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107TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 107–321

MAKING APPROPRIATIONS FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA AND OTHER ACTIVITIES CHARGEABLE IN WHOLE OR IN PART AGAINST REVENUES OF SAID DISTRICT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002, AND FOR OTHER PURPOSES

DECEMBER 5, 2001.—Ordered to be printed

Mr. KNOLLENBERG, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 2944]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2944) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2002, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

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

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $17,000,000, to remain available until expended: Provided,

That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall establish a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Resident Tuition Support Program Office and the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the Senate and House of Representatives for these funds showing, by object class, the expenditures made and the purpose therefor: Provided further, That not more than seven percent of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The paragraph under the heading "Federal Payment for Incentives for Adoption of Children" in Public Law 106–113, approved November 29, 1999 (113 Stat. 1501), is amended to read as follows: "For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, $5,000,000: Provided, That such funds shall remain available until September 30, 2003, and shall be used to carry out all of the provisions of title 38 of the Fiscal Year 2001 Budget Support Act of 2000, effective October 19, 2000 (D.C. Law 13–172), as amended, except for section 3808: Provided further, That $1,000,000 of said amount shall be used for the establishment of a scholarship fund for District of Columbia children of adoptive families, and District of Columbia children without parents due to the September 11, 2001 terrorist attack to be used for post high school education and training.".

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

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

FEDERAL PAYMENT TO THE CAPITOL EDUCATION FUND

For a Federal payment to the Capitol Education Fund, $500,000.

FEDERAL PAYMENT TO THE METROPOLITAN KAPPA YOUTH DEVELOPMENT FOUNDATION, INC.

For a Federal payment to the Metropolitan Kappa Youth Development Foundation, Inc., $450,000.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

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

FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

For a Federal payment to the Chief Medical Examiner, $585,000 for reduction in the backlog of autopsies, case reports and for the purchase of toxicology and histology equipment.

FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

For a Federal payment to the Youth Life Foundation, $250,000 for technical assistance, operational expenses, and establishment of a National Training Institute.

FEDERAL PAYMENT TO FOOD AND FRIENDS

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

FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

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

FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

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

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

For a Federal payment to the District of Columbia Public Schools, $2,500,000, of which $2,000,000 shall be to implement the Voyager Expanded Learning literacy program in kindergarten and first grade classrooms in the District of Columbia Public Schools; $250,000 shall be for the Failure Free Reading literacy program for non-readers and special education students; and $250,000 for Lightspan, Inc. to implement the eduTest.com program in the District of Columbia Public Schools.

FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND FEDERAL LAW ENFORCEMENT MOBILE WIRELESS INTEROPERABILITY PROJECT

For Federal payments in support of the District of Columbia and the Federal law enforcement Mobile Wireless Interoperability Project, $1,400,000, of which $400,000 shall be for a payment to the District of Columbia Office of the Chief Technology Officer, $333,334 shall be for a payment to the United States Secret Service,

$333,333 shall be for a payment to the United States Capitol Police, and $333,333 shall be for a payment to the United States Park Police: Provided, That each agency shall participate in the preparation of a joint report to the Committees on Appropriations of the Senate and the House of Representatives to be submitted no later than March 30, 2002 on the allocation of these resources and a description of each agencies' resource commitment to this project for fiscal year 2003.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for emergency planning and security costs and to reimburse the District for certain security expenses related to the presence of the Federal Government in the District of Columbia, $16,058,000: Provided, That $12,652,000 shall be made available immediately to the District of Columbia Emergency Management Agency for planning, training, and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia, to be submitted to the appropriate Federal agencies: Provided further, That a detailed report of actual and estimated expenses incurred shall be provided to the Committees on Appropriations of the Senate and the House of Representatives no later than June 15, 2002: Provided further, That $3,406,000 of such amount shall be made available immediately for reimbursement of fiscal year 2001 expenses incurred by the District of Columbia for equipment purchased for providing security for the planned meetings in September 2001 of the World Bank and the International Monetary Fund in the District of Columbia: Provided further, That the Mayor and the Chairman of the Council of the District of Columbia shall develop, in consultation with the Director of the Office of Personnel Management, the United States Secret Service, the United States Capitol Police, the United States Park Police, the Washington Metropolitan Area Transit Authority, regional transportation authorities, the Federal Emergency Management Agency, the Governor of the State of Maryland and the Governor of the Commonwealth of Virginia, the county executives of contiguous counties of the region and the respective state and local law enforcement entities in the region an integrated emergency operations plan for the District of Columbia in cases of national security events, including terrorist threats, protests, or other unanticipated events: Provided further, That such plan shall include a response to attacks or threats of attacks using biological or chemical agents: Provided further, That the city shall submit this plan to the Committees on Appropriations of the Senate and the House of Representatives no later than January 2, 2002: Provided further, That the Chief Financial Officer of the District of Columbia shall provide quarterly reports to the Committees on Appropriations on the use of the funds under this heading, beginning not later than April 2, 2002.

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

For a Federal payment to the Chief Financial Officer of the District of Columbia, $8,300,000, of which $2,250,000 shall be for pay-

ment for a pilot project to demonstrate the "Active Cap" river clean-up technology on the Anacostia River; $500,000 shall be for payment to the Washington, D.C. Sports and Entertainment Commission which, in coordination with the U.S. Soccer Foundation, shall use the funds for environmental and infrastructure costs at Kenilworth Park in the creation of the Kenilworth Regional Sports Complex; $600,000 shall be for payment to the One Economy Corporation, a non-profit organization, to increase Internet access to low-income homes in the District of Columbia; $500,000 shall be for payment to the Langston Project for the 21st Century, a community revitalization project to improve physical education and training facilities; $1,000,000 shall be for payment to the Green Door Program, for capital improvements at a community mental health clinic; $500,000 shall be for payment to the Historical Society of Washington, for capital improvements to the new City Museum; $200,000 for a payment to Teach for America DC, for teacher development; $350,000 for payment to the District of Columbia Safe Kids Coalition, to promote child passenger safety through the Child Occupant Protection Initiative; $50,000 for payment for renovations at Eastern Market; $1,000,000 shall be for payment to the Excel Institute Adult Education Program to be used by the Institute for construction and to acquire construction services provided by the General Services Administration on a reimbursable basis; $300,000 shall be for payment to the Woodlawn Cemetery for restoration of the Cemetery; $250,000 shall be for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia; $300,000 shall be for payment to a mentoring program and for hotline services; $250,000 shall be for payment to a youth development program with a character building curriculum; and $250,000 shall be for payment to a basic values training program.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, $30,200,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) of which $1,000,000 is to fund an initiative to improve case processing in the District of Columbia criminal justice system, $500,000 to remain available until September 30, 2003 for building renovations or space acquisition required to accommodate functions transferred from the Lorton Correctional Complex, and $1,500,000 to remain available until September 30, 2003, to be transferred to the appropriate agency for the closing of the sewage treatment plant and the removal of underground storage tanks at the Lorton Correctional Complex: Provided, That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $112,180,000, to be allocated as follows: for the District of Columbia Court of Appeals, $8,003,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $66,091,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $31,594,000, of which not to exceed $1,500 is for official reception and representation expenses; and $6,492,000 for capital improvements for District of Columbia courthouse facilities: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives: Provided further, That funds made available for capital improvements may remain available until September 30, 2003.

ADMINISTRATIVE PROVISIONS

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

Section 11–1723(a)(3), District of Columbia Code, is amended by striking "and the internal auditing of the accounts of the courts".

CRIME VICTIMS COMPENSATION FUND

(a) TREATMENT OF UNOBLIGATED BALANCES.—Section 16(d) of the Victims of Violent Crime Compensation Act of 1996 (sec. 4–515(d), D.C. Official Code), as amended by section 403 of the Miscellaneous Appropriations Act, 2001 (as enacted into law by section 1(a)(4) of the Consolidated Appropriations Act, 2001), is amended—

(1) by striking "in excess of $250,000";

(2) by striking "and approved by" and inserting "which is submitted to"; and

(3) by striking "and not less than 80 percent" and all that follows and inserting the following: "except that under such plan—

"(1) 50 percent of such balance shall be used for direct compensation payments to crime victims through the Fund under this section and in accordance with this Act; and

"(2) 50 percent of such balance shall be used for outreach activities designed to increase the number of crime victims who apply for such direct compensation payments.".

(b) LIMIT ON USE OF AMOUNTS FOR ADMINISTRATIVE EXPENSES.—Section 16(e) of such Act (sec. 4–515(e), D.C. Official Code), as amended by section 202(d) of the Fiscal Year 2001 Budget

Support Act of 2000 (D.C. Law 13–172), is amended to read as follows:

"(e) All compensation payments and attorneys' fees awarded under this Act shall be paid from, and subject to, the availability of monies in the Fund. Not more than 5 percent of the total amount of monies in the Fund may be used to pay administrative costs necessary to carry out this Act.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 403 of the Miscellaneous Appropriations Act, 2001.

PAYMENTS FOR REPRESENTATION OF INDIGENTS

(a) SERVICES OF COUNSEL.—

(1) IN GENERAL.—Section 11–2604, District of Columbia Code, is amended—

(A) in subsection (a), by striking "$50" and inserting "$65"; and

(B) in subsection (b)—

(i) by striking "$1300" each place it appears and inserting "$1900", and

(ii) by striking "$2450" each place it appears and inserting "$3600".

(2) NEGLECT AND PARENTAL RIGHTS TERMINATION PROCEEDINGS.—Section 16–2326.01(b), District of Columbia Code, is amended—

(A) by striking "$1,100" each place it appears and inserting "$1,600";

(B) in paragraph (3), by striking "$1,500" and inserting "$2,200"; and

(C) in paragraph (4), by striking "$750" and inserting "$1,100".

(b) SERVICES OF INVESTIGATORS, EXPERTS, AND OTHERS.—Section 11–2605, District of Columbia Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d); and

(2) by inserting after subsection (a) the following new subsection:

"(b) Subject to the applicable limits described in subsections (c) and (d), an individual providing services under this section shall be compensated at a fixed rate of $25 per hour, and shall be reimbursed for expenses reasonably incurred.".

(c) EFFECTIVE DATE.—The amendments made by this provision shall apply with respect to cases and proceedings initiated on or after March 1, 2002.

Section 11–2604, District of Columbia Code, is amended:

(1) in subsection (a), by striking "50" and inserting "75"; and

(2) in subsection (b)—

(A) by striking "1300" each time it appears and inserting "1900";

(B) by striking "2450" each time it appears and inserting "3600".

FEDERAL PAYMENT FOR FAMILY COURT ACT

For carrying out the District of Columbia Family Court Act of 2001, $24,016,000, of which $23,316,000 shall be for the Superior Court of the District of Columbia and $700,000 shall be for the Mayor of the District of Columbia of which $200,000 shall be for completion of a plan by the Mayor on integrating the computer systems of the District of Columbia government with the Family Court of the Superior Court of the District of Columbia: Provided, That the Mayor shall submit a plan to the President and the Congress within six months of enactment of that Act, so that social services and other related services to individuals and families serviced by the Family Court of the Superior Court and agencies of the District of Columbia government (including the District of Columbia Public Schools, the District of Columbia Housing Authority, the Child and Family Services Agency, the Office of the Corporation Counsel, the Metropolitan Police Department, the Department of Health, and other offices determined by the Mayor) will be able to access and share information on the individuals and families served by the Family Court: Provided further, That $500,000 of such amount provided to the Mayor shall be for the Child and Family Services Agency to be used for social workers to implement Family Court reform: Provided further, That the chief judge of the Superior Court shall submit the transition plan for the Family Court of the Superior Court as required under the District of Columbia Family Court Act of 2001 to the Comptroller General (in addition to any other requirements under such section): Provided further, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan, including an analysis of whether the plan contains all of the information required under such section within 30 calendar days after the submission of the plan by the Superior Court: Provided further, That the funds provided under this heading to the Superior Court shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more that 3 days, or an adjournment of more than 3 days) which begins on the date the Comptroller General submits such analysis to the President and Congress: Provided further, That the Mayor shall prepare and submit to the President, Congress, and the Comptroller General a plan for the use of the funds provided to the Mayor under this heading, consistent with the requirements of the District of Columbia Family Court Act of 2001, including the requirement to integrate the computer systems of the District government with the computer systems of the Superior Court: Provided further, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan within 30 calendar days after the submission of the plan by the Mayor: Provided further, That the funds provided under this heading to the Mayor shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more than 3 days, or an adjournment of more than 3

days) which begins on the date the Comptroller General submits such plan to the President and Congress.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $34,311,000, to remain available until expended: Provided, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $6,492,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: Provided further, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $6,492,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: Provided further, That of the amounts provided in previous fiscal years for payments described under this heading which remain unobligated as of the date of the enactment of this Act, $4,685,500 shall be used by the Joint Committee on Judicial Administration for design and construction expenses of the courthouse at 451 Indiana Avenue NW: Provided further, That of the remainder of such amounts, such sums as may be necessary shall be applied toward the portion of the amount provided under this heading which is attributable to increases in the maximum amounts which may be paid for representation services in the District of Columbia courts: Provided further, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712), $147,300,000, of which $13,015,000 shall remain available until expended for construction expenses at new or existing facilities, and of which not to exceed $2,000 is for official receptions related to offender and defendant support programs; of which $94,112,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; $20,829,000 shall be transferred to the Public Defender Service; and $32,359,000 shall be available to the Pretrial Services Agency: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That notwithstanding chapter 12 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast, Washington, District of Columbia, or such other site as the Director of the Court Services and Offender Supervision Agency may determine as appropriate to house or supervise offenders and defendants, with funds made available by this Act: Provided further, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: Provided further, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection.

FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal payment to the Children's National Medical Center in the District of Columbia, $5,500,000, of which $5,000,000 shall be for capital and equipment improvements, and $500,000 shall be used for the network of satellite pediatric health clinics for children and families in underserved neighborhoods and communities in the District of Columbia.

ST. COLETTA OF GREATER WASHINGTON EXPANSION PROJECT

For a Federal contribution to St. Coletta of Greater Washington, Inc. for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia, including property acquisition and construction, $2,000,000.

FEDERAL PAYMENT TO FAITH AND POLITICS INSTITUTE

For a Federal payment to the Faith and Politics Institute, $50,000, for grass roots-based racial sensitivity programs in the District of Columbia.

FEDERAL PAYMENT TO THE THURGOOD MARSHALL ACADEMY CHARTER SCHOOL

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

FEDERAL PAYMENT TO THE GEORGE WASHINGTON UNIVERSITY CENTER FOR EXCELLENCE IN MUNICIPAL MANAGEMENT

For a Federal payment to the George Washington University Center for Excellence in Municipal Management, $250,000 to increase the enrollment of managers from the District of Columbia government.

COURT APPOINTED SPECIAL ADVOCATES

For a Federal payment to the District of Columbia Court Appointed Special Advocates Unit, $250,000 to be used to expand its work in the Family Court of the District of Columbia Superior Court.

