

Mascara	Pallone	Spratt
Matsui	Pascrell	Stabenow
McCarthy (MO)	Pastor	Stark
McCarthy (NY)	Payne	Stenholm
McGovern	Pelosi	Strickland
McIntyre	Peterson (MN)	Stupak
McKinney	Phelps	Tanner
McNulty	Pickett	Tauscher
Meehan	Pomeroy	Taylor (MS)
Meek (FL)	Price (NC)	Thompson (CA)
Meeks (NY)	Rahall	Thompson (MS)
Menendez	Rangel	Thurman
Millender-	Reyes	Tierney
McDonald	Rivers	Towns
Miller, George	Rodriguez	Turner
Minge	Rothman	Udall (CO)
Mink	Roybal-Allard	Udall (NM)
Moakley	Rush	Velazquez
Mollohan	Sabo	Visclosky
Moore	Sanchez	Waters
Moran (VA)	Sanders	Watt (NC)
Morella	Sandlin	Waxman
Murtha	Sawyer	Weiner
Nadler	Schakowsky	Wexler
Napolitano	Scott	Weygand
Neal	Serrano	Wise
Oberstar	Sherman	Woolsey
Obey	Sisisky	Wu
Olver	Skelton	Wynn
Ortiz	Slaughter	
Owens	Snyder	

NOT VOTING—14

Barton	Jenkins	McIntosh
Cubin	Jones (OH)	Roemer
Ewing	Klink	Smith (WA)
Gilman	Lewis (CA)	Vento
Granger	McDermott	

□ 1344

Messrs. KUCINICH, CROWLEY and THOMPSON of California and Mrs. MALONEY of New York, Ms. BROWN of Florida and Mrs. CLAYTON changed their vote from "yea" to "nay".

Mr. SMITH of Michigan and Mr. SHOWS changed their vote from "nay" to "yea".

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MCDERMOTT. Mr. Speaker I was unavoidably detained by official business and unable to vote on H. Res. 563. I would have voted against H. Res. 563 (rollcall No. 442).

PERSONAL EXPLANATION

Ms. GRANGER. Mr. Speaker, due to attendance at a funeral, I was not present for several rollcall votes today.

Had I been present, I would have voted "aye" on rollcall 439, 440 and 442. I would have voted "no" on rollcall 441.

□ 1345

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 4942) 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, 2001, and for other purposes, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA
APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 563 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill H.R. 4942.

□ 1346

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4942) 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, 2001, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the appropriation bill that we consider each year for the District of Columbia, the Capital of the United States of America. In addition to local monies and in addition to monies that the District receives, just as other communities and other States do through different Federal programs for transportation, for education, for public assistance, for Medicaid and Medicare; in addition to all of those, this bill appropriates \$414 million for the District of Columbia to operate its prisons, its courts, and the program of supervising those that are on some form of probation or parole.

And even beyond that, this makes additional monies available for a number of special items in the District of Columbia, such as the new expansion of the metro system, the subway system in the District; funding for a special college tuition program that provides thousands of dollars to D.C. students to go to college, dollars that are not provided to students from any other part of the country; providing environmental cleanup monies; or providing assistance in the development and the strengthening of the charter school movement here in the District of Columbia.

I do not want to detail all of them right now. I do not think I need to. Mr.

Chairman, as I made the point earlier, this is a different community than any other community in the Nation or we would not be talking about this. We would not be making special money available to D.C. were it not our Nation's Capital.

We have a Nation's Capital that was in severe financial straits, basically bankrupt financially, a few years ago; murder rates were at the top of the charts; failure rates in schools at the bottom. This Congress got busy several years ago and created a plan to restructure and strengthen the District of Columbia, to get it back on its feet. And I want to applaud the people that were involved in this Congress, the people that were involved in the administration, the people involved in the District government, the people involved on the control board that was set up to oversee the District government, who collectively have worked together and have brought the Nation's Capital out of bankruptcy so that this year, for the fourth straight year, they are going to have a budget surplus. The figure I am hearing is they are looking at a surplus of about \$280 million. That is great.

Now, it would not have happened, Mr. Chairman, had the Federal Government not assumed some direct liabilities that other States and communities face themselves, such as I mentioned earlier, the prison system, the court system and so forth. We also assumed some retirement obligations that are not directly appropriated but are paid through the Federal Government, and increased the Federal share of Medicaid reimbursements from 50 percent to 70 percent. So, with that help, and some of it seen and some unseen, but with an agreement of involvement and help of this Congress, the District of Columbia is back on its financial feet.

They still have severe problems in schools, with drugs, with crime, but there is also a resurgence of the business community. The D.C. Council—and they deserve all the credit in the world for this—a year ago they led the way saying that D.C. was going to reduce taxes on people here because they wanted people to come back and live in the city. Tens of thousands of people over the years moved out of the District. We want them back and we want to create financial incentives as well as a better and safer place for the people who live here, who work here, and who visit here.

The District has made a lot of financial progress. But everything is not straightened out yet, and we understand that and we are trying to work patiently. There is a new Mayor: Anthony Williams. He is a good man doing a good job, really focusing on working the bureaucracy and getting it whittled down because it consumes resources and it stops things from happening that ought to be happening,

whether it is a business that wants a permit or whether it is a matter of running the D.C. General Hospital.

Now, here we have a public hospital that already gets tens of millions of dollars each year in direct subsidies from the District government and still has been going beyond that. They have taken hundreds of millions of dollars in money that was not even budgeted. It was not even budgeted. And here is where I will fault the local government. They took money that was not even budgeted, and hundreds of millions of dollars were supposedly loaned to the hospital and then they wrote off the loans. The District needs to be honest in its budgeting. And taxpayers are not getting their monies' worth in public health benefits, yet they are paying inordinately high amounts for it. And they are paying through the use of gimmicks such as loans, which they then write off.

I say that as one example of the management problems and the waste prob-

lems that are still severe in the District. If they took even half the money that they were wasting and applied it to things like a metro station, or a cleanup problem, or an economic development problem, whatever it might be, they would not need to ask for special money from Congress to help with the revitalization of the District of Columbia. They would have it.

So we are trying to work with them on all fronts. This bill does that. It helps with the charter school movement, which is a part of public schools, but is run differently without the normal school bureaucracy, that is approaching 15 percent of the students in D.C. public schools. These parents have chosen to send their children to a public charter school instead of one of the other regular public schools, and we are trying to help give them equal footing with the regular public schools as far as the way that public resources are allocated and the way the bureaucracy treats them so the bureaucracy does

not try to hold them back but, for the benefit of the future of these kids, it lets them advance.

So we will have a debate, Mr. Chairman, on many of these different items. I know it is not all financial. Life is not just all about money, and being the Nation's Capital and being in harmony with the rest of the country is not all about money either.

I appreciate the gentleman from Virginia (Mr. DAVIS), who chairs the authorizing committee, the oversight committee. We have not worked with him as smoothly as we should have on many things, but he and his committee have been so supportive of helping D.C. to get back on its feet and helping to make reforms happen in Washington, D.C.

Mr. Chairman, I am submitting herewith for the RECORD a chart comparing the amounts recommended in H.R. 4942 with the appropriations for fiscal year 2000 and the request for fiscal year 2001:

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2001 (H.R. 4942)
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
FEDERAL FUNDS					
Federal payment for Resident Tuition Support.....	17,000	17,000	14,000	-3,000	-3,000
Federal payment for Incentives for Adoption of Children.....	5,000	5,000		-5,000	-5,000
Federal Payment to the Chief Financial Office of the District of Columbia.....			1,500	+1,500	+1,500
Federal payment to the Citizen Complaint Review Board.....	500			-500	
Federal payment to the Department of Human Services.....	250			-250	
Federal payment to the District of Columbia Corrections Trustee Operations.....	176,000	134,300	134,300	-41,700	
Federal payment to the District of Columbia Courts.....	99,714	103,000	99,500	-214	-3,500
Defender Services in District of Columbia Courts.....	33,336	38,387	34,387	+1,051	-4,000
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia.....	93,800	103,527	115,752	+21,952	+12,225
Federal payment of Washington Interfaith Network.....			1,000	+1,000	+1,000
Children's National Medical Center.....	2,500			-2,500	
Federal payment for Metropolitan Police Department.....	1,000			-1,000	
Federal payment to the General Services Administration (Lorton Correctional Complex).....	6,700			-6,700	
Federal payment to the Georgetown Waterfront Park Fund.....	1,000			-1,000	
Federal payment for Study of Tax Reform in the District.....			100	+100	+100
Federal payment for Simplified Personnel System.....			250	+250	+250
Metrorail construction.....		25,000	7,000	+7,000	-18,000
(By transfer).....			18,000	+18,000	+18,000
Federal payment for the National Museum of American Music.....		3,000	250	+250	-2,750
Federal payment for Brownfield remediation.....		10,000			-10,000
Presidential Inauguration.....		6,211	5,961	+5,961	-250
Total, Federal funds to the District of Columbia.....	436,800	445,425	414,000	-22,800	-31,425
DISTRICT OF COLUMBIA FUNDS					
Operating Expenses					
District of Columbia Financial Responsibility and Management Assistance Authority.....	(3,140)	(6,500)	(3,140)		(-3,360)
Governmental direction and support.....	(167,356)	(197,771)	(194,621)	(+27,265)	(-3,150)
Economic development and regulation.....	(190,335)	(205,638)	(205,638)	(+15,303)	
Public safety and justice.....	(778,770)	(762,346)	(762,346)	(-16,424)	
Public education system.....	(867,411)	(998,418)	(995,418)	(+128,007)	(-3,000)
Human support services.....	(1,526,361)	(1,542,204)	(1,532,204)	(+5,843)	(-10,000)
Public works.....	(271,395)	(278,242)	(278,242)	(+6,847)	
Receivership Programs.....	(342,077)	(394,528)	(389,528)	(+47,451)	(-5,000)
Workforce Investments.....	(8,500)			(-8,500)	
Buyouts and Management Reforms.....	(18,000)			(-18,000)	
Reserve.....	(150,000)	(150,000)	(150,000)		
Financing and Other.....	(384,948)	(331,529)	(331,279)	(-53,669)	(-250)
Procurement and Management Savings.....	(-21,457)			(+21,457)	
Total, operating expenses, general fund.....	(4,686,836)	(4,867,176)	(4,842,416)	(+155,580)	(-24,760)
Enterprise Funds					
Water and Sewer Authority and the Washington Aqueduct.....	(279,608)	(275,705)	(275,705)	(-3,903)	
Lottery and Charitable Games Control Board.....	(234,400)	(223,200)	(223,200)	(-11,200)	
Sports and Entertainment Commission.....	(10,846)	(10,968)	(10,968)	(+122)	
Public Benefit Corporation.....	(89,008)	(78,235)	(78,235)	(-10,773)	
D.C. Retirement Board.....	(9,892)	(11,414)	(11,414)	(+1,522)	
Correctional Industries Fund.....	(1,810)	(1,808)	(1,808)	(-2)	
Washington Convention Center.....	(50,226)	(52,726)	(52,726)	(+2,500)	
Total, Enterprise Funds.....	(675,790)	(654,056)	(654,056)	(-21,734)	
Total, operating expenses.....	(5,362,626)	(5,521,232)	(5,496,472)	(+133,846)	(-24,760)
Capital Outlay					
General fund.....	(1,218,638)	(1,029,975)	(1,022,074)	(-196,564)	(-7,901)
Water and Sewer Fund.....	(197,169)	(140,725)	(140,725)	(-56,444)	
Total, Capital Outlay.....	(1,415,807)	(1,170,700)	(1,162,799)	(-253,008)	(-7,901)
Total, District of Columbia funds.....	(6,778,433)	(6,691,932)	(6,659,271)	(-119,162)	(-32,661)
Total:					
Federal Funds to the District of Columbia.....	436,800	445,425	414,000	-22,800	-31,425
District of Columbia funds.....	(6,778,433)	(6,691,932)	(6,659,271)	(-119,162)	(-32,661)

Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the District of Columbia has 13 elected city council members; they have an elected mayor; and there are six members on the control board that are not elected but have responsibility. It is more members than we have on the Subcommittee on the District of Columbia of the Committee on Appropriations, and yet we gave the elected representatives of the District of Columbia 1 day of hearings and then turned around the very next day and marked up this bill.

In the markup we decided to impose our fixes on some of the most serious problems that the District faces. For example, let me just give one example. In Anacostia, in the poorest part of this city and one of the poorest parts of this Nation, where there are homicides that occur on a nightly basis, where there is some of the worst poverty and desperation, rapes and all the things that occur when too many low-income people are forced into desperate circumstances, they depend on what is called D.C. General Hospital. The folks who use that hospital do not have health insurance, for the most part, and the care they need is very expensive care and it is very difficult to get doctors and health care professionals working there.

So what we decided to do, because they have management problems and financial problems, is to say that D.C. General cannot use its line of credit any more. It is actually operated by what is called the Public Benefits Corporation. We are now told that means that this hospital goes under; it will become insolvent within a year, as well as the Southeast Community and a number of health care clinics in Southeast D.C. that deal with women and children throughout the neighborhoods.

Now, an alternative might have been to consult with the mayor, the city council, the professional experts working on this problem. But we did not do that. We gave 1 day, then imposed our solutions. I do not think that is the way we should be doing things.

Now, we are going to talk at greater length on that when we have a specific discrete amendment on that issue, but it is typical of a number of what are called general provisions in this bill that attempt to legislate and to override what D.C.'s legitimately elected officials are trying to do to solve their own problems. But in addition to that, we have a funding shortfall. The bill is \$31 million short of what the administration and the District of Columbia government requested. It is \$22 million below what Congress appropriated for the District of Columbia last year.

Now, what excuse can we offer? We are in a time of great surplus. This is

one of the cities that needs help the most. It is our capital city, and we made a commitment in the 1997 D.C. Revitalization Act to assume certain responsibilities; to make them Federal responsibilities. And now, in this bill, we are shortchanging the D.C. government, reneging on our commitment to the tune of \$31 million. In a \$1.7 trillion budget we cannot find \$31 million to meet our own commitments? The fact is we can, but we choose not to.

Now, with this lower allocation, what don't we fund? Well, we have two critically needed economic development initiatives in the District, and one is completion of a New York Avenue metro station. The private sector, the business community, said that they would put up \$25 million, D.C.'s own taxpayers said they would put up \$25 million, and the Federal Government was to put up \$25 million as well. This bill does not do that, though. They met their share, we are not meeting our share.

We are putting up \$7 million in federal funds. We are going to use \$18 million from an interest account that exists, but we find out now that the \$18 million does not exist. It has already been used in the D.C. budget that has already been submitted; that has been approved by the District and will become law unless Congress disapprove it, which we will not do.

So the \$18 million does not exist. It is a shell game. It is double counted. So we are underfunding the New York Avenue metro station when two-thirds of it is not even being funded by the Federal Government.

And then there is the Poplar Point brownfield remediation project, an excellent project. We agree with it. We give it all the rhetoric and none of the money that it needs.

□ 1400

We will not have the funds to extend the foster care adoption incentives. There are kids languishing in the foster care. There are people that want to adopt them, good parents, and we underfund that. It even underfunds our own Financial Control Board that we set up to oversee the District's budget.

So I do not think that this is a bill that we should be particularly proud of. But even more troubling, once again we are going to debate a series of social riders and address some new ones as well that violate the principle of democracy and home rule and restrict how the District may elect to use its own funds to address its own set of priorities.

Earlier this year I asked the gentleman from Oklahoma (Chairman ISTOOK) if we could not start with a clean appropriations bill this year, clear it of all of last year's general provisions that did not belong in an appropriations bill. The District of Columbia, the Mayor, and the President of

the United States followed this recommendation in their budget. But we have not done so.

We have got 68 superfluous general provisions; and in the vast majority of them we would never think of imposing these kind of punitive, paternalistic restrictions on any jurisdiction that we were elected to represent.

Why do we do it to the District of Columbia? We do it to the District of Columbia because they cannot fight back, they are helpless, we have control over them, and they cannot vote us out of office. They cannot hold us responsible. They cannot do a darn thing to us. And so we beat up on them with these kinds of restrictive provisions and make ourselves look good back home.

So we are going to offer a series of amendments here. I know we will probably lose them, and many of them are going to be found out of order because of this rule that protected Republican amendments and did not protect the Democratic initiatives.

One of them deals with a controversial issue, medicinal use of marijuana. But what did we do? We decided that D.C. took a referendum, and we prevented them for the last year from even counting the results of that referendum.

Well, that is not the responsible way to address a controversial issue. I will not get into that any further except to say this is not the way that we treat a community; it is not the way we would treat communities within our district.

We have got a domestic partners law, and it says that D.C. cannot offer health insurance for domestic partners. But yet 3,000 employers across the country do it in any number of State and local jurisdictions. We never restrict any of those States and local jurisdictions. We did not tell employers they cannot do it, but we tell D.C. it cannot do it.

There is a Contraceptive Coverage Act that has received a lot of publicity. It does seem that if a health insurance company is going to cover things like Viagra for men, it ought to cover contraception for women. That seems only fair and equitable.

We put in legislation that said that they cannot do that unless they include the kind of religious exemption and ability to opt out on the grounds of moral objections, which makes sense, except that it is very broad and, again, we do not do it to anyone else.

I think D.C. should be able to control these issues on their own. They are the ones that are being held responsible. The Mayor is going to pocket veto the contraceptive coverage and insist on the religious exemption clause. But let him do it. He is held accountable. Let them make that kind of decision. It is not up to us to be doing that.

And the same legislation exists in 13 States. We have not tried to restrict them in any of those States that we have legitimate control over.

Again, there are a number of specific situations that are objectionable in this bill. We have 68 general provisions that I mentioned. Many of them were punitive. They were one-time measures. Five of them are already Federal law. We have got another dozen roughly that are already included in the D.C. Code or in the D.C. budget. To include them is superfluous.

Why do we leave this junk in an appropriations bill? We want to clear it out. That amendment should have been made in order.

Mr. Chairman, we will now embark upon probably a spirited and controversial debate. But the bottom line is that we ought not be having this debate because every issue we will discuss has been discussed by the members of the District of Columbia City Council, has been considered by the Mayor, has been considered by the citizens of the District of Columbia.

We live in a democracy. They should be able to exercise their democratic rights, and we should not be overruling them.

Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG), chairman of the full Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the bill.

I want to compliment the chairman and members of the subcommittee. This was not an easy bill to bring before the subcommittee or the full committee. There were considerable differences of opinion, to say the least.

However, I am happy to report to our colleagues the good news. This is the final appropriations bill to go through the House of Representatives in this phase of our appropriations process. Not only is this number 13, but the House has already concluded work on the Supplemental. We have conferenced the Supplemental. We have conferenced the Military Construction appropriations bill. We have conferenced the Defense Appropriations bill. And several other conferences are under way as we speak.

So we are moving right along. I think the Members will be happy to hear that this is the final bill, this is the 13th bill.

I wanted to say something about the process. The gentleman from Virginia (Mr. MORAN) when he spoke earlier talked about treating the Democratic amendments one way and Republican amendments another way. I will say to our colleagues that during the entire process on this bill and every other bill we have treated both Republicans and Democrats the same way. If an amendment was germane to the bill, we debated the amendment as much time as the Members wanted. And on occasion that was a lot of time. But we took whatever time was necessary to give

everybody a fair opportunity to present their views and to support or oppose the amendments that were before the committee.

Here in the House, on each of those amendments that we knew were subject to a point of order, we allowed the Member who sponsored that amendment sufficient time to explain the amendment before we ever pressed for the point of order. So I think we have bent over backwards.

I served here for a long time in the minority, and I do not recall that ever happening to one of our amendments when we were in the minority. If there was a point of order lying, the point of order was raised and the amendment was stricken at that point.

In fact, on one occasion, just a few days ago, we allowed 3 hours of debate under unanimous consent on an amendment offered by the Democratic side of the House knowing full well that it was subject to a point of order. The sponsor of the amendment knew that it was subject to a point of order, but yet we allowed 3 hours of debate.

Now, how the gentleman could suggest that we have treated Democrats differently than Republicans I do not know. But we have bent over backwards to be extremely fair to both sides of the aisle. And what is fair for one side is fair for the other.

