

107TH CONGRESS
1ST SESSION

H. R. 2944

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2001

Ordered to be printed with the amendment of the Senate
[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~That the following sums are appropriated, out of any~~
4 ~~money in the Treasury not otherwise appropriated, for the~~
5 ~~District of Columbia for the fiscal year ending September~~
6 ~~30, 2002, and for other purposes, namely:~~

7 **FEDERAL FUNDS**

8 **FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

9 For a Federal payment to the District of Columbia
10 for a nationwide program, to be administered by the

1 Mayor, for District of Columbia resident tuition support,
2 \$17,000,000, to remain available until expended: *Pro-*
3 *vided*, That such funds may be used on behalf of eligible
4 District of Columbia residents to pay an amount based
5 upon the difference between in-State and out-of-State tui-
6 tion at public institutions of higher education, usable at
7 both public and private institutions for higher education:
8 *Provided further*, That the awarding of such funds may
9 be prioritized on the basis of a resident's academic merit
10 and such other factors as may be authorized: *Provided fur-*
11 *ther*, That not more than 7 percent of the total amount
12 appropriated for this program may be used for administra-
13 tive expenses.

14 FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF
15 CHILDREN

16 The paragraph under the heading "Federal Payment
17 for Incentives for Adoption of Children" in Public Law
18 106-113, approved November 29, 1999 (113 Stat. 1501),
19 is amended to read as follows: "For a Federal payment
20 to the District of Columbia to create incentives to promote
21 the adoption of children in the District of Columbia foster
22 care system, \$5,000,000: *Provided*, That such funds shall
23 remain available until September 30, 2003, and shall be
24 used to carry out all of the provisions of title 38 of the
25 Fiscal Year 2001 Budget Support Act of 2000, effective

1 October 19, 2000 (D.C. Law 13-172), as amended, except
2 for section 3808.”.

3 FEDERAL PAYMENT TO THE CAPITOL CITY CAREER
4 DEVELOPMENT AND JOB TRAINING PARTNERSHIP

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

7 FEDERAL PAYMENT TO THE FIRE AND EMERGENCY
8 MEDICAL SERVICES DEPARTMENT

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

12 FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

13 For a Federal payment to the Chief Medical Exam-
14 iner, \$585,000 for reduction in the backlog of autopsies,
15 ease reports and for the purchase of toxicology and his-
16 tology equipment.

17 FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

18 For a Federal payment to the Youth Life Founda-
19 tion, \$250,000 for technical assistance, operational ex-
20 penses, and establishment of a National Training Insti-
21 tute.

22 FEDERAL PAYMENT TO FOOD AND FRIENDS

23 For a Federal payment to Food and Friends,
24 \$2,000,000 for their Capital Campaign.

1 FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

2 For a Federal payment to the City Administrator,
3 \$300,000 for the Criminal Justice Coordinating Council
4 for the District of Columbia.

5 FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

6 For a Federal payment to Southeastern University,
7 \$500,000 for a public/private partnership with the District
8 of Columbia Public Schools at the McKinley Technology
9 High School campus.

10 FEDERAL PAYMENT FOR VOYAGER UNIVERSAL

11 LITERACY SYSTEM

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

21 FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF

22 TECHNOLOGY OFFICER

23 For a Federal payment to the Chief Technology Offi-
24 cer of the District of Columbia to carry out the Local-
25 Federal Mobile Wireless Interoperability Demonstration

1 Project, \$500,000: *Provided*, That the payment under this
2 heading is contingent upon a certification by the Inspector
3 General of the District of Columbia that each entity of
4 the Federal Government which is participating in such
5 Project has deposited matching funds to carry out the
6 Project into an escrow account held by the Chief Financial
7 Officer of the District of Columbia.

8 FEDERAL PAYMENT FOR EMERGENCY PLANNING

9 For a Federal payment to the District of Columbia
10 for emergency planning, \$16,058,000: *Provided*, That
11 \$4,623,000 of such amount shall be made available imme-
12 diately for development of an emergency operations plan
13 for the District of Columbia, to be submitted to the appro-
14 priate Federal agencies as soon as practicable: *Provided*
15 *further*, That upon submission of such plan, \$8,029,000
16 of such amount shall be made available to begin implemen-
17 tation of the plan: *Provided further*, That \$3,406,000 of
18 such amount shall be made available immediately for reim-
19 bursement of planning and related expenses incurred by
20 the District of Columbia in anticipation of providing secu-
21 rity for the planned meetings in September 2001 of the
22 World Bank and the International Monetary Fund in the
23 District of Columbia: *Provided further*, That one-half of
24 the amounts under the headings "Federal Payment for
25 Resident Tuition Support", "Federal Payment to the Fire

1 and Emergency Medical Services Department”, “Federal
2 Payment to the Chief Medical Examiner”, and “Federal
3 Payment to the City Administrator”, shall not be made
4 available until the emergency operations plan has been
5 submitted to the appropriate Federal agencies in accord-
6 ance with the preceding proviso: *Provided further*, That
7 the Chief Financial Officer of the District of Columbia
8 shall provide quarterly reports to the Committees on Ap-
9 propriations on the use of the funds under this heading,
10 beginning not later than January 2, 2002.

11 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER
12 OF THE DISTRICT OF COLUMBIA

13 For a Federal payment to the Chief Financial Officer
14 of the District of Columbia, \$2,350,000, of which
15 \$1,000,000 shall be for payment to the Excel Institute
16 Adult Education Program to be used by the Institute for
17 construction and to acquire construction services provided
18 by the General Services Administration on a reimbursable
19 basis; \$300,000 shall be for payment to the Woodlawn
20 Cemetery for restoration of the Cemetery; \$250,000 shall
21 be for payment to the Real World Schools concerning 21st
22 Century reform models for secondary education and the
23 use of technology to support learning in the District of
24 Columbia; \$300,000 shall be for payment to a mentoring
25 program and for hotline services; \$250,000 shall be for

1 payment to a youth development program with a character
2 building curriculum; and \$250,000 shall be for payment
3 to a basic values training program.

4 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
5 CORRECTIONS TRUSTEE OPERATIONS

6 For salaries and expenses of the District of Columbia
7 Corrections Trustee, \$22,700,000 for the administration
8 and operation of correctional facilities and for the admin-
9 istrative operating costs of the Office of the Corrections
10 Trustee, as authorized by section 11202 of the National
11 Capital Revitalization and Self-Government Improvement
12 Act of 1997 (Public Law 105-33; 111 Stat. 712) of which
13 \$1,000,000 is to fund an initiative to improve case proc-
14 essing in the District of Columbia criminal justice system;
15 \$2,500,000 to remain available until September 30, 2003,
16 for building renovations required to accommodate func-
17 tions transferred from the Lorton Correctional Complex,
18 and \$2,000,000 to remain available until September 30,
19 2003, to be transferred to the appropriate agency for the
20 closing of the sewage treatment plant and the removal of
21 underground storage tanks at the Lorton Correctional
22 Complex: *Provided*, That notwithstanding any other provi-
23 sion of law, funds appropriated in this Act for the District
24 of Columbia Corrections Trustee shall be apportioned
25 quarterly by the Office of Management and Budget and

1 obligated and expended in the same manner as funds ap-
2 propriated for salaries and expenses of other Federal
3 agencies.

4 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
5 COURTS

6 For salaries and expenses for the District of Colum-
7 bia Courts, \$111,238,000, to be allocated as follows: for
8 the District of Columbia Court of Appeals, \$8,003,000,
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, \$66,091,000, of which not to exceed \$1,500
12 is for official reception and representation expenses; for
13 the District of Columbia Court System, \$31,149,000, of
14 which not to exceed \$1,500 is for official reception and
15 representation expenses; and \$5,995,000 to remain avail-
16 able until September 30, 2003, for capital improvements
17 for District of Columbia courthouse facilities: *Provided*,
18 That none of the funds in this Act or in any other Act
19 shall be available for the purchase, installation or oper-
20 ation of an Integrated Justice Information System until
21 a detailed plan and design has been submitted by the
22 courts and approved by the Committees on Appropriations
23 of the House of Representatives and the Senate: *Provided*
24 *further*, That notwithstanding any other provision of law,
25 all amounts under this heading shall be apportioned quar-

1 terly by the Office of Management and Budget and obli-
2 gated and expended in the same manner as funds appro-
3 priated for salaries and expenses of other Federal agen-
4 cies; with payroll and financial services to be provided on
5 a contractual basis with the General Services Administra-
6 tion (GSA); said services to include the preparation of
7 monthly financial reports; copies of which shall be sub-
8 mitted directly by GSA to the President and to the Com-
9 mittees on Appropriations of the Senate and House of
10 Representatives; the Committee on Governmental Affairs
11 of the Senate; and the Committee on Government Reform
12 of the House of Representatives.

13 FEDERAL PAYMENT FOR FAMILY COURT ACT

14 For carrying out the District of Columbia Family
15 Court Act of 2001, \$23,316,000, of which \$18,316,000
16 shall be for the Superior Court of the District of Columbia
17 and \$5,000,000 shall be for the Mayor of the District of
18 Columbia: *Provided*, That the chief judge of the Superior
19 Court shall submit the transition plan for the Family
20 Court of the Superior Court required under section
21 2(b)(1) of the District of Columbia Family Court Act of
22 2001 to the Comptroller General (in addition to any other
23 requirements under such section): *Provided further*, That
24 the Comptroller General shall prepare and submit to the
25 President and Congress an analysis of the contents and

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

1 Congress is in session because of an adjournment sine die,
2 a recess of more than 3 days, or an adjournment of more
3 than 3 days) which begins on the date the Comptroller
4 General submits such plan to the President and Congress.

5 DEFENDER SERVICES IN DISTRICT OF COLUMBIA

6 COURTS

7 For payments authorized under section 11-2604 and
8 section 11-2605, D.C. Official Code (relating to represen-
9 tation provided under the District of Columbia Criminal
10 Justice Act); payments for counsel appointed in pro-
11 ceedings in the Family Division of the Superior Court of
12 the District of Columbia under chapter 23 of title 16, D.C.
13 Official Code, and payments for counsel authorized under
14 section 21-2060, D.C. Official Code (relating to represen-
15 tation provided under the District of Columbia Guardian-
16 ship, Protective Proceedings, and Durable Power of Attor-
17 ney Act of 1986), \$34,311,000, to remain available until
18 expended: *Provided*, That the funds provided in this Act
19 under the heading "Federal Payment to the District of
20 Columbia Courts" (other than the \$5,995,000 provided
21 under such heading for capital improvements for District
22 of Columbia courthouse facilities) may also be used for
23 payments under this heading: *Provided further*, That, in
24 addition to the funds provided under this heading, the
25 Joint Committee on Judicial Administration in the Dis-

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

1 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
2 FENDER SUPERVISION AGENCY FOR THE DISTRICT
3 OF COLUMBIA

4 (INCLUDING TRANSFER OF FUNDS)

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

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

16 CHILDREN'S NATIONAL MEDICAL CENTER

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

1 ST. COLETTA OF GREATER WASHINGTON EXPANSION
2 PROJECT

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

10 FEDERAL PAYMENT TO FAITH AND POLITICS INSTITUTE

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

14 FEDERAL PAYMENT FOR BROWNFIELD REMEDIATION

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

20 DISTRICT OF COLUMBIA FUNDS

21 OPERATING EXPENSES

22 DIVISION OF EXPENSES

23 The following amounts are appropriated for the Dis-
24 trict of Columbia for the current fiscal year out of the
25 general fund of the District of Columbia, except as other-

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

22 GOVERNMENTAL DIRECTION AND SUPPORT

23 Governmental direction and support, \$285,359,000
24 (including \$229,271,000 from local funds, \$38,809,000
25 from Federal funds, and \$17,279,000 from other funds):

1 *Provided*, That not to exceed \$2,500 for the Mayor,
2 \$2,500 for the Chairman of the Council of the District
3 of Columbia, and \$2,500 for the City Administrator shall
4 be available from this appropriation for official purposes:
5 *Provided further*, That any program fees collected from the
6 issuance of debt shall be available for the payment of ex-
7 penses of the debt management program of the District
8 of Columbia: *Provided further*, That no revenues from
9 Federal sources shall be used to support the operations
10 or activities of the Statehood Commission and Statehood
11 Compact Commission: *Provided further*, That the District
12 of Columbia shall identify the sources of funding for Ad-
13 mission to Statehood from its own locally-generated reve-
14 nues: *Provided further*, That notwithstanding any other
15 provision of law, or Mayor's Order 86-45, issued March
16 18, 1986, the Office of the Chief Technology Officer's del-
17 egated small purchase authority shall be \$500,000: *Pro-*
18 *vided further*, That the District of Columbia government
19 may not require the Office of the Chief Technology Officer
20 to submit to any other procurement review process, or to
21 obtain the approval of or be restricted in any manner by
22 any official or employee of the District of Columbia gov-
23 ernment, for purchases that do not exceed \$500,000: *Pro-*
24 *vided further*, That not less than \$353,000 shall be avail-
25 able to the Office of the Corporation Counsel to support

1 increases in the Attorney Retention Allowance: *Provided*
 2 *further*, That not less than \$50,000 shall be available to
 3 support a mediation services program within the Office of
 4 the Corporation Counsel: *Provided further*, That not less
 5 than \$50,000 shall be available to support a TANF Unit
 6 within the Child Support Enforcement Division of the Of-
 7 fice of the Corporation Counsel.

8 ECONOMIC DEVELOPMENT AND REGULATION

9 Economic development and regulation, \$230,878,000
 10 (including \$60,786,000 from local funds, \$96,199,000
 11 from Federal funds, and \$73,893,000 from other funds),
 12 of which \$15,000,000 collected by the District of Colum-
 13 bia in the form of BID tax revenue shall be paid to the
 14 respective BIDs pursuant to the Business Improvement
 15 Districts Act of 1996 (D.C. Law 11-134; D.C. Official
 16 Code, sec. 2-1215.01 et seq.), and the Business Improve-
 17 ment Districts Amendment Act of 1997 (D.C. Law 12-
 18 26; D.C. Official Code, sec. 2-1215.15(1)(2)): *Provided*,
 19 That such funds are available for acquiring services pro-
 20 vided by the General Services Administration: *Provided*
 21 *further*, That Business Improvement Districts shall be ex-
 22 empt from taxes levied by the District of Columbia: *Pro-*
 23 *vided further*, That the fees established and collected pur-
 24 suant to D.C. Law 13-281 shall be identified, and an ac-

1 counting provided, to the District of Columbia Council's
2 Committee on Consumer and Regulatory Affairs.

3 **PUBLIC SAFETY AND JUSTICE**

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

1 gency services involved: *Provided further*, That no less
2 than \$173,000,000 shall be available to the Metropolitan
3 Police Department for salary in support of 3,800 sworn
4 officers: *Provided further*, That no less than \$100,000
5 shall be available in the Department of Corrections budget
6 to support the Corrections Information Council: *Provided*
7 *further*, That not less than \$296,000 shall be available to
8 support the Child Fatality Review Committee.