ADMINISTRATIVE PROVISION

Of the Federal funds made available in the District of Columbia Appropriations Act, 2001, Public Law 106–522 for the Metropolitan Police Department (114 Stat. 2441), $100,000 for the police mini-station shall remain available for the purposes intended until September 30, 2002: Provided, That the $1,000,000 made available in such Act for the Washington Interfaith Network (114 Stat. 2444) shall remain available for the purposes intended until December 31, 2002: Provided further, That $3,450,000 made available in such Act for Brownfield Remediation (114 Stat. 2445), shall remain available until expended.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2002 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,048,160,000 (of which $124,163,000 shall be from intra-District funds and $3,574,493,000 shall be from local funds): Provided fur-

ther, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2002, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $286,138,000 (including $229,421,000 from local funds, $38,809,000 from Federal funds, and $17,908,000 from other funds): Provided, That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for official purposes: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: Provided further, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: Provided further, That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be $500,000: Provided further, That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: Provided further, That not less than $353,000 shall be available to the Office of the Corporation Counsel to support increases in the Attorney Retention Allowance: Provided further, That not less than $50,000 shall be available to support a mediation services program within the Office of the Corporation Counsel: Provided further, That not less than $50,000 shall be available to support a TANF Unit within the Child Support Enforcement Division of the Office of the Corporation Counsel: Provided further, That of all funds in the District of Columbia Antitrust Fund established pursuant to section 2 of the District of Columbia Antitrust Act of 1980 (D.C. Law 3–169; D.C. Official Code § 28–4516) an amount not to exceed $386,000, of all funds in the Antifraud Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C. Official Code 2–308.20) an amount not to exceed $10,000, and of all funds in the District of Columbia Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for fiscal year 2001 (D.C. Law 13–172; D.C. Official Code § 28–

3911) an amount not to exceed $233,000, are hereby made available for the use of the Office of the Corporation Counsel of the District of Columbia until September 30, 2003, in accordance with the statutes that established these funds.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $230,878,000 (including $60,786,000 from local funds, $96,199,000 from Federal funds, and $73,893,000 from other funds), of which $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Official Code, sec. 2–1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12–26; D.C. Official Code, sec. 2–1215.15 et seq.): Provided, That such funds are available for acquiring services provided by the General Services Administration: Provided further, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia: Provided further, That the Department of Consumer and Regulatory Affairs shall use $50,000 of the receipts from the net proceeds from the contractor that handles the District's occupational and professional licensing to fund additional staff and equipment for the Rental Housing Administration: Provided further, That the Department of Consumer and Regulatory Affairs shall transfer up to $293,000 from other funds resulting from the lapse of personnel vacancies, caused by transferring DCRA employees into NSO positions without filling the resultant vacancies, into the revolving 5–513 fund to be used to implement the provisions in D.C. Law 13–281, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties: Provided further, That the fees established and collected pursuant to Law 13–281 shall be identified, and an accounting provided, to the District of Columbia Council's Committee on Consumer and Regulatory Affairs: Provided further, That 18 percent of the annual total amount in the 5–513 fund, up to $500,000, deposited into the 5–513 fund on an annual basis, be used to implement section 102 and other related sections of D.C. Law 13–281.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, $633,853,000 (including $594,803,000 from local funds, $8,298,000 from Federal funds, and $30,752,000 from other funds): Provided, That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: Provided further, That notwithstanding any other law, section 3703 of title XXXVII of the Fiscal Year 2002 Budget Support Act of 2001 (D.C. Bill 14–144), adopted by the Council of the District of Columbia, is enacted into law: Provided further, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: Provided further, That such

sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: Provided further, That no less than $173,000,000 shall be available to the Metropolitan Police Department for salary in support of 3,800 sworn officers: Provided further, That no less than $100,000 shall be available in the Department of Corrections budget to support the Corrections Information Council: Provided further, That not less than $296,000 shall be available to support the Child Fatality Review Committee.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $1,108,665,000 (including $896,994,000 from local funds, $185,044,000 from Federal funds, and $26,627,000 from other funds), to be allocated as follows: $813,042,000 (including $661,124,000 from local funds, $144,630,000 from Federal funds, and $7,288,000 from other funds), for the public schools of the District of Columbia; $47,370,000 (including $19,911,000 from local funds, $26,917,000 from Federal funds, $542,000 from other funds), for the State Education Office, $17,000,000 from local funds, previously appropriated in this Act as a Federal payment, and such sums as may be derived from interest earned on funds contained in the dedicated account established by the Chief Financial Officer of the District of Columbia, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; and $142,257,000 from local funds for public charter schools: Provided, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of each fiscal year: Provided further, That if the entirety of this allocation has not been provided as payments to any public charter school currently in operation through the per pupil funding formula, the funds shall be available for public education in accordance with the School Reform Act of 1995 (Public Law 104–134; D.C. Official Code, sec. 38–1804.03(b)(e)(A)): Provided further, That $480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: Provided further, That section 161 of the District of Columbia Appropriations Act, 2001 (Public Law 106–522; 114 Stat. 2483, 2484), is amended, as if included in the Act—

(1) by striking "not later than 1 year after the date of the enactment of the District of Columbia Appropriations Act, 2001,";

(2) by inserting "revolving" after "enhancement" in the second sentence of paragraph (2)(B), in the heading of paragraph (3), and in paragraph (3)(A); and

(3) by striking "10 percent" and inserting "5 percent":

Provided further, That the cap on administrative costs as amended by section 161 of the District of Columbia Appropriations Act, 2001 (Public Law 106–522; 114 Stat. 2484), is amended by striking "10 percent" and inserting "5 percent": Provided further, That $76,542,000 (including $45,912,000 from local funds, $12,539,000

from Federal funds, and $18,091,000 from other funds) shall be available for the University of the District of Columbia: Provided further, That $400,000 shall be available for Enhancing and Actualizing Internationalism and Multiculturalism in the Academic Programs of the University of the District of Columbia: Provided further, That $1,277,500 shall be paid by the Chief Financial Officer to the Excel Institute for operations as follows: $277,500 to cover debt owed by the University of the District of Columbia for services rendered shall be paid to the Excel Institute within 15 days of enactment of this Act; and $1,000,000 for fiscal year 2002 shall be paid to the Excel Institute in equal quarterly installments within 15 days of the beginning of each quarter: Provided further, That not less than $200,000 for Adult Education: Provided further, That $27,256,000 (including $26,030,000 from local funds, $560,000 from Federal funds and $666,000 other funds) for the Public Library: Provided further, That the $1,007,000 enhancement shall be allocated such that $500,000 is used for facilities improvements for 8 of the 26 library branches, $235,000 for 13 FTEs for the continuation of the Homework Helpers Program, $143,000 for 2 FTEs in the expansion of the Reach Out And Read (ROAR) service to licensed day care homes, and $129,000 for 3 FTEs to expand literacy support into branch libraries: Provided further, That $2,198,000 (including $1,760,000 from local funds, $398,000 from Federal funds and $40,000 from other funds) shall be available for the Commission on the Arts and Humanities: Provided further, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: Provided further, That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: Provided further, That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (D.C. Official Code, sec. 38–201 et seq.): Provided further, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2002 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): Provided further, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2002, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: Provided further, That notwith-

standing any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: Provided further, That the District of Columbia Public Schools shall spend $1,200,000 to implement D.C. Teaching Fellows Program in the District's public schools: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2002, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2003: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2002, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2003: Provided further, That the first paragraph under the heading "Public Education System" in Public Law 107–20, approved July 24, 2001, is amended to read as follows: "For an additional amount for 'Public Education System', $1,000,000 from local funds to remain available until September 30, 2002, for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and of each public charter school and $12,000,000 from local funds for the District of Columbia Public Schools to conduct the 2001 summer school session.".

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

Human support services, $1,803,923,000 (including $711,072,000 from local funds, $1,075,960,000 from Federal funds, and $16,891,000 from other funds): Provided, That $27,986,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further, That $90,000,000 transferred pursuant to the District of Columbia Appropriations Act, 2001 (Public Law 106–522) to the Public Benefit Corporation for restructuring shall be made available to the Department of Health's Health Care Safety Net Administration for the purpose of restructuring the delivery of health services in the District of Columbia and shall remain available until expended for obligation during fiscal year 2002: Provided further, That no less than $7,500,000 of this appropriation, to remain available until expended, shall be deposited in the Addiction Recovery Fund established pursuant to section 5 of the Choice in Drug Treatment Act of 2000, effective July 8, 2000 (D.C. Law 13–146; D.C. Official Code, sec. 7–3004), and used solely for the purpose of the Drug Treatment Choice Program established pursuant to

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

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $300,151,000 (including $286,334,000 from local funds, $4,392,000 from Federal funds, and $9,425,000 from other funds): Provided, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: Provided further, That no less than $650,000 be available for a mechanical alley sweeping program: Provided further, That no less than $6,400,000 be available for residential parking enforcement: Provided further, That no less than $100,000 be available for a General Counsel to the Department of Public Works: Provided further, That no less than $3,600,000 be available for ticket processing: Provided further, That no less than 14 residential parking control aides or 10 percent of the residential parking control force be available for night time enforcement of out-of-state tags: Provided further, That of the total of 3,000 additional parking meters being installed in commercial districts and in commercial loading zones none be installed at loading zones, or entrances at apartment buildings and none be installed in residential neighborhoods: Provided further, That no less than $262,000 be available for taxicab enforcement activities: Provided further, That no less than $241,000 be available for a taxicab driver security revolving fund: Provided further, That no less than $30,084,000 in local appropriations be available to the Division of Transportation, within the Department of Public Works: Provided further, That no less than $12,000,000 in rights-of-way fees shall be available for the Local Roads, Construction and Maintenance Fund: Provided further, That funding for a proposed separate Department of Transportation is contingent upon Council approval of a reorganization plan: Provided further, That no less than $313,000 be available for handicapped parking enforcement: Provided further, That no less than $190,000 be available for the Ignition Interlock Device Program: Provided further, That no less than $473,000 be available for the Motor Vehicle Insurance Enforcement Program: Provided further, That $11,000,000 of this appropriation shall be available for transfer to the Highway Trust Fund's Local Roads, Construction and Maintenance Fund, upon certification by the Chief Financial Officer that funds are available from the 2001 budgeted reserve or where the Chief Financial Officer certifies that additional local revenues are available: Provided fur-

ther, That $1,550,000 made available under the District of Columbia Appropriations Act, 2001 (Public Law 106–522) for taxicab driver security enhancements in the District of Columbia shall remain available until September 30, 2002.

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, $403,868,000 (including $250,515,000 from local funds, $134,339,000 from Federal funds, and $19,014,000 from other funds).

WORKFORCE INVESTMENTS

For workforce investments, $42,896,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

RESERVE

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

RESERVE RELIEF

For reserve relief, $30,000,000, for the purpose of spending funds made available through the reduction from $150,000,000 to $120,000,000 in the amount required for the budget reserve established by section 202(j)(1) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104–8: Provided, That $12,000,000 shall be available to the District of Columbia Public Schools and District of Columbia Public Charter Schools for educational enhancements: Provided further, That $18,000,000 shall be available pursuant to a local District law: Provided further, That of the $30,000,000, funds shall only be expended upon: (i) certification by the Chief Financial Officer of the District of Columbia that the funds are available and not required to address potential deficits, (ii) enactment of local District law detailing the purpose for the expenditure, and (iii) prior notification by the Mayor to the Committees on Appropriations of both the Senate and House of Representatives in writing 30 days in advance of any such expenditure: Provided further, That the $18,000,000 provided pursuant to local law shall be expended only when the Emergency Reserve established pursuant to section 450A(a) of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a(a)), has a minimum balance in the amount of $150,000,000.

EMERGENCY AND CONTINGENCY RESERVE FUNDS

For the Emergency and Contingency Reserve Funds established under section 450A of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a(b)), the Mayor may deposit the proceeds required pursuant to section 159(a) of Public Law 106–522 and section 404(c) of Public Law 106–554 in

the Contingency Reserve Fund beginning in fiscal year 2002 if the minimum emergency reserve balance requirement established in section 450A(c) has been met.

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, secs. 1–204.62, 1–204.75, 1–204.90), $247,902,000 from local funds: Provided, That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106–113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds: Provided further, That for equipment leases, the Mayor may finance $14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: Provided further, That $4,440,000 shall be for the Fire and Emergency Medical Services Department, $2,010,000 shall be for the Department of Parks and Recreation, and $7,850,000 shall be for the Department of Public Works: Provided further, That no less than $533,000 be available for trash transfer capital debt service.

EMERGENCY ASSISTANCE LOAN GUARANTEES

Notwithstanding any other provision of law, the District of Columbia is hereby authorized to make any necessary payments related to the "District of Columbia Emergency Assistance Act of 2001": Provided, That the District of Columbia shall use local funds for any payments under this heading: Provided further, That the Chief Financial Officer shall certify the availability of such funds, and shall certify that such funds are not required to address budget shortfalls in the District of Columbia: Provided further, That the Director the Office of Management and Budget shall develop with the Chief Financial Officer of the District of Columbia an estimate of the liability incurred by the District of Columbia in implementing such Act: Provided further, That the District of Columbia shall implement such Act consistent with the recommendations made by the Office of Management and Budget and the Federal Credit Reform Act: Provided further, That the District of Columbia budget for fiscal year 2003 and future years shall include an amount for potential loan repayment consistent with the liability requirements recommended by the Office of Management and Budget.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

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

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

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

EMERGENCY PLANNING AND SECURITY COSTS

For an emergency operations plan, implementation of the emergency operations plan, and reimbursement of fiscal year 2001 expenses incurred by the District of Columbia for equipment purchased for providing security for the planned World Bank and International Monetary Fund September 2001 meetings, $16,058,000, from funds previously appropriated in this Act as a Federal payment, of which $12,652,000 shall be made available immediately to the District of Columbia Emergency Management Agency for planning, training and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia.

WILSON BUILDING

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

EMERGENCY RESERVE FUND TRANSFER

Subject to the issuance of bonds to pay the purchase price of the District of Columbia's right, title, and interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Trust Fund Establishment Act of 1999 (D.C. Official Code, sec. 7–1811.01(a)(2) et seq.) and the Tobacco Settlement Financing Act of 2000 (D.C. Official Code, sec. 7–1831.03 et seq.), there is transferred the amount available pursuant thereto and Section 404(c) of Public Law 106–554, not less than $33,254,000, to the Emergency and Contingency Reserve Funds established pursuant to section 450A of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a(a)).

NON-DEPARTMENTAL AGENCY

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget including anticipated employee health insurance cost increases and contract security costs, $5,799,000 from local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, $244,978,000 from other funds of which $44,244,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects ($17,953,000 payable to the District's debt service fund and $26,291,000 payable for other debt service).

For construction projects, $152,114,000, in the following capital programs: $52,600,000 for the Blue Plains Wastewater Treatment Plant, $11,148,000 for the sewer program, $109,000 for the combined sewer program, $118,000 for the stormwater program, $77,957,000 for the water program, $10,182,000 for the capital

equipment program: Provided, That the requirements and restrictions that are applicable to general fund capital improvements projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

ADMINISTRATIVE PROVISION

BILLINGS FOR WATER AND SEWER AUTHORITY SERVICES PROVIDED TO THE FEDERAL GOVERNMENT

(a) PROVIDING ESTIMATES TO SECRETARY OF THE TREASURY AND DEPARTMENT HEADS.—

(1) SANITARY SEWER SERVICES.—Section 212(b)(2) of the District of Columbia Public Works Act of 1954 (sec. 34–2112(b)(2), D.C. Official Code) is amended by inserting after "the Office of Management and Budget," the following: "the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,".

(2) WATER SERVICES.—Section 106(b)(2) of such Act (sec. 34–2401.25(b)(2), D.C. Official Code) is amended by inserting after "the Office of Management and Budget," the following: "the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,".