I hope that we can resolve these differences today, Mr. Chairman; and I hope that we can pass this bill and let the appropriators get busy with the conference meetings with the other body so we can conclude our appropriations business well ahead of the beginning of the fiscal year.

Mr. MORAN of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from the District of Columbia (Ms. NORTON), who is the one person actually elected by the D.C. residents to represent them.

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise to speak for the city where free Americans reside, not the Federal city. The Federal city belongs to everyone. As free American citizens, Wards 1 through 8 belong to those of us who live in the District of Columbia.

Each year lots of time has been spent debating the minutia of details of one city far afield from urgent national business and outside the competence of national legislators. The result, without exception, has been multiple vetoes that ultimately result in turning around the very controversial amendments voted into this bill or substantially changing them.

When will we learn? Hopefully, this year. There is not enough time left in this session to play games with the D.C. appropriation.

The Mayor, the D.C. council and I have been clear about our two major

objections to this bill. One: not merely cuts, but redirection of the remaining funds from indispensable priorities that the Mayor and the council specifically requested Federal funds to cover, including a subway station that is essential to the District's number one economic priority and to a new Federal ATF facility on New York Avenue; and two: reinserting into the bill not only social riders, to which we have always objected, but gratuitously a far larger number of riders that are so out of date, or irrelevant that OMB and the District believed that no Member would want the bill encumbered with them.

A new administration that is cleaning house in the city and streamlining D.C. government deserves at least to be relieved of outdated and redundant riders from prior city administrations.

The dollars used in this bill to pay for items meant to be federally funded deserve special mention and has been discredited in a June 30 GAO report commissioned by the chairman himself.

The bill requires D.C. to use interest accumulated on D.C. accounts instead of Federal money in the President's budget. Yet the June 30 GAO report to the chairman stated that Congress has already instructed the District on how the interest must be used. The GAO concluded: "As a result, the District does not have any interest earnings on available Federal funds."

The Mayor and the city council have made their views known in writing to the chairman, and I have had some discussions with him. The bill is not yet acceptable to the District, and I ask my colleagues to vote no on this bill.

We are not naive about bills before this body. We are prepared to support any amendments or changes that would produce not the preferred bill but a better bill. To accomplish this, it will take more give and take and more respect for the local prerogatives freely given to every other locality than this bill reflects for the District.

Let us get to work and challenge ourselves to do better.

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Chairman, I thank my friend, the distinguished chairman of the full committee, for yielding me the time.

My compliments to the chairman and the ranking member for the time and energy they and their staffs have put forward devoted to reviewing the D.C. budget and bringing this bill to the floor in a timely manner.

Just a few years ago, the District of Columbia government faced a financial crisis of epic proportions. That situation was so severe that the District could not deliver basic services, and there was a very real concern that it

would run out of cash to pay its debt service or to even meet its payroll.

Today, the city's population is stabilizing, the real estate market is up, suburban residents are making more leisure trips into the city, and jobs have increased dramatically.

Next year, the Control Board will go in a dormant state, as anticipated in the legislation that we passed here in 1995. The city has balanced its budget for a fourth straight year; and its leaders are showing, with only a handful of exceptions, that they are focused on fostering economic growth and delivering basic services.

This budget goes a long way toward continuing the tremendous strides we have made in the Nation's capital over the past 6 years. It funds a wide variety of programs. It will greatly enhance the quality of life for D.C. residents and those who visit and work in this wonderful city from enhanced resource for foster care, for drug treatment and public education, to money to clean up the Anacostia River and construct a Metro Rail Station on New York Avenue.

□ 1415

There are funds for a number of programs to bolster opportunities for the city's youth population, including \$500,000 for character education and \$250,000 for youth mentoring programs.

And there is much more: \$1 million for the Washington Interfaith Network for affordable housing in low-income neighborhoods and another \$250,000 for new initiatives to battle homelessness; \$6 million to cover the city's costs associated with the 2001 presidential inauguration; \$250,000 for Mayor Williams to simplify personnel practices, money which will allow the city to build on the many improvements already under way in the area of management reform.

But there are shortcomings to this bill as well. I am concerned, for example, that funding for the D.C. college access program, a program created by legislation I introduced in the last Congress, is cut by \$3 million in this budget. I am profoundly concerned that this shortage could leave some D.C. students out in the cold, back in their old disadvantaged position and unable to become all that they can and should be. However, I am heartened by the fact that the Senate has a higher 302(b) allocation and that hopefully when this comes to conference some of this money can be restored. I urge my colleagues to restore the funding level for this historic program.

The religious exemption or conscience clause that is in this legislation may be rendered moot by the fact that the Mayor has said that he will pocket veto this legislation. In my judgment, the city council made a huge mistake in not having a conscience clause attached to their contraceptive coverage legislation, but we ought to

let the city and encourage the city to remedy the mistakes they make. That is the only way democracy is going to grow and nurture, is not having us try to redo everything that they do but make them accountable for their own ordinances and their own mistakes. In this case, I think the council and most importantly the Mayor have stepped up to the plate and have said that they would try to remedy this on their own.

Overall, I commend the gentleman from Oklahoma (Mr. ISTOOK), though, for this forward-looking spending plan, a budget that ensures the District of Columbia's renaissance will continue in coming years. I am proud to have played a part in the city's rebirth these past years, and I want to thank the fellow members of my subcommittee on the authorizing side, the gentlewoman from the District of Columbia (Ms. NORTON), the ranking Democrat; and the gentlewoman from Maryland (Mrs. MORELLA), my vice chairman; and other Republicans and Democrats for the work that they have done over these past years to get the District back on its feet. I wish Mayor Williams and the city council the best of luck in the future. I think the city is in pretty good hands at this point. Although this bill is not everything it can and probably should be, this is a very difficult measure to craft, as we have found every year on this floor.

I urge a "yes" vote on the bill.

Mr. MORAN of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I rise to express my concern about the amendments regarding needle exchange programs in the District of Columbia that are being offered by the gentleman from Indiana (Mr. SOUDER) and the gentleman from Kansas (Mr. TIAHRT). The bill before us already bars the use of Federal funds to pay for these programs. But the Souder amendment would go further. It would prohibit the people of the District from using their own money, money obtained through local taxation, for programs that are widely supported by the local citizenry. This is unfair to D.C. citizens who find themselves subject to the whims of representatives whom they did not elect. But I would submit it is also a terrible precedent for the country as a whole, because despite the squeamishness of some Members of Congress at the mere sight of a needle, the truth is that these programs work. They prevent HIV infection. They do not encourage or increase drug abuse. In fact, there is solid evidence that they actually help reduce drug abuse by encouraging injection drug users to enter treatment.

It is bad enough for legislators to overrule local decision-makers in matters of this kind, but it is the worst kind of irresponsibility for us to sub-

stitute our own uninformed opinions for the sound judgment of the public health community, to say, in effect, Our minds are made up. Don't confuse us with facts.

I have seen what needle exchange programs have accomplished in Massachusetts, Mr. Chairman. I know they save lives. If the Souder amendment becomes law, more people in Washington, D.C., may be infected with the AIDS virus. More people will die of it. And our Nation's capital will continue to lose ground in its fight to protect the public health of its citizens.

On the other hand, if the Souder amendment is enacted, local needle exchange programs in the District will somehow manage to carry on their work without the benefit of public funding as they have been doing with the current restrictions. But the Tiaht amendment would have a serious and immediate impact on these existing programs. It would prohibit them from distributing sterile needles within 1,000 feet of a school or university, public housing project, student center or other recreational facility. I realize the gentleman is trying to protect children from exposure to unsafe needles and the drugs that are used to inject. I only wish the problem were that simple. As a former law enforcement official, I have spent considerable time in our inner cities. The reality is there are plenty of needles out there well within 1,000 feet of schools and housing projects and student centers, and those needles are not sterile.

This amendment will do nothing to change that tragic reality. It will not keep out the drugs and drug paraphernalia that litter these urban battlegrounds, if you will. It will not keep out the diseases that are spread by ignorance and lack of sanitation. What it will do is make sure that these kids who inject drugs and who live in these neighborhoods, the very young people who are at most risk for HIV/AIDS, hepatitis and other diseases transmitted through infected needles, will have no recourse but to reuse unsterile equipment.

We cannot cure the problem by throwing a cordon around our public institutions. Only good science and sound health policy can do that.

I urge my colleagues to reject these amendments.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT), one of the valued members of our subcommittee.

Mr. TIAHRT. Mr. Chairman, I would like to step back just 6 years and look at the District of Columbia because it was a very different place then. They were running a budget deficit. Schools were failing. It was known as the murder capital. And crime had kept people in fear.

The first interaction that I had with the District of Columbia was trying to

get a constituent who had been killed by a taxi, have their body released to the family. Red tape ruled in the District of Columbia, and it was a very large task just to get the deceased released to their family.

But today it is a better city by a long ways. The D.C. budget is balanced, and that is why it was accepted in this bill. The quality of education has improved through charter schools and through new projects in public schools. It is a safer community to live in. And the people from Kansas are more comfortable when they come to the District of Columbia. Things have gotten better.

But it did not happen by accident. Congress did get involved. It provided oversight. The D.C. control Board insisted on revisions to the city and to the police department. The gentlewoman from the District of Columbia (Ms. NORTON) said earlier the Federal city belongs to everyone. I think that is exactly what the writers of the Constitution had in mind when they gave Congress, and I quote, "power to exercise exclusive legislation in all cases whatsoever," in article 1, section 8 of our Constitution.

The opponents of our bill say, Well, our cities aren't regulated like this, so we shouldn't be involved. But if you talk to the city councils in Kansas, they know that Congress has intervened. They have intervened through the Clean Air Act, through clean water regulations, through transportation regulations, air travel regulations, labor regulations, wage restrictions. And the people in the city have been regulated by Congress, too, health care, work requirements. Congress has injected itself into our schools, our hospitals, our city councils and our own homes. Congress does have oversight of the District of Columbia.

So the question is, How should we be involved in this process? I think one of the things that this bill does that is very positive is that we go into the areas of this city which need to be reclaimed and provide mentoring programs to children that are at risk, giving a mentor to them, to be with them when they need to go to school to find out their homework assignments, when they need to go to the hospital or to the physician, and God forbid they should have to go to court, the mentor is there with them. This bill provides such help. It also provides a hotline so that if someone is in need in this city, they call a hotline and they are not let off the phone line until they are directly connected with an agency that can provide directly for their need.