9 PUBLIC EDUCATION SYSTEM

10 Public education system, including the development
11 of national defense education programs, \$1,106,165,000
12 (including \$894,494,000 from local funds, \$185,044,000
13 from Federal funds, and \$26,627,000 from other funds),
14 to be allocated as follows: \$810,542,000 (including
15 \$658,624,000 from local funds, \$144,630,000 from Fed-
16 eral funds, and \$7,288,000 from other funds), for the pub-
17 lie schools of the District of Columbia; \$47,370,000 (in-
18 cluding \$19,911,000 from local funds of which
19 \$17,000,000 is from a Federal payment previously appro-
20 priated in this Act for resident tuition support at public
21 and private institutions of higher learning for eligible Dis-
22 trict of Columbia residents, \$26,917,000 from Federal
23 funds, and \$542,000 from other funds), for the State
24 Education Office, and \$142,257,000 from local funds for
25 public charter schools: *Provided*, That there shall be quar-

1 terly disbursement of funds to the District of Columbia
2 public charter schools, with the first payment to occur
3 within 15 days of the beginning of each fiscal year: *Pro-*
4 *vided further,* That if the entirety of this allocation has
5 not been provided as payments to any public charter
6 school currently in operation through the per pupil fund-
7 ing formula, the funds shall be available for public edu-
8 cation in accordance with the School Reform Act of 1995
9 (Public Law 104-134; D.C. Official Code, sec. 38-
10 1804.03(a)(2)(D)): *Provided further,* That \$480,000 of this
11 amount shall be available to the District of Columbia Pub-
12 lic Charter School Board for administrative costs: *Pro-*
13 *vided further,* That \$76,542,000 (including \$45,912,000
14 from local funds, \$12,539,000 from Federal funds, and
15 \$18,091,000 from other funds) shall be available for the
16 University of the District of Columbia: *Provided further,*
17 That \$750,000 shall be available for Enhancing and
18 Actualizing Internationalism and Multiculturalism in the
19 Academic Programs of the University of the District of
20 Columbia: \$1,000,000 shall be paid to the Excel Institute
21 Adult Education Program by the Chief Financial Officer
22 quarterly on the first day of each quarter, and not less
23 than \$200,000 for the Adult Education and \$27,256,000
24 (including \$26,030,000 from local funds, \$560,000 from
25 Federal funds and \$666,000 other funds) for the Public

1 Library: *Provided further*, That \$2,198,000 (including
2 \$1,760,000 from local funds, \$398,000 from Federal
3 funds and \$40,000 from other funds) shall be available
4 for the Commission on the Arts and Humanities: *Provided*
5 *further*, That the public schools of the District of Columbia
6 are authorized to accept not to exceed 31 motor vehicles
7 for exclusive use in the driver education program: *Provided*
8 *further*, That not to exceed \$2,500 for the Superintendent
9 of Schools, \$2,500 for the President of the University of
10 the District of Columbia, and \$2,000 for the Public Li-
11 brarian shall be available from this appropriation for offi-
12 cial purposes: *Provided further*, That none of the funds
13 contained in this Act may be made available to pay the
14 salaries of any District of Columbia Public School teacher,
15 principal, administrator, official, or employee who know-
16 ingly provides false enrollment or attendance information
17 under article II, section 5 of the Act entitled “An Act to
18 provide for compulsory school attendance, for the taking
19 of a school census in the District of Columbia, and for
20 other purposes”, approved February 4, 1925 (D.C. Offi-
21 cial Code, sec. 38-201 et seq.): *Provided further*, That this
22 appropriation shall not be available to subsidize the edu-
23 cation of any nonresident of the District of Columbia at
24 any District of Columbia public elementary and secondary
25 school during fiscal year 2002 unless the nonresident pays

1 tuition to the District of Columbia at a rate that covers
2 100 percent of the costs incurred by the District of Colum-
3 bia which are attributable to the education of the non-
4 resident (as established by the Superintendent of the Dis-
5 trict of Columbia Public Schools): *Provided further*, That
6 this appropriation shall not be available to subsidize the
7 education of nonresidents of the District of Columbia at
8 the University of the District of Columbia, unless the
9 Board of Trustees of the University of the District of Co-
10 lumbia adopts, for the fiscal year ending September 30,
11 2002, a tuition rate schedule that will establish the tuition
12 rate for nonresident students at a level no lower than the
13 nonresident tuition rate charged at comparable public in-
14 stitutions of higher education in the metropolitan area:
15 *Provided further*, That notwithstanding any other provi-
16 sion of law, rule, or regulation, the evaluation process and
17 instruments for evaluating District of Columbia Public
18 School employees shall be a non-negotiable item for collec-
19 tive bargaining purposes: *Provided further*, That the Dis-
20 trict of Columbia Public Schools shall spend \$1,200,000
21 to implement the D.C. Teaching Fellows Program in the
22 District's public schools: *Provided further*, That notwith-
23 standing the amounts otherwise provided under this head-
24 ing or any other provision of law, there shall be appro-
25 priated to the District of Columbia public charter schools

1 on July 1, 2002, an amount equal to 25 percent of the
2 total amount provided for payments to public charter
3 schools in the proposed budget of the District of Columbia
4 for fiscal year 2003 (as submitted to Congress), and the
5 amount of such payment shall be chargeable against the
6 final amount provided for such payments under the Dis-
7 trict of Columbia Appropriations Act, 2003: *Provided fur-*
8 *ther*, That notwithstanding the amounts otherwise pro-
9 vided under this heading or any other provision of law,
10 there shall be appropriated to the District of Columbia
11 Public Schools on July 1, 2002, an amount equal to 10
12 percent of the total amount provided for the District of
13 Columbia Public Schools in the proposed budget of the
14 District of Columbia for fiscal year 2003 (as submitted
15 to Congress), and the amount of such payment shall be
16 chargeable against the final amount provided for the Dis-
17 trict of Columbia Public Schools under the District of Co-
18 lumbia Appropriations Act, 2003.

19 HUMAN SUPPORT SERVICES

20 Human support services, \$1,803,923,000 (including
21 \$711,072,000 from local funds, \$1,075,960,000 from
22 Federal funds, and \$16,891,000 from other funds): *Pro-*
23 *vided*, That \$27,986,000 of this appropriation, to remain
24 available until expended, shall be available solely for Dis-
25 trict of Columbia employees' disability compensation: *Pro-*

1 *vided further*, That \$90,000,000 transferred pursuant to
2 the District of Columbia Appropriations Act, 2001 (Public
3 Law 106–522; 114 Stat. 2452), to the Public Benefit Cor-
4 poration for restructuring shall be made available to the
5 Department of Health’s Health Care Safety Net Adminis-
6 tration for the purpose of restructuring the delivery of
7 health services in the District of Columbia shall remain
8 available for obligation during fiscal year 2002: *Provided*
9 *further*, That the District of Columbia shall not provide
10 free government services such as water, sewer, solid waste
11 disposal or collection, utilities, maintenance, repairs, or
12 similar services to any legally constituted private nonprofit
13 organization, as defined in section 411(5) of the Stewart
14 B. McKinney Homeless Assistance Act (101 Stat. 485;
15 Public Law 100–77; 42 U.S.C. 11371), providing emer-
16 gency shelter services in the District, if the District would
17 not be qualified to receive reimbursement pursuant to such
18 Act (101 Stat. 485; Public Law 100–77; 42 U.S.C. 11301
19 et seq.): *Provided further*, That no less than \$500,000 of
20 the \$7,500,000 appropriated for the Addiction Recovery
21 Fund shall be used solely to pay treatment providers who
22 provide substance abuse treatment to TANF recipients
23 under the Drug Treatment Choice Program: *Provided fur-*
24 *ther*, That no less than \$2,000,000 of this appropriation
25 shall be used solely to establish, by contract, a 2-year pilot

1 substance abuse program for youth ages 16 through 21
2 years of age: *Provided further*, That no less than \$60,000
3 be available for a D.C. Energy Office Matching Grant:
4 *Provided further*, That no less than \$2,150,000 be avail-
5 able for a pilot Interim Disability Assistance program pur-
6 suant to title L of the Fiscal Year 2002 Budget Support
7 Act (D.C. Bill 14-144).

8 PUBLIC WORKS

9 Public works, including rental of one passenger-car-
10 rying vehicle for use by the Mayor and three passenger-
11 carrying vehicles for use by the Council of the District of
12 Columbia and leasing of passenger-carrying vehicles,
13 \$300,151,000 (including \$286,334,000 from local funds,
14 \$4,392,000 from Federal funds, and \$9,425,000 from
15 other funds): *Provided*, That \$11,000,000 of this appro-
16 priation shall be available for transfer to the Highway
17 Trust Fund's Local Roads, Construction and Maintenance
18 Fund upon certification by the Chief Financial Officer
19 that funds are available from the fiscal year 2001 budg-
20 eted reserve or where the Chief Financial Officer certifies
21 that additional local revenues are available: *Provided fur-*
22 *ther*, That this appropriation shall not be available for col-
23 lecting ashes or miscellaneous refuse from hotels and
24 places of business.

1 Act (Public Law 93-198; D.C. Official Code, sec. 1-
2 204.50a(b)); the amount provided for fiscal year 2002
3 under such section, to be derived from local funds.

4 REPAYMENT OF LOANS AND INTEREST

5 For payment of principal, interest, and certain fees
6 directly resulting from borrowing by the District of Co-
7 lumbia to fund District of Columbia capital projects as
8 authorized by sections 462, 475, and 490 of the District
9 of Columbia Home Rule Act (Public Law 93-198 as
10 amended; D.C. Official Code, secs. 1-204.62, 1-204.75,
11 1-204.90), \$247,902,000 from local funds: *Provided*,
12 That any funds set aside pursuant to section 148 of the
13 District of Columbia Appropriations Act, 2000 (Public
14 Law 106-113; 113 Stat. 1523) that are not used in the
15 reserve funds established herein shall be used for Pay-As-
16 You-Go Capital Funds: *Provided further*, That for equip-
17 ment leases, the Mayor may finance \$14,300,000 of equip-
18 ment cost, plus cost of issuance not to exceed 2 percent
19 of the par amount being financed on a lease purchase
20 basis with a maturity not to exceed 5 years: *Provided fur-*
21 *ther*, That \$4,440,000 is allocated for the Fire and Emer-
22 gency Medical Services Department, \$2,010,000 for the
23 Department of Parks and Recreation, and \$7,850,000 for
24 the Department of Public Works.

1 REPAYMENT OF GENERAL FUND RECOVERY DEBT

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

7 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

8 For payment of interest on short-term borrowing,
 9 \$500,000 from local funds.

10 EMERGENCY PLANNING

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

20 WILSON BUILDING

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

23 EMERGENCY RESERVE FUND TRANSFER

24 Subject to the issuance of bonds to pay the purchase
 25 price of the District of Columbia's right, title, and, inter-

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

12 **NON-DEPARTMENTAL AGENCY**

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

18 **ENTERPRISE AND OTHER FUNDS**

19 **WATER AND SEWER AUTHORITY**

20 For operation of the Water and Sewer Authority,
 21 \$244,978,000 from other funds, of which \$44,244,000
 22 shall be apportioned for repayment of loans and interest
 23 incurred for capital improvement projects (\$17,952,936
 24 payable to the District's debt service fund and
 25 \$26,291,064 payable for other debt service). For construc-

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

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

11 DISTRICT OF COLUMBIA RETIREMENT BOARD

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

1 planned use of appropriated funds in time for each annual
 2 budget submission and the actual use of such funds in
 3 time for each annual audited financial report.

4 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

7 HOUSING FINANCE AGENCY

8 For the Housing Finance Agency, \$4,711,000 from
 9 other funds.

10 NATIONAL CAPITAL REVITALIZATION CORPORATION

11 For the National Capital Revitalization Corporation,
 12 \$2,673,000 from other funds.

13 CAPITAL OUTLAY

14 (INCLUDING RESCISSIONS)

15 For construction projects, an increase of
 16 \$1,550,787,000 of which \$1,348,783,000 shall be from
 17 local funds, \$44,431,000 from Highway Trust funds, and
 18 \$157,573,000 from Federal funds, and a rescission of
 19 \$476,182,000 from local funds appropriated under this
 20 heading in prior fiscal years, for a net amount of
 21 \$1,074,605,000 to remain available until expended: *Pro-*
 22 *vided*, That funds for use of each capital project imple-
 23 menting agency shall be managed and controlled in ac-
 24 cordance with all procedures and limitations established
 25 under the Financial Management System: *Provided fur-*

1 *ther*, That all funds provided by this appropriation title
2 shall be available only for the specific projects and pur-
3 poses intended: *Provided further*, That notwithstanding
4 the foregoing, all authorizations for capital outlay
5 projects, except those projects covered by the first sen-
6 tence of section 23(a) of the Federal Aid Highway Act
7 of 1968 (82 Stat. 827; Public Law 90-495), for which
8 funds are provided by this appropriation title, shall expire
9 on September 30, 2003, except authorizations for projects
10 as to which funds have been obligated in whole or in part
11 prior to September 30, 2003: *Provided further*, That upon
12 expiration of any such project authorization, the funds
13 provided herein for the project shall lapse.

14 GENERAL PROVISIONS

15 SEC. 101. Whenever in this Act, an amount is speci-
16 fied within an appropriation for particular purposes or ob-
17 jects of expenditure, such amount, unless otherwise speci-
18 fied, shall be considered as the maximum amount that
19 may be expended for said purpose or object rather than
20 an amount set apart exclusively therefor.

21 SEC. 102. Appropriations in this Act shall be avail-
22 able for expenses of travel and for the payment of dues
23 of organizations concerned with the work of the District
24 of Columbia government, when authorized by the Mayor:
25 *Provided*, That in the case of the Council of the District

1 of Columbia, funds may be expended with the authoriza-
2 tion of the chair of the Council.

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

13 ~~SEC. 104.~~ No part of any appropriation contained in
14 this Act shall remain available for obligation beyond the
15 current fiscal year unless expressly so provided herein.

16 ~~SEC. 105.~~ No funds appropriated in this Act for the
17 District of Columbia government for the operation of edu-
18 cational institutions, the compensation of personnel, or for
19 other educational purposes may be used to permit, encour-
20 age, facilitate, or further partisan political activities.
21 Nothing herein is intended to prohibit the availability of
22 school buildings for the use of any community or partisan
23 political group during non-school hours.

24 ~~SEC. 106.~~ None of the funds appropriated in this Act
25 shall be made available to pay the salary of any employee

1 of the District of Columbia government whose name, title,
2 grade, salary, past work experience, and salary history are
3 not available for inspection by the House and Senate Com-
4 mittees on Appropriations, the House Committee on Gov-
5 ernment Reform, the Senate Committee on Governmental
6 Affairs, and the Council of the District of Columbia, or
7 their duly authorized representative.

8 SEC. 107. There are appropriated from the applicable
9 funds of the District of Columbia such sums as may be
10 necessary for making payments authorized by the District
11 of Columbia Revenue Recovery Act of 1977 (D.C. Law
12 2-20; D.C. Code, sec. 47-422 et seq.).

13 SEC. 108. No part of this appropriation shall be used
14 for publicity or propaganda purposes or implementation
15 of any policy including boycott designed to support or de-
16 feat legislation pending before Congress or any State legis-
17 lature.

18 SEC. 109. At the start of the fiscal year, the Mayor
19 shall develop an annual plan, by quarter and by project,
20 for capital outlay borrowings: *Provided*, That within a rea-
21 sonable time after the close of each quarter, the Mayor
22 shall report to the Council of the District of Columbia and
23 the Congress the actual borrowings and spending progress
24 compared with projections.

1 SEC. 110. (a) None of the funds provided under this
2 Act to the agencies funded by this Act, both Federal and
3 District government agencies, that remain available for
4 obligation or expenditure in fiscal year 2002, or provided
5 from any accounts in the Treasury of the United States
6 derived by the collection of fees available to the agencies
7 funded by this Act, shall be available for obligation or ex-
8 penditure for an agency through a reprogramming of
9 funds which: (1) creates new programs; (2) eliminates a
10 program, project, or responsibility center; (3) establishes
11 or changes allocations specifically denied, limited or in-
12 creased by Congress in this Act; (4) increases funds or
13 personnel by any means for any program, project, or re-
14 sponsibility center for which funds have been denied or
15 restricted; (5) reestablishes through reprogramming any
16 program or project previously deferred through re-
17 programming; (6) augments existing programs, projects,
18 or responsibility centers through a reprogramming of
19 funds in excess of \$1,000,000 or 10 percent, whichever
20 is less; or (7) increases by 20 percent or more personnel
21 assigned to a specific program, project or responsibility
22 center; unless the Committees on Appropriations of both
23 the Senate and House of Representatives are notified in
24 writing 30 days in advance of any reprogramming as set
25 forth in this section.

1 (b) None of the local funds contained in this Act may
2 be available for obligation or expenditure for an agency
3 through a reprogramming of funds which transfers any
4 local funds from one appropriation to another unless the
5 Committees on Appropriations of the Senate and House
6 of Representatives are notified in writing 30 days in ad-
7 vance of the transfer, except that in no event may the
8 amount of any funds transferred exceed 2 percent of the
9 local funds in the appropriation.

10 SEC. 111. Consistent with the provisions of 31 U.S.C.
11 1301(a), appropriations under this Act shall be applied
12 only to the objects for which the appropriations were made
13 except as otherwise provided by law.

14 SEC. 112. (a) Notwithstanding any other provisions
15 of law, the provisions of the District of Columbia Govern-
16 ment Comprehensive Merit Personnel Act of 1978 (D.C.
17 Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.);
18 enacted pursuant to section 422(3) of the District of Co-
19 lumbia Home Rule Act (87 Stat. 790; Public Law 93-
20 198; D.C. Official Code, sec. 1-204.22(3)); shall apply
21 with respect to the compensation of District of Columbia
22 employees: *Provided*, That for pay purposes, employees of
23 the District of Columbia government shall not be subject
24 to the provisions of title 5, United States Code.

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

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

22 (3) REPORTING REQUIREMENT.—Section 2706 of
23 such Act is amended—

24 (A) by redesignating subsection (f) as sub-
25 section (g); and

1 (B) by inserting after subsection (e) the fol-
2 lowing new subsection:

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

10 (c) ~~NO LIMIT ON FTES.~~—Notwithstanding any other
11 provision of law, no limit may be placed on the number
12 of full-time equivalent employees of the Office of the Chief
13 Technology Officer of the District of Columbia for any fis-
14 cal year.

15 (d) Section 424(b)(3) of the District of Columbia
16 Home Rule Act (sec. 1-204.24b(c), D.C. Official Code)
17 is amended by striking “level IV” and inserting “level I”.

18 (e) ~~EFFECTIVE DATE.~~—The amendment made by
19 subsection (d) shall apply with respect to pay periods in
20 fiscal year 2002 and each succeeding fiscal year.