(3) CLARIFICATION OF TREATMENT OF ARLINGTON NATIONAL CEMETERY.—Chapter 11 of title II of the Supplemental Appropriations Act, 2001 (Public Law 107–20; 115 Stat. 188) is amended in the item relating to "INDEPENDENT AGENCIES—DEPARTMENT OF DEFENSE—CIVIL—CEMETERIAL EXPENSES, ARMY—SALARIES AND EXPENSES" by striking the colon at the end of the second proviso and inserting the following: ", except that nothing in this proviso may be construed to affect the determination of the amounts required to be paid for such services under sections 212(b) and 106(b) of the District of Columbia Public Works Act of 1954 (sec. 34–2401.25(b) and sec. 34–2112(b), D.C. Official Code) or to waive the requirement under such sections for the Secretary of Defense to pay such amounts to the District of Columbia:".

(b) REQUIRING FEDERAL DEPARTMENTS TO GRANT ACCESS TO AUTHORITY FOR READING AND TESTING WATER METERS.—

(1) IN GENERAL.—Section 106(a) of the District of Columbia Public Works Act of 1954 (sec. 34–2401.25(a), D.C. Official Code) is amended by inserting before the last sentence the following: "As an additional condition of service, the department, agency, or establishment which is responsible for the maintenance of any such meter shall provide the Mayor (acting through the District of Columbia Water and Sewer Authority) with such access to the meter as the Mayor may require to measure the actual usage of the department, agency, or establishment (including any entity under the jurisdiction of the department, agency, or establishment) for purposes of making the adjustments to annual estimates required under subsection (b)(2)(A).".

(2) PERMITTING AUTHORITY TO INSTALL METERS.—If a department, independent establishment, or agency of the United States which uses water and water services from the District of Columbia water supply system has not installed a suitable meter at each point of Federal connection to the system to control and record the use of water through each such connection (as required under section 106(a) of the District of Columbia Public Works Act of 1954) as of the expiration of the 60-day period which begins on the date of the enactment of this Act—

(A) the District of Columbia Water and Sewer Authority shall install such a meter or meters (and incidental vaults, valves, piping and recording devices, and such other equipment as the Authority deems necessary) not later than 60 days after the expiration of such period; and

(B) the department, independent establishment, or agency shall pay the Authority promptly (but in no case later than 30 days after the Authority submits a bill) for the costs incurred in installing the meter and equipment.

(c) CLARIFICATION OF RESPONSIBILITY OF FEDERAL DEPARTMENTS TO ALLOCATE BILLINGS AND COLLECT AMOUNTS FROM INDIVIDUAL OFFICES.—

(1) SANITARY SEWER SERVICES.—Section 212 of the District of Columbia Public Works Act of 1954 (sec. 34–2112, D.C. Official Code) is amended by adding at the end the following new subsection:

"(c) Nothing in this section may be construed to require the District of Columbia to seek payment for sanitary sewer services directly from any Federal entity which is under the jurisdiction of a department, independent establishment, or agency which is required to make a payment for such services under this section, or to allocate any amounts charged for such services among the entities which are under the jurisdiction of any such department, independent establishment, or agency. Each Federal department, independent establishment, and agency receiving sanitary sewer services from the District of Columbia shall be responsible for allocating billings for such services among entities under the jurisdiction of the department, establishment, or agency, and shall be responsible for collecting amounts from such entities for any payments made to the District of Columbia under this section.".

(2) WATER SERVICES.—Section 106 of the District of Columbia Public Works Act of 1954 (sec. 34–2401.25, D.C. Official Code) is amended by adding at the end the following new subsections:

"(c) Nothing in this section may be construed to require the District of Columbia to seek payment for water services directly from any Federal entity which is under the jurisdiction of a department, independent establishment, or agency which is required to make a payment for such services under this section, or to allocate any amounts charged for such services among the entities which are under the jurisdiction of any such department, independent establishment, or agency. Each Federal department, independent establishment, and agency receiving water from the District of Columbia shall be responsible for allocating billings for such services among entities under the jurisdiction of the department, establishment, or agency, and shall be responsible for collecting amounts from such

entities for any payments made to the District of Columbia under this section.

"(d) In the case of water services provided to a department, independent establishment, or agency in Virginia through the Federally owned water main system, if the total of the metered amounts billed for all individual users of the system (as measured by the meters for each individual user) is less than the total amount as measured by the meters at the delivery points into the system at the Francis Scott Key Bridge, the District government shall collect, and the Secretary of Defense shall pay, the difference to the District government in accordance with the requirements for collecting and making payments under this section.".

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, $46,510,000 from other funds.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

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

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 1982 (95 Stat. 1174, 1175; Public Law 97–91), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and sec. 22–1716 et seq.), $229,688,000: Provided, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $9,627,000 (including $2,177,000 to be derived by transfer from the general fund of the District of Columbia and $7,450,000 from other funds): Provided, That the transfer of $2,177,000 from the general fund shall not be made unless the District of Columbia general fund has received $2,177,000 from the D.C. Sports and Entertainment Commission prior to September 30, 2001: Provided further, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act (87 Stat. 824; Public Law 93–198; D.C. Official Code, sec. 1–204.42(b)).

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Official Code, sec. 1–711), $13,388,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: Provided, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: Provided further, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

HOUSING FINANCE AGENCY

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

NATIONAL CAPITAL REVITALIZATION CORPORATION

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

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of $1,550,787,000 of which $1,348,783,000 shall be from local funds, $44,431,000 from Highway Trust funds, and $157,573,000 from Federal funds, and a rescission of $476,182,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $1,074,605,000 to remain available until expended: Provided, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: Provided further, That the capital budget for the Department of Health shall not be available until the District of Columbia Council's Committee on Human Services receives a report on the use of any capital funds for projects on the grounds of D.C. General Hospital: Provided further, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal Aid Highway Act of 1968 (82 Stat. 827; Public Law 90–495), for which funds are provided by this appropriation title, shall expire on September 30, 2003, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2003: Pro-

vided further, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse: Provided further, That except for funds approved in the budgets prior to the fiscal year 2002 budget and FL–MA2 in the fiscal year 2002 Budget Request, no funds may be expended to renovate, rehabilitate or construct any facility within the boundaries of census tract 68.04 for any purpose associated with the D.C. Department of Corrections, the CSOSA, or the federal Bureau of Prisons unit until March 31, 2002 or until such time as the Mayor shall present to the Council for its approval, a plan for the development of census tract 68.04 south of East Capitol Street, S.E., and the housing of any misdemeanants, felons, ex-offenders, or persons awaiting trial within the District of Columbia, whichever occurs earlier: Provided further, That none of the conditions set forth in this paragraph shall interfere with the current operations of any Federal agency: Provided further, That none of the conditions set forth shall restrict the ongoing operations of the Department of Corrections.

GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: Provided, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government: Provided, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–1812.11(c)(3)).

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

SEC. 105. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 106. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, and salary are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

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

(b) The District of Columbia may use local funds provided in this Act to carry out lobbying activities on any matter other than—

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

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

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 108. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: Provided, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 109. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center; unless the Committees on Appropriations of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds from one appropriation heading to another unless the Committees on Appropriations of the Senate and House of Representatives are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed four percent of the local funds in the appropriation.

SEC. 110. Consistent with the provisions of 31 U.S.C. 1301(a), appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 111. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.), enacted pursuant to section 422(3) of the Dis-

trict of Columbia Home Rule Act (87 Stat. 790; Public Law 93–198; D.C. Official Code, sec. 1–204.22(3)), shall apply with respect to the compensation of District of Columbia employees: Provided, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b)(1) CERTIFICATION OF NEED BY CHIEF TECHNOLOGY OFFICER.—Section 2706(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, as added by section 2 of the District Government Personnel Exchange Agreement Amendment Act of 2000 (D.C. Law 13–296), is amended by inserting after "Director of Personnel" each place it appears the following: "(or the Chief Technology Officer, in the case of the Office of the Chief Technology Officer)".

(2) INCLUSION OF OVERHEAD COSTS IN AGREEMENTS.—Section 2706(c)(3) of such Act is amended by striking the period at the end and inserting the following: ", except that in the case of the Office of the Chief Technology Officer, general and administrative costs shall include reasonable overhead costs and shall be calculated by the Chief Technology Officer (as determined under such criteria as the Chief Technology Officer independently deems appropriate subject to the review of the City Administrator, including a consideration of standards used to calculate general, administrative, and overhead costs for off-site employees found in Federal law and regulation and in general private industry practice).".

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

(A) by redesignating subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following new subsection:

"(f) Not later than 45 days after the end of each fiscal year (beginning with fiscal year 2002), the Chief Technology Officer shall prepare and submit to the Council and to the Committees on Appropriations of the House of Representatives and Senate a report describing all agreements entered into by the Chief Technology Officer under this section which are in effect during the fiscal year.".

(c) The authority which the Chief Financial Officer of the District of Columbia exercised with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period (as defined in Public Law 104–8) shall remain in effect through July 1, 2002.

(d) Section 424(b)(3) of the District of Columbia Home Rule Act (sec. 1–204.24b(c), D.C. Official Code) is amended—

(1) by striking "determined" and all that follows through "exceed" and inserting "equal to"; and

(2) by striking "IV" and inserting "I".

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

SEC. 112. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 2002, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 2002 revenue estimates as of the end of the first quarter of fiscal year 2002. These estimates shall be used in the budget request for the fiscal year ending September 30, 2003.

The officially revised estimates at midyear shall be used for the midyear report.

SEC. 113. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Code, sec. 2–303.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: Provided, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

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

(b) For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99–177), the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: Provided, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 115. ACCEPTANCE AND USE OF GIFTS. (a) APPROVAL BY MAYOR.—

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

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

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

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

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

(c) INDEPENDENT AGENCIES INCLUDED.—For the purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

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

SEC. 116. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

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

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

SEC. 119. ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING. (a) IN GENERAL.—Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND COUNCIL APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

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

(2) the Council within 15 calendar days after receipt of the report submitted under (1) has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(c) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under subsection (b)(2) of this section or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(d) QUARTERLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 120. (a) RESTRICTIONS ON USE OF OFFICIAL VEHICLES.—Except as otherwise provided in this section, none of the funds made

available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace (except: (1) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department; (2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day; (3) the Mayor of the District of Columbia; and (4) the Chairman of the Council of the District of Columbia).

(b) INVENTORY OF VEHICLES.—The Chief Financial Officer of the District of Columbia shall submit, by November 15, 2001, an inventory, as of September 30, 2001, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

(c) No officer or employee of the District of Columbia government (including any independent agency of the District but excluding the Office of the Chief Technology Officer, the Chief Financial Officer of the District of Columbia, and the Metropolitan Police Department) may enter into an agreement in excess of $2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

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

(1) the District of Columbia Board of Education, or its successor, and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act (84 Stat. 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C. 706(8)), the Board and DCPS shall place that student in an appropriate program of special education services.

SEC. 122. (a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

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

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

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

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

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

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 124. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

SEC. 125. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

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

SEC. 126. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial of-

ficer of any office of the District of Columbia government (including any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted, and the District's Chief Financial Officer shall provide to the Committees on Appropriations of the Senate and the House of Representatives by the 10th day after the end of each quarter a summary list showing each report, the due date and the date submitted to the Committees.

SEC. 127. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 128. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

PROMPT PAYMENT OF APPOINTED COUNSEL

SEC. 129. (a) ASSESSMENT OF INTEREST FOR DELAYED PAYMENTS.—If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

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

(1) a payment authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act);

(2) a payment for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code; or

(3) a payment for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

(c) STANDARDS FOR SUBMISSION OF COMPLETED VOUCHERS.—The chief judges of the Superior Court of the District of Columbia

and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

(e) EFFECTIVE DATE.—This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2002, and claims received previously that remain unpaid at the end of fiscal year 2001, and would have qualified for interest payment under this section.

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

SEC. 130. (a) CONTRIBUTION.—There is hereby appropriated a Federal contribution of $100,000 to the Metropolitan Police Department of the District of Columbia, effective upon the enactment by the District of Columbia of a law which reads as follows:

"BAN ON POSSESSION OF TOBACCO PRODUCTS BY MINORS

"SECTION 1. (a) IN GENERAL.—It shall be unlawful for any individual under 18 years of age to possess any cigarette or other tobacco product in the District of Columbia.

"(b) EXCEPTIONS.—

"(1) POSSESSION IN COURSE OF EMPLOYMENT.—Subsection (a) shall not apply with respect to an individual making a delivery of cigarettes or tobacco products in pursuance of employment.

"(2) PARTICIPATION IN LAW ENFORCEMENT OPERATION.—Subsection (a) shall not apply with respect to an individual possessing products in the course of a valid, supervised law enforcement operation.

"(c) PENALTIES.—Any individual who violates subsection (a) shall be subject to the following penalties:

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

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

"(3) Upon the second and each subsequent violation, the individual shall be subject to a civil penalty not to exceed $100.

"(4) Upon the third and each subsequent violation, the individual may have his or her driving privileges in the District of Columbia suspended for a period of 90 consecutive days.".

(b) USE OF CONTRIBUTION.—The Metropolitan Police Department shall use the contribution made under subsection (a) to enforce the law referred to in such subsection.

SEC. 131. The Mayor of the District of Columbia shall submit to the Senate and House Committees on Appropriations, the Senate Governmental Affairs Committee, and the House Government Reform Committee quarterly reports addressing the following issues:

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

SEC. 132. Nothing in this Act bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

RESERVE FUNDS

SEC. 133. (a) IN GENERAL.—Section 202(j) of Public Law 104–8, the District of Columbia Financial Responsibility and Management Assistance Act of 1995 is amended to read as follows:

"(j) RESERVE FUNDS.—

"(1) BUDGET RESERVE.—

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

"(i) $120,000,000, in the case of fiscal year 2002.

"(ii) $70,000,000, in the case of fiscal year 2003.

"(B) AVAILABILITY OF FUNDS.—Any amount made available from the budget reserve described in subparagraph (A) shall remain available until expended.

"(C) AVAILABILITY OF FISCAL YEAR 2001 BUDGET RESERVE FUNDS.—For fiscal year 2001, any amount in the budget reserve shall remain available until expended.

"(2) CUMULATIVE CASH RESERVE.—In addition to any other cash reserves required under section 450A of the District of Columbia Home Rule Act, for each of the fiscal years 2004 and 2005, the budget of the District government for the fiscal year shall contain a cumulative cash reserve of $50,000,000.

"(3) CONDITIONS ON USE.—The District of Columbia may obligate or expend amounts in the budget reserve under paragraph (1) or the cumulative cash reserve under paragraph (2) only in accordance with the following conditions:

"(A) The Chief Financial Officer of the District of Columbia shall certify that the amounts are available.

"(B) The amounts shall be obligated or expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

"(C) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

"(D) The amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate in writing 30 days in advance of any obligation or expenditure.

"(4) REPLENISHMENT.—Any amount of the budget reserve under paragraph (1) or the cumulative cash reserve under paragraph (2) which is expended in one fiscal year shall be replenished in the following fiscal year appropriations to maintain the required balance.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2001.

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

"(c) EFFECTIVE DATE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on October 1, 2000.

"(2) REPEAL OF POSITIVE FUND BALANCE REQUIREMENT.—The amendment made by subsection (b)(2) shall take effect October 1, 1999.

"(3) TRANSFER OF FUNDS.—All funds identified by the District government pursuant to section 148 of Public Law 106–113, as reflected in the certified annual financial report for fiscal year 2000, shall be deposited during fiscal year 2002 into the Emergency and Contingency Reserve Funds established pursuant to Section 159 of Public Law 106–522, during fiscal year 2002.".

