements in the operations of the government of the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2004

Mr. TOM DAVIS of Virginia (for himself and Ms. NORTON) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 17, 2004

Reported from the Committee on Government Reform

JUNE 17, 2004

Referral to the Committees on Education and the Workforce and Financial Services extended for a period ending not later than June 17, 2004

JUNE 17, 2004

The Committees on Education and the Workforce and Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

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

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

16 (3) by adding at the end the following new sub-
 17 section:

18 “(b) PLAN FOR ALLOCATION OF FUNDS UNDER
 19 PROPOSED BUDGET.—

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

1 proposed budget among various object classes and
2 responsibility centers (as defined under regulations
3 of the Board).

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

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

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

18 **SEC. 3. MULTIYEAR CONTRACTING AUTHORITY AND LEAS-**
19 **ING AGREEMENTS FOR DISTRICT OF COLUM-**
20 **BIA COURTS.**

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

1 **“§ 11-1742a. Multiyear contracting authority and**
2 **leasing agreements**

3 “(a) SEVERABLE SERVICES CONTRACTS FOR PERI-
4 ODS CROSSING FISCAL YEARS.—The Executive Officer
5 may enter into a contract for procurement of severable
6 services in the same manner and to the same extent as
7 the head of an executive agency may enter into such a
8 contract under section 303L of title III of the Federal
9 Property and Administrative Services Act of 1949 (41
10 U.S.C. 2531).

11 “(b) MULTIYEAR LEASING AGREEMENTS.—

12 “(1) AUTHORITY.—The Executive Officer may
13 enter into a lease agreement for the accommodation
14 of the District of Columbia courts in a building
15 which is in existence or being erected by the lessor
16 to accommodate the District of Columbia courts.

17 “(2) TERMS.—A lease agreement under this
18 subsection shall be on terms the Executive Officer
19 considers to be in the interest of the Federal Gov-
20 ernment and the District of Columbia and necessary
21 for the accommodation of the District of Columbia
22 courts. However, the lease agreement may not bind
23 the District of Columbia courts for more than 10
24 years and the obligation of amounts for a lease
25 under this subsection is limited to the current fiscal
26 year for which payments are due without regard to

1 section 1341(a)(1)(B) of title 31, United States
2 Code.

3 “(c) MULTIYEAR CONTRACTS.—

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

12 “(A) in section 304B(a)(2)(B)—

13 “(i) ‘the best interests of the District
14 of Columbia and the Federal Government’
15 shall be substituted for ‘the best interests
16 of the United States’; and

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

19 “(B) the second sentence of section
20 304B(b), and subsection (e), shall not apply;
21 and

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

24 “(2) CANCELLATION OR TERMINATION FOR IN-
25 SUFFICIENT FUNDING AFTER FIRST YEAR.—In the

1 event that funds are not made available for the con-
 2 tinuation of a multiyear contract for services into a
 3 subsequent fiscal year, the contract shall be canceled
 4 or terminated, and the costs of cancellation or termi-
 5 nation may be paid from—

6 “(A) appropriations originally available for
 7 the performance of the contract concerned;

8 “(B) appropriations currently available for
 9 procurement of the type of services concerned,
 10 and not otherwise obligated; or

11 “(C) funds appropriated for those pay-
 12 ments.”.

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

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

17 **SEC. 4. ESTABLISHMENT OF ACADEMIC YEAR AS FISCAL**
 18 **YEAR FOR DISTRICT OF COLUMBIA SCHOOLS.**

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

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

24 (2) by striking the third sentence; and

1 (3) by adding at the end the following new sub-
2 section:

3 “(b) EXCEPTIONS.—

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

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

15 **SEC. 5. EXTENSION OF DEADLINE FOR COUNCIL TO ADOPT**
16 **BUDGET TO ACCOUNT FOR DAYS OF RECESS.**

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

21 **SEC. 6. EXEMPTION OF DISTRICT GOVERNMENT EMPLOY-**
22 **EES ON COMPRESSED SCHEDULE FROM FED-**
23 **ERAL OVERTIME REQUIREMENTS.**

24 (a) IN GENERAL.—Section 7 of the Fair Labor
25 Standards Act (29 U.S.C. 207) shall not apply to the

1 hours of an employee of the District of Columbia govern-
2 ment which constitute a compressed schedule.

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

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

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

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

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

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

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

4 **SEC. 8. REGULATION OF DISTRICT OF COLUMBIA BANKS BY**
5 **FEDERAL DEPOSIT INSURANCE CORPORA-**
6 **TION.**

7 (a) FEDERAL DEPOSIT INSURANCE ACT.—(1) Sec-
8 tion 3 of the Federal Deposit Insurance Act (12 U.S.C.
9 1813) is amended—

10 (A) in subsection (a)(1)(A), by striking “, State
11 bank, and District bank” and inserting “and State
12 bank”;

13 (B) in subsection (a), by striking paragraph
14 (4);

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

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

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

21 (2) Section 7(a)(1) of such Act (12 U.S.C.
22 1817(a)(1)) is amended by striking “(except a District
23 bank)”.

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

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

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

8 (B) in subsection (c)(2)(A)(ii)—

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

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

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

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

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

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

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

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

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

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

3 (G) in subsection (i)(2), by striking subpara-
4 graph (A) and by redesignating subparagraphs (B),
5 (C), and (D) as subparagraphs (A), (B), and (C),
6 respectively;

7 (H) in subsection (i)(2)(A) (as so redesignated
8 by subparagraph (G)), by striking “(except a Dis-
9 trict bank)”;

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

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

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

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

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

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

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

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

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

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

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

15 (2) in section 3(a)(34)(G)(i) (15 U.S.C.
16 78c(34)(G)(i)), by striking “, a bank in the District
17 of Columbia examined by the Comptroller of the
18 Currency,”;

19 (3) in section 3(a)(34)(H)(i) (15 U.S.C.
20 78c(34)(H)(i)), by striking “ or a bank in the Dis-
21 trict of Columbia examined by the Comptroller of
22 the Currency”;

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

1 (5) in section 17(f)(4)(A) (15 U.S.C.
2 78q(f)(4)(A)), by striking “and banks operating
3 under the Code of Law for the District of Colum-
4 bia”; and

5 (6) in section 17(f)(4)(B) (15 U.S.C.
6 78q(f)(4)(B)), by striking “or a bank operating
7 under the Code of Law for the District of Colum-
8 bia”.

9 (g) NATIONAL BANK RECEIVERSHIP ACT.—The Na-
10 tional Bank Receivership Act is amended by striking sec-
11 tion 6.

12 (h) FEDERAL RESERVE ACT.—The last sentence of
13 the 3rd undesignated paragraph of section 9 of the Fed-
14 eral Reserve Act (12 U.S.C. 321) is amended by striking
15 “(except within the District of Columbia)”.

16 (i) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the date of the enactment
18 of this Act.

19 **SEC. 9. EFFECTIVE DATE.**

20 Except as otherwise provided, this Act and the
21 amendments made by this Act shall apply with respect to
22 fiscal year 2005 and each succeeding fiscal year.

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H. R. 3797

[Report No. 108-551, Part I]

A BILL

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