21 ~~SEC. 113.~~ No sole source contract with the District
22 of Columbia government or any agency thereof may be re-
23 newed or extended without opening that contract to the
24 competitive bidding process as set forth in section 303 of
25 the District of Columbia Procurement Practices Act of

1 1985 (D.C. Law 6-85; D.C. Official Code, sec. 2-303.03),
 2 except that the District of Columbia government or any
 3 agency thereof may renew or extend sole source contracts
 4 for which competition is not feasible or practical: *Provided*,
 5 That the determination as to whether to invoke the com-
 6 petitive bidding process has been made in accordance with
 7 duly promulgated rules and procedures.

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

21 ACCEPTANCE AND USE OF GIFTS

22 SEC. 115. (a) APPROVAL BY MAYOR.—

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

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

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

6 (2) EXCEPTION FOR COUNCIL AND COURTS.—

7 The Council of the District of Columbia and the
8 District of Columbia courts may accept and use gifts
9 without prior approval by the Mayor.

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

15 (c) INDEPENDENT AGENCIES INCLUDED.—For the
16 purposes of this section, the term “entity of the District
17 of Columbia government” includes an independent agency
18 of the District of Columbia.

19 (d) EXCEPTION FOR BOARD OF EDUCATION.—This
20 section shall not apply to the District of Columbia Board
21 of Education, which may, pursuant to the laws and regula-
22 tions of the District of Columbia, accept and use gifts to
23 the public schools without prior approval by the Mayor.

24 SEC. 116. None of the Federal funds provided in this
25 Act may be used by the District of Columbia to provide

1 for salaries, expenses, or other costs associated with the
2 offices of United States Senator or United States Rep-
3 resentative under section 4(d) of the District of Columbia
4 Statehood Constitutional Convention Initiatives of 1979
5 (D.C. Law 3-171; D.C. Official Code, sec. 1-123).

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

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

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

23 (1) IN GENERAL.—Notwithstanding any other
24 provision of this Act, the Mayor, in consultation with
25 the Chief Financial Officer may accept, obligate, and

1 expend Federal, private, and other grants received
2 by the District government that are not reflected in
3 the amounts appropriated in this Act.

4 (2) REQUIREMENT OF CHIEF FINANCIAL OFFI-
5 CER REPORT AND COUNCIL APPROVAL.—No such
6 Federal, private, or other grant may be accepted, ob-
7 ligated, or expended pursuant to paragraph (1)
8 until—

9 (A) the Chief Financial Officer of the Dis-
10 trict of Columbia submits to the Council a re-
11 port setting forth detailed information regard-
12 ing such grant; and

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

17 (3) PROHIBITION ON SPENDING IN ANTICIPA-
18 TION OF APPROVAL OR RECEIPT.—No amount may
19 be obligated or expended from the general fund or
20 other funds of the District government in anticipa-
21 tion of the approval or receipt of a grant under
22 paragraph (2)(B) of this subsection or in anticipa-
23 tion of the approval or receipt of a Federal, private,
24 or other grant not subject to such paragraph.

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

11 SEC. 120. (a) Except as otherwise provided in this
12 section, none of the funds made available by this Act or
13 by any other Act may be used to provide any officer or
14 employee of the District of Columbia with an official vehi-
15 cle unless the officer or employee uses the vehicle only in
16 the performance of the officer's or employee's official du-
17 ties. For purposes of this paragraph, the term "official
18 duties" does not include travel between the officer's or em-
19 ployee's residence and workplace (except: (1) in the case
20 of an officer or employee of the Metropolitan Police De-
21 partment who resides in the District of Columbia or is
22 otherwise designated by the Chief of the Department; (2)
23 at the discretion of the Fire Chief, an officer or employee
24 of the District of Columbia Fire and Emergency Medical
25 Services Department who resides in the District of Colum-

1 bia and is on call 24 hours a day; (3) the Mayor of the
2 District of Columbia; and (4) the Chairman of the Council
3 of the District of Columbia).

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

16 (c) No officer or employee of the District of Columbia
17 government (including any independent agency of the Dis-
18 trict but excluding the Office of the Chief Technology Offi-
19 cer) may enter into an agreement in excess of \$2,500 for
20 the procurement of goods or services on behalf of any enti-
21 ty of the District government until the officer or employee
22 has conducted an analysis of how the procurement of the
23 goods and services involved under the applicable regula-
24 tions and procedures of the District government would dif-
25 fer from the procurement of the goods and services in-

1 volved under the Federal supply schedule and other appli-
2 cable regulations and procedures of the General Services
3 Administration, including an analysis of any differences
4 in the costs to be incurred and the time required to obtain
5 the goods or services.

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

10 (1) the District of Columbia Board of Edu-
11 cation, or its successor, and DCPS shall assess or
12 evaluate a student who may have a disability and
13 who may require special education services; and

14 (2) if a student is classified as having a dis-
15 ability, as defined in section 101(a)(1) of the Indi-
16 viduals with Disabilities Education Act (84 Stat.
17 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the
18 Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.
19 706(8)), the Board and DCPS shall place that stu-
20 dent in an appropriate program of special education
21 services.

22 SEC. 122. (a) COMPLIANCE WITH BUY AMERICAN
23 ACT.—None of the funds made available in this Act may
24 be expended by an entity unless the entity agrees that in

1 expending the funds the entity will comply with the Buy
2 American Act (41 U.S.C. 10a–10e).

3 (b) SENSE OF THE CONGRESS; REQUIREMENT RE-
4 GARDING NOTICE.—

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

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

21 (c) PROHIBITION OF CONTRACTS WITH PERSONS
22 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
23 If it has been finally determined by a court or Federal
24 agency that any person intentionally affixed a label bear-
25 ing a “Made in America” inscription, or any inscription

1 with the same meaning; to any product sold in or shipped
2 to the United States that is not made in the United
3 States; the person shall be ineligible to receive any con-
4 tract or subcontract made with funds made available in
5 this Act, pursuant to the debarment, suspension, and ineli-
6 gibility procedures described in sections 9.400 through
7 9.409 of title 48, Code of Federal Regulations.

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

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

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

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

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

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

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

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

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

19 SEC. 128. (a) None of the funds contained in this
20 Act may be used to enact or carry out any law, rule, or
21 regulation to legalize or otherwise reduce penalties associ-
22 ated with the possession, use, or distribution of any sched-
23 ule I substance under the Controlled Substances Act (21
24 U.S.C. 802) or any tetrahydrocannabinols derivative.

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

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

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

18 SEC. 131. Section 149 of division A, Miscellaneous
19 Appropriations Act, 2001, as enacted by section 1(A)(4)
20 of Public Law 106-554 shall apply with respect to claims
21 received by the Superior Court of the District of Columbia
22 or the District of Columbia Court of Appeals during fiscal
23 year 2002, and claims received previously that remain un-
24 paid at the end of fiscal year 2001 and would have quali-
25 fied for interest payment under such section 149.

1 FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW
2 BANNING POSSESSION OF TOBACCO PRODUCTS BY
3 MINORS

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

9 “BAN ON POSSESSION OF TOBACCO PRODUCTS BY
10 MINORS

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

15 “(b) EXCEPTIONS.—

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

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

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

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

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

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

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

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

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

22 SEC. 134. (a) Section 11201(g)(4)(A) of the National
23 Capital Revitalization and Self-Government Improvement
24 Act of 1997 (sec. 24—1201(g)(4)(A), D.C. Code), as

1 amended by section 163 of the District of Columbia Ap-
2 propriations Act, 2001, is amended—

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

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

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

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

11 (b) The amendment made by subsection (a) shall take
12 effect on October 1, 2002.

13 SEC. 135. No later than the later of November 1,
14 2001, or 30 calendar days after the date of the enactment
15 of this Act, the Chief Financial Officer of the District of
16 Columbia shall submit to the appropriate committees of
17 Congress, the Mayor, and the Council a revised appro-
18 priated funds operating budget in the format of the budget
19 that the District of Columbia government submitted pur-
20 suant to section 442 of the District of Columbia Home
21 Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–
22 204.42), for all agencies of the District of Columbia gov-
23 ernment for such fiscal year that is in the total amount
24 of the approved appropriation and that realigns all budg-

1 eted data for personal services and other-than-personal-
2 services, respectively, with anticipated actual expenditures.

3 ~~SEC. 136.~~ Section 403 of the District of Columbia
4 Home Rule Act, approved December 24, 1973 (Public
5 Law 93-198; D.C. Official Code, sec. 1-204.03), is
6 amended as follows:

7 (1) Subsection (c) is amended by striking “shall
8 receive, in addition to the compensation to which he
9 is entitled as a member of the Council, \$10,000 per
10 annum, payable in equal installments, for each year
11 he serves as Chairman, but the Chairman”.

12 (2) A new subsection (d) is added to read as
13 follows:

14 “(d) Notwithstanding subsection (a), as of the effec-
15 tive date of the District of Columbia Appropriations Act,
16 2001, the Chairman shall receive compensation, payable
17 in equal installments, at a rate equal to \$10,000 less than
18 the compensation of the Mayor.”.

19 ~~SEC. 137.~~ No funds appropriated in this Act may be
20 made available to any person or entity that violates the
21 Buy American Act (41 U.S.C. 10a-10e).

22 ~~SEC. 138.~~ None of the funds contained in this Act
23 may be used to issue, administer, or enforce any order
24 by the District of Columbia Commission on Human Rights

1 relating to docket numbers ~~93-030-(PA)~~ and ~~93-031-~~
2 ~~(PA)~~.

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

5 *That the following sums are appropriated, out of any*
6 *money in the Treasury not otherwise appropriated, for the*
7 *District of Columbia for the fiscal year ending September*
8 *30, 2002, and for other purposes, namely:*

9 *FEDERAL FUNDS*

10 *FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT*

11 *For a Federal payment to the District of Columbia,*
12 *to be deposited into a dedicated account, for a nationwide*
13 *program to be administered by the Mayor, for District of*
14 *Columbia resident tuition support, \$17,000,000, to remain*
15 *available until expended: Provided, That such funds, in-*
16 *cluding any interest accrued thereon, may be used on behalf*
17 *of eligible District of Columbia residents to pay an amount*
18 *based upon the difference between in-State and out-of-State*
19 *tuition at public institutions of higher education, or to pay*
20 *up to \$2,500 each year at eligible private institutions of*
21 *higher education: Provided further, That the awarding of*
22 *such funds may be prioritized on the basis of a resident’s*
23 *academic merit, the income and need of eligible students*
24 *and such other factors as may be authorized: Provided fur-*
25 *ther, That the District of Columbia government shall estab-*

1 *lish a dedicated account for the Resident Tuition Support*
2 *Program that shall consist of the Federal funds appro-*
3 *priated to the Program in this Act and any subsequent ap-*
4 *propriations, any unobligated balances from prior fiscal*
5 *years, and any interest earned in this or any fiscal year:*
6 *Provided further, That the account shall be under the con-*
7 *trol of the District of Columbia Chief Financial Officer who*
8 *may use those funds solely for the purposes of carrying out*
9 *the Resident Tuition Support Program: Provided further,*
10 *That the Resident Tuition Support Program Office and the*
11 *Office of the Chief Financial Officer shall provide a quar-*
12 *terly financial report to the Committees on Appropriations*
13 *of the Senate and House of Representatives for these funds*
14 *showing, by object class, the expenditures made and the pur-*
15 *pose therefor: Provided further, That not more than seven*
16 *percent of the amount provided herein for this program*
17 *may be used for administrative expenses.*

18 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

19 *COURTS*

20 *For salaries and expenses for the District of Columbia*
21 *Courts, \$140,181,000, to be allocated as follows: for the Dis-*
22 *trict of Columbia Court of Appeals, \$8,003,000, of which*
23 *not to exceed \$1,500 is for official reception and representa-*
24 *tion expenses; for the District of Columbia Superior Court,*
25 *\$72,694,000, of which not to exceed \$1,500 is for official*

1 *reception and representation expenses; for the District of*
2 *Columbia Court System, \$31,634,000, of which not to ex-*
3 *ceed \$1,500 is for official reception and representation ex-*
4 *penses; and \$27,850,000 for capital improvements for Dis-*
5 *trict of Columbia courthouse facilities: Provided, That not-*
6 *withstanding any other provision of law, all amounts under*
7 *this heading shall be apportioned quarterly by the Office*
8 *of Management and Budget and obligated and expended in*
9 *the same manner as funds appropriated for salaries and*
10 *expenses of other Federal agencies, with payroll and finan-*
11 *cial services to be provided on a contractual basis with the*
12 *General Services Administration (GSA), said services to in-*
13 *clude the preparation of monthly financial reports, copies*
14 *of which shall be submitted directly by GSA to the President*
15 *and to the Committees on Appropriations of the Senate and*
16 *House of Representatives, the Committee on Governmental*
17 *Affairs of the Senate, and the Committee on Government*
18 *Reform of the House of Representatives: Provided further,*
19 *That after providing notice to the Committees on Appro-*
20 *priations of the Senate and House of Representatives, the*
21 *District of Columbia Courts may reallocate not more than*
22 *\$1,000,000 of the funds provided under this heading among*
23 *the items and entities funded under such heading: Provided*
24 *further, That of this amount not less than \$23,315,000 is*
25 *for activities authorized under S. 1382, the District of Co-*

1 *lumbia Family Court Act of 2001: Provided further, That*
2 *of the funds made available for the District of Columbia*
3 *Superior Court, \$6,603,000 may remain available until*
4 *September 30, 2003: Provided further, That of the funds*
5 *made available for the District of Columbia Court System,*
6 *\$485,000 may remain available until September 30, 2003:*
7 *Provided further, That of the funds made available for cap-*
8 *ital improvements, \$21,855,000 may remain available until*
9 *September 30, 2003.*

10 *ADMINISTRATIVE PROVISIONS*

11 *Section 11–1722(a), District of Columbia Code, is*
12 *amended in the first sentence by striking “, subject to the*
13 *supervision of the Executive Officer”.*

14 *Section 11–1723(a)(3), District of Columbia Code, is*
15 *amended by striking “and the internal auditing of the ac-*
16 *counts of the courts”.*

17 *The Victims of Violent Crime Compensation Act of*
18 *1996 (D.C. Code, sec. 3–421 et seq. (1981 Ed., 1999 Supp.))*
19 *as amended by Public Law 106–113, § 160 and Public Law*
20 *106–554, § 1(a)(4), H.R. 5666, Division A, Chapter 4,*
21 *§ 403) is amended: (a) in section 2 (D.C. Code, sec. 3–421*
22 *(1981 Ed., 1999 Supp.)), as amended by District of Colum-*
23 *bia Law 13–172, § 202(a) (except for paragraph (6)); (b)*
24 *in section 7(c) (D.C. Code, sec. 3–426(c) (1981 Ed., 1999*
25 *Supp.)), as amended by District of Columbia Law 13–172,*

1 § 202(b); (c) in section 8 (D.C. Code, sec. 3–427 (1981 Ed.,
2 1999 Supp.)), as amended by District of Columbia Law 13–
3 172, § 202(c); and (d) in section 16(e) (D.C. Code, sec. 3–
4 435(e) (1981 Ed., 1999 Supp.)), to read as follows:

5 “(e) All compensation and attorneys’ fees awarded
6 under this chapter shall be paid from, and subject to, the
7 availability of monies in the Fund. No more than five per-
8 cent of the total amount of monies in the Fund shall be
9 used to pay administrative costs necessary to carry out this
10 chapter.”

11 Section 11–2604, District of Columbia Code, is amend-
12 ed:

13 (1) in subsection (a), by striking “50” and in-
14 serting “75”; and

15 (2) in subsection (b)—

16 (A) by striking “1300” each time it appears
17 and inserting “1900”;

18 (B) by striking “2450” each time it appears
19 and inserting “3600”.

20 Section 16–2326.1(b), District of Columbia Code (1997
21 Repl.), is amended—

22 (1) by striking “1,100” each time it appears and
23 inserting “1,600”;

24 (2) in paragraph (3), by striking “1,500” and
25 inserting “2,200”; and

1 (3) in paragraph (4), by striking “750” and in-
2 serting “1,100”.

3 Section 16(d) of the Victims of Violent Crime Com-
4 pensation Act of 1996 (sec. 4–515(d), D.C. Official Code),
5 as amended by section 403 of the Miscellaneous Appropria-
6 tions Act, 2001 (as enacted into law by section 1(a)(4) of
7 the Consolidated Appropriations Act, 2001), is amended—
8 (1) by striking “in excess of \$250,000”; and
9 (2) by striking “and approved by” and all that
10 follows and inserting a period.

11 These amendments shall take effect as if included in the en-
12 actment of section 403 of the Miscellaneous Appropriations
13 Act, 2001.