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

(1) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—There is established a contingency cash reserve fund (in this subsection referred to as the 'contingency reserve fund') as an interest-bearing account (separate from other accounts in the General Fund) into which the Mayor shall deposit in cash not later than October 1 of each fiscal year (beginning with fiscal year 2002) such amount as may be required to maintain a balance in the fund of at least 3 percent of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds (or, in the case of fiscal years prior to fiscal year 2007, such amount as may be required to maintain a balance in the fund of at least the minimum contingency reserve balance for such fiscal year, as determined under paragraph (2))."; and

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

"(B) APPLICABLE PERCENTAGE DEFINED.—In subparagraph (A), the 'applicable percentage' with respect to a fiscal year means the following:

"(i) For fiscal year 2002, 0 percent.
"(ii) For fiscal year 2003, 0 percent.
"(iii) For fiscal year 2004, 0 percent.
"(iv) For fiscal year 2005, 1 percent.
"(v) For fiscal year 2006, 2 percent.".

SEC. 134. INTEGRATED PRODUCT TEAM. No funds appropriated by this Act shall be available for an Integrated Product Team until reorganization plans for the Integrated Product Team and a Capital Construction Services Administration have been approved, or deemed approved, by the Council: Provided, That this paragraph shall not apply to funds appropriated for the Office of Contracting and Procurement.

SEC. 135. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

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

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

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

"(d) Notwithstanding subsection (a), as of the effective date of the District of Columbia Appropriations Act, 2001, the Chairman shall receive compensation, payable in equal installments, at a rate equal to $10,000 less than the annual compensation of the Mayor.".

SEC. 137. RISK MANAGEMENT FOR SETTLEMENTS AND JUDGMENTS. In addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2000, effective October 19, 2000 (D.C. Law 13–172; D.C. Official Code § 2–402).

SEC. 138. Notwithstanding section 602(c)(1) of the District of Columbia Home Rule Act (sec. 1–206(c)(1), D.C. Code), the Closing of Portions of 2nd and N Streets, N.E. and Alley System in Square 710, S.O. 00–97, Act of 2001 (D.C. Act 14–106) shall take effect on the date of the enactment of such Act or the date of the enactment of this Act, whichever is later.

SEC. 139. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

SEC. 140. (a) Notwithstanding 20 U.S.C. § 1415, 42 U.S.C. § 1988, 29 U.S.C § 794a, or any other law, none of the funds appropriated under this Act, or in appropriations Acts for subsequent fiscal years, may be made available to pay attorneys' fees accrued prior to the effective date of this Act that exceeds a cap imposed on attorneys' fees by prior appropriations Acts that were in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in an action or proceeding brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.).

(b) No later than 60 days after the date of enactment of this Act, the Superintendent of Schools for the District of Columbia shall submit to the Committees on Appropriations for the Senate and the House of Representatives a written report for each of the fiscal years 1999, 2000, and 2001, detailing a complete itemized list, by year, of the judgments for attorneys' fees awarded to plaintiffs who prevailed in cases brought against the District of Columbia or the District of Columbia Public Schools under section 615(i)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(i)(3)). Such report shall specify: (1) the amount of each judgment; (2) the total amount paid on each judgment as of the date of the report; (3) the principal balance remaining due on each such judgment as of the date of the report, the amount of interest due as of December 31, 2001 on each unpaid amount; and the prospective annual rate of interest applicable to the judgment as of January 1, 2002; (4) the name of the Court and case number for each judgment; (5) the aggregate total due in principal and interest on the judgments; and (6) the amount paid by the District of Columbia, in each case listed, to defense counsel representing the District or the District of Columbia Public Schools.

SEC. 141. The Comptroller General, in consultation with the relevant agencies and members of the Committees on Appropriations Subcommittees on the District of Columbia, shall submit by March 31, 2002 a report to the Committees on Appropriations of the House and the Senate and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives detailing the awards in judgment rendered in the District of Columbia that were in excess of the cap imposed by prior appropriations Acts in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in actions brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.): Provided, That such report shall include a comparison, to the extent practicable, of the causes of action and judgments rendered against public school districts of comparable demographics and population as the District.

This Act may be cited as the "District of Columbia Appropriations Act, 2002".

And the Senate agree to the same.

JOE KNOLLENBERG,
ERNEST ISTOOK,
JOHN T. DOOLITTLE,
JOHN E. SWEENEY,
DAVID VITTER,

BILL YOUNG,
CHAKA FATTAH,
ALAN B. MOLLOHAN,
Managers on the Part of the House.

MARY L. LANDRIEU,
JACK REED,
DANIEL K. INOUYE,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2944) 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, submit the following joint statement to the House and the Senate in explanation of the effect of the actions agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the District of Columbia Appropriations Act, 2002, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 107–216 and Senate Report 107–85 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary. The agreement agreed to herein, while repeating some report language for emphasis, does not negate the language reference above unless expressly provided. General provisions which are identical in the House and Senate passed versions of H.R. 2944 are unchanged by the conference agreement and are approved unless provided to the contrary herein.

A summary chart appears later in this statement just before the explanations of the general provisions showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation title showing the fiscal year 2001 appropriation, the fiscal year 2002 request, the House and Senate recommendations and the conference allowance.

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The conference agreement includes language requiring the Federal payment for resident tuition support be deposited into a dedicated account with any interest accrued to be used on behalf of eligible District of Columbia residents. The conference action requires quarterly financial reports from the Chief Financial Officer on the use of resident tuition funds and limits administrative expenses to seven percent of the total amount appropriated herein rather than allowing administrative expenses to be charged again on carryover amounts.

The conferees recognize and appreciate the important role of Historically Black Colleges and Universities (HBCUs) in educating citizens of the District of Columbia. Therefore, conferees urge the prompt expansion of the District of Columbia's Tuition Assistance

Grant Program to make those students attending HBCUs outside of the District of Columbia, Maryland and Virginia eligible for grant assistance.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The conference agreement has approved extending the availability until September 30, 2002 of the $5,000,000 approved in Public Law 106–113 dated November 29, 1999 for this program. The conference action provides that $1,000,000 be used for the establishment of a scholarship fund for post high school education and training for District children of adoptive families as well as for District children without parents due to the September 11, 2001 terrorist attack. The language also allows the funds to be used to fund programs included in amendments made by title 22 of the District's FY 2002 Budget Support Act to the Adoption Support Fund.

The conferees encourage the Mayor to use funds made available to create incentives to promote the adoption of children in the District of Columbia foster care system, including $2,000,000 for attorney fees and home studies, $1,000,000 for establishment of a private adoptive family resource center in the District to provide ongoing information, education and support to adoptive families, and $1,000,000 for adoption incentives and support for children with special needs.

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

Appropriates $500,000 for a Federal payment to the Capitol City Career Development and Job Training Partnership as proposed by the House.

FEDERAL PAYMENT TO CAPITOL EDUCATION FUND

Appropriates $500,000 to the Capitol Education Fund.

FEDERAL PAYMENT TO METROPOLITAN KAPPA YOUTH DEVELOPMENT FOUNDATION, INC.

Appropriates $450,000 to the Metropolitan Kappa Youth Development Foundation, Inc.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

Appropriates $500,000 to the Fire and Emergency Medical Services Department for dry docking of the fire boat as proposed by the House.

FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

Appropriates $585,000 for the Chief Medical Examiner for reduction in the backlog of autopsies, case reports and for the purchase of toxicology and histology equipment as proposed by the House.

FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

Appropriates $250,000 to the Youth Life Foundation for technical assistance, operation expenses, and establishment of a National Training Institute as proposed by the House.

FEDERAL PAYMENT TO FOOD AND FRIENDS

Appropriates $2,000,000 to Food and Friends for their Capital Campaign as proposed by the House.

FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

Appropriates $300,000 to the City Administrator for the Criminal Justice Coordinating Council for the District of Columbia as proposed by the House.

FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

Appropriates $500,000 to Southeastern University for a public/private partnership with the District of Columbia Public Schools at the McKinley Technology High School campus as proposed by the House instead of $250,000 as proposed by the Senate.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Appropriates $2,500,000 to the District of Columbia Public Schools of which $2,000,000 is for the Voyager Expanded Learning Literacy Program in kindergarten and first grade classrooms, $250,000 is for the Failure Free Reading Literacy Program for nonreaders and special education students and $250,000 is for Lightspan, Inc. to implement the eduTest.com program in the public school system.

FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND FEDERAL LAW ENFORCEMENT MOBILE WIRELESS INTEROPERABILITY PROJECT

Appropriates $1,400,000 as proposed by the Senate in support of the District of Columbia and Federal law enforcement Mobile Wireless Interoperability Project as follows: $400,000 to the District of Columbia Office of the Chief Technology Officer, $333,334 to the United States Secret Service, $333,333 to the United States Capitol Police, and $333,333 to the United States Park Police. The conferees expect the Secret Service, the Park Police, and the Capitol Police to provide additional funding to continue this project through their own appropriations or through existing interagency funding pools in subsequent fiscal years.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

Appropriates $16,058,000 for emergency planning and security costs in the District of Columbia of which $12,652,000 is to be made available immediately to the District's Emergency Management Agency for planning, training, and personnel costs required for implementing the emergency operations plan and $3,406,000 is to be made available immediately for reimbursement for equipment purchased to provide security for the planned meetings in September 2001 of the World Bank and the International Monetary

Fund. The conference action requires the Mayor and the Chairman of the Council of the District of Columbia, in consultation with the Director of the Office of Personnel Management, the United States Park Police, the United States Capitol Police, the Washington Metropolitan Area Transit Authority, regional transportation authorities, the Federal Emergency Management Agency, the Governor of the State of Maryland and the Governor of the Commonwealth of Virginia, the county executives of the contiguous counties of the regional and the respective state and local law enforcement entities in the region, to develop an integrated emergency operations plan for the District of Columbia in cases of national security events, including terrorist threats, protests, or other unanticipated events. The plan is to be submitted to the Committees on Appropriations of the Senate and House of Representatives no later than January 2, 2002. In addition, the Chief Financial Officer is required to provide quarterly reports on the use of the funds under this heading beginning not later than April 2, 2002.

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

Appropriates $8,300,000 instead of $2,350,000 as proposed by the House and $5,900,000 as proposed by the Senate. The appropriation includes $1,000,000 for payment to the Excel Institute Adult Education Program to be used by the Institute for construction, $300,000 for payment to the Woodlawn Cemetery for restoration of the Cemetery, $250,000 for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia, $300,000 for payment to a mentoring program and for hotline services; $250,000 for payment to a youth development program with character education initiative; $250,000 for payment to a basic values training in the local public schools, $2,250,000 for payment for a pilot project to demonstrate the "Active Cap" river cleanup technology on the Anacostia River, $500,000 for payment to the Washington, D.C. Sports and Entertainment Commission, which in coordination with the U.S. Soccer Foundation, shall use the funds for environmental and infrastructure costs at the Kenilworth Park in the creation of the Kenilworth Regional Sport Complex, $600,000 for payment to the One Economy Corporation to increase Internet access to low-income homes in the District of Columbia, $500,000 for payment to the Langston Project for the 21st Century, a community revitalization project to improve physical education and training facilities, $1,000,000 for payment to the Green Door Program, for capital improvements at a community mental health clinic, $500,000 for payment to the Historical Society of Washington for capital improvements to the new City Museum; $200,000 to Teach for America DC for teacher development, $50,000 to the District of Columbia for initial renovations at Eastern Market, $350,000 to the District of Columbia Safe Kids Coalition to promote child passenger safety through the Child Occupant Protection Initiative. The conferees direct the District's Chief Financial Officer to make the above payments directly to the organizations within 30 days of the enactment of this Act. The conferees do not expect the Chief Financial Officer to administer these pro-

grams or get involved in any way with the programs except to ensure that the funds are disbursed promptly and correctly to the proper organizations.

The conferees encourage the District's Chief Financial Officer to credit amounts reimbursed by the U.S. Marshals Service for District of Columbia inmates housed in private contract facilities directly to the District of Columbia Department of Corrections for payment to a contract bed space service provider.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

Appropriates $30,200,000 instead of $32,700,000 as proposed by the House and Senate. The reduction consists of $2,000,000 from building renovations and $500,000 from funds requested for the closing of the sewage treatment plant and the removal of underground storage tanks at the Lorton Correctional Complex.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriates $112,180,000 instead of $111,238,000 as proposed by the House and $140,181,000 as proposed by the Senate and allocates $66,091,000 as proposed by the House for Superior Court instead of $72,694,000 as proposed by the Senate, $31,594,000 for the Court System instead of $31,149,000 as proposed by the House and $31,634,000 as proposed by the Senate, and $6,492,000 for capital improvements instead of $5,995,000 as proposed by the House and $27,850,000 as proposed by the Senate. The conference action deletes the proviso proposed by the House that would have required approval by the Committees for the purchase, installation and operation of an Integrated Justice Information System. The conference action deletes language proposed by the Senate that would have allowed the District of Columbia Courts to reallocate not more than $1,000,000 of funds provided under this heading among the items and entities funded under such heading. The conference action transfers the new District of Columbia Family Court to a separate appropriation heading as proposed by the House instead of as a proviso under this heading as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

The conference agreement amends D.C. Official Code, sec. 11–1722(a) to remove the Director of Social Services in the Superior Court from direct supervision of the Executive Officer as proposed by the Senate.

The conference agreement amends D.C. Official Code, sec. 11–1723(a)(3) to remove the internal auditing of the accounts of the courts from the fiscal officer as proposed by the Senate.

Crime victims compensation.—The conference agreement amends D.C. Official Code, sec. 4–515(d) and (e) concerning the Victims of Violent Crime Compensation Fund to allow 50 percent of the estimated balance to be used for direct compensation payments to crime victims through the Fund and the balance for outreach activities designed to increase the number of crime victims who apply for such direct compensation payments. The language

also provides that not more than 5 percent of the total amount of monies in the Fund may be used to pay administrative costs.

The District's Chief Financial Officer is directed to certify that priority is given to crime victim assistance programs that provide assistance to victims of sexual assault, domestic violence, or child abuse including but not limited to abuse counseling, health and mental health services, child advocacy centers, emergency housing, emergency child care, transportation, hospital-based informational and referral services, and family support. The conferees recommend that the District government make funds available for victim assistance programs which are aimed at improving the intake, assessment, screening and investigation of reports of child abuse and neglect and domestic violence.

The District's Chief Financial Officer is directed to certify that the program funds awarded to grantees under this program are used to directly serve victims of crime.

The conference agreement amends D.C. Official Code, sec. 11–2604 to increase the hourly rate for attorneys for indigents appointed under the Criminal Justice Act (CJA) from $50 per hour to $65 per hour and increases the rate paid to investigators from $10 per hour to $25 per hour. The rates are effective for cases initiated on or after March 1, 2002.

Quality of CJA legal services.—The conferees strongly urge the D. C. Superior Court to evaluate the quality of the legal services rendered by lawyers appointed under the Criminal Justice Act to handle juvenile delinquency cases. The Court is urged to take immediate, affirmative steps to ensure that lawyers who lack the requisite training, experience and skill are not appointed to delinquency cases. The conferees also urge the Court to adopt a Continuing Legal Education (CLE) requirement for all lawyers rendering legal services under the Criminal Justice Act. Such training is critical to improving the quality of legal representation provided to indigent people in the District of Columbia and will result in a more cost-efficient system.