There are other things we are going to debate. We are going to debate where we should deliver needles through the drug needle exchange program. I personally think we ought to protect the children. We have talked to the District of Columbia Police Depart-

ment. There are currently four locations that would not be affected by my amendment where needles could be distributed.

As we continue this debate, Mr. Chairman, I hope we come to a conclusion and pass this bill today.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself 30 seconds on this issue, we are going to have a little time later on to discuss it, in terms of needle exchange.

D.C. has the worst problem of AIDS infection of women and children, and the principal reason is the exchange of dirty needles. The exchange of clean needles works, but it is very restricted because of the Congress' intervention. This amendment would effectively preclude even private organizations from being able to address this problem. There are too many women and children dying of AIDS in D.C. We ought to do whatever is necessary to save their lives.

Mr. Chairman, I yield 3½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), the leader of the Smart Growth Initiative nationwide.

Mr. BLUMENAUER. Mr. Chairman, I can only imagine the frustration that the gentlewoman from the District of Columbia (Ms. NORTON) must feel talking about the special benefits that are accorded to the District of Columbia; for indeed what we have done, the District has special obligations that no other local government in the country has. It has the burdens of both a city and a State and it does not have the tools that we give the rest of America. On top of that, Congress is interfering unnecessarily, making that job even harder.

Not only does it add unnecessary and outdated riders, but the budget that we are discussing here today is \$22 million below last year's funding level. The funding that remains is not fairly distributed to the city's most urgent economic and educational priorities.

I care specifically about livable communities, and I would like to reference two: one, the New York Avenue Metro station and Poplar Point in Southeast District of Columbia. The proposed Metro station at New York and Florida Avenues is the linchpin of proposed new economic development activity for the District.

We here in the District every day experience poor air quality, choking traffic. We hear about problems of sprawl and economic development. The proposed Metro station represents an important step in bringing jobs and people together in a location that is convenient for commuters and does not increase sprawl or require massive additional infrastructure investments in outlying areas.

This has been extensively planned through public and private initiatives with the District, the Federal Government, and the private sector each com-

mitting one-third of the funds. While the city and the private sector have stepped up, Congress is shirking its duty by not providing the full \$25 million in Federal funds that the President has proposed. It includes only \$7 million directly and makes up the remaining \$18 million through accounting gimmicks, including the borrowing on the city's interest fund which only has \$6 million left and is already obligated by other uses.

The choice forced on the city to delay building the station or losing other important priorities is not acceptable. We compound this missed opportunity by the nearby development of the Metropolitan Branch Trail, the bicycle beltway within the Beltway that could have the \$8 million that we have already allocated through TEA-21 coordinated with the station. We risk losing both the station and the coordination of the trail. It would be a tragedy.

Poplar Point, a 110-acre site along the southern corridor of the Anacostia River, has the potential of becoming a vital urban waterfront, serving the needs of District residents who now must travel faraway to enjoy the waterfront amenities that are right outside their and our door.

Not only has the site been neglected by the Federal Government, but a portion of the environmental damage is the result of pesticide residue left by the Architect of the Capitol, because that was our nursery that operated there for many years. It adds a new dimension of interference for the Congress in the District of Columbia. It illustrates the special responsibility we owe to the District both as a neighbor and as a tenant.

The bill does not provide the requested \$10 million for environmental cleanup and infrastructure improvement needed to spur the redevelopment and improve the economic health for the residents living near Poplar Point.

□ 1430

Between the irrelevant riders, the limitations of the District's ability to self-govern, we are missing an opportunity. It is not just unfair to the residents of the District of Columbia, it is not fair to the American public.

Mr. ISTOOK. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I keep hearing people try to create a fiction that supposedly we are not taking care of what the District says is its top priority; namely, the Metrorail station at New York Avenue. In fact, at the Full Committee, we shifted a few million dollars more of Federal funds into the Metrorail project, as well as the interest earnings on the Federal and other funds that we are allocating.

Mr. Chairman, I heard the gentleman from Oregon (Mr. BLUMENAUER) say, oh, but the fund only has \$6 million,

and it does not have \$18 million. That is not accurate. Mr. Chairman, what has happened is after the control board found out that we thought that money should go to the top priority of the District, then we started receiving lists saying "we have these things that were not part of our budget, we want to spend this money on something different than our top priority." And that is where we found out they want to spend the money on more bonuses at city hall and golden parachutes for people involved with the control board, to double their budget in the control board in their last year of operation, Mr. Chairman.

I wanted to correct that, Mr. Chairman; and I yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of our subcommittee.

Mr. CUNNINGHAM. Mr. Chairman, I live in D.C. and have for some time. I have sat and I have talked to residents, many of them minorities, and many saying to me we need help for years and years and years. When we look at the school systems, we look at the economy, we look at the Anacostia River, the sewage systems, the crime, the drugs and the lack of response, they would say, I know you are a Republican, we are Democrat, but would you help us?

I think this committee has done a lot in the last few years. I say to my colleagues that for 30 years my D.C. was kind of an anachronism, that there was not that help and we let the D.C. rule, but then we had a mayor that ended up putting more cocaine up his nose than worrying about the economy of his own city. The good news is that Mayor Williams is trying to work with us and do many of the things that we are trying to do for this city.

I lived by the train station and in one year, my car was broken into twice. I heard a gunshot out my driveway, a young man was caught and said he just wanted to know what it felt like to kill somebody. Two of the women in my complex were mugged going into a locked gate. There is a grocery store, the little mom and pop store, across the street was robbed six times in one year. The residents were saying, we have to live in this, can you do something, Mr. Congressman. Our children, the roofs on their schools are falling apart. And my colleagues will remember they had to cancel schools. We fully funded schools. We established charter schools.

My own party wanted to cut funds from our public funds, and we were able to work in a bipartisan way saying that our schools are moving in the right direction, let us fully fund them. And I think we have seen some movement. We have a long way to go in this Nation's Capital, but there are good teachers. There are good schools, but many of those schools are still failing and we need help.

That is the direction we are working in. When I first arrived here, there was a woman on the board that was appointed by Marion Barry that could not read. She was on the committee on the budget, but she had never had an accounting course. She was a functioning illiterate, but yet she was a political appointee. We appointed a board to try and help that. And we have done a lot of very positive things in that.

We wanted to work on something for D.C. We need a long-term sewage problem. Every time it rains in Washington, D.C., and it is raining right now, that raw sewage goes into the Anacostia River every time it rains. It has the highest fecal count in any river in the United States, and we need to address that.

The mayor is trying to take that up as well, the cleanup of the Anacostia River. But I look at the economy. When I first came here, the city was left up to its own devices, they had month-to-month leases. Now no business is going to come into the city and make an investment, because people were getting money under the table.

They had governmental control over those businesses to make them do what they wanted, and no one would invest. And we looked at the businesses. We could not even get a Safeway here because of the practices of the city councils and the government, and we have changed that, in a bipartisan way. We are starting to get investment. We have increased those leases. We are starting to get jobs into D.C., and I think that is positive change.

I would say one thing about the Tiahrt amendment, if we look at his amendment on drug exchange, none of my colleagues would want one of these outside their door, because it attracts drug dealers, it attracts drug users. Needles are discarded. What his amendment says, where we have schools, where we have parks and swimming pools, where children play barefooted and fall, that we do not want to have our children to have the risk of the contracting AIDS or other diseases like hepatitis.

Mr. Chairman, I ask for a support of the bill.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself 10 seconds to respond to the gentleman from Oklahoma (Mr. ISTOOK). With regard to the use of the New York Avenue Metro money, the reality is that that money was included in the D.C. budget, that D.C. budget was received by the Congress before the bill was marked up. There is no way that the D.C. government could have known, and so that money was already spent before we spent it again.

Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), a most respected and effective legislator.

Mr. CUMMINGS. Mr. Chairman, I want to thank the gentleman from

Oklahoma (Mr. ISTOOK) for yielding the time to me and to say to the last speaker, the gentleman from California (Mr. CUNNINGHAM), one of the interesting things is about the needle exchange program in Baltimore, there are people who actually want the needle exchange program in certain areas, because they have discovered that it cleans up the needles. It gets rid of the problem. I think that one should take a look at that, and that is something very important.

The other thing that I find so interesting is how the gentleman from Virginia (Mr. DAVIS) and now the distinguished gentleman from California (Mr. CUNNINGHAM) have talked about the wonderful job that the mayor is doing. He is doing an outstanding job and a wonderful job. I would also say that the gentlewoman from the District of Columbia (Ms. NORTON) is doing a wonderful job.

At some point in time, folks ought to be able to control D.C. themselves. We do not have to have Big Brother hanging around forever and forever. I think that it has been clear and it has been said here over and over again by both sides that they are doing an outstanding job.

The motto for the District of Columbia is justice to all. Justice in the form of the ability of District of Columbia residents to use their own funds to operate needle exchange programs in areas they deem appropriate. Justice in allowing D.C. to determine appropriate laws to address the issue of tobacco use among minors. Justice in the right of District of Columbia residents and the city council to approve and enact legislation that will permit city employees to receive health insurance benefits for their long-term partners, regardless of gender, and to require insurers and employers to cover contraceptive if other prescription drugs are covered.

Justice in increased funding for Metrorail construction at New York and Florida Avenues, Northeast, an area ripe for economic development.

Justice in increased funding for tuition assistance for District of Columbia college-bound students, helping to offset out-of-State tuition costs at colleges and universities across the country. As a result of this program, numerous D.C. students applied to Maryland colleges and universities, including 10 at Coppin State University and Morgan State University in my district.

Justice in the right of the District to use funds to petition for or file a civil action intended to obtain District voting representation in Congress.

Unfortunately, if this bill is passed in its current form, justice to all will not prevail. Instead, this body will send a message to District residents that they are not to be afforded justice, but are to be burdened with requirements that

Congress imposes on no other local jurisdiction and stripped of their right to make local decisions.