14 DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

15 For payments authorized under section 11–2604 and
16 section 11–2605, D.C. Code (relating to representation pro-
17 vided under the District of Columbia Criminal Justice Act),
18 payments for counsel appointed in proceedings in the Fam-
19 ily Division of the Superior Court of the District of Colum-
20 bia under chapter 23 of title 16, D.C. Code, and payments
21 for counsel authorized under section 21–2060, D.C. Code
22 (relating to representation provided under the District of
23 Columbia Guardianship, Protective Proceedings, and Dura-
24 ble Power of Attorney Act of 1986), \$39,311,000, to remain
25 available until expended: Provided, That the funds provided

1 *in this Act under the heading “Federal Payment to the Dis-*
2 *trict of Columbia Courts” (other than the \$27,850,000 pro-*
3 *vided under such heading for capital improvements for Dis-*
4 *trict of Columbia courthouse facilities) may also be used*
5 *for payments under this heading: Provided further, That*
6 *in addition to the funds provided under this heading, the*
7 *Joint Committee on Judicial Administration in the Dis-*
8 *trict of Columbia may use funds provided in this Act under*
9 *the heading “Federal Payment to the District of Columbia*
10 *Courts” (other than the \$27,850,000 provided under such*
11 *heading for capital improvements for District of Columbia*
12 *courthouse facilities), to make payments described under*
13 *this heading for obligations incurred during any fiscal*
14 *year: Provided further, That funds provided under this*
15 *heading shall be administered by the Joint Committee on*
16 *Judicial Administration in the District of Columbia: Pro-*
17 *vided further, That notwithstanding any other provision of*
18 *law, this appropriation shall be apportioned quarterly by*
19 *the Office of Management and Budget and obligated and*
20 *expended in the same manner as funds appropriated for*
21 *expenses of other Federal agencies, with payroll and finan-*
22 *cial services to be provided on a contractual basis with the*
23 *General Services Administration (GSA), said services to in-*
24 *clude the preparation of monthly financial reports, copies*
25 *of which shall be submitted directly by GSA to the President*

1 *and to the Committees on Appropriations of the Senate and*
2 *House of Representatives, the Committee on Governmental*
3 *Affairs of the Senate, and the Committee on Government*
4 *Reform of the House of Representatives.*

5 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*

6 *CORRECTIONS TRUSTEE OPERATIONS*

7 *For salaries and expenses of the District of Columbia*
8 *Corrections Trustee, \$32,700,000 for the administration*
9 *and operation of correctional facilities and for the adminis-*
10 *trative operating costs of the Office of the Corrections Trust-*
11 *ee, as authorized by section 11202 of the National Capital*
12 *Revitalization and Self-Government Improvement Act of*
13 *1997 (Public Law 105–33; 111 Stat. 712) of which*
14 *\$1,000,000 is to fund an initiative to improve case proc-*
15 *essing in the District of Columbia criminal justice system,*
16 *\$2,500,000 to remain available until September 30, 2003*
17 *is for building renovation or space acquisition required to*
18 *accommodate functions transferred from the Lorton Correc-*
19 *tional Complex, and \$2,000,000 to remain available until*
20 *September 30, 2003, is to be transferred to the appropriate*
21 *agency for the closing of the sewage treatment plant and*
22 *the removal of underground storage tanks at the Lorton*
23 *Correctional Complex: Provided, That notwithstanding any*
24 *other provision of law, funds appropriated in this Act for*
25 *the District of Columbia Corrections Trustee shall be appor-*

1 *tioned quarterly by the Office of Management and Budget*
2 *and obligated and expended in the same manner as funds*
3 *appropriated for salaries and expenses of other Federal*
4 *agencies.*

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

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For salaries and expenses, including the transfer and*
10 *hire of motor vehicles, of the Court Services and Offender*
11 *Supervision Agency for the District of Columbia, as author-*
12 *ized by the National Capital Revitalization and Self-Gov-*
13 *ernment Improvement Act of 1997 (Public Law 105-33;*
14 *111 Stat. 712), \$147,300,000, of which \$13,015,000 shall*
15 *remain available until expended, and of which not to exceed*
16 *\$5,000 is for official receptions related to offender and de-*
17 *fendant support programs; of which \$94,112,000 shall be*
18 *for necessary expenses of Community Supervision and Sex*
19 *Offender Registration, to include expenses relating to super-*
20 *vision of adults subject to protection orders or provision of*
21 *services for or related to such persons; \$20,829,000 shall be*
22 *transferred to the Public Defender Service; and \$32,359,000*
23 *shall be available to the Pretrial Services Agency: Provided,*
24 *That notwithstanding any other provision of law, all*
25 *amounts under this heading shall be apportioned quarterly*

1 *by the Office of Management and Budget and obligated and*
2 *expended in the same manner as funds appropriated for*
3 *salaries and expenses of other Federal agencies: Provided*
4 *further, That notwithstanding chapter 12 of title 40, United*
5 *States Code, the Director may acquire by purchase, lease,*
6 *condemnation, or donation, and renovate as necessary,*
7 *Building Number 17, 1900 Massachusetts Avenue, South-*
8 *east, Washington, District of Columbia, or such other site*
9 *as the Director of the Court Services and Offender Super-*
10 *vision Agency may determine as appropriate to house or*
11 *supervise offenders and defendants, with funds made avail-*
12 *able by this Act: Provided further, That the Director is au-*
13 *thorized to accept and use gifts in the form of in-kind con-*
14 *tributions of space and hospitality to support offender and*
15 *defendant programs, and equipment and vocational train-*
16 *ing services to educate and train offenders and defendants.*

17 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR*
18 *SECURITY COSTS RELATED TO THE PRESENCE OF*
19 *THE FEDERAL GOVERNMENT IN THE DISTRICT OF*
20 *COLUMBIA*

21 *For a payment to the District of Columbia to reim-*
22 *burse the District for certain security expenses related to*
23 *the presence of the Federal Government in the District of*
24 *Columbia, \$16,058,000: Provided, That a detailed report of*
25 *actual and estimated expenses incurred shall be provided*

1 *to the Committees on Appropriations of the Senate and*
2 *House of Representatives no later than June 15, 2002: Pro-*
3 *vided further, That of this amount, \$3,406,000 shall be*
4 *made available for reimbursement of planning and related*
5 *expenses incurred by the District of Columbia in anticipa-*
6 *tion of providing security for the planned meetings in Sep-*
7 *tember 2001 of the World Bank and the International Mon-*
8 *etary Fund in the District of Columbia: Provided further,*
9 *That the Mayor and the Chairman of the Council of the*
10 *District of Columbia shall develop, in consultation with the*
11 *Director of the Office of Personnel Management, the United*
12 *States Secret Service, the United States Capitol Police, the*
13 *United States Park Police, the Washington Metropolitan*
14 *Area Transit Authority, regional transportation authori-*
15 *ties, the Federal Emergency Management Agency, the Gov-*
16 *ernor of the State of Maryland and the Governor of the*
17 *Commonwealth of Virginia, the county executives of contig-*
18 *uous counties of the region and the respective state and local*
19 *law enforcement entities in the region an integrated emer-*
20 *gency operations plan for the District of Columbia in cases*
21 *of national security events, including terrorist threats, pro-*
22 *tests, or other unanticipated events: Provided further, That*
23 *such plan shall include a response to attacks or threats of*
24 *attacks using biological or chemical agents: Provided fur-*
25 *ther, That the city shall submit this plan to the Committees*

1 *on Appropriations of the Senate and the House of Rep-*
2 *resentatives no later than January 2, 2002: Provided fur-*
3 *ther, That the Chief Financial Officer of the District of Co-*
4 *lumbia shall provide quarterly reports to the Committees*
5 *on Appropriations of the Senate and the House of Rep-*
6 *resentatives on the use of the funds under this heading, be-*
7 *ginning no later than January 2, 2002.*

8 *FEDERAL PAYMENT TO THE THURGOOD MARSHALL*
9 *ACADEMY CHARTER SCHOOL*

10 *For a Federal payment to the Thurgood Marshall*
11 *Academy Charter School, \$1,000,000 to be used to acquire*
12 *and renovate an educational facility in Anacostia.*

13 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*
14 *PUBLIC SCHOOLS*

15 *For a Federal payment to the District of Columbia*
16 *Public Schools, \$2,750,000, of which \$2,000,000 shall be to*
17 *implement the Voyager Expanded Learning literacy pro-*
18 *gram in kindergarten and first grade classrooms in the Dis-*
19 *trict of Columbia Public Schools; \$250,000 shall be for the*
20 *Failure Free Reading literacy program for non-readers and*
21 *special education students; \$250,000 for Lightspan, Inc. to*
22 *implement the eduTest.com program in the District of Co-*
23 *lumbia Public Schools; and \$250,000 for the Southeastern*
24 *University for a public/private partnership with McKinley*
25 *Technical High School.*

1 *FEDERAL PAYMENT TO THE GEORGE WASHINGTON UNI-*
2 *VERSITY CENTER FOR EXCELLENCE IN MUNICIPAL*
3 *MANAGEMENT*

4 *For a Federal payment to the George Washington Uni-*
5 *versity Center for Excellence in Municipal Management,*
6 *\$250,000 to increase the enrollment of managers from the*
7 *District of Columbia government.*

8 *FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL*
9 *MEDICAL CENTER*

10 *For a Federal payment to the Children's National*
11 *Medical Center in the District of Columbia, \$3,200,000 for*
12 *capital and equipment improvements.*

13 *FEDERAL PAYMENT FOR CHILD AND FAMILY SOCIAL*
14 *SERVICES COMPUTER INTEGRATION PLAN*

15 *For a Federal payment to the District of Columbia,*
16 *\$200,000 for completion of a plan by the Mayor on inte-*
17 *grating the computer systems of the District of Columbia*
18 *government with the Family Court of the Superior Court*
19 *of the District of Columbia: Provided, That, pursuant to*
20 *section 4 of S. 1382, the District of Columbia Family Court*
21 *Act of 2001, the Mayor shall submit a plan to the President*
22 *and the Congress within six months of enactment of that*
23 *Act, so that social services and other related services to indi-*
24 *viduals and families served by the Family Court of the Su-*
25 *perior Court and agencies of the District of Columbia gov-*

1 *ernment (including the District of Columbia Public Schools,*
2 *the District of Columbia Housing Authority, the Child and*
3 *Family Services Agency, the Office of the Corporation*
4 *Counsel, the Metropolitan Police Department, the Depart-*
5 *ment of Health, and other offices determined by the Mayor)*
6 *will be able to access and share information on the individ-*
7 *uals and families served by the Family Court.*

8 *FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND*
9 *FEDERAL LAW ENFORCEMENT MOBILE WIRELESS*
10 *INTEROPERABILITY PROJECT*

11 *For Federal payments in support of the District of Co-*
12 *lumbia and the Federal law enforcement Mobile Wireless*
13 *Interoperability Project, \$1,400,000, of which \$400,000*
14 *shall be for a payment to the District of Columbia Office*
15 *of the Chief Technology Officer, \$333,334 shall be for a pay-*
16 *ment to the United States Secret Service, \$333,333 shall*
17 *be for a payment to the United States Capitol Police, and*
18 *\$333,333 shall be for a payment to the United States Park*
19 *Police: Provided, That each agency shall participate in the*
20 *preparation of a joint report to the Committees on Appro-*
21 *priations of the Senate and the House of Representatives*
22 *to be submitted no later than March 30, 2002 on the alloca-*
23 *tion of these resources and a description of each agencies'*
24 *resource commitment to this project for fiscal year 2003.*

1 *FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER*
2 *OF THE DISTRICT OF COLUMBIA*

3 *For a Federal payment to the Chief Financial Officer*
4 *of the District of Columbia, \$5,900,000, of which \$2,250,000*
5 *shall be for payment for a pilot project to demonstrate the*
6 *“Active Cap” river cleanup technology on the Anacostia*
7 *River; \$500,000 shall be for payment to the Washington,*
8 *D.C. Sports and Entertainment Commission which, in co-*
9 *ordination with the U.S. Soccer Foundation, shall use the*
10 *funds for environmental and infrastructure costs at Ken-*
11 *ilworth Park in the creation of the Kenilworth Regional*
12 *Sports Complex; \$600,000 shall be for payment to the One*
13 *Economy Corporation, a non-profit organization, to in-*
14 *crease Internet access to low-income homes in the District*
15 *of Columbia; \$500,000 shall be for payment to the Langston*
16 *Project for the 21st Century, a community revitalization*
17 *project to improve physical education and training facili-*
18 *ties; \$1,000,000 shall be for payment to the Green Door Pro-*
19 *gram, for capital improvements at a community mental*
20 *health clinic; \$500,000 shall be for payment to the Histor-*
21 *ical Society of Washington, for capital improvements to the*
22 *new City Museum; \$200,000 for a payment to Teach for*
23 *America DC, for teacher development; and \$350,000 for*
24 *payment to the District of Columbia Safe Kids Coalition,*

1 *to promote child passenger safety through the Child Occu-*
2 *pant Protection Initiative.*

3 *COURT APPOINTED SPECIAL ADVOCATES*

4 *For a Federal payment to the District of Columbia*
5 *Court Appointed Special Advocates Unit, \$250,000 to be*
6 *used to expand their work in the Family Court of the Dis-*
7 *trict of Columbia Superior Court.*

8 *CHILD AND FAMILY SERVICES AGENCY—FAMILY COURT*
9 *REFORM*

10 *For a Federal payment to the District of Columbia*
11 *Child and Family Services Agency, \$500,000 to be used for*
12 *activities authorized under S. 1382, the District of Colum-*
13 *bia Family Court Act of 2001.*

14 *ADMINISTRATIVE PROVISIONS*

15 *Under the heading “Federal Payment for Incentives*
16 *for Adoption of Children” in Public Law 106–522, ap-*
17 *proved November 22, 2000 (114 Stat. 2440), is amended*
18 *to read as follows: “For a Federal payment to the District*
19 *of Columbia to create incentives to promote the adoption*
20 *of children in the District of Columbia foster care system,*
21 *\$5,000,000 to remain available until September 30, 2003:*
22 *Provided, That \$2,000,000 of said amount shall be used for*
23 *attorney fees and home studies: Provided further, That*
24 *\$1,000,000 of said amount shall be used for the establish-*
25 *ment of a scholarship fund which adoptive families and*

1 children without parents, due to the September 11, 2001
2 terrorist attack on the District of Columbia, will use for
3 post high school education and training for adopted chil-
4 dren: Provided further, That \$1,000,000 of said amount
5 shall be used for the establishment of a private adoptive
6 family resource center in the District of Columbia to pro-
7 vide ongoing information, education and support to adop-
8 tive families: Provided further, That \$1,000,000 of said
9 amount shall be used for adoption incentives and support
10 for children with special needs.”.

11 Of the Federal funds made available in the District
12 of Columbia Appropriations Act, 2001, Public Law 106-
13 522 for the District of Columbia Public Schools (114 Stat.
14 2441) and the Metropolitan Police Department (114 Stat.
15 2441) such funds may remain available for the purposes
16 intended until September 30, 2002: Provided, That funds
17 made available in such Act for the Washington Interfaith
18 Network (114 Stat. 2444) shall remain available for the
19 purposes intended until December 31, 2002: Provided fur-
20 ther, That funds made available in such Act for Brownfield
21 Remediation (114 Stat. 2445), shall remain available until
22 expended.