FEDERAL PAYMENTS FOR FAMILY COURT ACT

Appropriates $24,016,000 for carrying out the District of Columbia Family Court Act of 2001 instead of $23,316,000 as proposed by the House and $23,315,000 as proposed by the Senate. The increase of $700,000 includes $200,000 for the completion of a plan by the Mayor on integrating the computer systems of the District of Columbia government with the Family Court of the Superior Court and $500,000 to be used by the Child and Family Services Agency for activities authorized by the District of Columbia Family Court Act of 2001.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

Appropriates $34,311,000 as proposed by the House instead of $39,311,000 as proposed by the Senate and makes conforming technical changes. The reduction of $5,000,000 below the Senate recommendation reflects conference action that requires the use of unobligated balances to fund the rate increase for investigators and for attorneys for indigents appointed under the Criminal Justice Act. The conference agreement also requires that $4,685,500 for de-

sign and construction expenses of the courthouse at 451 Indiana Avenue, N.W., be paid from unobligated balances in this account.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INLCUDING TRANSFER OF FUNDS)

The conference agreement allows $2,000 for official receptions related to the offender and defendant support programs instead of $1,500 proposed by the House and $5,000 proposed by the Senate. The conference agreement restores the proviso requiring the Director to keep accurate and detailed records of the acceptance and use of any gift or donation as proposed by the House and makes conforming technical changes. The conference action includes language proposed by the Senate that allows the Director flexibility in acquiring an appropriate site to house or supervise offenders and defendants rather than limiting the Director to a specific site as proposed in the budget request and proposed by the House. In any event the site is to be acquired by March 31, 2002.

FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL MEDICAL CENTER

Appropriates $5,500,000 to the Children's National Medical Center of which $500,000 is for completion of a network of satellite pediatric health clinics for children and families in underserved neighborhoods and communities in the District of Columbia and $5,000,000 is for capital and equipment improvements.

ST. COLETTA OF GREATER WASHINGTON EXPANSION PROJECT

Appropriates $2,000,000 to St. Coletta of Greater Washington, Inc. instead of $1,000,000 as proposed by the House for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple handicapped adolescents and adults in the District of Columbia including property acquisition and construction.

FEDERAL PAYMENT TO FAITH AND POLITICS INSTITUTE

Appropriates $50,000 to the Faith and Politics Institute for grass roots-based racial sensitivity programs in the District of Columbia as proposed by the House.

FEDERAL PAYMENT TO THE THURGOOD MARSHALL ACADEMY CHARTER SCHOOL

Appropriates $1,000,000 as proposed by the Senate to the Thurgood Marshall Academy Charter School to be used to acquire and renovate an educational facility in the Anacostia area of the District.

FEDERAL PAYMENT TO THE GEORGE WASHINGTON UNIVERSITY CENTER FOR EXCELLENCE IN MUNICIPAL MANAGEMENT

Appropriates $250,000 to the George Washington University Center for Excellence in Municipal Management as proposed by the Senate to increase the enrollment of managers from the District of Columbia government.

COURT APPOINTED SPECIAL ADVOCATES

Appropriates $250,000 to the District of Columbia Court Appointed Special Advocates Unit as proposed by the Senate to be used to expand the Unit's work in the Family Court of the District of Columbia Superior Court.

ADMINISTRATIVE PROVISION

The conference agreement allows $100,000 appropriated in the District of Columbia Appropriations Act, 2001, Public Law 106–522 (114 Stat. 2441) to remain available until September 30, 2002 for the Metropolitan Police Department to fund a youth safe haven police mini-station for mentoring high risk youth; $1,000,000 made available in such Act for the Washington Interfaith Network (114 Stat. 2444) to remain available until December 31, 2002 for reimbursement of costs incurred in carrying out preconstruction activities at the former Fort Dupont Dwellings and Additions, and $3,450,000 for Brownfield Remediation (114 Stat. 2445) to remain available until expended for environmental and infrastructure costs at Poplar Point as proposed by the Senate.

CONGRESSIONAL RESEARCH SERVICE

The conferees direct the Congressional Research Service to analyze the differences and similarities in municipal, state and national government, including funding, management, oversight, and the rights of citizens, in the District of Columbia and ten other comparable national capitals. The conferees request that the report be submitted to the House and Senate Committees on Appropriations not later than March 31, 2002.

DISTRICT OF COLUMBIA FUNDS

DIVISION OF EXPENSES

Provides that operating expenses for the District of Columbia for fiscal year 2002 shall not exceed $6,048,160,000 of which $124,163,000 is from intra-District funds and $3,574,493,000 is from local funds instead of $6,043,881,000 of which $124,163,000 is from intra-District funds and $3,571,343,000 is from local funds as proposed by the House and $6,051,646,000 of which $124,163,000 is from intra-District funds and $3,553,300,000 is from local funds as proposed by the Senate. The changes in the amounts reflect actions taken by the conferees in the funding levels under the various appropriation headings.

The conference agreement includes a proviso allowing the ceiling amount to be increased by proceeds of one-time transactions which are expended for emergency or unanticipated operating or capital needs and deletes the provision that would have allowed expenditures above the cap to generate additional revenues. The conferees encourage the Chief Financial Officer to reprioritize existing resources for this purpose.

GOVERNMENTAL DIRECTION AND SUPPORT

Appropriates $286,138,000 including $229,421,000 from local funds, $38,809,000 in Federal funds and $17,908,000 from other

funds instead of $285,359,000 including $229,271,000 from local funds, $38,809,000 from Federal funds and $17,279,000 from other funds as proposed by the House and $307,117,000 including $228,471,000 from local funds, $61,367,000 from Federal funds and $17,279,000 from other funds as proposed by the Senate.

Office of the Mayor.—The conference agreement includes an increase of $200,000 in Federal funds appropriated earlier under Federal Payments for Family Court Act for a computer integration plan for Child and Family Social Services as proposed by the Senate.

Recycled crumb rubber.—The conferees encourage the District government to use recycled crumb rubber from tires in environmentally responsible applications such as roads, playgrounds, bicycle paths, and parking lots. Last year in the United States alone 270 million tires were "retired". While it has been reported that 70 percent of the tires were beneficially utilized, some 30 percent went into landfills. Tires in landfills create problems that should be minimized or eliminated. New technology has now allowed tires to be recycled more economically, producing metals that are recycled and tire crumb that can be used in numerous applications that provide added benefits. Rubberized asphalt in road applications has been reported to last longer and provide lower noise levels. Mats made from recycled rubber have been known to provide a safer environment for children in playgrounds. These and other applications allow for environmentally responsible uses and minimize the number of tires that may be discarded.

Office of the City Administrator.—The conference agreement includes an increase of $300,000 in Federal funds appropriated earlier in this Act for the Criminal Justice Coordinating Council of the District of Columbia as proposed by the House. The conferees encourage District officials to reprogram or transfer funds to augment this program in the event additional funds are required.

Office of the Chief Technology Officer.—The conference agreement includes an increase of $400,000 in Federal funds appropriated earlier in this Act to manage a wireless pilot project to connect local and Federal law enforcement agencies in the region as proposed by the Senate instead of $500,000 as proposed by the House.

Office of the Corporation Counsel.—The conference agreement includes $386,000 for activities related to the D.C. Antitrust Act of 1980, $10,000 for Antifraud activities related to section 820 of the D.C. Procurement Practices Act of 1985, and $233,000 for the Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for fiscal year 2001.

Office of the Chief Financial Officer.—The conference agreement includes $50,000 for initial renovations at Eastern Market from Federal funds appropriated earlier in this Act.

ECONOMIC DEVELOPMENT AND REGULATION

The conference agreement includes the provisos proposed by the Senate requiring the Department of Consumer and Regulatory Affairs to use $50,000 of the receipts from the net proceeds from the contractor that handles the District's occupational and professional licensing to fund additional staff and equipment for the

Rental Housing Administration. The conference agreement approves $293,000 from other funds resulting from the lapse of personnel vacancies, caused by transferring employees into NSO positions without filling the resultant vacancies, into the revolving 5–513 fund to be used to implement the provisions in D.C. Law 13–281, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties. The conference agreement approves the proviso that requires 18 percent of the annual total amount in the 5–513 fund, up to $500,000, that is deposited into the 5–513 fund on an annual basis, be used to implement section 102 and other related sections of D.C. Law 13–281. The conference agreement deletes the proviso concerning personnel matters and the filling of certain positions in the Department.

Downtown Business Improvement Districts (BID).—The conferees have reviewed concerns expressed by businesses and business organizations in the District, as well as criticism expressed in the local press, concerning the Downtown BID's commitment to expand its mission into areas of regulation, planning, marketing, advocacy and economic development by way of the creation of affiliated entities, and its advocacy for legislative authority to expand its functions to include public space management and regulation.

The Downtown BID and other BIDs in the District generate funding for operations and administration under the authority granted to it by legislation enacted by the Council of the District of Columbia and approved by Congress. Justification for delegating the authority to impose taxes, fees or liens on all commercial owners and tenants within the BID's boundaries arose out of the need to enhance the District's ability to maintain cleanliness and public safety within those boundaries. In fact, language exempting BIDs from taxes levied by the District of Columbia was initially placed in the fiscal year 1999 District of Columbia Appropriations Act based on assurances that the BIDs' role would be limited to augmenting the services that the District government was providing in the areas of public safety, trash collection, street cleaning and "ambassadorial" assistance. The proposal was for the businesses in the area to "tax themselves" and use those funds to provide a higher level of basic services in their area. On that basis, it seemed fair to allow the tax exemption. However, the intent was not to provide a tax exemption for economic development or activities other than those that would enhance the appearance and livability in the BID area.

The House Committee took the initiative to investigate and respond to the concerns expressed by the business community to the expansion of the BID's mission as well as the various proposals for funding the operation and administration of such affiliate entities. As a result of the House Committee's discussions with Downtown BID Board members and staff members, the Downtown BID has informed its Board and other business organizations in the District that it will not move forward with the expansion of its core mission at this time, and that any expansion of its core mission, either within the BID or through affiliated entities, will not duplicate existing government functions that are currently funded with taxpayer dollars.

The conferees are concerned about this situation and the considerable deviation from the BIDs' original mission as conveyed to Congress.

PUBLIC SAFETY AND JUSTICE

Appropriates $633,853,000 including $594,803,000 from local funds, instead of $632,668,000 including $593,618,000 from local funds as proposed by the Senate.

Metropolitan Police Department.—The conference agreement provides $100,000 in Federal funds included in section 130 of the general provisions on the condition that the District government enacts into law a ban on the possession of tobacco products by minors as specified in section 132. The funds are to be used by the Department to enforce the ban.

Fire and Emergency Medical Services Department.—The conference agreement includes $500,000 for the Fire and Emergency Medical Services Department to cover the costs of dry docking the fireboat as proposed by the House.

Office of the Chief Medical Examiner.—The conference agreement includes $585,000 for the Chief Medical Examiner to help reduce backlogs of autopsies and case reports and to purchase toxicology and histology equipment as proposed by the House.

The conference agreement retains the proviso enacting into law section 3703 of title XXXVII of the Fiscal Year 2002 Budget Support Act of 2001 as proposed by the House and transfers the proviso relating to the District of Columbia Income and Franchise Tax Act of 1947 to section 103 of the general provisions.

PUBLIC EDUCATION SYSTEM

Appropriates $1,108,665,000 including $896,994,000 from local funds instead of $1,106,165,000 including $185,044,000 from Federal funds as proposed by the House and $1,108,915,000 including $187,794,000 from Federal funds as proposed by the Senate. The conference agreement allocates $400,000 for Enhancing and Actualizing Internationalism and Multiculturalism in the Academic Programs of the University of the District of Columbia and not less than $200,000 for Adult Education. The conference action allocates $1,277,500 for the Excel Institute Adult Education Program and requires that quarterly payments be made by the District's Chief Financial Officer. The conference action allocates funds for various programs as proposed by the Senate and retains the proviso that excludes the evaluation process for District of Columbia Public School employees as a negotiable item for collective bargaining purposes. The conference agreement deletes the proviso that would have changed the fiscal year for the District of Columbia Public Schools, District of Columbia Public Charter Schools and the University of the District of Columbia. The conference agreement extends the availability of $1,000,000 in local funds appropriated in Public Law 107–20 for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and each public charter school. The funds are to remain available until expended.

Public Schools.—Allocates $813,042,000 including $661,124,000 from local funds and $144,630,000 from Federal

funds for public schools instead of $810,542,000 including $144,630,000 from Federal funds as proposed by the House and $813,292,000 from local funds and $147,380,000 from Federal funds as proposed by the Senate. The increase above the House allowance includes $250,000 for the Failure Free Reading literacy program for non-readers and special education students, $250,000 for Lightspan, Inc. to implement the eduTec.com program, and $2,000,000 for the Voyager Expanded Learning Literacy Program in kindergarten and first grade. The $2,000,000 for the Voyager Program consists of Federal funds appropriated earlier in this Act and will allow the program to be implemented in kindergarten and first grade classrooms throughout the District's public school system. The program is a comprehensive literacy system that guarantees that all children entering the system in kindergarten will be reading at grade level or above by the third grade. The program includes a 5 day reading certification for teachers, a student assessment system, and electronic data management system, an in-school reading program, after school and summer school interventions, and a home study program for parents.

PUBLIC CHARTER SCHOOLS

ENSURING INDEPENDENCE WITH ACCOUNTABILITY

Public charter schools are innovations in public education designed to provide public education programs free from traditional public school bureaucracy. The conferees are proud to have played a partial role in their establishment in the District of Columbia. After four years, the District continues to offer one of the most vibrant and diverse charter school programs in the United States, enrolling more than 11% of the District's public school students.

The conferees believe strongly that public charter schools must remain free of bureaucratic regulation. However, the conferees are also disturbed by press reports of fiscal irregularities and questionable management, reporting, discipline and academic practice at a few charter schools. Three schools were closed by their chartering authority for such reasons in the summer of 2001. Moreover, a number of schools will soon undergo the mandatory five-year review, to determine whether there is reason to revoke their charters. Obviously, charter school closings disrupt the instruction of their students. At the same time, chartering authorities cannot responsibly leave children in schools that are demonstrably failing or accept continued public funding of schools whose academic or financial performance is irresponsible.

In authorizing the establishment of public charter schools in the District of Columbia, Congress has chosen to encourage responsible educational creativity by a system that grants freedom from regulation in exchange for accountability. Accountability, however, requires the full disclosure of information about school performance and finances, and active oversight by chartering authorities. While the chartering authorities must not tell charter schools how to achieve results or require the submission of unnecessary data, they are obligated to remain informed of school performance and to take action when a school fails to live up to the promises made in its

charter application, fails to provide legally mandated information, or fails to conform to acceptable financial practice.

The conferees therefore encourage the chartering authorities to act quickly when they become aware of problems at a public charter school that could potentially lead to revocation of its charter, to notify and offer support to the school in order to prevent the disruption to children's education of charter revocation and to protect public funds. The conferees do not encourage regulation or directives of the kind practiced by school system administrations, but do believe that the kind of accountability required of public schools in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301) must be asked of the District's public charter schools also.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference action makes conforming technical changes as to the amount available for the Health Care Safety Net Administration and deletes the proviso that would have prohibited the District from providing free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Assistance Act.

The conference agreement inserts a proviso earmarking $7,500,000 to remain available until expended for the Addiction Recovery Fund to be used solely for the purpose of the Drug Treatment Choice Program.

PUBLIC WORKS

The conference agreement inserts provisos earmarking funds for various programs as proposed by the Senate.

RECEIVERSHIP PROGRAMS

Appropriates $403,868,000 including $250,515,000 from local funds, $134,339,000 from Federal funds instead of $403,368,000 including $134,339,000 from Federal funds as proposed by the House and $403,868,000 including $134,839,000 from Federal funds as proposed by the Senate. The conference agreement includes an increase of $500,000 in Federal funds appropriated earlier in this Act for the Family Court to hire additional staff to enhance coordination with the Family Court of the Superior Court of the District of Columbia as required by the Family Court Act.