I submit that it is our duty as lawmakers to ensure that justice is applied impartially and equally to all of our Nation's citizens. Therefore, I urge my colleagues to oppose this bill and support District residents and the principle of justice for all.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there is a general principle we often quote here that says, you should not do for people what they are capable of doing for themselves, because you don't want to restrict their ability to grow and to achieve.

It is not a matter of we do not want to help them, but it is a matter we want to do it in the right way.

I hear a lot of comments about we ought to be doing more for the District here, we ought to be doing more for the District there. Then I hear people say, oh, we have cut this budget or that budget. For example, they claim, inaccurately, but they claim, that we have cut a Federal commitment to the metro subway station. Let us back up.

What Federal commitment are we talking about? We are talking about the budget proposal submitted by the White House which is not a budget submitted or approved by the Congress. Just because something is proposed by the President, let us not pretend that if we do not agree with the President on something, that we have gone out and we have cut budgets or that we reneged on a commitment; that is not the case.

We have made sure that rather than going to this new, after-the-budget, laundry list of things that now they say are higher priorities than the metro subway station, so we cannot spend money out of this account for it. Instead of doing that, we said no, we are going with the top priority of the metro station.

Let us look at what the District is doing or not doing for themselves. We know they have remaining significant management and financial problems. Let me just give my colleagues the figures on just one of them. In addition to the money budgeted and tens of millions of dollars of subsidies that were budgeted, the D.C. General Hospital with the Public Benefit Corporation in the last 4 years has had loans, so-called, of \$174 million, which were, in fact, spending beyond what was authorized or appropriated by law.

In that one institution alone there was \$174 million. On top of the subsidies, on top of their budget. We had a hearing on this, more than one hearing that we had, and District officials including the central board said they are not loans they are receivables because the hospital is supposed to pay it back out of money they receive. No, they know that. They do not even have the hospital sign any paper. There is no

written agreement. The city and the control board just write checks for millions of dollars until they have gone \$174 million in the hole, beyond their budget, beyond the subsidies, and then the District government writes it off.

They have a group looking at it right now that is telling horror stories about the level of management. In fact, the just-fired individual in charge, even though people will say when he was in charge, this hospital got run into the ground even farther than it was already, he wants a million dollars severance pay, a million dollars severance pay for helping something go \$174 million in the red.

That is the kind of priorities or lack of them that waste money, and then they come to Congress and say we make up the difference, and then claim we are reneging on a pledge made at 1600 Pennsylvania Avenue if we do not just rubber stamp that instead of trying to take a more responsible approach.

They say we are using too much of their money for these things. We are using money of the taxpayers of the United States of America in this bill, \$414 million. And we still have management problems. I agree that Mayor Williams is working diligently and making a bona fide effort, but if we look at who is still in charge, the upper level, what they call the "excepted service" positions, in other words, these are the people that can be hired and fired by the mayor, as opposed to through a civil service system.

The Department of Consumer and Regulatory Affairs still has 62 percent of the upper level people who are holdovers from the prior administration and administrations that had these severe problems with how they handled taxpayers' money.

□ 1445

In the Department of Employment Services, two-thirds, two-thirds are still management holdovers. In the Office of Contracting and Procurement, two-thirds are holdovers. In the Department of Public Works, 62 percent. There is a lot of change that has not happened yet. There is a lot of savings the District can achieve in its own budget, and we are trying everything we can to help them to do that.

But remember, you ought to come to this Congress, and if you are wanting people to do something because you are the Nation's Capital, you ought to show what you have done for yourself. We had, I believe it was \$330 million in past years, that this Congress provided to the District for management reforms to achieve savings, and we had the General Accounting Office go in a few months ago and say, okay, we spent \$330 million supposedly to create savings beyond that figure. How much savings can you find?

GAO said, well, you spent \$330 million, and the savings were supposed to

be \$200 million annually. What was actually achieved was about \$1.5 million annually. You spend \$330 million, and you get back \$1.5 million? That is not a good investment by the taxpayers. The District needs more focus on getting its own House in order. It is making progress, but it has not made near enough. It needs more focus on that, rather than accusing the Congress of not doing its job.

Mr. Chairman, I ask support for this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, we debated the D.C. bill six times on the floor, and it was vetoed twice last year. The principal issue was needle exchanges. We are going to have the ranking member of the Permanent Select Committee on Intelligence, and for many years the chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations, the gentleman from Los Angeles, California (Mr. DIXON), explain how important this needle exchange program is and why the amendment that is going to be offered will not work.

Mr. Chairman, I yield 3 minutes to the gentleman from Los Angeles, California (Mr. DIXON).

Mr. DIXON. Mr. Chairman, I thank the ranking member for yielding me time.

This is the traditional day that when the city is wrong, it is wrong; and when the city is right, it is wrong.

The bill provides to allow the city of Washington D.C. to have a needle exchange program to use its own funds and private funds. The gentleman from Kansas (Mr. TIAHRT) is going to offer an amendment that basically says within 330 yards of 14 designated areas, that you shall not be able to implement the needle exchange program. It is really a fox in sheep's clothing. The gentleman from Kansas (Mr. TIAHRT) in the full committee voted against the program, so he is not here to in fact assist the needle exchange program in any way or for good public policy reasons.

When the gentleman shows you a chart later, he will have designated some schools that in fact one will not be allowed within 330 yards to provide needle exchange programs. But that is only one element of the amendment. There are 13 others. So when you add that to the list, and you consider that Washington, D.C., is only 66 square miles, that leaves about five positions that you can exchange needles: the Mall, Soldiers' Home, Bolling Air Force Base, St. Elizabeth's, Washington Hospital Center, and Rock Creek Park.

The problem with the D.C. bill is that no one comes to the floor straight; they come with a cosmetic reason for whatever they want to do. This Tiahrt amendment is designed to make the

needle exchange program ineffective. It should be voted down.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as the gentleman from California (Mr. DIXON) explained, the amendment that we will be considering precludes the ability of any needle exchange program to effectively operate.

Now, why is that important? It is important because we have hundreds, thousands, of residents of the District of Columbia who are infected with the ignominious disease of AIDS, and in the District the population where the AIDS epidemic is growing fastest are women and children.

Imagine what it must be like to realize that your baby is infected with AIDS. Now, you can blame the mother, you can blame whoever, you can blame society; but the reality is that there is horrible, unjust suffering going on, and the principal reason for that pain and suffering is because of the use of dirty needles.

The only program we have found that actually works, and we have any number of studies that proves that it works, is when an organization offers clean needles. But you only get a clean needle if you give back a dirty needle, and you have to get into a program. It is access to drug treatment, and it is working.

Mr. Chairman, we might like to turn our backs and pretend this stuff does not go on and pretend there are easier ways to do it and ways that are less controversial, but there are not. They are not working as effectively, and that is why the administration stood up and kept vetoing this bill, because we have to care about people who are suffering and dying needlessly, if there is a way that we can stop it.

This program can stop it, and that is why we ought to let it function, but not with any Federal funds, not with any public money, all with private donations. That is the point, that is how the program is being operated. But it ought to be allowed to operate. That is only fair. And the D.C. Government ought to be allowed to decide how it is going to cope with its problem, and not let us gain political advantage by superseding their judgment and preventing them from being able to address a critically important, desperate need within the District of Columbia. That is why this issue is so important.

There are funding issues. Maybe we can take care of the funding issues in conference. We are going to try to do that. It is silly, when we have a \$2.2 trillion surplus, a \$1.7 trillion budget, we cannot find \$31 million to make the District whole on a contractual obligation that we agreed to assume.

So I trust we will be able to find that money. The District is getting on its feet. It has got a great Mayor, it has got a good city council. It is getting a

lot of good people in running its government. If we believe in democracy, if we believe that the people have the power to regulate, to run their own affairs, that they will elect the people that will provide the kind of quality of life and security in the future for their children that they decide they want, that is what this is all about.

Let us extricate ourselves from these matters where we ought not be involved. Let us do right for the District of Columbia. Until we fix this bill, I do not think we can support it.

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 2 minutes.

Mr. ISTOOK. Mr. Chairman, drug problems in the District of Columbia are America's problem, because Washington, D.C., is America's capital. I am sorry to hear that the gentleman says that if you do not have a program to exchange drug needles, you are causing pain and suffering. No. Pain and suffering is caused by the use of drugs. Crime is caused by the use of drugs. Parents failing to take care of their kids is caused by the use of drugs.

You are saying dirty needles cause pain and suffering? No, people injecting themselves with drugs cause pain and suffering. We are not talking about sewing needles here; we are talking about hypodermic syringes, needles for people to inject illegal drugs into themselves, and a program operating in broad daylight out on public streets to do these swaps. Bring in a dirty needle, get a clean needle, go shoot yourself up.

I know a couple of people that the other day observed one of these sites, and it was an area where there were residences and small businesses. The van is there for a few hours, and just minutes after the van they used for the needle exchange pulls away, you know what pulled up? A school bus. It is a bus stop for school kids.

The D.C. Council passed its own law declaring drug-free zones. The amendment of the gentleman from Kansas (Mr. TIAHRT) just says those areas that the District has already chosen to be drug-free zones should not be used for these programs to exchange drug needles. The D.C. Council defined them. For example, 1,000 feet around a youth center or public library or public housing or a swimming pool or an elementary school or vocational school or a video arcade, the D.C. Council says those sites are supposed to be drug free zones. The amendment of the gentleman from Kansas (Mr. TIAHRT) just says if that is supposed to be a drug-free zone, what are you doing with a drug needle exchange program taking place in the same spot?

I urge support of the bill; and when the time comes, I certainly will support the amendment of the gentleman from Kansas (Mr. TIAHRT).

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

No amendment to the bill shall be in order except those printed in the CONGRESSIONAL RECORD, pro forma amendments for the purpose of debate, and amendments printed in the House Report 106-790.

Amendments printed in the report may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 4942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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, 2001, and for other purposes, namely:

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia for a nationwide program to be administered by the Mayor for District of Columbia resident tuition support, \$14,000,000, to remain available until expended: *Provided*, That such funds 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, usable at both public and private institutions for higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit and such other factors as may be authorized: *Provided further*, That not more than 5 percent of the funds may be used to pay 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, 2002, and shall be used to carry out all of the provisions of title 38, except for section 3808, of the Fiscal Year 2001 Budget Support Act of 2000, D.C. Bill 13-679, enrolled June 12, 2000.

