

108TH CONGRESS
2D SESSION

H. R. 3797

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

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”.

1 **SEC. 2. REQUIRING SUBMISSION OF PLAN BY SCHOOL**
2 **BOARD FOR ALLOCATION OF FUNDS UNDER**
3 **MAYOR'S PROPOSED BUDGET.**

4 Section 452 of the District of Columbia Home Rule
5 Act (sec. 1-204.52, D.C. Official Code) is amended—

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

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

11 (3) by adding at the end the following new sub-
12 section:

13 “(b) PLAN FOR ALLOCATION OF FUNDS UNDER
14 PROPOSED BUDGET.—

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

24 “(2) CONTENTS.—The plan submitted under
25 this subsection shall include a detailed presentation

1 of how much money will be allocated to each school,
2 including—

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

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

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

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

19 **“§ 11–1742a. Multiyear contracting authority and**
20 **leasing agreements**

21 “(a) **SEVERABLE SERVICES CONTRACTS FOR PERI-**
22 **ODS CROSSING FISCAL YEARS.**—The Executive Officer
23 may enter into a contract for procurement of severable
24 services in the same manner and to the same extent as
25 the head of an executive agency may enter into such a

1 contract under section 303L of title III of the Federal
2 Property and Administrative Services Act of 1949 (41
3 U.S.C. 2531).

4 “(b) MULTIYEAR LEASING AGREEMENTS.—

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

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

22 “(c) MULTIYEAR CONTRACTS.—

23 “(1) AUTHORITY.—The Executive Officer may
24 enter into a multiyear contract for the acquisition of
25 property or services in the same manner and to the

1 same extent as an executive agency may enter into
2 such a contract under section 304B of title III of
3 the Federal Property and Administrative Services
4 Act of 1949 (41 U.S.C. 254e). In applying such au-
5 thority—

6 “(A) in section 304B(a)(2)(B)—

7 “(i) ‘the best interests of the District
8 of Columbia and the Federal Government’
9 shall be substituted for ‘the best interests
10 of the United States’; and

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

13 “(B) the second sentence of section
14 304B(b), and subsection (e), shall not apply;
15 and

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

18 “(2) CANCELLATION OR TERMINATION FOR IN-
19 SUFFICIENT FUNDING AFTER FIRST YEAR.—In the
20 event that funds are not made available for the con-
21 tinuation of a multiyear contract for services into a
22 subsequent fiscal year, the contract shall be canceled
23 or terminated, and the costs of cancellation or termi-
24 nation may be paid from—

1 “(A) appropriations originally available for
2 the performance of the contract concerned;

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

6 “(C) funds appropriated for those pay-
7 ments.”.

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

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

12 **SEC. 4. ESTABLISHMENT OF ACADEMIC YEAR AS FISCAL**
13 **YEAR FOR DISTRICT OF COLUMBIA SCHOOLS.**

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

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

19 (2) by striking the third sentence; and

20 (3) by adding at the end the following new sub-
21 section:

22 “(b) EXCEPTIONS.—

23 “(1) ARMORY BOARD.—The fiscal year for the
24 Armory Board shall begin on the first day of Janu-

1 ary and shall end on the thirty-first day of Decem-
2 ber of each calendar year.

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

10 **SEC. 5. EXTENSION OF DEADLINE FOR COUNCIL TO ADOPT**
11 **BUDGET TO ACCOUNT FOR DAYS OF RECESS.**

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

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

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

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

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

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

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

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

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

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on the date of the enact-
22 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

1 (6) in section 17(f)(4)(B) (15 U.S.C.
2 78q(f)(4)(B)), by striking “or a bank operating
3 under the Code of Law for the District of Colum-
4 bia”.

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

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

12 (i) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the date of the enactment
14 of this Act.

15 **SEC. 9. EFFECTIVE DATE.**

16 Except as otherwise provided, this Act and the
17 amendments made by this Act shall apply with respect to
18 fiscal year 2005 and each succeeding fiscal year.

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