RESERVE

The conference agreement provides a reserve of $120,000,000 as proposed by the Senate instead of $150,000,000 as proposed by the House and deletes the proviso concerning the obligation of the reserve funds as proposed by the Senate.

RESERVE RELIEF

The conference agreement inserts a new heading and language that allows the District to spend $30,000,000 of the Reserve under certain conditions as proposed by the Senate.

CONTINGENCY RESERVE FUND

The conference agreement deletes this heading and language as proposed by the Senate.

EMERGENCY AND CONTINGENCY RESERVE FUND

The conference agreement inserts a new heading and language to allow deposits into the Contingency Reserve Fund beginning in fiscal year 2002 if certain conditions are met.

REPAYMENT OF LOANS AND INTEREST

The conference agreement transfers the proviso for the Emergency Assistance Loan Guaranty Program to a separate heading.

EMERGENCY ASSISTANCE LOAN GUARANTEES

The conference agreement inserts a new heading and transfers language from Repayment of Loans and Interest that provides indefinite appropriations of local funds to make payments related to the District of Columbia Emergency Assistance Act of 2001 that was enacted by the District government in response to the impact that the terrorist attack of September 11, 2001 had on local businesses. The loans will be made by local banks for a period up to 10 years and will be guaranteed by the District government. The conferees encourage the District's Chief Financial Officer to consult with the Office of Management and Budget in developing legislation for consideration by the Mayor and Council consistent with the purposes of the Federal Credit Reform Act. Such legislation would require the District to accurately estimate and budget for the potential liability from existing District of Columbia loan and loan guarantee programs and the potential liability from legislation proposed to establish such programs.

EMERGENCY PLANNING AND SECURITY COSTS

Appropriates $16,058,000 in Federal funds appropriated earlier in this Act for emergency planning and security costs in the District of Columbia. The language agreed to by the conferees makes $12,652,000 of this amount available immediately to the District of Columbia Emergency Management Agency for planning, training and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia.

EMERGENCY RESERVE FUND TRANSFER

The conference action makes conforming technical changes and requires that not less than $33,254,000 will be deposited into the Emergency and Contingency Reserve Funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

The conference agreement inserts an administrative provision that clarifies responsibilities concerning the water and sewer system and the Federally owned water main system as well as the installation of and access to meters.

SPORTS AND ENTERTAINMENT COMMISSION

The conference agreement retains language concerning the transfer of funds and changes the date for a payment from the Commission to the general fund from September 20, 2001 as proposed by the House to September 30, 2001. The increase of $500,000 is for the creation of the Kenilworth Regional Sports Complex. The funds are to be used by the Commission in coordination with the U.S. Soccer Foundation to cover environmental and infrastructure costs at Kenilworth Park in connection with the creation of the Kenilworth Regional Sports Complex.

D.C. RETIREMENT BOARD

The conference agreement retains the proviso requiring the Retirement Board to provide the Congress and the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds.

CAPITAL OUTLAY

The conference agreement includes language proposed by the Senate concerning the requirement for a plan for the development of census tract 68.04 south of East Capitol Street, S.E., and the housing of any misdemeanants, felons, ex-offenders, or persons awaiting trial within the District of Columbia as proposed by the Senate. The conference agreement includes language that none of the conditions set forth in this paragraph shall interfere with the current operations of any Federal agency.

SUMMARY TABLE OF CONFERENCE RECOMMENDATIONS BY AGENCY

A summary table showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation heading for fiscal year 2001, the fiscal year 2002 request, the House and Senate recommendations, and the conference allowance follows:

SUMMARY
FY 2002 D. C. APPROPRIATIONS BILL

	House Bill		Senate Bill		Conference	
	FTEs	Amount	FTEs	Amount	FTEs	Amount
FEDERAL FUNDS						
Federal Payment for Resident Tuition Support	0	17,000,000	0	17,000,000	0	17,000,000
Federal Payment to the Capitol City Career Development and Job Training Partnership	0	1,500,000	0	0	0	500,000
Federal Payment to Capitol Education Fund	0	0	0	0	0	500,000
Federal Payment to Metropolitan Kappa Youth Development Foundation, Inc.	0	0	0	0	0	450,000
Federal Payment to the Fire and Emergency Medical Services Department	0	500,000	0	0	0	500,000
Federal Payment to the Chief Medical Examiner	0	585,000	0	0	0	585,000
Federal Payment to the Youth Life Foundation	0	250,000	0	0	0	250,000
Federal Payment to Food and Friends	0	2,000,000	0		0	2,000,000
Federal Payment to the City Administrator	0	300,000	0	0	0	300,000
Federal Payment to Southeastern University	0	500,000	0	0	0	500,000
Federal Payment for Voyager Universal Literacy System	0	1,000,000	0	0	0	0
Federal Payment to the District of Columbia Public Schools	0	0	0	2,750,000	0	2,500,000
Federal Payment to the Office of the Chief Technology Officer	0	500,000	0	0	0	0
Federal Payment for District of Columbia and Federal Law Enforcement Mobile Wireless Interoperability Project	0	0	0	1,400,000	0	1,400,000
Federal Payment for Emergency Planning and Security Cost in the District of Columbia	0	16,058,000	0	16,058,000	0	16,058,000
Federal Payment to the Chief Financial Officer of the District of Columbia	0	2,350,000	0	5,900,000	0	8,300,000
Federal Payment to the District of Columbia Corrections Trustee Operations	0	32,700,000	0	32,700,000	0	30,200,000
Federal Payment to the District of Columbia Courts	0	111,238,000	0	140,181,000	0	112,180,000
Federal Payment for Family Court Act	0	23,316,000	0	0	0	24,016,000
Defender Services in the District of Columbia Courts	0	34,311,000	0	39,311,000	0	34,311,000
Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia	0	147,300,000	0	147,300,000	0	147,300,000
Federal Payment for Children's National Medical Center	0	5,500,000	0	3,200,000	0	5,500,000
St. Coletta of Greater Washington Expansion Project	0	1,000,000	0	0	0	2,000,000
Federal Payment to Faith and Politics Institute	0	50,000	0	0	0	50,000
Federal Payment to the Thurgood Marshall Academy Charter School	0	0	0	1,000,000	0	1,000,000
Federal Payment to the George Washington University Center for Excellence in Municipal Planning	0	0	0	250,000	0	250,000
Federal Payment for Child and Family Social Services Computer Integration Plan	0	0	0	200,000	0	0
Court Appointed Special Advocates	0	0	0	250,000	0	250,000
Child and Family Services Agency - Family Court Reform	0	0	0	500,000	0	0
Federal contribution for enforcement of law banning possession of tobacco products by minors, Sec. 130	0	100,000	0	0	0	100,000
	0	**398,058,000**	**0**	**408,000,000**	**0**	**408,000,000**

	House Bill		Senate Bill		Conference	
	FTEs	Amount	FTEs	Amount	FTEs	Amount
DISTRICT OF COLUMBIA FUNDS						
Operating expenses:						
Governmental Direction and Support	2,569	285,359,000	2,569	307,117,000	2,569	286,138,000
Economic Development and Regulation	1,518	230,878,000	1,518	230,878,000	1,518	230,878,000
Public Safety and Justice	7,617	633,853,000	7,617	632,668,000	7,617	633,853,000
Public Education System	11,903	1,106,165,000	11,903	1,108,915,000	11,903	1,108,665,000
Human Support Services	3,931	1,803,923,000	3,931	1,803,923,000	3,931	1,803,923,000
Public Works	1,663	300,151,000	1,663	300,151,000	1,663	300,151,000
Receivership Programs	2,994	403,368,000	2,994	403,868,000	2,994	403,868,000
Workforce Investments	0	42,896,000	0	42,896,000	0	42,896,000
Reserve	0	150,000,000	0	120,000,000	0	120,000,000
Reserve Relief	0	0	0	30,000,000	0	30,000,000
Repayment of Loans and Interest	0	247,902,000	0	247,902,000	0	247,902,000
Repayment of General Fund Recovery Debt	0	39,300,000	0	39,300,000	0	39,300,000
Payment of Interest on Short-Term Borrowing	0	500,000	0	500,000	0	500,000
Emergency Planning and Security Costs	0	16,058,000	0	0	0	16,058,000
Wilson Building	0	8,859,000	0	8,859,000	0	8,859,000
Emergency Reserve Fund Transfer	0	33,254,000	0	33,254,000	0	33,254,000
Non-Departmental Agency	0	5,799,000	0	5,799,000	0	5,799,000
Water and Sewer Enterprise Fund	0	244,978,000	0	244,978,000	0	244,978,000
Washington Aqueduct	0	46,510,000	0	46,510,000	0	46,510,000
Stormwater Permit Compliance	0	3,100,000	0	3,100,000	0	3,100,000
Lottery and Charitable Games Enterprise Fund	100	229,688,000	100	229,688,000	100	229,688,000
Sports and Entertainment Commission	0	9,127,000	0	9,127,000	0	9,627,000
D.C. Retirement Board	14	13,388,000	14	13,388,000	14	13,388,000
Washington Convention Center Enterprise Fund	0	57,278,000	0	57,278,000	0	57,278,000
Housing Finance Agency	0	4,711,000	0	4,711,000	0	4,711,000
National Capital Revitalization Corporation	0	2,673,000	0	2,673,000	0	2,673,000
Total, operating expenses	32,309	5,919,718,000	32,309	5,927,483,000	32,309	5,923,997,000
Capital Outlay:						
General fund	0	1,074,605,000	0	1,074,604,000	0	1,074,605,000
Water and Sewer fund	0	152,114,000	0	152,114,000	0	152,114,000
Total, capital outlay	0	1,226,719,000	0	1,226,718,000	0	1,226,719,000
Grand Total, District of Columbia Funds	32,309	7,146,437,000	32,309	7,154,201,000	32,309	7,150,716,000

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GOVERNMENTAL DIRECTION AND SUPPORT

Agency/Activity	FY 2001 Approved	FY 2002	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Council of the District of Columbia	12,124,000	13,232,000	13,232,000	13,232,000	13,232,000
Office of the District of Columbia Auditor	1,283,000	1,299,000	1,299,000	1,299,000	1,299,000
Advisory Neighborhood Commissions	748,000	808,000	808,000	808,000	808,000
Office of the Mayor	7,217,000 1/	7,787,000	7,787,000	7,987,000	7,987,000
Office of the Secretary	1,946,000	2,516,000	2,516,000	2,516,000	2,516,000
City-Wide Call Center	0	1,898,000	1,898,000	1,898,000	1,898,000
Office of the City Administrator	23,386,000	27,709,000	28,009,000	27,709,000	28,009,000
Office of Personnel	11,285,000	15,908,000	15,908,000	15,908,000	15,908,000
Human Resources Development Fund	2,744,000	3,766,000	3,766,000	3,766,000	3,766,000
Office of Finance and Resource Management	7,553,000 2/	2,198,000	2,198,000	2,198,000	2,198,000
Office of Contracting and Procurement	15,337,000	13,066,000	13,066,000	13,066,000	13,066,000
Office of the Chief Technology Officer	11,770,000	12,502,000	13,002,000	12,902,000	12,902,000
Office of Property Management	8,550,000	8,905,000	8,905,000	8,905,000	8,905,000
Contract Appeals Board	734,000	746,000	746,000	746,000	746,000
Board of Elections and Ethics	3,250,000	3,503,000	3,503,000	3,503,000	3,503,000
Office of Campaign Finance	1,209,000	1,388,000	1,388,000	1,388,000	1,388,000
Public Employee Relations Board	652,000	686,000	686,000	686,000	686,000
Office of Employee Appeals	1,434,000	1,540,000	1,540,000	1,540,000	1,540,000
Metropolitan Washington Council of Governments	367,000	367,000	367,000	367,000	367,000
Office of the Corporation Counsel	0	49,811,000	49,811,000	49,811,000	50,440,000
Settlements and Judgments	0	23,450,000	23,450,000	23,450,000	23,450,000
Office of the Inspector General	12,399,000	12,476,000	12,476,000	12,476,000	12,476,000
Office of the Chief Financial Officer	76,933,000	78,998,000	78,998,000	84,898,000	79,048,000
Federal Payment to the District of for Security Costs	0	0	0	16,058,000	0
Total, Governmental Direction and Support	200,921,000	284,559,000	285,359,000	307,117,000	286,138,000
Plus Intra-District funds	36,950,000	36,576,000	36,576,000	36,576,000	36,576,000
Total	237,871,000	321,135,000	321,935,000	343,693,000	322,714,000

1/ Includes $250,000 rescission in FY01 Supplemental (P.L. 107-20).
2/ Includes $5,400,000 increase in FY 01 Supplemental (P.L. 107-20).

ECONOMIC DEVELOPMENT AND REGULATION

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Business Services and Economic Development	27,753,000 1/	32,840,000	32,840,000	32,840,000	32,840,000
Office of Zoning	1,763,000	2,378,000	2,378,000	2,378,000	2,378,000
Department of Housing and Community Development	48,273,000	57,890,000	57,890,000	57,890,000	57,890,000
Department of Employment Services	80,812,000	80,477,000	80,477,000	80,477,000	80,477,000
Board of Appeals and Review	244,000	242,000	242,000	242,000	242,000
Board of Real Property Assessments and Appeals	0 300,000	298,000	298,000	298,000	298,000
Department of Consumer and Regulatory Affairs	27,198,000 2/	28,605,000	28,605,000	28,605,000	28,605,000
Alcoholic Beverage Regulation Administration	0	2,607,000	2,607,000	2,607,000	2,607,000
Office of Banking and Financial Institutions	1,869,000	2,694,000	2,694,000	2,694,000	2,694,000
Public Service Commission	5,678,000	6,402,000	6,402,000	6,402,000	6,402,000
Office of People's Counsel	3,020,000	3,884,000	3,884,000	3,884,000	3,884,000
Department of Insurance and Securities Regulation	7,359,000	9,377,000	9,377,000	9,377,000	9,377,000
Office of Cable Television and Telecommunications	3,054,000	3,184,000	3,184,000	3,184,000	3,184,000
Total, Economic Development and Regulation	207,323,000	230,878,000	230,878,000	230,878,000	230,878,000
Plus Intra-District Funds	2,017,000	1,017,000	1,017,000	1,017,000	1,017,000
Total	209,340,000	231,895,000	231,895,000	231,895,000	231,895,000

1/ Includes $1,000,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $685,000 in FY 01 Supplemental (P.L. 107-20).

PUBLIC SAFETY AND JUSTICE

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Metropolitan Police Department	306,081,000 1/	311,868,000	311,968,000	311,868,000	311,968,000
Fire and Emergency Medical Services Department	122,536,000 2/	119,330,000	119,830,000	119,330,000	119,830,000
Police Officers and Fire Fighters' Retirement System	49,000,000	74,600,000	74,600,000	74,600,000	74,600,000
Office of the Corporation Counsel	46,066,000 3/	0	0	0	0
Settlements and Judgments Fund	23,450,000	0	0	0	0
Department of Corrections	212,993,000	111,532,000	111,532,000	111,532,000	111,532,000
District of Columbia National Guard	2,326,000	2,823,000	2,823,000	2,823,000	2,823,000
D.C. Emergency Management Agency	2,978,000	3,964,000	3,964,000	3,964,000	3,964,000
Commission on Judicial Disabilities and Tenure	169,000	172,000	172,000	172,000	172,000
Judicial Nomination Commission	90,000	91,000	91,000	91,000	91,000
Citizen Complaint Review Board	857,000	1,424,000	1,424,000	1,424,000	1,424,000
Advisory Commission on Sentencing	733,000 4/	637,000	637,000	637,000	637,000
Office of the Chief Medical Examiner	4,138,000	6,227,000	6,812,000	6,227,000	6,812,000
Total, Public Safety and Justice	771,417,000	632,668,000	633,853,000	632,668,000	633,853,000
Plus Intra-District funds	5,884,000	4,140,000	4,140,000	4,140,000	4,140,000
Total	777,301,000	636,808,000	637,993,000	636,808,000	637,993,000

1/ Includes rescission of $131,000 and increase of $2,800,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $5,940,000 in FY 01 Supplemental (P.L. 107-20).
3/ Includes $101,000 in FY 01 Supplemental (P.L. 107-20).
4/ Includes $161,000 in FY 01 Supplemental (P.L. 107-20).