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, \$1,500,000, of which \$250,000 shall be for payment to a mentoring program and for hotline services; \$500,000 shall be for payment to a youth development program with a character building curriculum; \$500,000 to remain available until expended, shall be for the design, construction, and maintenance of a trash rack system to be installed at the Hickey Run stormwater outfall; and \$250,000 shall be for payment to support a program to assist homeless individuals to become productive, taxpaying citizens in the District of Columbia.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, \$134,300,000 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: *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: *Provided further*, That in addition to the funds provided under this heading, the District of Columbia Corrections Trustee may use any remaining interest earned on the Federal payment made to the Trustee under the District of Columbia Appropriations Act, 1998, to carry out the activities funded under this heading.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$99,500,000 to be allocated as follows: for the District of Columbia Court of Appeals, \$7,709,000; for the District of Columbia Superior Court, \$72,399,000; for the District of Columbia Court System, \$16,892,000; and \$2,500,000, to remain available until September 30, 2002, for capital improvements for District of Columbia courthouse facilities: *Provided*, That none of the funds in this Act or in any other Act shall be available for the purchase, installation or operation of an Integrated Justice Information System until a detailed plan and design has been submitted by the courts and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, 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:

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. 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), \$34,387,000, 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 \$2,500,000 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 \$2,500,000 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 such funds 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: *Provided further*, That the District of Columbia Courts shall implement the recommendations in the General Accounting Office Report GAO/AIMD/OGC-99-226 regarding payments to court-appointed attorneys and shall report to the Office of Management and Budget and to the House and Senate Appropriations Committees quarterly on the status of these reforms.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION

AGENCY FOR THE DISTRICT OF COLUMBIA (INCLUDING TRANSFER OF FUNDS)

For salaries and expenses 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) \$115,752,000, of which \$69,871,000 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; \$18,778,000 shall be transferred to the Public Defender Service; and \$27,103,000 shall be available to the Pretrial Services Agency: *Provided*, That of the amount provided under this heading,

\$22,161,000 shall be used to improve pretrial defendant and post-conviction offender supervision, enhance drug testing and sanctions-based treatment programs and other treatment services, expand intermediate sanctions and offender re-entry programs, continue planning and design proposals for a residential Sanctions Center and improve administrative infrastructure, including information technology; and \$836,000 of the \$22,161,000 referred to in this proviso is for the Public Defender Service: *Provided further*, 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 section 446 of the District of Columbia Home Rule Act or any provision of subchapter III of chapter 13 of title 31, United States Code, the use of interest earned on the Federal payment made to the District of Columbia Offender Supervision, Defender, and Court Services Agency under the District of Columbia Appropriations Act, 1998, by the Agency during fiscal years 1998 and 1999 shall not constitute a violation of such Act or such subchapter.

FEDERAL PAYMENT FOR WASHINGTON INTERFAITH NETWORK

For a Federal payment to the Washington Interfaith Network to reimburse the Network for costs incurred in carrying out preconstruction activities at the former Fort Dupont Dwellings and Additions, \$1,000,000: *Provided*, That such activities may include architectural and engineering studies, property appraisals, environmental assessments, grading and excavation, landscaping, paving, and the installation of curbs, gutters, sidewalks, sewer lines, and other utilities: *Provided further*, That the Secretary of the Treasury shall make such payment only after the Network has received matching funds from private sources (including funds provided through loans) to carry out such activities in an aggregate amount which is equal to the amount of such payment (as certified by the Inspector General of the District of Columbia) and has provided the Secretary of the Treasury with a request for reimbursement which contains documentation certified by the Inspector General of the District of Columbia showing that the Network carried out the activities and that the costs incurred in carrying out the activities were equal to or less than the amount of the reimbursement requested: *Provided further*, That none of the funds provided under this heading may be obligated or expended after December 31, 2001 (without regard to whether the activities involved were carried out prior to such date).

TAX REFORM IN THE DISTRICT

For a Federal payment to the Mayor of the District of Columbia for a study analyzing the District's tax structure, and the anticipated impact upon the District's economy and government of recent and potential tax changes, and of tax simplification, \$100,000, to remain available until expended. This may include but not be limited to proposals made by the District's Delegate to the House of Representatives. *Provided*, That the Mayor shall enter into a contract for such analysis only with a qualified independent auditor who is experienced in analyzing tax sources and who has no other affiliation with the District government.

AMENDMENT NO. 1 OFFERED BY MR. ISTOOK
PRINTED IN HOUSE REPORT 106-790

Mr. ISTOOK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 106-790 offered by Mr. ISTOOK:

Strike the item relating to "TAX REFORM IN THE DISTRICT".

In the item relating to "METRORAIL CONSTRUCTION (INCLUDING TRANSFER OF FUNDS)", strike "\$7,000,000" and insert "\$7,100,000".

In the item relating to "METRORAIL CONSTRUCTION (INCLUDING TRANSFER OF FUNDS)", strike "\$18,000,000" and insert "\$17,900,000".

The CHAIRMAN. Pursuant to House Resolution 563, the gentleman from Oklahoma (Mr. ISTOOK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not think 5 minutes will be necessary. I believe this amendment will be adopted by unanimous consent and neither of us will need the 5 minutes.

This simply removes an item for a study of the future tax structure potential in the District and shifts the \$100,000 in Federal funds that was allocated for it to support the new Metro station that is planned at the New York Avenue site.

□ 1500

I believe there is no debate, and if that is the case I would ask unanimous consent that we yield back the balance of our time and adopt the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to respond, but not in a critical manner. Mr. Chairman, what we are withdrawing here is a study that was proposed that was related to the idea of a D.C. commuter tax. There had been a provision that was included in the subcommittee bill by the gentleman from Oklahoma (Mr. ISTOOK) that said that if residents of suburban Maryland or Virginia earned money in the District of Columbia they do not have to pay state income taxes on that money to Virginia or Maryland or basically any other State where they might reside. So it meant every Member of Congress who earns their money here would not have to pay any state income taxes on their income, until the District was permitted to tax income they might earn in the District.

What we could have done is to suggest then that if that is the case then any resident of the District of Columbia that earns money in another State would not pay taxes in D.C., and D.C. would have wound up worse because

the reverse flow of people finding jobs in the suburbs where the economic growth is happening is even greater than economic development in D.C. So there were problems with that. It was withdrawn.

There was going to be a further study. The gentleman from Oklahoma (Mr. ISTOOK), upon consideration and discussion with the chair of the authorizing committee, has decided not to do that study. I personally would have preferred that we do a study that was broad based, looking at D.C.'s long-term revenue needs. I think that needs to be done. I think it could probably be done for \$100,000. So I was hoping we would do that, but the study ought to be done by organizations that are located within the District of Columbia, private, nonprofit organizations, probably nonpartisan. We could get maybe the Brookings Institution and the Hudson Institute to collaborate. In doing so, they could look at ways that we can raise sufficient revenues to ensure that D.C. remains the economic core of the metropolitan Washington region but also sustain the economic viability of the suburbs as well.

That is a long-term, mutually shared objective. I know that the gentleman from Virginia (Mr. DAVIS) is in agreement with that objective. I would hope that we could find the money to put in this bill to do that kind of a study, but I have no objection to the manager's amendment and the decision of the gentleman from Oklahoma (Mr. ISTOOK) at this point to withdraw funding for this study.

No one on this side is going to object to the manager's amendment, Mr. Chairman.

Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, any study that the District may desire to do certainly they have the authority and the capability of doing whatever study. I certainly would not agree with all of the characterizations of the gentleman, but I certainly appreciate his interest in the economic conditions in the District, as well as in the surrounding Northern Virginia area that he represents.

However, I think we have all agreed that right now there is a high priority with the District of the New York Avenue Metrorail station, and if the District wants to do a study they can do it. In the meantime, we would like to put this Federal contribution of the \$100,000 toward that Metro station at New York Avenue.

Mr. Chairman, I ask adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

FEDERAL PAYMENT FOR SIMPLIFIED
PERSONNEL SYSTEM

For a Federal payment to the Mayor of the District of Columbia to study and design a system approved by the Comptroller General for simplifying the administration of personnel policies (including pay policies) with respect to employees of the District government, \$250,000: *Provided*, That the Mayor shall carry out such study and design through a contractor approved by the Comptroller General.

METRORAIL CONSTRUCTION
(INCLUDING TRANSFER OF FUNDS)

For a contribution to the Washington Metropolitan Area Transit Authority for construction of a Metrorail station located at New York and Florida Avenues, Northeast, \$25,000,000, to remain available until expended, of which \$7,000,000 is appropriated under this heading and \$18,000,000 shall be transferred by the District of Columbia Financial Responsibility and Management Assistance Authority (DCFRMA) from interest earned on accounts held by DCFRMA on behalf of the District of Columbia government.

FEDERAL PAYMENT FOR NATIONAL MUSEUM OF
AMERICAN MUSIC

For a Federal payment to the Federal City Council for the establishment of a National Museum of American Music, \$250,000, to remain available until expended: *Provided*, That such funds shall be used for the costs of activities necessary to complete the planning phase for such Museum, including the costs of personnel, design projects, environmental assessments, and the preparation of requests for proposals: *Provided further*, That such funds shall be deposited into a separate account of the Federal City Council used exclusively for the establishment of such Museum: *Provided further*, That the Secretary of the Treasury shall make such payment only after the Federal City Council has deposited matching donated funds from private sources into the account in an aggregate amount which is equal to 200 percent of the amount appropriated herein (as certified by the Inspector General of the District of Columbia.)

PRESIDENTIAL INAUGURATION

For a payment to the District of Columbia to reimburse the District for expenses incurred in connection with Presidential inauguration activities, \$5,961,000, as authorized by section 737(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 824; D.C. Code, sec. 1-1132), which shall be apportioned by the Chief Financial Officer within the various appropriation headings in this Act.