1 *DISTRICT OF COLUMBIA FUNDS*

2 *OPERATING EXPENSES*

3 *DIVISION OF EXPENSES*

4 *The following amounts are appropriated for the Dis-*
5 *trict of Columbia for the current fiscal year out of the gen-*
6 *eral fund of the District of Columbia, except as otherwise*
7 *specifically provided: Provided, That notwithstanding any*
8 *other provision of law, except as provided in section 450A*
9 *of the District of Columbia Home Rule Act (Public Law*
10 *93-198; D.C. Official Code, sec. 1-204.50a), the total*
11 *amount appropriated in this Act for operating expenses for*
12 *the District of Columbia for fiscal year 2002 under this*
13 *heading shall not exceed the lesser of the sum of the total*
14 *revenues of the District of Columbia for such fiscal year*
15 *or \$6,051,646,000 (of which \$124,163,000 shall be from*
16 *intra-District funds and \$3,553,300,000 shall be from local*
17 *funds): Provided further, That this amount may be in-*
18 *creased by (i) proceeds of one-time transactions, which are*
19 *expended for emergency or unanticipated operating or cap-*
20 *ital needs or (ii) additional expenditures which the Chief*
21 *Financial Officer of the District of Columbia certifies will*
22 *produce additional revenues during such fiscal year at least*
23 *equal to 200 percent of such additional expenditures: Pro-*
24 *vided further, That such increases shall be approved by en-*
25 *actment of local District law and shall comply with all re-*

1 *serve requirements contained in this act: Provided further,*
2 *That the Chief Financial Officer of the District of Columbia*
3 *shall take such steps as are necessary to assure that the Dis-*
4 *trict of Columbia meets these requirements, including the*
5 *apportioning by the Chief Financial Officer of the appro-*
6 *priations and funds made available to the District during*
7 *fiscal year 2002, except that the Chief Financial Officer*
8 *may not reprogram for operating expenses any funds de-*
9 *rived from bonds, notes, or other obligations issued for cap-*
10 *ital projects.*

11 *GOVERNMENTAL DIRECTION AND SUPPORT*

12 *Governmental direction and support, \$307,117,000*
13 *(including \$228,471,000 from local funds, \$61,367,000 from*
14 *Federal funds, and \$17,279,000 from other funds): Pro-*
15 *vided, That not to exceed \$2,500 for the Mayor, \$2,500 for*
16 *the Chairman of the Council of the District of Columbia,*
17 *and \$2,500 for the City Administrator shall be available*
18 *from this appropriation for official purposes: Provided fur-*
19 *ther, That any program fees collected from the issuance of*
20 *debt shall be available for the payment of expenses of the*
21 *debt management program of the District of Columbia: Pro-*
22 *vided further, That no revenues from Federal sources shall*
23 *be used to support the operations or activities of the State-*
24 *hood Commission and Statehood Compact Commission:*
25 *Provided further, That notwithstanding any other provision*

1 of law, or Mayor's Order 86-45, issued March 18, 1986,
2 the Office of the Chief Technology Officer's delegated small
3 purchase authority shall be \$500,000: Provided further,
4 That the District of Columbia government may not require
5 the Office of the Chief Technology Officer to submit to any
6 other procurement review process, or to obtain the approval
7 of or be restricted in any manner by any official or em-
8 ployee of the District of Columbia government, for pur-
9 chases that do not exceed \$500,000: Provided further, That
10 not less than \$353,000 shall be available to the Office of
11 the Corporation Counsel to support increases in the Attor-
12 ney Retention Allowance: Provided further, That not less
13 than \$50,000 shall be available to support a mediation serv-
14 ices program within the Office of the Corporation Counsel:
15 Provided further, That not less than \$50,000 shall be avail-
16 able to support a TANF Unit within the Child Support
17 Enforcement Division of the Office of the Corporation Coun-
18 sel: Provided further, That section 403 of the District of
19 Columbia Home Rule Act, approved December 24, 1973
20 (Public Law 93-198; D.C. Official Code, sec. 1-204.03), is
21 amended as follows:

22 (1) Subsection (c) is amended by striking the
23 phrase "shall receive, in addition to the compensation
24 to which he is entitled as a member of the Council,
25 \$10,000 per annum, payable in equal installments,

1 *for each year he serves as Chairman, but the Chair-*
2 *man”.*

3 *(2) A new subsection (d) is added to read as fol-*
4 *lows:*

5 *“(d) Notwithstanding subsection (a) of this section, as*
6 *of the effective date of the District of Columbia Appropria-*
7 *tions Act, 2001, the Chairman shall receive compensation,*
8 *payable in equal installments, at a rate equal to \$10,000*
9 *less than the compensation of the Mayor.”.*

10 *ECONOMIC DEVELOPMENT AND REGULATION*

11 *Economic development and regulation, \$230,878,000*
12 *(including \$60,786,000 from local funds, \$96,199,000 from*
13 *Federal funds, and \$73,893,000 from other funds), of which*
14 *\$15,000,000 collected by the District of Columbia in the*
15 *form of BID tax revenue shall be paid to the respective*
16 *BIDs pursuant to the Business Improvement Districts Act*
17 *of 1996 (D.C. Law 11–134; D.C. Official Code, sec. 2–*
18 *1215.01 et seq.), and the Business Improvement Districts*
19 *Amendment Act of 1997 (D.C. Law 12–26; D.C. Official*
20 *Code, sec. 2–1215.15 et seq.): Provided, That such funds are*
21 *available for acquiring services provided by the General*
22 *Services Administration: Provided further, That Business*
23 *Improvement Districts shall be exempt from taxes levied by*
24 *the District of Columbia: Provided further, That the De-*
25 *partment of Consumer and Regulatory Affairs use \$50,000*

1 of the receipts from the net proceeds from the contractor
2 that handles the District's occupational and professional li-
3 censing to fund additional staff and equipment for the
4 Rental Housing Administration: Provided further, That the
5 Department of Consumer and Regulatory Affairs transfer
6 all local funds resulting from the lapse of personnel vacan-
7 cies, caused by transferring DCRA employees into NSO po-
8 sitions without filling the resultant vacancies, into the re-
9 volving 5-513 fund to be used to implement the provisions
10 in D.C. Act 13-578, the Abatement and Condemnation of
11 Nuisance Properties Omnibus Amendment Act of 2000, per-
12 taining to the prevention of the demolition by neglect of
13 historic properties: Provided further, That the fees estab-
14 lished and collected pursuant to D.C. Act 13-578 shall be
15 identified, and an accounting provided, to the District of
16 Columbia Council's Committee on Consumer and Regu-
17 latory Affairs: Provided further, That 18 percent of the an-
18 nual total amount in the 5-513 fund, up to \$500,000, de-
19 posited into the 5-513 fund on an annual basis, be used
20 to implement section 102 and other related sections of D.C.
21 Act 13-578: Provided further, That the Department shall
22 hire, with the consultation and guidance of the Director of
23 the Office of Personnel on the necessary qualifications and
24 salary level, from these lapsed funds, as soon as possible,
25 but in no event later than November 1, 2001, a professional

1 *human resources manager who will become part of the De-*
2 *partment's senior management team, and provide in con-*
3 *sultation with its newly hired human resources professional*
4 *manager, and the Office of Personnel, a detailed plan to*
5 *the Council's Committee on Consumer and Regulatory Af-*
6 *airs, by December 1, 2001, for the use of the personal serv-*
7 *ices lapsed funds, including the 58 vacant positions identi-*
8 *fied by the Department, in fiscal year 2001 to reclassify*
9 *positions, augment pay scales once positions are reclassified*
10 *where needed to fill vacancies with qualified and necessary*
11 *personnel, and to fund these new and vacant positions.*

12 *PUBLIC SAFETY AND JUSTICE*

13 *Public safety and justice, \$632,668,000 (including*
14 *\$593,618,000 from local funds, \$8,298,000 from Federal*
15 *funds, and \$30,752,000 from other funds): Provided, That*
16 *not to exceed \$500,000 shall be available from this appro-*
17 *priation for the Chief of Police for the prevention and detec-*
18 *tion of crime: Provided further, That no less than*
19 *\$173,000,000 shall be available to the Metropolitan Police*
20 *Department for salaries in support of 3,800 sworn officers:*
21 *Provided further, That no less than \$100,000 shall be avail-*
22 *able in the Department of Corrections budget to support the*
23 *Corrections Information Council: Provided further, That no*
24 *less than \$296,000 shall be available to support the Child*
25 *Fatality Review Committee: Provided further, That nothing*

1 *contained in this section shall be construed as modifying*
2 *or affecting the provisions of section 11(c)(3) of title XII*
3 *of the District of Columbia Income and Franchise Tax Act*
4 *of 1947 (70 Stat. 78; Public Law 84-460; D.C. Official*
5 *Code, sec. 47-1812.11(c)(3)): Provided further, That the*
6 *Mayor shall reimburse the District of Columbia National*
7 *Guard for expenses incurred in connection with services*
8 *that are performed in emergencies by the National Guard*
9 *in a militia status and are requested by the Mayor, in*
10 *amounts that shall be jointly determined and certified as*
11 *due and payable for these services by the Mayor and the*
12 *Commanding General of the District of Columbia National*
13 *Guard: Provided further, That such sums as may be nec-*
14 *essary for reimbursement to the District of Columbia Na-*
15 *tional Guard under the preceding proviso shall be available*
16 *from this appropriation, and the availability of the sums*
17 *shall be deemed as constituting payment in advance for*
18 *emergency services involved.*

19 *PUBLIC EDUCATION SYSTEM*

20 *Public education system, including the development of*
21 *national defense education programs, \$1,108,915,000 (in-*
22 *cluding \$894,494,000 from local funds, \$187,794,000 from*
23 *Federal funds, and \$26,627,000 from other funds), to be al-*
24 *located as follows: \$813,292,000 (including \$658,624,000*
25 *from local funds, \$147,380,000 from Federal funds, and*

1 \$7,288,000 from other funds), for the public schools of the
2 District of Columbia; \$47,370,000 (including \$19,911,000
3 from local funds, \$26,917,000 from Federal funds, \$542,000
4 from other funds), for the State Education Office;
5 \$17,000,000 from local funds, previously appropriated in
6 this Act as a Federal payment, and such sums as may be
7 necessary to be derived from interest earned on funds con-
8 tained in the dedicated account established by the Chief Fi-
9 nancial Officer of the District of Columbia, for resident tui-
10 tion support at public and private institutions of higher
11 learning for eligible District of Columbia residents; and
12 \$142,257,000 from local funds for public charter schools:
13 Provided, That there shall be quarterly disbursement of
14 funds to the District of Columbia public charter schools,
15 with the first payment to occur within 15 days of the begin-
16 ning of each fiscal year: Provided further, That if the en-
17 tirety of this allocation has not been provided as payments
18 to any public charter schools currently in operation through
19 the per pupil funding formula, the funds shall be available
20 for public education in accordance with the School Reform
21 Act of 1995 (Public Law 104–134; D.C. Official Code, sec.
22 38–1804.03(A)(2)(D)): Provided further, That \$480,000 of
23 this amount shall be available to the District of Columbia
24 Public Charter School Board for administrative costs: Pro-
25 vided further, That \$76,542,000 (including \$45,912,000

1 *from local funds, \$12,539,000 from Federal funds, and*
2 *\$18,091,000 from other funds) shall be available for the*
3 *University of the District of Columbia: Provided further,*
4 *That \$27,256,000 (including \$26,030,000 from local funds,*
5 *\$560,000 from Federal funds and \$666,000 other funds) for*
6 *the Public Library: Provided further, That the \$1,007,000*
7 *enhancement shall be allocated such that \$500,000 is used*
8 *for facilities improvements for 8 of the 26 library branches,*
9 *\$235,000 for 13 FTEs for the continuation of the Homework*
10 *Helpers Program, \$143,000 for 2 FTEs in the expansion*
11 *of the Reach Out And Roar (ROAR) service to licensed day*
12 *care homes, and \$129,000 for 3 FTEs to expand literacy*
13 *support into branch libraries: Provided further, That*
14 *\$2,198,000 (including \$1,760,000 from local funds,*
15 *\$398,000 from Federal funds and \$40,000 from other funds)*
16 *shall be available for the Commission on the Arts and Hu-*
17 *manities: Provided further, That the public schools of the*
18 *District of Columbia are authorized to accept not to exceed*
19 *31 motor vehicles for exclusive use in the driver education*
20 *program: Provided further, That not to exceed \$2,500 for*
21 *the Superintendent of Schools, \$2,500 for the President of*
22 *the University of the District of Columbia, and \$2,000 for*
23 *the Public Librarian shall be available from this appropria-*
24 *tion for official purposes: Provided further, That none of*
25 *the funds contained in this Act may be made available to*

1 *pay the salaries of any District of Columbia Public School*
2 *teacher, principal, administrator, official, or employee who*
3 *knowingly provides false enrollment or attendance informa-*
4 *tion under article II, section 5 of the Act entitled “An Act*
5 *to provide for compulsory school attendance, for the taking*
6 *of a school census in the District of Columbia, and for other*
7 *purposes”, approved February 4, 1925 (D.C. Official Code,*
8 *sec. 38–201 et seq.): Provided further, That this appropria-*
9 *tion shall not be available to subsidize the education of any*
10 *nonresident of the District of Columbia at any District of*
11 *Columbia public elementary and secondary school during*
12 *fiscal year 2002 unless the nonresident pays tuition to the*
13 *District of Columbia at a rate that covers 100 percent of*
14 *the costs incurred by the District of Columbia which are*
15 *attributable to the education of the nonresident (as estab-*
16 *lished by the Superintendent of the District of Columbia*
17 *Public Schools): Provided further, That this appropriation*
18 *shall not be available to subsidize the education of non-*
19 *residents of the District of Columbia at the University of*
20 *the District of Columbia, unless the Board of Trustees of*
21 *the University of the District of Columbia adopts, for the*
22 *fiscal year ending September 30, 2002, a tuition rate sched-*
23 *ule that will establish the tuition rate for nonresident stu-*
24 *dents at a level no lower than the nonresident tuition rate*
25 *charged at comparable public institutions of higher edu-*

1 cation in the metropolitan area: Provided further, That the
2 District of Columbia Public Schools shall spend \$1,200,000
3 to implement D.C. Teaching Fellows Program in the Dis-
4 trict's public schools: Provided further, That notwith-
5 standing the amounts otherwise provided under this head-
6 ing or any other provision of law, there shall be appro-
7 priated to the District of Columbia public charter schools
8 on July 1, 2002, an amount equal to 25 percent of the total
9 amount provided for payments to public charter schools in
10 the proposed budget of the District of Columbia for fiscal
11 year 2003 (as submitted to Congress), and the amount of
12 such payment shall be chargeable against the final amount
13 provided for such payments under the District of Columbia
14 Appropriations Act, 2003: Provided further, That notwith-
15 standing the amounts otherwise provided under this head-
16 ing or any other provision of law, there shall be appro-
17 priated to the District of Columbia Public Schools on July
18 1, 2002, an amount equal to 10 percent of the total amount
19 provided for the District of Columbia Public Schools in the
20 proposed budget of the District of Columbia for fiscal year
21 2003 (as submitted to Congress), and the amount of such
22 payment shall be chargeable against the final amount pro-
23 vided for the District of Columbia Public Schools under the
24 District of Columbia Appropriations Act, 2003: Provided
25 further, That no less than \$200,000 be available for adult

1 *education: Provided further, That the third sentence of sec-*
2 *tion 441 of the District of Columbia Home Rule Act, ap-*
3 *proved December 24, 1973 (Public Law 93–198; D.C. Offi-*
4 *cial Code, sec. 1–204.41), is amended to read as follows:*
5 *“However, the fiscal year for the Armory Board shall begin*
6 *on the first day of January and shall end on the thirty-*
7 *first day of December of each calendar year, and, beginning*
8 *the first day of July 2003, the fiscal year for the District*
9 *of Columbia Public Schools, District of Columbia Public*
10 *Charter Schools and the University of the District of Co-*
11 *lumbia shall begin on the first day of July and end on the*
12 *thirtieth day of June of each calendar year.”: Provided fur-*
13 *ther, That the first paragraph under the heading “Public*
14 *Education System” in Public Law 107–20, approved July*
15 *24, 2001, is amended to read as follows: “For an additional*
16 *amount for ‘Public Education System’, \$1,000,000 from*
17 *local funds to remain available until expended, for the State*
18 *Education Office for a census-type audit of the student en-*
19 *rollment of each District of Columbia Public School and*
20 *of each public charter school and \$12,000,000 from local*
21 *funds for the District of Columbia Public Schools to conduct*
22 *the 2001 summer school session.”.*

*HUMAN SUPPORT SERVICES**(INCLUDING TRANSFER OF FUNDS)*

1 *Human support services, \$1,803,923,000 (including*
2 *\$711,072,000 from local funds, \$1,075,960,000 from Federal*
3 *funds, and \$16,891,000 from other funds): Provided, That*
4 *\$27,986,000 of this appropriation, to remain available*
5 *until expended, shall be available solely for District of Co-*
6 *lumbia employees' disability compensation: Provided fur-*
7 *ther, That \$75,000,000 shall be available to the Health Care*
8 *Safety Net Administration established by section 1802 of*
9 *the Fiscal Year 2002 Budget Support Act of 2001, D.C. Bill*
10 *14-144; \$90,000,000 available under the District of Colum-*
11 *bia Appropriations Act, 2001 (Public Law 106-522) to the*
12 *Public Benefit Corporation for restructuring shall be made*
13 *available to the Health Care Safety Net Administration for*
14 *the purpose of restructuring the delivery of health services*
15 *in the District of Columbia and shall remain available*
16 *until expended: Provided further, That no less than*
17 *\$7,500,000 of this appropriation, to remain available until*
18 *expended, shall be deposited in the Addiction Recovery*
19 *Fund established pursuant to section 5 of the Choice in*
20 *Drug Treatment Act of 2000, effective July 8, 2000 (D.C.*
21 *Law 13-146; D.C. Official Code, sec. 7-3004), and used*
22 *solely for the purpose of the Drug Treatment Choice Pro-*
23 *gram established pursuant to section 4 of the Choice in*
24 *Drug Treatment Act of 2000, effective July 8, 2000 (D.C.*
25 *Law 13-146; D.C. Official Code, sec. 7-3004), and used*

1 *Drug Treatment Act of 2000 (D.C. Official Code, sec. 7–*
2 *3003): Provided further, That no less than \$500,000 of the*
3 *\$7,500,000 appropriated for the Addiction Recovery Fund*
4 *shall be used solely to pay treatment providers who provide*
5 *substance abuse treatment to TANF recipients under the*
6 *Drug Treatment Choice Program: Provided further, That*
7 *no less than \$2,000,000 of this appropriation shall be used*
8 *solely to establish, by contract, a 2-year pilot substance*
9 *abuse program for youth ages 16 through 21 years of age:*
10 *Provided further, That no less than \$60,000 be available*
11 *for a D.C. Energy Office Matching Grant: Provided further,*
12 *That no less than \$2,150,000 be available for a pilot In-*
13 *terim Disability Assistance program pursuant to title L of*
14 *the Fiscal Year 2002 Budget Support Act (D.C. Bill 14–*
15 *144).*