PUBLIC EDUCATION SYSTEM

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
District of Columbia Public Schools	781,943,000 1/	810,542,000	810,542,000	813,292,000	813,042,000
Teachers' Retirement System	200,000	0	0	0	0
State Education Office	2,679,000 2/	47,370,000	47,370,000	47,370,000	47,370,000
D.C. Resident Tuition Support	17,000,000	0	0	0	0
Public Charter Schools	105,000,000	142,257,000	142,257,000	142,257,000	142,257,000
University of the District of Columbia	76,433,000	76,542,000	76,542,000	76,542,000	76,542,000
District of Columbia Public Library	26,459,000	27,256,000	27,256,000	27,256,000	27,256,000
Commission on the Arts and Humanities	2,204,000	2,198,000	2,198,000	2,198,000	2,198,000
Total, Public Education System	1,011,918,000	1,106,165,000	1,106,165,000	1,108,915,000	1,108,665,000
Plus Intra-District funds	24,623,000	43,349,000	43,349,000	43,349,000	43,349,000
Total	1,036,541,000	1,149,514,000	1,149,514,000	1,152,264,000	1,152,014,000

1/ Includes $12,000,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $1,000,000 in FY 01 Supplemental (P.L. 107-20).

HUMAN SUPPORT SERVICES

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Department of Human Services	384,840,000	417,581,000	417,581,000	417,581,000	417,581,000
Department of Health	1,033,881,000 1/	1,289,086,000	1,289,086,000	1,289,086,000	1,289,086,000
Department of Parks and Recreation	28,855,000	31,307,000	31,307,000	31,307,000	31,307,000
D.C. Office on Aging	19,131,000	19,649,000	19,649,000	19,649,000	19,649,000
Public Benefit Corporation Subsidy	45,313,000	0	0	0	0
Unemployment Compensation Fund	6,199,000	8,200,000	8,200,000	8,200,000	8,200,000
Disability Compensation Fund	28,836,000 2/	27,986,000	27,986,000	27,986,000	27,986,000
Office of Human Rights	1,407,000	1,651,000	1,651,000	1,651,000	1,651,000
Office on Latino Affairs	1,882,000 3/	2,849,000	2,849,000	2,849,000	2,849,000
D.C. Energy Office	4,860,000	5,177,000	5,177,000	5,177,000	5,177,000
Office on Asian and Pacific Islander Affairs	0	207,000	207,000	207,000	207,000
Office of Veterans Affairs	0	230,000	230,000	230,000	230,000
Brownfield Remediation	3,450,000	0	0	0	0
Children Investment Trust Fund	5,000,000 4/	0	0	0	0
Total, Human Support Services	1,563,654,000	1,803,923,000	1,803,923,000	1,803,923,000	1,803,923,000
Plus Intra-District funds	6,586,000	12,547,000	12,547,000	12,547,000	12,547,000
Total	1,570,240,000	1,816,470,000	1,816,470,000	1,816,470,000	1,816,470,000

1/ Includes $19,000,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $3,000,000 in FY 01 Supplemental (P.L. 107-20).
3/ Includes $1,000,000 in FY 01 Supplemental (P.L. 107-20).
4/ Includes $5,000,000 in FY 01 Supplemental (P.L. 107-20).

PUBLIC WORKS

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Department of Public Works	108,589,000	113,324,000	113,324,000	113,324,000	113,324,000
Department of Motor Vehicles	27,825,000	33,580,000	33,580,000	33,580,000	33,580,000
D.C. Taxicab Commission	804,000 1/	1,442,000	1,442,000	1,442,000	1,442,000
Washington Metropolitan Area Transit Commission	82,000	83,000	83,000	83,000	83,000
Washington Metropolitan Area Transit Authority	138,073,000	148,622,000	148,622,000	148,622,000	148,622,000
School Transit Subsidy	3,000,000	3,100,000	3,100,000	3,100,000	3,100,000
Total, Public Works	278,373,000	300,151,000	300,151,000	300,151,000	300,151,000
Plus Intra-District funds	19,703,000	13,942,000	13,942,000	13,942,000	13,942,000
Total	298,076,000	314,093,000	314,093,000	314,093,000	314,093,000

1/ Includes $131,000 in FY 01 Supplemental (P.L. 107-20).

RECEIVERSHIP PROGRAMS

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Child and Family Services Agency	166,652,000	175,799,000	175,799,000	176,299,000	176,299,000
Incentives for Adoption of Children	0	0	0	0	0
Commission on Mental Health Services	210,569,000	227,569,000	227,569,000	227,569,000	227,569,000
Corrections Medical Receiver	12,307,000	0	0	0	0
Total, Receivership Programs	389,528,000	403,368,000	403,368,000	403,868,000	403,868,000
Plus Intra-District funds	1,800,000	12,592,000	12,592,000	12,592,000	12,592,000
Total	391,328,000	415,960,000	415,960,000	416,460,000	416,460,000

FINANCING AND OTHER USES

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Workforce Investment	40,500,000 1/	42,896,000	42,896,000	42,896,000	42,896,000
Reserve	150,000,000	150,000,000	150,000,000	120,000,000	120,000,000
Reserve Relief	0	0	0	30,000,000	30,000,000
Repayment of Loans and Interest	243,238,000	247,902,000	247,902,000	247,902,000	247,902,000
Repayment of General Fund Recovery Debt	39,300,000	39,300,000	39,300,000	39,300,000	39,300,000
Payment of Interest on Short-Term Borrowing	1,140,000	500,000	500,000	500,000	500,000
Presidential Inauguration	5,961,000	0	0	0	0
Certificates of Participation	7,950,000	0	0	0	0
Security for Meetings	0	15,918,000 3/	0	0	0
Emergency Planning and Security Costs	0	0	16,058,000	16,058,000	16,058,000
Wilson Building	15,509,000 2/	8,859,000	8,859,000	8,859,000	8,859,000
Optical and Dental Insurance Payments	2,675,000	0	0	0	0
Management Supervisory Service	13,200,000	0	0	0	0
Tobacco Settlement Trust Fund Transfer Payment	61,406,000	0	0	0	0
Emergency Reserve Fund Transfer	0	33,254,000	33,254,000	33,254,000	33,254,000
Operational Improvement Savings (Including Managed Competition)	(10,000,000)	0	0	0	0
Management Reform Savings	(37,000,000)	0	0	0	0
Cafeteria Plan Savings	(5,000,000)	0	0	0	0
Non-Departmental Agency	0	5,799,000	5,799,000	5,799,000	5,799,000
Total, Financing and Other Uses	528,879,000	544,428,000	544,568,000	544,568,000	544,568,000

1/ Includes in FY 01 Supplemental (P.L. 107-20).
2/ Includes $7,100,000 in FY 01 Supplemental (P.L. 107-20).
3/ Included in Budget Amendment House Doc. 107-116.

ENTERPRISE AND OTHER FUNDS

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Water and Sewer Authority	230,614,000	244,978,000	244,978,000	244,978,000	244,978,000
Washington Aqueduct	45,091,000	46,510,000	46,510,000	46,510,000	46,510,000
Stormwater Permit Compliance	2,151,000 1/	3,100,000	3,100,000	3,100,000	3,100,000
D. C. Lottery and Charitable Games Control Board	223,200,000	229,688,000	229,688,000	229,688,000	229,688,000
D.C. Sports and Entertainment Commission	10,968,000	9,127,000	9,127,000	9,127,000	9,627,000
District of Columbia Health and Hospitals Public Benefit Corporation	78,235,000	0	0	0	0
District of Columbia Retirement Board	11,414,000	13,388,000	13,388,000	13,388,000	13,388,000
Correctional Industries Fund	1,808,000	0	0	0	0
Washington Convention Center Authority	52,726,000	57,278,000	57,278,000	57,278,000	57,278,000
Housing Finance Agency	0	4,711,000	4,711,000	4,711,000	4,711,000
National Capital Revitalization Corporation	0	2,673,000	2,673,000	2,673,000	2,673,000
Total, Enterprise Funds	656,207,000	611,453,000	611,453,000	611,453,000	611,953,000
Plus Intra-District funds	75,044,000	0	0	0	0
Total	731,251,000	611,453,000	611,453,000	611,453,000	611,953,000

1/ Included in FY 01 Supplemental (P.L. 107-20).

DISTRICT OF COLUMBIA

TOTAL ESTIMATED RESOURCES AVAILABLE TO THE DISTRICT OF COLUMBIA, FISCAL YEAR 2002

AS APPROVED BY CONFERENCE AGREEMENT, DECEMBER 4, 2001

(Amounts in thousands)

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Governmental Direction and Support:												
Council of the District of Columbia	163	13,232	0	0	0	0	163	13,232	0	0	163	13,232
Office of the D.C. Auditor	14	1,299	0	0	0	0	14	1,299	0	0	14	1,299
Advisory Neighborhood Commissions	1	808	0	0	0	0	1	808	0	0	1	808
Office of the Mayor	75	7,622	4	365	0	0	79	7,987	4	307	83	8,294
Office of the Secretary	25	2,425	0	0	2	91	27	2,516	0	0	27	2,516
City-wide Call Center	38	1,898	0	0	0	0	38	1,898	0	0	38	1,898
Office of the City Administrator	76	6,890	16	21,119	0	0	92	28,009	4	266	96	28,275
Office of Personnel	125	14,602	0	0	20	1,306	145	15,908	29	1,230	174	17,138
Human Resources Development Fund	10	3,766	0	0	0	0	10	3,766	0	0	10	3,766
Office of Finance and Resource Management	34	2,198	0	0	0	0	34	2,198	3	175	37	2,373
Office of Contracting and Procurement	164	13,066	0	0	0	0	164	13,066	0	0	164	13,066
Office of the Chief Technology Officer	83	12,888	0	0	0	14	83	12,902	22	2,539	105	15,441
Office of Property Management	48	7,262	0	0	2	1,643	50	8,905	156	24,916	206	33,821
Contract Appeals Board	6	746	0	0	0	0	6	746	0	0	6	746
Board of Elections and Ethics	50	3,503	0	0	0	0	50	3,503	0	0	50	3,503
Office of Campaign Finance	15	1,388	0	0	0	0	15	1,388	0	0	15	1,388
Public Employee Relations Board	4	686	0	0	0	0	4	686	0	0	4	686
Office of Employee Appeals	16	1,540	0	0	0	0	16	1,540	0	0	16	1,540
Metropolitan Washington Council of Governments	0	367	0	0	0	0	0	367	0	0	0	367
Office of the Corporation Counsel	377	30,299	119	15,180	14	4,961	510	50,440	27	2,065	537	52,505
Settlements and Judgments	0	23,450	0	0	0	0	0	23,450	0	0	0	23,450
Office of Inspector General	92	11,263	16	1,213	0	0	108	12,476	0	0	108	12,476
Office of the Chief Financial Officer	911	68,223	3	932	46	9,893	960	79,048	76	5,078	1,036	84,126
Total, Governmental Direction and Support	2,327	229,421	158	38,809	84	17,908	2,569	286,138	321	36,576	2,890	322,714
Economic Development and Regulation:												
Business Services & Economic Development	93	16,440	2	304	7	16,096	102	32,840	0	0	102	32,840
Office of Zoning	17	2,378	0	0	0	0	17	2,378	0	0	17	2,378
Department of Housing and Community Development	13	7,716	137	42,168	0	8,006	150	57,890	0	0	150	57,890
Department of Employment Services	44	7,309	378	53,624	158	19,544	580	80,477	0	0	580	80,477
Board of Appeals and Review	3	242	0	0	0	0	3	242	0	0	3	242
Board of Real Property Assessments and Appeals	3	298	0	0	0	0	3	298	0	0	3	298
Department of Consumer and Regulatory Affairs	371	26,203	0	0	5	2,402	376	28,605	0	500	376	29,105
Alcoholic Beverage Regulation Administration	0	0	0	0	36	2,607	36	2,607	0	0	36	2,607
Office of Banking and Financial Institutions	0	200	0	0	27	2,494	27	2,694	0	0	27	2,694
Public Service Commission	0	0	1	103	67	6,299	68	6,402	0	0	68	6,402
Office of People's Counsel	0	0	0	0	33	3,884	33	3,884	0	0	33	3,884
Department of Insurance and Securities Regulation	0	0	0	0	103	9,377	103	9,377	0	0	103	9,377
Office of Cable Television & Telecommunications	0	0	0	0	20	3,184	20	3,184	12	517	32	3,701
Total, Economic Development and Regulation	544	60,786	518	96,199	456	73,893	1,518	230,878	12	1,017	1,530	231,895

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Public Safety and Justice:												
Metropolitan Police Department	4,350	296,996	200	6,829	25	8,143	4,575	311,968	2	4,140	4,577	316,108
Fire and Emergency Medical Services	1,920	119,821	0	0	0	9	1,920	119,830	0	0	1,920	119,830
Police and Fire Retirement System	0	74,600	0	0	0	0	0	74,600	0	0	0	74,600
Department of Corrections	749	89,035	0	0	194	22,497	943	111,532	0	0	943	111,532
National Guard	30	2,317	13	506	0	0	43	2,823	0	0	43	2,823
Emergency Management Agency	26	3,001	13	963	0	0	39	3,964	0	0	39	3,964
Commission on Judicial Disabilities and Tenure	2	172	0	0	0	0	2	172	0	0	2	172
Judicial Nomination Commission	1	91	0	0	0	0	1	91	0	0	1	91
Office of Citizen Complaint Review	21	1,424	0	0	0	0	21	1,424	0	0	21	1,424
Advisory Commission on Sentencing	6	637	0	0	0	0	6	637	0	0	6	637
Office of the Chief Medical Examiner	65	6,709	0	0	2	103	67	6,812	0	0	67	6,812
Total, Public Safety and Justice	7,170	594,803	226	8,298	221	30,752	7,617	633,853	2	4,140	7,619	637,993
Public Education System:												
Public Schools	9,821	661,124	506	144,630	119	7,288	10,446	813,042	365	34,032	10,811	847,074
State Education Office	27	19,911	10	26,917	6	542	43	47,370	2	480	45	47,850
District of Columbia Public Charter Schools	0	142,257	0	0	0	0	0	142,257	0	0	0	142,257
University of the District of Columbia	545	45,912	169	12,539	258	18,091	972	76,542	160	8,799	1,132	85,341
Public Library	422	26,030	9	560	2	666	433	27,256	0	0	433	27,256
Commission on the Arts and Humanities	2	1,760	7	398	0	40	9	2,198	0	38	9	2,236
Total, Public Education System	10,817	896,994	701	185,044	385	26,627	11,903	1,108,665	527	43,349	12,430	1,152,014
Human Support Services:												
Department of Human Services	848	201,593	977	214,602	0	1,386	1,825	417,581	19	1,733	1,844	419,314
Department of Health	439	424,657	825	851,753	87	12,676	1,351	1,289,086	10	6,110	1,361	1,295,196
Department of Parks and Recreation	579	28,912	0	34	83	2,361	662	31,307	93	4,308	755	35,615
Office on Aging	14	14,687	9	4,962	0	0	23	19,649	3	266	26	19,915
Unemployment Compensation Fund	0	8,200	0	0	0	0	0	8,200	0	0	0	8,200
Disability Compensation Fund	0	27,986	0	0	0	0	0	27,986	0	100	0	28,086
Office of Human Rights	23	1,545	0	106	0	0	23	1,651	0	0	23	1,651
Office on Latino Affairs	12	2,849	0	0	0	0	12	2,849	0	30	12	2,879
D.C. Energy Office	2	206	17	4,503	10	468	29	5,177	0	0	29	5,177
Office on Asian and Pacific Islander Affairs	3	207	0	0	0	0	3	207	0	0	3	207
Office of Veterans' Affairs	3	230	0	0	0	0	3	230	0	0	3	230
Total, Department of Human Services	1,923	711,072	1,828	1,075,960	180	16,891	3,931	1,803,923	125	12,547	4,056	1,816,470