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 for section 136(a) of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2001 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 \$5,689,276,000 (of which \$192,804,000 shall be from intra-District funds and \$3,245,623,000 shall be from local funds):

Provided further, That the Chief Financial Officer of the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority 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 2001, 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.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (109 Stat. 97; Public Law 104-8), \$3,140,000 from local funds: *Provided*, That none of the funds contained in this Act may be used to pay any compensation of the Executive Director or General Counsel of the Authority at a rate in excess of the maximum rate of compensation which may be paid to such individual during fiscal year 2001 under section 102 of such Act, as determined by the Comptroller General (as described in GAO letter report B-279095.2).

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$194,621,000 (including \$161,022,000 from local funds, \$20,424,000 from Federal funds, and \$13,175,000 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 all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor: *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 \$303,000 and no fewer than 5 FTEs shall be available exclusively to support the Labor-Management Partnership Council: *Provided further*, That no funds except those already encumbered shall be available for the Maximus, Inc., revenue recovery services contract (Contract GF 98104) until such time as the contract is renegotiated to require Maximus, Inc., to recover maximum revenue first for Medicaid reimbursable special education transportation costs, second for Medicaid reimburs-

able special education residential placement costs, and third for the Medicaid reimbursable costs of Mental Retardation and Developmental Disabilities Administration clients.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$205,638,000 (including \$53,562,000 from local funds, \$92,378,000 from Federal funds, and \$59,698,000 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. Code, sec. 1-2271 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12-26): *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.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, and such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government \$762,346,000 (including \$591,365,000 from local funds, \$24,950,000 from Federal funds, and \$146,031,000 from other funds): *Provided further*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three fourths of the cost of the replacement: *Provided further*, 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 provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Metropolitan Police Department 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 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 the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further*, That

\$100,000 shall be available for inmates released on medical and geriatric parole: *Provided further*, That commencing on December 31, 2000, the Metropolitan Police Department shall provide 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, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$995,418,000 (including \$821,367,000 from local funds, \$147,643,000 from Federal funds, and \$26,408,000 from other funds), to be allocated as follows: \$769,443,000 (including \$628,809,000 from local funds, \$133,490,000 from Federal funds, and \$7,144,000 from other funds), for the public schools of the District of Columbia; \$200,000 from local funds for the District of Columbia Teachers' Retirement Fund; \$1,679,000 from local funds for the State Education Office, \$14,000,000 from local funds, previously appropriated in this Act as a Federal payment, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; \$105,000,000 from local funds for public charter schools: *Provided*, That there shall be quarterly disbursement of funds to the D.C. public charter schools, with the first payment to occur within 15 days of the beginning of each fiscal year: *Provided further*, That the D.C. public charter schools will report enrollment on a quarterly basis: *Provided further*, That the quarterly payment of October 15, 2000, shall be fifty (50) percent of each public charter school's annual entitlement based on its unaudited October 5 enrollment count: *Provided further*, That if the entirety of this allocation has not been provided as payments to any public charter schools 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 (D.C. Code, sec. 31-2853.43(A)(2)(D); Public Law 104-134, as amended): *Provided further*, That the Mayor of the District of Columbia shall convene a task force to recommend changes, which shall be released by December 31, 2000, to the School Reform Act of 1995, for the purpose of instituting a funding mechanism which will account for the projected growth of charter schools: *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 \$76,433,000 (including \$44,691,000 from local funds, \$13,199,000 from Federal funds, and \$18,543,000 from other funds) shall be available for the University of the District of Columbia: *Provided further*, That \$200,000 is allocated for the East of the River Campus Assessment Study, \$1,000,000 for 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, \$500,000 for the Adult Education State Plan, \$650,000 for The Saturday Academy Pre-College Program, and \$481,000 for the Strengthening of Academic Programs; and \$26,459,000 (including \$25,208,000 from local funds, \$550,000 from Federal funds and \$701,000 other funds) for the Public Library: *Provided further*, That the \$1,020,000 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, \$166,000 for 3 FTEs in the expansion of the Reach Out And Roar (ROAR) service to license day care homes, and \$119,000 for 3 FTEs to expand literacy support into branch libraries: *Provided further*, That \$2,204,000 (including \$1,780,000 from local funds, \$404,000 from Federal funds and \$20,000 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. Code, sec. 31-401 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 2001 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, 2001, 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 \$2,200,000 is allocated to the Temporary Weighted Student Formula to fund 344 additional slots for pre-K students: *Provided further*, That \$50,000 is allocated to fund a conference on learning support for children ages 3-4 in September 2000 hosted jointly by the District of Columbia Public Schools and District of Columbia public charter schools: *Provided further*, That no local funds in this Act shall be used to administer a system wide standardized test more than once in FY 2001: *Provided further*, That no less than \$389,219,000 shall be expended on local schools through the Weighted Student Formula: *Provided further*, That the District of Columbia Public Schools may spend \$500,000 to engage in a Schools Without Violence program based on a model developed by the University of North Carolina, located in Greensboro, North Carolina: *Provided further*, That section 441 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Code, sec. 47-101), is amended as follows:

(a) The third sentence is amended to read as follows:

"However, the fiscal year for the Armory Board shall begin on the first day of January

and shall end on the thirty-first day of December of each calendar year, and, beginning the first day of July 2001, the fiscal year for the District of Columbia Public Schools and the District of Columbia Public Charter Schools shall begin on the first day of July and end on the thirtieth day of June of each calendar year."

(b) One new sentence is added at the end to read as follows: "The District of Columbia Public Schools shall take appropriate action to ensure that its financial books are closed by June 30, 2003."

HUMAN SUPPORT SERVICES

Human support services, \$1,532,204,000 (including \$633,897,000 from local funds, \$881,589,000 from Federal funds, and \$16,718,000 from other funds): *Provided*, That \$25,836,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That the District of Columbia shall not provide 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, as defined in section 411(5) of the Stewart B. McKinney Homeless Assistance Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.): *Provided further*, That \$1,250,000 shall be paid to the Doe Fund for the operation of its Ready, Willing, and Able Program in the District of Columbia as follows: \$250,000 to cover debt owed by the District of Columbia government for services rendered shall be paid to the Doe Fund within 15 days of the enactment of this Act; and \$1,000,000 shall be paid in equal monthly installments by the 15th day of each month: *Provided further*, That \$400,000 shall be available for the administrative costs associated with implementation of the Drug Treatment Choice Program established pursuant to section 4 of the Choice in Drug Treatment Act of 2000, signed by the Mayor on April 20, 2000 (D.C. Act 13-329): *Provided further*, That \$7,000,000 shall be available for deposit in the Addiction Recovery Fund established pursuant to section 5 of the Choice in Drug Treatment Act of 2000, signed by the Mayor on April 20, 2000 (D.C. Act 13-329).

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, \$278,242,000 (including \$265,078,000 from local funds, \$3,328,000 from Federal funds, and \$9,836,000 from other funds): *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: *Provided further*, That \$100,000 shall be available for a commercial sector recycling initiative: *Provided further*, That \$250,000 shall be available to initiate a recycling education campaign: *Provided further*, That \$10,000 shall be available for community clean-up kits: *Provided further*, That \$190,000 shall be available to restore a 3.5 percent vacancy rate in Parking Services: *Provided further*, That \$170,000 shall be available to plant 500 trees: *Provided further*, That \$118,000 shall be available for two water trucks: *Provided further*, That \$150,000 shall be available for contract monitors and parking analysts within Park-

ing Services: *Provided further*, That \$1,409,000 shall be available for a neighborhood cleanup initiative: *Provided further*, That \$1,000,000 shall be available for tree maintenance: *Provided further*, That \$600,000 shall be available for an anti-graffiti program: *Provided further*, That \$226,000 shall be available for a hazardous waste program: *Provided further*, That \$1,260,000 shall be available for parking control aides: *Provided further*, That \$400,000 shall be available for the Department of Motor Vehicles to hire additional ticket adjudicators, conduct additional hearings, and reduce the waiting time for hearings.

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, \$389,528,000 (including \$234,913,000 from local funds, \$135,555,000 from Federal funds, and \$19,060,000 from other funds).

RESERVE

For replacement of funds expended, if any, during fiscal year 2000 from the Reserve established by section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8, \$150,000,000: *Provided*, That none of these funds shall be obligated or expended under this heading until (1) the reductions from "Operational Improvement Savings", "Management Reform Savings", and "Cafeteria Plan" have been achieved and the achievement certified by the District of Columbia Inspector General; (2) the Chief Financial Officer certifies that the reserve assets are not required to replace funds expended in fiscal year 2000 from the Reserve established by section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8; and (3) the District of Columbia government enters into leases provided for under the heading "Federal Payment for Waterfront Improvements" in Public Law 105-277, approved October 21, 1998 (112 Stat. 2681-124), as amended by section 164 of Public Law 106-113, approved November 29, 1999 (113 Stat. 1529): *Provided further*, That the unexpended portion of the fiscal year 2000 reserve that is carried over into fiscal year 2001 will free up local funds in the fiscal year 2001 Reserve that can be used to fund selected programs upon certification by the Chief Financial Officer of the District of Columbia that: (1) the Mayor will achieve operational improvement savings and management reform productivity savings in the fiscal year 2001 Budget and Financial Plan, (2) the collection of additional revenues within the fiscal year 2001 Budget and Financial Plan will be achieved; and (3) agency expenditures are monitored and fiscal challenges are addressed to the satisfaction of the Chief Financial Office during fiscal year 2001. The programs that will be funded following certification by the Chief Financial Officer are as follows: GOVERNMENTAL DIRECTION AND SUPPORT, \$4,163,000 (including \$621,000 for the Office of the Mayor; \$1,042,000 for Human Resource Development; \$2,500,000 for the Office of Property Management); ECONOMIC DEVELOPMENT AND REGULATION, \$3,496,000 (including \$3,296,000 for the Department of Housing and Community Development; \$200,000 for the Department of Employment Services); PUBLIC SAFETY AND JUSTICE, \$6,483,000 (including \$200,000 for the Metropolitan Police Department, \$1,293,000 for the Fire and Emergency Medical Services Department, \$4,890,000 for Settlements and Judgments, \$100,000 for the Citizen Complaint Review Board); PUBLIC EDUCATION SYSTEM, \$15,099,000 (including \$12,079,000 for Public Schools, \$2,500,000 for