16 *PUBLIC WORKS*

17 *Public works, including rental of one passenger-car-*
18 *rying vehicle for use by the Mayor and three passenger-car-*
19 *rying vehicles for use by the Council of the District of Co-*
20 *lumbia and leasing of passenger-carrying vehicles,*
21 *\$300,151,000 (including \$286,334,000 from local funds,*
22 *\$4,392,000 from Federal funds, and \$9,425,000 from other*
23 *funds): Provided, That this appropriation shall not be*
24 *available for collecting ashes or miscellaneous refuse from*
25 *hotels and places of business: Provided further, That no less*

1 *than \$650,000 be available for a mechanical alley sweeping*
2 *program: Provided further, That no less than \$6,400,000*
3 *be available for residential parking enforcement: Provided*
4 *further, That no less than \$100,000 be available for a Gen-*
5 *eral Counsel to the Department of Public Works: Provided*
6 *further, That no less than \$3,600,000 be available for ticket*
7 *processing: Provided further, That no less than 14 residen-*
8 *tial parking control aides or 10 percent of the residential*
9 *parking control force be available for night time enforce-*
10 *ment of out-of-state tags: Provided further, That of the total*
11 *of 3,000 additional parking meters being installed in com-*
12 *mercial districts and in commercial loading zones none be*
13 *installed at loading zones, or entrances at apartment build-*
14 *ings and none be installed in residential neighborhoods:*
15 *Provided further, That no less than \$262,000 be available*
16 *for taxicab enforcement activities: Provided further, That*
17 *no less than \$241,000 be available for a taxicab driver secu-*
18 *rity revolving fund: Provided further, That no less than*
19 *\$30,084,000 in local appropriations be available to the Di-*
20 *vision of Transportation, within the Department of Public*
21 *Works: Provided further, That no less than \$12,000,000 in*
22 *rights-of-way fees shall be available for the Local Roads,*
23 *Construction and Maintenance Fund: Provided further,*
24 *That funding for a proposed separate Department of Trans-*
25 *portation is contingent upon Council approval of a reorga-*

1 nization plan: Provided further, That no less than \$313,000
2 be available for handicapped parking enforcement: Provided
3 further, That no less than \$190,000 be available for the Ig-
4 nition Interlock Device Program: Provided further, That no
5 less than \$473,000 be available for the Motor Vehicle Insur-
6 ance Enforcement Program: Provided further, That
7 \$11,000,000 shall be available for transfer to the Highway
8 Trust Fund's Local Roads, Construction and Maintenance
9 Fund, upon certification by the Chief Financial Officer that
10 funds are available from the 2001 budgeted reserve or where
11 the Chief Financial Officer certifies that additional local
12 revenues are available: Provided further, That \$1,550,000
13 made available under the District of Columbia Appropria-
14 tions Act, 2001 (Public Law 106-522) for taxicab driver
15 security enhancements in the District of Columbia shall re-
16 main available until September 30, 2002.

17 *RECEIVERSHIP PROGRAMS*

18 *For all agencies of the District of Columbia govern-*
19 *ment under court ordered receivership, \$403,868,000 (in-*
20 *cluding \$250,015,000 from local funds, \$134,839,000 from*
21 *Federal funds, and \$19,014,000 from other funds).*

22 *WORKFORCE INVESTMENTS*

23 *For workforce investments, \$42,896,000 from local*
24 *funds, to be transferred by the Mayor of the District of Co-*

1 *lumbia within the various appropriation headings in this*
2 *Act for which employees are properly payable.*

3 *RESERVE*

4 *For replacement of funds expended, if any, during fis-*
5 *cal year 2001 from the Reserve established by section 202(j)*
6 *of the District of Columbia Financial Responsibility and*
7 *Management Assistance Act of 1995, Public Law 104–8,*
8 *\$120,000,000 from local funds.*

9 *RESERVE RELIEF*

10 *For reserve relief, \$30,000,000, for the purpose of*
11 *spending funds made available through the reduction from*
12 *\$150,000,000 to \$120,000,000 in the amount required for*
13 *the Reserve established by section 202(j) of the District of*
14 *Columbia Financial Responsibility and Management As-*
15 *sistance Act of 1995, Public Law 104–8: Provided, That*
16 *\$12,000,000 shall be available to the District of Columbia*
17 *Public Schools and District of Columbia Public Charter*
18 *Schools for educational enhancements: Provided further,*
19 *That \$18,000,000 shall be available pursuant to a local Dis-*
20 *trict law: Provided further, That of the \$30,000,000, funds*
21 *shall only be expended upon: (i) certification by the Chief*
22 *Financial Officer of the District of Columbia that the funds*
23 *are available and not required to address potential deficits,*
24 *(ii) enactment of local District law detailing the purpose*
25 *for the expenditure, (iii) prior notification by the Mayor*

1 *to the Committees on Appropriations of both the Senate and*
2 *House of Representatives in writing 30 days in advance*
3 *of any such expenditure: Provided further, That the*
4 *\$18,000,000 provided pursuant to local law shall be ex-*
5 *pendent only when the Emergency Reserve established pursu-*
6 *ant to Section 450A(a) of the District of Columbia Home*
7 *Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–*
8 *204.50a(a)), has a minimum balance in the amount of*
9 *\$150,000,000.*

10 *EMERGENCY AND CONTINGENCY RESERVE FUNDS*

11 *For the Emergency and Contingency Reserve Funds*
12 *established under section 450A of the District of Columbia*
13 *Home Rule Act (Public Law 93–198; D.C. Official Code,*
14 *sec. 1–204.50a(b)), the Mayor may deposit the proceeds re-*
15 *quired pursuant to Section 159(a) of Public Law 106–522*
16 *and Section 404(c) of Public Law 106–554 in the Contin-*
17 *gency Reserve Fund beginning in fiscal year 2002 if the*
18 *minimum emergency reserve balance requirement estab-*
19 *lished in Section 450A(c) has been met.*

20 *REPAYMENT OF LOANS AND INTEREST*

21 *For payment of principal, interest, and certain fees*
22 *directly resulting from borrowing by the District of Colum-*
23 *bia to fund District of Columbia capital projects as author-*
24 *ized by sections 462, 475, and 490 of the District of Colum-*
25 *bia Home Rule Act (Public Law 93–198; D.C. Official*

1 Code, secs. 1–204.62, 1–204.75, 1–204.90), \$247,902,000
2 from local funds: Provided, That any funds set aside pursu-
3 ant to section 148 of the District of Columbia Appropria-
4 tions Act, 2000 (Public Law 106–113; 113 Stat. 1523) that
5 are not used in the reserve funds established herein shall
6 be used for Pay-As-You-Go Capital Funds: Provided fur-
7 ther, That for equipment leases, the Mayor may finance
8 \$14,300,000 of equipment cost, plus cost of issuance not to
9 exceed 2 percent of the par amount being financed on a
10 lease purchase basis with a maturity not to exceed 5 years:
11 Provided further, That \$4,440,000 shall be for the Fire and
12 Emergency Medical Services Department, \$2,010,000 shall
13 be for the Department of Parks and Recreation, and
14 \$7,850,000 shall be for the Department of Public Works:
15 Provided further, That no less than \$533,000 be available
16 for trash transfer capital debt service. Notwithstanding any
17 other provision of law, the District of Columbia is hereby
18 authorized to make any necessary payments related to the
19 “District of Columbia Emergency Assistance Act of 2001”:
20 Provided, That the District of Columbia shall use local
21 funds for any payments under this heading: Provided fur-
22 ther, That the Chief Financial Officer shall certify the
23 availability of such funds, and shall certify that such funds
24 are not required to address budget shortfalls in the District
25 of Columbia.

1 *shall submit a budget for the Armory Board for the forth-*
2 *coming fiscal year as required by section 442(b) of the Dis-*
3 *trict of Columbia Home Rule Act (87 Stat. 824; Public Law*
4 *93–198; D.C. Official Code, sec. 1–204.42(b)).*

5 *DISTRICT OF COLUMBIA RETIREMENT BOARD*

6 *For the District of Columbia Retirement Board, estab-*
7 *lished by section 121 of the District of Columbia Retirement*
8 *Reform Act of 1979 (93 Stat. 866; D.C. Official Code, sec.*
9 *1–711), \$13,388,000 from the earnings of the applicable re-*
10 *tirement funds to pay legal, management, investment, and*
11 *other fees and administrative expenses of the District of Co-*
12 *lumbia Retirement Board: Provided, That the District of*
13 *Columbia Retirement Board shall provide the Mayor, for*
14 *transmittal to the Council of the District of Columbia, an*
15 *itemized accounting of the planned use of appropriated*
16 *funds in time for each annual budget submission and the*
17 *actual use of such funds in time for each annual audited*
18 *financial report.*

19 *WASHINGTON CONVENTION CENTER ENTERPRISE FUND*

20 *For the Washington Convention Center Enterprise*
21 *Fund, \$57,278,000 from other funds.*

22 *HOUSING FINANCE AGENCY*

23 *For the Housing Finance Agency, \$4,711,000 from*
24 *other funds.*

1 covered by the first sentence of section 23(a) of the Federal
2 Aid Highway Act of 1968 (82 Stat. 827; Public Law 90–
3 495), for which funds are provided by this appropriation
4 title, shall expire on September 30, 2003, except authoriza-
5 tions for projects as to which funds have been obligated in
6 whole or in part prior to September 30, 2003: Provided fur-
7 ther, That upon expiration of any such project authoriza-
8 tion, the funds provided herein for the project shall lapse:
9 Provided further, That except for funds approved in the
10 budgets prior to the fiscal year 2002 budget and FL–MA2
11 in the fiscal year 2002 Budget Request, no local funds may
12 be expended to renovate, rehabilitate or construct any facil-
13 ity within the boundaries of census tract 68.04 for any pur-
14 pose associated with the D.C. Department of Corrections,
15 the CSOSA, or the federal Bureau of Prisons unit until such
16 time as the Mayor shall present to the Council for its ap-
17 proval, a plan for the development of census tract 68.04
18 south of East Capitol Street, S.E., and the housing of any
19 misdemeanants, felons, ex-offenders, or persons awaiting
20 trial within the District of Columbia: Provided further,
21 That none of the conditions set forth in this paragraph shall
22 interfere with the operations of any Federal agency.

23 **GENERAL PROVISIONS**

24 *SEC. 101. Whenever in this Act, an amount is specified*
25 *within an appropriation for particular purposes or objects*

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

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

12 *SEC. 103. There are appropriated from the applicable*
13 *funds of the District of Columbia such sums as may be nec-*
14 *essary for making refunds and for the payment of legal set-*
15 *tlements or judgments that have been entered against the*
16 *District of Columbia government: Provided, That nothing*
17 *contained in this section shall be construed as modifying*
18 *or affecting the provisions of section 11(c)(3) of title XII*
19 *of the District of Columbia Income and Franchise Tax Act*
20 *of 1947 (70 Stat. 78; Public Law 84-460; D.C. Code, sec.*
21 *47-1812.11(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 for the*
2 *District of Columbia government for the operation of edu-*
3 *cational institutions, the compensation of personnel, or for*
4 *other educational purposes may be used to permit, encour-*
5 *age, facilitate, or further partisan political activities. Noth-*
6 *ing herein is intended to prohibit the availability of school*
7 *buildings for the use of any community or partisan polit-*
8 *ical group during non-school hours.*

9 *SEC. 106. None of the Federal funds appropriated in*
10 *this Act shall be used for publicity or propaganda purposes*
11 *or implementation of any policy including boycott designed*
12 *to support or defeat legislation pending before Congress or*
13 *any State legislature.*

14 *SEC. 107. At the start of the fiscal year, the Mayor*
15 *shall develop an annual plan, by quarter and by project,*
16 *for capital outlay borrowings: Provided, That within a rea-*
17 *sonable time after the close of each quarter, the Mayor shall*
18 *report to the Council of the District of Columbia and the*
19 *Congress the actual borrowings and spending progress com-*
20 *pared with projections.*

21 *SEC. 108. (a) None of the funds provided under this*
22 *Act to the agencies funded by this Act, both Federal and*
23 *District government agencies, that remain available for ob-*
24 *ligation or expenditure in fiscal year 2002, or provided*
25 *from any accounts in the Treasury of the United States*

1 *derived by the collection of fees available to the agencies*
2 *funded by this Act, shall be available for obligation or ex-*
3 *penditure for an agency through a reprogramming of funds*
4 *which: (1) creates new programs; (2) eliminates a program,*
5 *project, or responsibility center; (3) establishes or changes*
6 *allocations specifically denied, limited or increased by Con-*
7 *gress in this Act; (4) increases funds or personnel by any*
8 *means for any program, project, or responsibility center for*
9 *which funds have been denied or restricted; (5) reestablishes*
10 *through reprogramming any program or project previously*
11 *deferred through reprogramming; (6) augments existing*
12 *programs, projects, or responsibility centers through a re-*
13 *programming of funds in excess of \$1,000,000 or 10 percent,*
14 *whichever is less; or (7) increases by 20 percent or more*
15 *personnel assigned to a specific program, project or respon-*
16 *sibility center; unless the Committees on Appropriations of*
17 *both the Senate and House of Representatives are notified*
18 *in writing 30 days in advance of any reprogramming as*
19 *set forth in this section.*

20 *(b) None of the local funds contained in this Act may*
21 *be available for obligation or expenditure for an agency*
22 *through a reprogramming or transfer of funds which trans-*
23 *fers any local funds from one appropriation title to another*
24 *unless the Committees on Appropriations of the Senate and*
25 *House of Representatives are notified in writing 30 days*

1 *in advance of the reprogramming or transfer, except that*
2 *in no event may the amount of any funds reprogrammed*
3 *or transferred exceed four percent of the local funds.*

4 *SEC. 109. Consistent with the provisions of 31 U.S.C.*
5 *1301(a), appropriations under this Act shall be applied*
6 *only to the objects for which the appropriations were made*
7 *except as otherwise provided by law.*

8 *SEC. 110. Notwithstanding any other provisions of*
9 *law, the provisions of the District of Columbia Government*
10 *Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–*
11 *139; D.C. Code, sec. 1–601.1 et seq.), enacted pursuant to*
12 *section 422(3) of the District of Columbia Home Rule Act*
13 *(87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–*
14 *242(3)), shall apply with respect to the compensation of*
15 *District of Columbia employees: Provided, That for pay*
16 *purposes, employees of the District of Columbia government*
17 *shall not be subject to the provisions of title 5, United States*
18 *Code.*

19 *SEC. 111. No later than 30 days after the end of the*
20 *first quarter of the fiscal year ending September 30, 2002,*
21 *the Mayor of the District of Columbia shall submit to the*
22 *Council of the District of Columbia the new fiscal year 2002*
23 *revenue estimates as of the end of the first quarter of fiscal*
24 *year 2002. These estimates shall be used in the budget re-*
25 *quest for the fiscal year ending September 30, 2003. The*

1 *officially revised estimates at midyear shall be used for the*
2 *midyear report.*

3 *SEC. 112. No sole source contract with the District of*
4 *Columbia government or any agency thereof may be re-*
5 *newed or extended without opening that contract to the*
6 *competitive bidding process as set forth in section 303 of*
7 *the District of Columbia Procurement Practices Act of 1985*
8 *(D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except that the*
9 *District of Columbia government or any agency thereof may*
10 *renew or extend sole source contracts for which competition*
11 *is not feasible or practical: Provided, That the determina-*
12 *tion as to whether to invoke the competitive bidding process*
13 *has been made in accordance with duly promulgated rules*
14 *and procedures and said determination has been reviewed*
15 *and certified by the Chief Financial Officer of the District*
16 *of Columbia.*

17 *SEC. 113. For purposes of the Balanced Budget and*
18 *Emergency Deficit Control Act of 1985 (99 Stat. 1037; Pub-*
19 *lic Law 99–177), the term “program, project, and activity”*
20 *shall be synonymous with and refer specifically to each ac-*
21 *count appropriating Federal funds in this Act, and any*
22 *sequestration order shall be applied to each of the accounts*
23 *rather than to the aggregate total of those accounts: Pro-*
24 *vided, That sequestration orders shall not be applied to any*
25 *account that is specifically exempted from sequestration by*

1 *the Balanced Budget and Emergency Deficit Control Act*
2 *of 1985.*

3 *SEC. 114. In the event a sequestration order is issued*
4 *pursuant to the Balanced Budget and Emergency Deficit*
5 *Control Act of 1985 (99 Stat. 1037; Public Law 99–177),*
6 *after the amounts appropriated to the District of Columbia*
7 *for the fiscal year involved have been paid to the District*
8 *of Columbia, the Mayor of the District of Columbia shall*
9 *pay to the Secretary of the Treasury, within 15 days after*
10 *receipt of a request therefor from the Secretary of the Treas-*
11 *ury, such amounts as are sequestered by the order: Provided,*
12 *That the sequestration percentage specified in the order*
13 *shall be applied proportionately to each of the Federal ap-*
14 *propriation accounts in this Act that are not specifically*
15 *exempted from sequestration by such Act.*