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Public Works:												
Department of Public Works	1,248	104,943	3	4,392	50	3,989	1,301	113,324	68	13,942	1,369	127,266
Department of Motor Vehicles	253	28,580	0		90	5,000	343	33,580	0	0	343	33,580
D.C. Taxicab Commission	16	1,006	0	0	3	436	19	1,442	0	0	19	1,442
Washington Metropolitan Area Transit Commission	0	83	0	0	0	0	0	83	0	0	0	83
Washington Metropolitan Area Transit Authority	0	148,622	0	0	0	0	0	148,622	0	0	0	148,622
School Transit Subsidy	0	3,100	0	0	0	0	0	3,100	0	0	0	3,100
Total, Public Works	1,517	286,334	3	4,392	143	9,425	1,663	300,151	68	13,942	1,731	314,093
Receivership Programs:												
Child and Family Services Agency	522	108,235	310	67,414	0	650	832	176,299	0	12,592	832	188,891
Department of Mental Health	1,502	142,280	660	66,925	0	18,364	2,162	227,569	0	0	2,162	227,569
Total, Receivership Programs	2,024	250,515	970	134,339	0	19,014	2,994	403,868	0	12,592	2,994	416,460
Financing and Other:												
Workforce Investments	0	42,896	0	0	0	0	0	42,896	0	0	0	42,896
Reserve	0	120,000	0	0	0	0	0	120,000	0	0	0	120,000
Reserve Relief	0	30,000	0	0	0	0	0	30,000	0	0	0	30,000
Repayment of Loans and Interest	0	247,902	0	0	0	0	0	247,902	0	0	0	247,902
Repayment of General Fund Recovery Debt	0	39,300	0	0	0	0	0	39,300	0	0	0	39,300
Payment of Interest on Short-Term Borrowing	0	500	0	0	0	0	0	500	0	0	0	500
Emergency Planning and Security Costs	0	16,058	0	0	0	0	0	16,058	0	0	0	16,058
Wilson Building	0	8,859	0	0	0	0	0	8,859	0	0	0	8,859
Emergency Reserve Fund Transfer	0	33,254	0	0	0	0	0	33,254	0	0	0	33,254
Non-Departmental Agency	0	5,799	0	0	0	0	0	5,799	0	0	0	5,799
Total, Financing and Other	0	544,568	0	0	0	0	0	544,568	0	0	0	544,568
Total, General Fund - Operating Expenses	26,322	3,574,493	4,404	1,543,041	1,469	194,510	32,195	5,312,044	1,055	124,163	33,250	5,436,207

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Enterprise and Other Funds:												
Water and Sewer Authority	0	0	0	0	0	244,978	0	244,978	0	0	0	244,978
Washington Aqueduct	0	0	0	0	0	46,510	0	46,510	0	0	0	46,510
Stormwater Permit Compliance Enterprise Fund	0	0	0	0	0	3,100	0	3,100	0	0	0	3,100
Lottery and Charitable Games Enterprise Fund	0	0	0	0	100	229,688	100	229,688	0	0	100	229,688
Sports and Entertainment Commission	0	0	0	0	0	9,627	0	9,627	0	0	0	9,627
District of Columbia Retirement Board	0	0	0	0	14	13,388	14	13,388	0	0	14	13,388
Washington Convention Center Enterprise Fund	0	0	0	0	0	57,278	0	57,278	0	0	0	57,278
Housing Finance Agency	0	0	0	0	0	4,711	0	4,711	0	0	0	4,711
National Capital Revitalization Corporation	0	0	0	0	0	2,673	0	2,673	0	0	0	2,673
Total, Enterprise and Other Funds	0	0	0	0	114	611,953	114	611,953	0	0	114	611,953
Total, Operating Expenses	26,322	3,574,493	4,404	1,543,041	1,583	806,463	32,309	5,923,997	1,055	124,163	33,364	6,048,160
Capital Outlay:												
General Fund	0	917,032	0	157,573	0	0	0	1,074,605	0	0	0	1,074,605
Water and Sewer	0	0	0	0	0	152,114	0	152,114	0	0	0	152,114
Total, Capital Outlay	0	917,032	0	157,573	0	152,114	0	1,226,719	0	0	0	1,226,719
Grand Total	26,322	4,491,525	4,404	1,700,614	1,583	958,577	32,309	7,150,716	1,055	124,163	33,364	7,274,879

FISCAL YEAR 2002 FINANCIAL PLAN

[In thousands of dollars]

	Local funds	Grants and other revenue	Gross funds
Revenue:			
Local Sources:			
Property Taxes	746,031	0	746,031
Sales Taxes	738,507	0	738,507
Income Taxes	1,361,077	0	1,361,077
Gross Receipts	244,480	0	244,480
Other Taxes	153,460	0	153,460
Licenses, Permits	43,336	0	43,336
Fines, Forfeitures	60,040	0	60,040
Service Charges	49,928	0	49,928
Miscellaneous	72,030	194,510	266,540
Subtotal, local revenues	3,468,889	194,510	3,663,339
Federal sources:			
Federal payments	38,143	0	38,143
Grants	0	1,543,041	1,543,041
Subtotal, Federal sources	38,143	1,543,041	1,581,184
Other financing sources: Lottery transfer	70,000	0	70,000
Total, general fund revenues	3,577,032	1,737,551	5,314,583
Expenditures:			
Governmental Direction and Support	229,421	56,717	286,138
Economic Development and Regulation	60,786	170,092	230,878
Public Safety and Justice	594,803	39,050	633,853
Public Education System	896,994	211,671	1,108,665
Human Support Services	711,072	1,092,851	1,803,923
Public Works	286,334	13,817	300,151
Receiverships	250,515	153,353	403,868
Financing and Other	361,314	0	361,314
Reserve	120,000	0	120,000
Reserve Relief	30,000	0	30,000
Emergency Reserve Fund	33,254	0	33,254
Total, general fund expenditures	3,574,493	1,737,551	5,312,044
Surplus/Deficit	2,539	0	2,539

GENERAL PROVISIONS

The conference agreement changes several section numbers for sequential purposes and makes technical revisions in certain citations. Unless noted otherwise, the conference action refers to H.R. 2944 as passed the House.

The conference agreement inserts the words "legal settlements or" to section 103 of the House bill as proposed by the Senate concerning making payment of judgments that have been entered against the District of Columbia government.

The conference agreement retains section 106 of the House bill but amended to delete the words "past work experience, and salary history".

The conference agreement deletes section 107 of the House bill appropriating from the applicable funds of the District of Columbia

such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act.

The conference agreement modifies section 108 (new section 107) of the Senate bill to allow local funds to be used for certain lobbying activities.

The conference agreement amends section 110 (new section 109) of the House relating to reprogramming procedures to provide authority to transfer four percent of local funds between appropriation headings.

The conference agreement retains section 112(b) (new section 111(b)) of the House bill on Certification of Need by the Chief Technology Officer, deletes section (c) which provided no limit on full-time equivalent positions for the Office of the Chief Technology Officer, and retains section 112(d) (new section 111(b)) amending the District of Columbia Home Rule Act as it relates to the Chief Financial Officer's salary.

The conference agreement inserts section 111 (new section 112) of the Senate bill requiring the Mayor to submit to the Council the new fiscal year 2002 revenue estimates by the end of the first quarter of fiscal year 2002.

The conference agreement retains section 112 (new section 113) of the House bill as amended by the Senate to include whether to invoke the competitive bidding process "and said determination has been reviewed and certified by the Chief Financial Officer of the District of Columbia".

The conference agreement inserted section 113 (new section 114(b)) of the Senate bill and combines with section 114 (new section 114(a)) of the House bill regarding the Balanced Budget and Emergency Deficit Control Act of 1985.

The conference agreement amends section 118 of the House bill as amended by the Senate to delete extraneous language.

The conference agreement amends section 120(c) of the House bill to allow the Chief Financial Officer of the District of Columbia and the Metropolitan Police Department to enter into agreements in excess of $2,500 for the procurement of goods or services.

The conference agreement retains section 122 and combines with section 137 of the House bill. These sections relate to compliance with the Buy American Act.

The conference agreement amends section 123 of the House bill to require the annual audit be coordinated with the Chief Financial Officer.

The conference agreement retains section 124 of the House bill to prohibit funds in this Act from being used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

The conference agreement retains section 125 of the House bill, which prohibits any funds contained in this Act to be used for any program of distributing sterile needles, or syringes for the hypodermic injection of any illegal drug.

The conference agreement retains section 126 of the House bill which requires the chief financial officer of any office of the District of Columbia government (including any independent agency of the

District) to file a certification with the Mayor and the Chief Financial Officer that they understand the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act).

The conference agreement deletes section 126 of the Senate bill which requires the Chief Financial Officer to submit a revised appropriated funds operating budget within 30 calendar days after the date of the enactment of this Act. This is section 135 of the House bill.

The conference agreement deletes section 127 of the House bill requiring that in submitting any documents showing the budget for an office of the District of Columbia government that contains a category of activities labeled as "other", "miscellaneous", or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown as proposed by the Senate.

The conference agreement deletes section 129 of the House bill authorizing the Mayor to allocate the District's limitation amount of qualified zone academy bonds.

The conference agreement inserts section 131 (new section 129) as proposed by the Senate that relates to prompt payment of appointed counsel.

The conference agreement retains section 132 (new section 130) of the House bill by appropriating a $100,000 Federal contribution to the Metropolitan Police Department on the condition that the District government enacts into law a ban on the possession of tobacco products by minors as specified in this section. The funds are to be used by the Department to enforce the ban.

The conference agreement retains section 132 (new section 131) of the Senate bill which requires the Mayor of the District of Columbia to submit to the Senate and House Committees on Appropriations, the Senate Governmental Affairs Committee, and the House Government Reform Committee quarterly reports addressing the following issues: (1) crime, (2) access to drug abuse treatment, (3) management of parolees and pre-trial violent offenders, (4) education, (5) improvement in basic District services, (6) application for and management of Federal grants, and (7) indicators of child well-being.

The conference agreement retains section 133 (new section 132) of the House bill that allows the District of Columbia Corporation Counsel to review and comment on briefs in private lawsuits and consult with officials of the District government regarding such lawsuits.

The conference agreement retains section 133 as proposed by the Senate amending the District of Columbia Financial Responsibility and Management Assistance Act concerning reserve fund requirements.

The conference agreement deletes section 134 as proposed by the House that amended the National Capital Revitalization and Self-Government Improvement Act of 1997.

The conference agreement retains section 134 as proposed by the Senate that prohibits funds appropriated by this Act for an Integrated Product Team until reorganization plans for the Inte-

grated Product Team and a Capital Construction Services Administration have been approved, or deemed approved by the Council.

The conference agreement retains section 135 as proposed by the House which requires the Chief Financial Officer to submit to the appropriate committees of Congress, the Mayor, and the Council a revised appropriated fund operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act.

The conference agreement deletes section 135 as proposed by the Senate which appropriated for the use of the Office of the Corporation Counsel of the District of Columbia all funds deposited in the District of Columbia Antitrust Fund, Antifraud Fund, and District of Columbia Consumer Protection Fund and transferred those provisions to the Governmental Direction and Support appropriation title.

The conference agreement retains section 136 as proposed by the House that amends the Home Rule Act to increase the salary of the Council Chairman to $10,000 less than the annual compensation of the Mayor.

The conference agreement retains section 136 (new section 137) as proposed by the Senate on risk management for settlements and judgments.

The conference agreement deletes section 137 as proposed by the House stating that no funds appropriated in this Act may be made available to pay any person or entity that violates the Buy American Act and combines it with section 122 of the House bill.

The conference agreement retains section 137 (new section 138) as proposed by the Senate which waives the period of Congressional review for the Closing of Portions of 2nd and N Streets, N.E. and Alley System in Square 710, Act.

The conference agreement retains section 138 (new section 139) as proposed by the House that prohibits funds contained in this Act from being used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

The conference agreement deletes Section 138(a) which placed a limitation on the amount of fees attorneys may receive when representing a party who prevails in an action or the fees of any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act and Section 138(b) which allowed the Mayor and the Superintendent of the District of Columbia Public Schools to concur in a Memorandum of Understanding setting forth a new rate and amount of compensation, or a new limit.

The conference agreement retains section 138(c) (new section 140) concerning attorney fee awards made in cases under the Individuals with Disabilities Education Act. The conference agreement inserts a new subsection 140(b) which requires no later than 60 days after the date of enactment of this Act the Superintendent of Schools of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and the Senate a written report for each of the fiscal years 1999, 2000, and 2001, detailing a complete itemized list, by year, of the judgments for at-

torneys' fees awarded to plaintiffs who prevailed in cases brought against the District of Columbia or the District of Columbia Public Schools under section 6154(i)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(i)(3)).

The conference agreement deletes section 139 as proposed by the Senate that makes certain exceptions to the limitation in the previous section on the amount of fees attorneys can receive when representing a party who prevails in an action or any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act.

The conference agreement deletes section 140 of the Senate bill concerning mandatory advanced electronic information for air cargo and passengers entering the United States.

The conference agreement inserts a new section 141 as proposed by the Senate that requires the General Accounting Office to submit by March 31, 2002 a report detailing the awards in judgment rendered in the District of Columbia that were in excess of the cap imposed by prior appropriations acts on attorney fees for work performed or previously performed in actions brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligation) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follows:

[In thousands of dollars]

Federal Funds:	
New budget (obligational) authority, fiscal year 2001	$464,125
Budget estimates of new (obligational) authority, fiscal year 2002	358,607
House bill, fiscal year 2002	398,058
Senate bill, fiscal year 2002	408,000
Conference agreement, fiscal year 2002	408,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	−56,125
Budget estimates of new (obligational) authority, fiscal year 2002	+49,393
House bill, fiscal year 2002	+9,942
Senate bill, fiscal year 2002	——
District of Columbia Funds:	
New budget (obligational) authority, fiscal year 2001	6,774,159
Budget estimates of new (obligational) authority, fiscal year 2002	7,144,312
House bill, fiscal year 2002	7,146,437
Senate bill, fiscal year 2002	7,154,201
Conference agreement, fiscal year 2002	7,150,716
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+376,557
Budget estimates of new (obligational) authority, fiscal year 2002	+6,404
House bill, fiscal year 2002	+4,279
Senate bill, fiscal year 2002	−3,485

JOE KNOLLENBERG,
ERNEST ISTOOK,
JOHN T. DOOLITTLE,
JOHN E. SWEENEY,
DAVID VITTER,

BILL YOUNG,
CHAKA FATTAH,
ALAN B. MOLLOHAN,
Managers on the Part of the House.

MARY L. LANDRIEU,
JACK REED,
DANIEL K. INOUYE,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

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