16 *SEC. 115. ACCEPTANCE AND USE OF GIFTS. (a) AP-*
17 *PROVAL BY MAYOR.—*

18 (1) *IN GENERAL.—An entity of the District of*
19 *Columbia government may accept and use a gift or*
20 *donation during fiscal year 2002 if—*

21 (A) *the Mayor approves the acceptance and*
22 *use of the gift or donation (except as provided in*
23 *paragraph (2)); and*

24 (B) *the entity uses the gift or donation to*
25 *carry out its authorized functions or duties.*

1 (2) *EXCEPTION FOR COUNCIL AND COURTS.*—*The*
2 *Council of the District of Columbia and the District*
3 *of Columbia courts may accept and use gifts without*
4 *prior approval by the Mayor.*

5 (b) *RECORDS AND PUBLIC INSPECTION.*—*Each entity*
6 *of the District of Columbia government shall keep accurate*
7 *and detailed records of the acceptance and use of any gift*
8 *or donation under subsection (a), and shall make such*
9 *records available for audit and public inspection.*

10 (c) *INDEPENDENT AGENCIES INCLUDED.*—*For the*
11 *purposes of this section, the term “entity of the District of*
12 *Columbia government” includes an independent agency of*
13 *the District of Columbia.*

14 (d) *EXCEPTION FOR BOARD OF EDUCATION.*—*This sec-*
15 *tion shall not apply to the District of Columbia Board of*
16 *Education, which may, pursuant to the laws and regula-*
17 *tions of the District of Columbia, accept and use gifts to*
18 *the public schools without prior approval by the Mayor.*

19 *SEC. 116. None of the Federal funds provided in this*
20 *Act may be used by the District of Columbia to provide*
21 *for salaries, expenses, or other costs associated with the of-*
22 *fices of United States Senator or United States Representa-*
23 *tive under section 4(d) of the District of Columbia State-*
24 *hood Constitutional Convention Initiatives of 1979 (D.C.*
25 *Law 3–171; D.C. Code, sec. 1–113(d)).*

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

6 *SEC. 118. None of the Federal funds made available*
7 *in this Act may be used to implement or enforce the Health*
8 *Care Benefits Expansion Act of 1992 (D.C. Law 9–114;*
9 *D.C. Code, sec. 36–1401 et seq.) or to otherwise implement*
10 *or enforce any system of registration of unmarried, cohab-*
11 *iting couples, including but not limited to registration for*
12 *the purpose of extending employment, health, or govern-*
13 *mental benefits to such couples on the same basis that such*
14 *benefits are extended to legally married couples.*

15 *SEC. 119. ACCEPTANCE AND USE OF GRANTS. Not-*
16 *withstanding any other provision of this Act, the Mayor,*
17 *in consultation with the Chief Financial Officer, may ac-*
18 *cept, obligate, and expend Federal, private, and other*
19 *grants received by the District government that are not re-*
20 *flected in the amounts appropriated in this Act. No such*
21 *Federal, private, or other grant may be accepted, obligated,*
22 *or expended until (1) the Chief Financial Officer of the Dis-*
23 *trict of Columbia submits to the Council a report setting*
24 *forth detailed information regarding such grant, and (2)*
25 *the Council has reviewed and approved the acceptance, obli-*

1 gation, and expenditure of such grant, such approval con-
2 tingent upon (A) no written notice of disapproval being
3 filed with the Secretary to the Council within 14 calendar
4 days of the receipt of the report from the Chief Financial
5 Officer, and no oral notice of disapproval is given during
6 a meeting of the Council during such 14 calendar day pe-
7 riod, the report shall be deemed to be approved, and (B)
8 should notice of disapproval be given during such initial
9 14-calendar day period, the Council may approve or dis-
10 approve the report by resolution within 30 calendar days
11 of the initial receipt of the report from the Chief Financial
12 Officer, or such report shall be deemed to be approved. No
13 amount may be obligated or expended from the general fund
14 or other funds of the District government in anticipation
15 of the approval or receipt of a grant or in anticipation of
16 the approval or receipt of a Federal, private, or other grant
17 not subject to these provisions. The Chief Financial Officer
18 of the District of Columbia shall prepare a quarterly report
19 setting forth detailed information regarding all Federal,
20 private, and other grants subject to these provisions. Each
21 such report shall be submitted to the Council of the District
22 of Columbia, and to the Committees on Appropriations of
23 the House of Representatives and the Senate, not later than
24 15 days after the end of the quarter covered by the report.

1 *SEC. 120. (a) RESTRICTIONS ON USE OF OFFICIAL VE-*
2 *HICLES.—Except as otherwise provided in this section, none*
3 *of the funds made available by this Act or by any other*
4 *Act may be used to provide any officer or employee of the*
5 *District of Columbia with an official vehicle unless the offi-*
6 *cer or employee uses the vehicle only in the performance*
7 *of the officer’s or employee’s official duties. For purposes*
8 *of this paragraph, the term “official duties” does not in-*
9 *clude travel between the officer’s or employee’s residence and*
10 *workplace (except: (1) in the case of an officer or employee*
11 *of the Metropolitan Police Department who resides in the*
12 *District of Columbia or is otherwise designated by the Chief*
13 *of the Department; (2) at the discretion of the Fire Chief,*
14 *an officer or employee of the District of Columbia Fire and*
15 *Emergency Medical Services Department who resides in the*
16 *District of Columbia and is on call 24 hours a day; (3)*
17 *the Mayor of the District of Columbia; and (4) the Chair-*
18 *man of the Council of the District of Columbia).*

19 *(b) INVENTORY OF VEHICLES.—The Chief Financial*
20 *Officer of the District of Columbia shall submit, by Novem-*
21 *ber 15, 2001, an inventory, as of September 30, 2001, of*
22 *all vehicles owned, leased or operated by the District of Co-*
23 *lumbia government. The inventory shall include, but not*
24 *be limited to, the department to which the vehicle is as-*
25 *signed; the year and make of the vehicle; the acquisition*

1 *date and cost; the general condition of the vehicle; annual*
2 *operating and maintenance costs; current mileage; and*
3 *whether the vehicle is allowed to be taken home by a District*
4 *officer or employee and if so, the officer or employee's title*
5 *and resident location.*

6 *SEC. 121. No officer or employee of the District of Co-*
7 *lumbia government (including any independent agency of*
8 *the District but excluding the Chief Financial Officer of the*
9 *District of Columbia, the Metropolitan Police Department,*
10 *and the Office of the Chief Technology Officer) may enter*
11 *into an agreement in excess of \$2,500 for the procurement*
12 *of goods or services on behalf of any entity of the District*
13 *government until the officer or employee has conducted an*
14 *analysis of how the procurement of the goods and services*
15 *involved under the applicable regulations and procedures*
16 *of the District government would differ from the procure-*
17 *ment of the goods and services involved under the Federal*
18 *supply schedule and other applicable regulations and proce-*
19 *dures of the General Services Administration, including an*
20 *analysis of any differences in the costs to be incurred and*
21 *the time required to obtain the goods or services.*

22 *SEC. 122. Notwithstanding any other provision of law,*
23 *not later than 120 days after the date that a District of*
24 *Columbia Public Schools (DCPS) student is referred for*
25 *evaluation or assessment—*

1 (1) *the District of Columbia Board of Education,*
2 *or its successor, and DCPS shall assess or evaluate a*
3 *student who may have a disability and who may re-*
4 *quire special education services; and*

5 (2) *if a student is classified as having a dis-*
6 *ability, as defined in section 101(a)(1) of the Individ-*
7 *uals with Disabilities Education Act (84 Stat. 175;*
8 *20 U.S.C. 1401(a)(1)) or in section 7(8) of the Reha-*
9 *ilitation Act of 1973 (87 Stat. 359; 29 U.S.C.*
10 *706(8)), the Board and DCPS shall place that student*
11 *in an appropriate program of special education serv-*
12 *ices.*

13 *SEC. 123. (a) COMPLIANCE WITH BUY AMERICAN*
14 *ACT.—None of the funds made available in this Act may*
15 *be expended by an entity unless the entity agrees that in*
16 *expending the funds the entity will comply with the Buy*
17 *American Act (41 U.S.C. 10a–10c).*

18 *(b) SENSE OF THE CONGRESS; REQUIREMENT RE-*
19 *GARDING NOTICE.—*

20 *(1) PURCHASE OF AMERICAN-MADE EQUIPMENT*
21 *AND PRODUCTS.—In the case of any equipment or*
22 *product that may be authorized to be purchased with*
23 *financial assistance provided using funds made avail-*
24 *able in this Act, it is the sense of the Congress that*
25 *entities receiving the assistance should, in expending*

1 *the assistance, purchase only American-made equip-*
2 *ment and products to the greatest extent practicable.*

3 (2) *NOTICE TO RECIPIENTS OF ASSISTANCE.—In*
4 *providing financial assistance using funds made*
5 *available in this Act, the head of each agency of the*
6 *Federal or District of Columbia government shall pro-*
7 *vide to each recipient of the assistance a notice de-*
8 *scribing the statement made in paragraph (1) by the*
9 *Congress.*

10 (c) *PROHIBITION OF CONTRACTS WITH PERSONS*
11 *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*
12 *If it has been finally determined by a court or Federal agen-*
13 *cy that any person intentionally affixed a label bearing a*
14 *“Made in America” inscription, or any inscription with*
15 *the same meaning, to any product sold in or shipped to*
16 *the United States that is not made in the United States,*
17 *the person shall be ineligible to receive any contract or sub-*
18 *contract made with funds made available in this Act, pur-*
19 *suant to the debarment, suspension, and ineligibility proce-*
20 *dures described in sections 9.400 through 9.409 of title 48,*
21 *Code of Federal Regulations.*

22 *SEC. 124. None of the funds contained in this Act may*
23 *be used for purposes of the annual independent audit of*
24 *the District of Columbia government for fiscal year 2002*
25 *unless—*

1 (1) *the audit is conducted by the Inspector Gen-*
2 *eral of the District of Columbia, in coordination with*
3 *the Chief Financial Officer of the District of Colum-*
4 *bia, pursuant to section 208(a)(4) of the District of*
5 *Columbia Procurement Practices Act of 1985 (D.C.*
6 *Code, sec. 1–1182.8(a)(4)); and*

7 (2) *the audit includes a comparison of audited*
8 *actual year-end results with the revenues submitted in*
9 *the budget document for such year and the appropria-*
10 *tions enacted into law for such year.*

11 *SEC. 125. None of the Federal funds contained in this*
12 *Act may be used by the District of Columbia Corporation*
13 *Counsel or any other officer or entity of the District govern-*
14 *ment to provide assistance for any petition drive or civil*
15 *action which seeks to require Congress to provide for voting*
16 *representation in Congress for the District of Columbia.*

17 *SEC. 126. No later than November 1, 2001, or within*
18 *30 calendar days after the date of the enactment of this*
19 *Act, whichever occurs later, the Chief Financial Officer of*
20 *the District of Columbia shall submit to the appropriate*
21 *committees of Congress, the Mayor, and the Council a re-*
22 *vised appropriated funds operating budget in the format*
23 *of the budget that the District of Columbia government sub-*
24 *mitted pursuant to section 442 of the District of Columbia*
25 *Home Rule Act (Public Law 93–198; D.C. Code, sec. 47–*

1 301), for all agencies of the District of Columbia govern-
2 ment for such fiscal year that is in the total amount of
3 the approved appropriation and that realigns all budgeted
4 data for personal services and other-than-personal-services,
5 respectively, with anticipated actual expenditures.

6 SEC. 127. (a) None of the Federal funds contained in
7 this 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. 128. None of the funds contained in this Act may
16 be used after the expiration of the 60-day period that begins
17 on the date of the enactment of this Act to pay the salary
18 of any chief financial officer of any office of the District
19 of Columbia government who has not filed a certification
20 with the Mayor and the Chief Financial Officer of the Dis-
21 trict of Columbia that the officer understands the duties and
22 restrictions applicable to the officer and the officer's agency
23 as a result of this Act (and the amendments made by this
24 Act), including any duty to prepare a report requested ei-
25 ther in the Act or in any of the reports accompanying the

1 *Act and the deadline by which each report must be sub-*
2 *mitted, and the District's Chief Financial Officer shall pro-*
3 *vide to the Committees on Appropriations of the Senate and*
4 *the House of Representatives by the 10th day after the end*
5 *of each quarter a summary list showing each report, the*
6 *due date and the date submitted to the Committees.*

7 *SEC. 129. (a) None of the funds contained in this Act*
8 *may be used to enact or carry out any law, rule, or regula-*
9 *tion to legalize or otherwise reduce penalties associated with*
10 *the possession, use, or distribution of any schedule I sub-*
11 *stance under the Controlled Substances Act (21 U.S.C. 802)*
12 *or any tetrahydrocannabinols derivative.*

13 *(b) The Legalization of Marijuana for Medical Treat-*
14 *ment Initiative of 1998, also known as Initiative 59, ap-*
15 *proved by the electors of the District of Columbia on Novem-*
16 *ber 3, 1998, shall not take effect.*

17 *SEC. 130. Nothing in this Act may be construed to pre-*
18 *vent the Council or Mayor of the District of Columbia from*
19 *addressing the issue of the provision of contraceptive cov-*
20 *erage by health insurance plans, but it is the intent of Con-*
21 *gress that any legislation enacted on such issue should in-*
22 *clude a "conscience clause" which provides exceptions for*
23 *religious beliefs and moral convictions.*

24 *PROMPT PAYMENT OF APPOINTED COUNSEL*

25 *SEC. 131. (a) ASSESSMENT OF INTEREST FOR DE-*
26 *LAYED PAYMENTS.—If the Superior Court of the District*

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

10 *(b) PAYMENTS DESCRIBED.—A payment described in*
11 *this subsection is—*

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

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

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

1 (c) *STANDARDS FOR SUBMISSION OF COMPLETED*
2 *VOUCHERS.*—*The chief judges of the Superior Court of the*
3 *District of Columbia and the District of Columbia Court*
4 *of Appeals shall establish standards and criteria for deter-*
5 *mining whether vouchers submitted for claims for payments*
6 *described in subsection (b) are complete, and shall publish*
7 *and make such standards and criteria available to attor-*
8 *neys who practice before such Courts.*

9 (d) *RULE OF CONSTRUCTION.*—*Nothing in this section*
10 *shall be construed to require the assessment of interest*
11 *against any claim (or portion of any claim) which is de-*
12 *nied by the Court involved.*

13 (e) *EFFECTIVE DATE.*—*This section shall apply with*
14 *respect to claims received by the Superior Court of the Dis-*
15 *trict of Columbia or the District of Columbia Court of Ap-*
16 *peals during fiscal year 2002, and claims received pre-*
17 *viously that remain unpaid at the end of fiscal year 2001,*
18 *and would have qualified for interest payment under this*
19 *section.*

20 *SEC. 132. The Mayor of the District of Columbia shall*
21 *submit to the Senate and House Committees on Appropria-*
22 *tions, the Senate Governmental Affairs Committee, and the*
23 *House Government Reform Committee quarterly reports ad-*
24 *dressing the following issues: (1) crime, including the homi-*
25 *cide rate, implementation of community policing, the num-*

1 ber of police officers on local beats, and the closing down
2 of open-air drug markets; (2) access to drug abuse treat-
3 ment, including the number of treatment slots, the number
4 of people served, the number of people on waiting lists, and
5 the effectiveness of treatment programs; (3) management of
6 parolees and pre-trial violent offenders, including the num-
7 ber of halfway house escapes and steps taken to improve
8 monitoring and supervision of halfway house residents to
9 reduce the number of escapes to be provided in consultation
10 with the Court Services and Offender Supervision Agency;
11 (4) education, including access to special education services
12 and student achievement to be provided in consultation
13 with the District of Columbia Public Schools; (5) improve-
14 ment in basic District services, including rat control and
15 abatement; (6) application for and management of Federal
16 grants, including the number and type of grants for which
17 the District was eligible but failed to apply and the number
18 and type of grants awarded to the District but for which
19 the District failed to spend the amounts received; and (7)
20 indicators of child well-being.

21 *RESERVE FUNDS*

22 *SEC. 133. (a) IN GENERAL.—Section 202(j) of Public*
23 *Law 104–8, the District of Columbia Financial Responsi-*
24 *bility and Management Assistance Act of 1995 is amended*
25 *to read as follows:*

26 “(j) *RESERVE FUNDS.—*

1 “(1) *BUDGET RESERVE.*—

2 “(A) *IN GENERAL.*—*For each of the fiscal*
3 *years 2002 and 2003, the budget of the District*
4 *government for the fiscal year shall contain a*
5 *budget reserve in the following amounts:*

6 “(i) *\$120,000,000, in the case of fiscal*
7 *year 2002.*

8 “(ii) *\$70,000,000, in the case of fiscal*
9 *year 2003.*

10 “(B) *AVAILABILITY OF FUNDS.*—*Any*
11 *amount made available from the budget reserve*
12 *described in subparagraph (A) shall remain*
13 *available until expended.*

14 “(C) *AVAILABILITY OF FY 2001 BUDGET RE-*
15 *SERVE FUNDS.*—*For fiscal year 2001, any*
16 *amount in the budget reserve shall remain avail-*
17 *able until expended.*

18 “(2) *CUMULATIVE CASH RESERVE.*—*In addition*
19 *to any other cash reserves required under section*
20 *450A of the District of Columbia Home Rule Act, for*
21 *each of the fiscal years 2004 and 2005, the budget of*
22 *the District government for the fiscal year shall con-*
23 *tain a cumulative cash reserve of \$50,000,000.*

24 “(3) *CONDITIONS ON USE.*—*The District of Co-*
25 *lumbia may obligate or expend amounts in the budget*

1 *reserve under paragraph (1) or the cumulative cash*
2 *reserve under paragraph (2) only in accordance with*
3 *the following conditions:*

4 “(A) *The Chief Financial Officer of the Dis-*
5 *trict of Columbia shall certify that the amounts*
6 *are available.*

7 “(B) *The amounts shall be obligated or ex-*
8 *pended in accordance with laws enacted by the*
9 *Council in support of each such obligation or ex-*
10 *penditure.*

11 “(C) *The amounts may not be used to fund*
12 *the agencies of the District of Columbia govern-*
13 *ment under court ordered receivership.*

14 “(D) *The amounts may be obligated or ex-*
15 *pended only if the Mayor notifies the Committees*
16 *on Appropriations of the House of Representa-*
17 *tives and Senate in writing 30 days in advance*
18 *of any obligation or expenditure.*

19 “(4) *REPLENISHMENT.—Any amount of the*
20 *budget reserve under paragraph (1) or the cumulative*
21 *cash reserve under paragraph (2) which is expended*
22 *in one fiscal year shall be replenished in the following*
23 *fiscal year appropriations to maintain the required*
24 *balance.”.*

1 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
2 *section (a) shall take effect October 1, 2001.*

3 (c) *CONFORMING AMENDMENTS.*—*Section 159(c) of the*
4 *District of Columbia Appropriations Act, 2001 (Public Law*
5 *106–522; 114 Stat. 2482) is amended to read as follows:*

6 “(c) *EFFECTIVE DATE.*—

7 “(1) *IN GENERAL.*—*Except as provided in para-*
8 *graph (2), this section and the amendments made by*
9 *this section shall take effect on October 1, 2000.*

10 “(2) *REPEAL OF POSITIVE FUND BALANCE RE-*
11 *QUIREMENT.*—*The amendment made by subsection*
12 *(b)(2) shall take effect October 1, 1999.*

13 “(3) *TRANSFER OF FUNDS.*—*All funds identified*
14 *by the District government pursuant to section 148 of*
15 *Public Law 106–113, as reflected in the certified an-*
16 *nuual financial report for fiscal year 2000, shall be de-*
17 *posited during fiscal year 2002 into the Emergency*
18 *and Contingency Reserve Funds established pursuant*
19 *to Section 159 of Public Law 106–522, during fiscal*
20 *year 2002.”.*

21 (d) *CONTINGENCY RESERVE FUND.*—*Section 450A(b)*
22 *of the Home Rule Act (Public Law 93–198) is amended—*

23 (1) *by striking paragraph (1) and inserting the*
24 *following:*

1 “(1) *IN GENERAL.*—*There is established a con-*
2 *tingency cash reserve fund (in this subsection referred*
3 *to as the ‘contingency reserve fund’)* as an interest-
4 *bearing account (separate from other accounts in the*
5 *General Fund) into which the Mayor shall deposit in*
6 *cash not later than October 1 of each fiscal year (be-*
7 *ginning with fiscal year 2002) such amount as may*
8 *be required to maintain a balance in the fund of at*
9 *least 3 percent of the total budget appropriated for*
10 *operating expenditures for such fiscal year which is*
11 *derived from local funds (or, in the case of fiscal*
12 *years prior to fiscal year 2007, such amount as may*
13 *be required to maintain a balance in the fund of at*
14 *least the minimum contingency reserve balance for*
15 *such fiscal year, as determined under paragraph*
16 *(2)).”;* and

17 (2) by striking subparagraph (B) of paragraph
18 (2) and inserting the following:

19 “(B) *APPLICABLE PERCENTAGE DEFINED.*—
20 *In subparagraph (A), the ‘applicable percentage’*
21 *with respect to a fiscal year means the following:*

22 “(i) *For fiscal year 2002, 0 percent.*

23 “(ii) *For fiscal year 2003, 0 percent.*

24 “(iii) *For fiscal year 2004, 0 percent.*

25 “(iv) *For fiscal year 2005, 1 percent.*

1 “(v) For fiscal year 2006, 2 percent.”.

2 *SEC. 134. INTEGRATED PRODUCT TEAM. No funds ap-*
3 *propriated by this Act shall be available for an Integrated*
4 *Product Team until reorganization plans for the Integrated*
5 *Product Team and a Capital Construction Services Admin-*
6 *istration have been approved, or deemed approved, by the*
7 *Council: Provided, That this paragraph shall not apply to*
8 *funds appropriated for the Office of Contracting and Pro-*
9 *curement.*

10 *SEC. 135. CORPORATION COUNSEL ANTITRUST, ANTI-*
11 *FRAUD, CONSUMER PROTECTION FUNDS. All funds when-*
12 *ever deposited in the District of Columbia Antitrust Fund*
13 *established pursuant to section 2 of the District of Columbia*
14 *Antitrust Act of 1980 (D.C. Law 3–169; D.C. Code § 28–*
15 *4516), the Antifraud Fund established pursuant to section*
16 *820 of the District of Columbia Procurement Practices Act*
17 *of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C.*
18 *Code § 1–1188.20), and the District of Columbia Consumer*
19 *Protection Fund established pursuant to section 1402 of the*
20 *District of Columbia Budget Support Act for fiscal year*
21 *2001 (D.C. Law 13–172; D.C. Code § 28–3911), are hereby*
22 *appropriated for the use of the Office of the Corporation*
23 *Counsel of the District of Columbia until September 30,*
24 *2003, in accordance with the statutes that established these*
25 *funds.*

1 *SEC. 136. RISK MANAGEMENT FOR SETTLEMENTS AND*
2 *JUDGMENTS. In addition to any other authority to pay*
3 *claims and judgments, any department, agency, or instru-*
4 *mentality of the District government may pay the settle-*
5 *ment or judgment of a claim or lawsuit in an amount less*
6 *than \$10,000, in accordance with the Risk Management for*
7 *Settlements and Judgments Amendment Act of 2000, effec-*
8 *tive October 19, 2000 (D.C. Law 13–172; D.C. Official Code*
9 *§ 2–402).*

10 *SEC. 137. To waive the period of Congressional review*
11 *of the Closing of Portions of 2nd and N Streets, N.E. and*
12 *Alley System in Square 710, S.O. 00–97, Act of 2001. Not-*
13 *withstanding section 602(c)(1) of the District of Columbia*
14 *Home Rule Act (sec. 1–233(c)(1), D.C. Code), the Closing*
15 *of Portions of 2nd and N Streets, N.E. and Alley System*
16 *in Square 710, S.O. 00–97, Act of 2001 (D.C. Act 14–106)*
17 *shall take effect on the date of the enactment of such Act*
18 *or the date of the enactment of this Act, whichever is later.*

19 *SEC. 138. (a) None of the funds contained in this Act*
20 *may be made available to pay the fees of an attorney who*
21 *represents a party who prevails in an action or any attor-*
22 *ney who defends any action, including an administrative*
23 *proceeding, brought against the District of Columbia Public*
24 *Schools under the Individuals with Disabilities Education*
25 *Act (20 U.S.C. 1400 et seq.) if—*

1 (1) *the hourly rate of compensation of the attor-*
2 *ney exceeds 300 percent of the maximum amount of*
3 *compensation under section 11–2604(b)(1), District of*
4 *Columbia Code; or*

5 (2) *the maximum amount of compensation of the*
6 *attorney exceeds 300 percent of the maximum amount*
7 *of compensation under section 11–2604(b)(1), District*
8 *of Columbia Code, except that compensation and re-*
9 *imbursement in excess of such maximum may be ap-*
10 *proved for extended or complex representation in ac-*
11 *cordance with section 11–2604(c), District of Colum-*
12 *bia Code; and*

13 (3) *in no case may the compensation limits in*
14 *paragraphs (1) and (2) exceed \$3,000.*

15 (b) *Notwithstanding the preceding subsection, if the*
16 *Mayor and the Superintendent of the District of Columbia*
17 *Public Schools concur in a Memorandum of Understanding*
18 *setting forth a new rate and amount of compensation, or*
19 *a new limit referred to in subsection (a)(3), then such new*
20 *rates or limits shall apply in lieu of the rates and limits*
21 *set forth in the preceding subsection to both the attorney*
22 *who represents the prevailing party and the attorney who*
23 *defends the action.*

24 (c) *Notwithstanding 20 U.S.C. § 1415, 42 U.S.C.*
25 *§ 1988, 29 U.S.C § 794a, or any other law, none of the funds*

1 *appropriated under this Act, or in appropriations Acts for*
2 *subsequent fiscal years, may be made available to pay attor-*
3 *neys' fees accrued prior to the effective date of this Act that*
4 *exceeds a cap imposed on attorneys' fees by prior appro-*
5 *priations Acts that were in effect during the fiscal year*
6 *when the work was performed, or when payment was re-*
7 *quested for work previously performed, in an action brought*
8 *against the District of Columbia Public Schools under the*
9 *Individuals With Disabilities Act (20 U.S.C. § 1400 et seq.).*

10 *SEC. 139. The limitation on attorneys' fees paid by*
11 *the District of Columbia for actions brought under the Indi-*
12 *viduals with Disabilities Education Act (20 U.S.C. 1400*
13 *et seq.) (sec. 138) shall not apply if the plaintiff is a child*
14 *who is—*

15 *(1) from a family with an annual income of less*
16 *than \$17,600; or*

17 *(2) from a family where one of the parents is a*
18 *disabled veteran; or*

19 *(3) where the child has been adjudicated as ne-*
20 *glected or abused.*

21 *SEC. 140. MANDATORY ADVANCED ELECTRONIC IN-*
22 *FORMATION FOR AIR CARGO AND PASSENGERS ENTERING*
23 *THE UNITED STATES. (a) AIR CARGO INFORMATION.—*

24 *(1) IN GENERAL.—Section 431(b) of the Tariff*
25 *Act of 1930 (19 U.S.C. 1431(b)) is amended—*

1 (A) by striking “(b) *PRODUCTION OF MANI-*
2 *FEST.—Any manifest*” and inserting the fol-
3 *lowing:*

4 “(b) *PRODUCTION OF MANIFEST.—*

5 *“(1) IN GENERAL.—Any manifest”;*

6 (B) by indenting the margin of paragraph
7 (1), as so designated, two ems; and

8 (C) by adding at the end the following new
9 paragraph:

10 “(2) *ADDITIONAL INFORMATION.—*

11 *“(A) IN GENERAL.—In addition to any*
12 *other requirement under this section, every air*
13 *carrier required to make entry or obtain clear-*
14 *ance under the customs laws of the United*
15 *States, the pilot, the master, operator, or owner*
16 *of such carrier (or the authorized agent of such*
17 *owner or operator) shall provide by electronic*
18 *transmission cargo manifest information speci-*
19 *fied in subparagraph (B) in advance of such*
20 *entry or clearance in such manner, time, and*
21 *form as the Secretary shall prescribe. The Sec-*
22 *retary may exclude any class of air carrier for*
23 *which the Secretary concludes the requirements*
24 *of this subparagraph are not necessary.*

1 “(B) *INFORMATION REQUIRED.*—*The infor-*
2 *mation specified in this subparagraph is as fol-*
3 *lows:*

4 “(i) *The port of arrival or departure,*
5 *whichever is applicable.*

6 “(ii) *The carrier code, prefix code, or,*
7 *both.*

8 “(iii) *The flight or trip number.*

9 “(iv) *The date of scheduled arrival or*
10 *date of scheduled departure, whichever is*
11 *applicable.*

12 “(v) *The request for permit to proceed*
13 *to the destination, if applicable.*

14 “(vi) *The numbers and quantities from*
15 *the master and house air waybill or bills of*
16 *lading.*

17 “(vii) *The first port of lading of the*
18 *cargo.*

19 “(viii) *A description and weight of the*
20 *cargo.*

21 “(ix) *The shippers name and address*
22 *from all air waybills or bills of lading.*

23 “(x) *The consignee name and address*
24 *from all air waybills or bills of lading.*

1 “(xi) Notice that actual boarded quan-
2 tities are not equal to air waybill or bills
3 of lading quantities.

4 “(xii) Transfer or transit information.

5 “(xiii) Warehouse or other location of
6 the cargo.

7 “(xiv) Such other information as the
8 Secretary, by regulation, determines is rea-
9 sonably necessary to ensure aviation trans-
10 portation safety pursuant to the laws en-
11 forced or administered by the Customs Serv-
12 ice.

13 “(3) AVAILABILITY OF INFORMATION.—Informa-
14 tion provided under paragraph (2) may be shared
15 with other departments and agencies of the Federal
16 Government, including the Department of Transpor-
17 tation and the law enforcement agencies of the Fed-
18 eral Government, for purposes of protecting the na-
19 tional security of the United States.”.

20 “(2) CONFORMING AMENDMENTS.—Subparagraphs
21 (A) and (C) of section 431(d)(1) of such Act are each
22 amended by inserting before the semicolon “or sub-
23 section (b)(2)”.

1 (b) *PASSENGER INFORMATION.*—*Part II of title IV of*
2 *the Tariff Act of 1930 is amended by inserting after section*
3 *431 the following new section:*

4 **“SEC. 432. PASSENGER AND CREW MANIFEST INFORMATION**
5 **REQUIRED FOR AIR CARRIERS.**

6 “(a) *IN GENERAL.*—*For every person arriving or de-*
7 *parting on an air carrier required to make entry or obtain*
8 *clearance under the customs laws of the United States, the*
9 *pilot, the master, operator, or owner of such carrier (or the*
10 *authorized agent of such owner or operator) shall provide,*
11 *by electronic transmission, manifest information specified*
12 *in subsection (b) in advance of such entry or clearance in*
13 *such manner, time, and form as the Secretary shall pre-*
14 *scribe.*

15 “(b) *INFORMATION.*—*The information specified in this*
16 *subsection with respect to a person is—*

17 “(1) *full name;*

18 “(2) *date of birth and citizenship;*

19 “(3) *sex;*

20 “(4) *passport number and country of issuance;*

21 “(5) *United States visa number or resident alien*
22 *card number, as applicable;*

23 “(6) *passenger name record; and*

24 “(7) *such other information as the Secretary, by*
25 *regulation, determines is reasonably necessary to en-*

1 *sure aviation transportation safety pursuant to the*
2 *laws enforced or administered by the Customs Service.*

3 “(c) *AVAILABILITY OF INFORMATION.*—*Information*
4 *provided under this section may be shared with other de-*
5 *partments and agencies of the Federal Government, includ-*
6 *ing the Department of Transportation and the law enforce-*
7 *ment agencies of the Federal Government, for purposes of*
8 *protecting the national security of the United States.”.*

9 (c) *DEFINITION.*—*Section 401 of the Tariff Act of 1930*
10 *(19 U.S.C. 1401) is amended by adding at the end the fol-*
11 *lowing new subsection:*

12 “(t) *AIR CARRIER.*—*The term ‘air carrier’*
13 *means an air carrier transporting goods or pas-*
14 *sengers for payment or other consideration, including*
15 *money or services rendered.”.*

16 (d) *EFFECTIVE DATE.*—*The amendments made by this*
17 *section shall take effect 45 days after the date of enactment*
18 *of this Act.*

19 *SEC. 141. The General Accounting Office, in consulta-*
20 *tion with the relevant agencies and members of the Com-*
21 *mittee on Appropriations Subcommittee on the District of*
22 *Columbia, shall submit by January 2, 2002 a report to the*
23 *Committees on Appropriations of the House and the Senate*
24 *and the Committee on Governmental Affairs of the Senate*
25 *and the Committee on Government Reform of the House of*

1 *Representatives detailing the awards in judgment rendered*
2 *in the District of Columbia that were in excess of the cap*
3 *imposed by prior appropriations Acts in effect during the*
4 *fiscal year when the work was performed, or when payment*
5 *was requested for work previously performed, in actions*
6 *brought against the District of Columbia Public Schools*
7 *under the Individuals with Disabilities Education Act (20*
8 *U.S.C. § 1400 et seq.): Provided, That such report shall in-*
9 *clude a comparison of the cause of actions and judgments*
10 *rendered against public school districts of comparable demo-*
11 *graphics and population as the District.*

12 *This Act may be cited as the “District of Columbia*
13 *Appropriations Act, 2002”.*

Passed the House of Representatives September 25,
2001.

Attest: JEFF TRANDAHL,
Clerk.

Passed the Senate November 7, 2001.

Attest: JERI THOMSON,
Secretary.