the University of the District of Columbia, \$400,000 for the Public Library, \$120,000 for the Commission on the Arts and Humanities): HUMAN SUPPORT SERVICES, \$17,830,000 (including \$4,245,000 for the Department of Health, \$1,511,000 for the Department of Recreation and Parks, \$574,000 for the Office on Aging, \$1,500,000 for the Office on Latino Affairs, \$10,000,000 for Children and Youth Investment Fund): PUBLIC WORKS, \$4,050,000 (including \$1,500,000 for the Department of Public Works, \$1,000,000 for the Department of Motor Vehicles, \$1,550,000 for the Taxicab Commission): RECEIVERSHIP PROGRAMS, \$19,300,000 (including \$6,300,000 for Child and Family Services, \$13,000,000 for the Commission on Mental Health Services); and CAFETERIA PLAN SAVINGS, \$5,000,000: *Provided further*, That the freed-up appropriated funds in fiscal year 2001 from the reserve rollover shall be used to provide funding in the following order: (1) the first \$32,000,000 shall be used to provide in the following order, \$6,300,000 to the LaShawn Receivership, \$13,000,000 to the Commission on Mental Health, \$12,079,000 to the District of Columbia Public Schools, and \$621,000 to the Office of the Mayor, if the Chief Financial Officer certifies that the first \$32,000,000 is not required to replace funds expended in fiscal year 2000 from the Reserve established by section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8; (2) the next \$37,189,000 shall be used to provide \$37,189,000 to Management Savings to the extent, if any, the Chief Financial Officer determines the Management Savings is not achieving the required savings, and the balance, if any, shall be provided in the following order: \$10,000,000 to the Children Investment Trust, \$1,511,000 to the Department of Parks and Recreation, \$1,293,000 to the Department of Fire and Emergency Medical Services, \$120,000 to the Commission on the Arts and Humanities, \$400,000 to the District of Columbia Public Library, \$574,000 to the Office on Aging, \$3,296,000 to the Department of Housing and Community Development, \$200,000 to the Department of Employment Services, \$2,500,000 to the University of the District of Columbia, \$1,500,000 to the Department of Public Works, \$1,000,000 to the Department of Motor Vehicles, \$4,245,000 to the Department of Health, \$1,500,000 to the Commission on Latino Affairs, \$1,550,000 to the Taxicab Commission, \$2,500,000 to the Office of Property Management, and \$5,000,000 for the savings associated with the implementation of the Cafeteria Plan, if the Chief Financial Officer certifies that the \$37,189,000 is not required to replace funds expended in fiscal year 2000 from the Reserve established by section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8, in fiscal year 2000, and that all the savings are being achieved from the Management Savings; (3) the next \$10,000,000 shall be used to provide \$6,232,000 to Operational Improvement to the extent, if any, the Chief Financial Officer determines the Operational Improvement is not achieving the required savings, and the balance, if any, shall be provided in the following order: \$100,000 to the Civilian Complaint Review Board, \$200,000 to the Metropolitan Police Department for the Emergency Response Team, \$1,042,000 to be used for Training, and \$4,890,000 to the Settlement and Judgments Funds, if the Chief Financial Officer certifies that the \$6,232,000 is not required to replace funds expended in fiscal year 2000 from the Reserve established by section 202(i) of the District of Columbia

Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8, in fiscal year 2000 and that all the savings are being achieved from the Operational Improvement Savings; and (4) the balance shall be used for Pay-As-You-Go Capital Funds in lieu of capital financing if the Chief Financial Officer certifies that the balance is not required to replace funds expended in fiscal year 2000 from the Reserve established by section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104-8: *Provided further*, That section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Code, sec. 47-392.2(j)), is amended as follows:

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, approved December 24, 1973, \$243,238,000 from local funds: *Provided further*, That for equipment leases, the Mayor may finance \$19,232,000 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 \$2,000,000 is allocated to the Metropolitan Police Department, \$4,300,000 for the Fire and Emergency Medical Services Department, \$1,622,000 for the Public Library, \$2,010,000 for the Department of Parks and Recreation, \$7,500,000 for the Department of Public Works and \$1,800,000 for the Public Benefit Corporation.

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. Code, sec. 47-321(a)(1)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, \$1,140,000 from local funds.

PRESIDENTIAL INAUGURATION

For reimbursement for necessary expenses incurred in connection with Presidential inauguration activities as authorized by section 737(b) of the District of Columbia Home Rule Act, Public Law 93-198, as amended, approved December 24, 1973 (87 Stat. 824, and D.C. Code, sec. 1-1803), \$5,961,000, which shall be apportioned by the Chief Financial Officer within the various appropriation headings in this Act.

CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, \$7,950,000 from local funds.

WILSON BUILDING

For expenses associated with the John A. Wilson Building, \$8,409,000.

OPTICAL AND DENTAL INSURANCE PAYMENTS

For optical and dental insurance payments, \$2,675,000 from local funds.

MANAGEMENT SUPERVISORY SERVICE

For management supervisory service, \$13,200,000 from local funds, to be transferred by the Mayor of the District of Columbia among the various appropriation headings in

this Act for which employees are properly payable.

TOBACCO SETTLEMENT TRUST FUND TRANSFER PAYMENT

There is transferred \$61,406,000 to the Tobacco Settlement Trust Fund established pursuant to section 2302 of the Tobacco Settlement Trust Fund Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; to be codified at D.C. Code, sec. 6-135), to be spent pursuant to local law.

OPERATIONAL IMPROVEMENTS SAVINGS (INCLUDING MANAGED COMPETITION)

The Mayor and the Council in consultation with the Chief Financial Officer and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions of \$10,000,000 for operational improvements savings in local funds to one or more of the appropriation headings in this Act.

MANAGEMENT REFORM SAVINGS

The Mayor and the Council in consultation with the Chief Financial Officer and the District of Columbia Financial Responsibility and Management Assistance Authority, shall make reductions of \$37,000,000 for management reform savings in local funds to one or more of the appropriation headings in this Act.

CAFETERIA PLAN SAVINGS

For the implementation of a Cafeteria Plan pursuant to Federal law, a reduction of \$5,000,000 in local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For operation of the Water and Sewer Authority and the Washington Aqueduct, \$275,705,000 from other funds (including \$230,614,000 for the Water and Sewer Authority and \$45,091,000 for the Washington Aqueduct) of which \$41,503,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, \$140,725,000, as authorized by the Act entitled "An Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes" (33 Stat. 244; Public Law 58-140; D.C. Code, sec. 43-1512 et seq.): *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 title shall apply to projects approved under this appropriation title.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 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. Code, sec. 2-2501 et seq. and sec. 22-1516 et seq.), \$223,200,000: *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, \$10,968,000 from other funds: *Provided*, 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. Code, sec. 47-301(b)).

DISTRICT OF COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION

For the District of Columbia Health and Hospitals Public Benefit Corporation, established by D.C. Law 11-212, D.C. Code, sec. 32-262.2, \$123,548,000 of which \$45,313,000 shall be derived by transfer from the general fund, and \$78,235,000 from other funds: *Provided*, That no appropriated amounts and no amounts from or guaranteed by the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority) may be made available to the Corporation (through reprogramming, transfers, loans, or any other mechanism) which are not otherwise provided for under this heading.

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. Code, sec. 1-711), \$11,414,000 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.

CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act (78 Stat. 1000; Public Law 88-622), \$1,808,000 from other funds.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, \$52,726,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of \$1,077,282,000 of which \$806,787,000 is from local funds, \$66,446,000 is from highway trust funds and \$204,049,000 is from Federal funds, and a rescission of \$55,208,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$1,022,074,000 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 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; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 2002, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2002: *Provided further*, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse.

Mr. ISTOOK (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 40, line 19 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

AMENDMENT NO. 12 OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer amendment No. 12.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 printed in the CONGRESSIONAL RECORD offered by Mr. MORAN of Virginia:

In the item relating to "DISTRICT OF COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION", strike "funds:" and all that follows and insert a period.

Strike section 164 (and redesignate the succeeding provisions accordingly).

Mr. ISTOOK. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The point of order is reserved.

Mr. MORAN of Virginia. Mr. Chairman, the purpose of this amendment is, again, to let the District of Columbia deal with its most severe problems, and one of its most severe problems has to do with the operation of D.C. General Hospital.

Mr. Chairman, within the District of Columbia, there are over 80,000 people who have no health insurance, and D.C. General is their health care of last resort. When they go to the hospital, it is too often because they have a gunshot wound, because they have been physically attacked, because women have been raped, because they have serious drug problems, because they have problems that take acute attention and oftentimes very expensive care. Because these people generally do not have the money to pay for their health care, D.C. General has gone broke, as has Southeast Community Hospital, a number of the health clinics in the community.

We are talking about places like Anacostia primarily, very low-income section of the city. Some people are in desperate poverty, even in today's world in the capital city. So a public benefit corporation was set up to see if they cannot manage these health care facilities and find a way to finance

them. The PBC has not been successful in doing that. It is unfortunate. It needs to be corrected, but this bill tries to correct it without consultation with the mayor, the D.C. council and the outside health care consultants who have been looking at this problem for years.

One of the ways it attempts to correct it is by cutting off its funding, terminating its line of credit. So what happens? The hospital, we are told, will become insolvent, will shut down within a year if this amendment is included in the bill and the bill is enacted.

Okay. Fine. It is not being run well. It is losing money, but tell me, Mr. Chairman, what do we do with the thousands of people who go to D.C. General as their health care of last resort? No one else wants to handle them. No one else wants to handle these gunshot victims. No one else wants to handle these drug addicts. No one else wants to handle these people who have no money to pay for their health care.

So what are we going to do with them? Are we just going to let them loose without health care? We are going to send them to other hospitals that do not take them, that do not want them, that are not going to treat them. So that is my problem with this solution. It is too easy. It was not done by D.C. because D.C. is held accountable by its voters for coming up with constructive alternatives. This is too easy an alternative: Cut it off, shut it down.

That is not the way to handle a very difficult, complex problem. So what I want to do with this amendment is strike the language, leave it to D.C. to deal with. Do not come up with solutions that are going to make the situation worse. Do not have that pain and suffering of people who have no health care and desperately need it on our hands. We have no business getting involved in this issue, unless we have a constructive alternative. We do not, so we ought to strike the language.

POINT OF ORDER

Mr. ISTOOK. Mr. Chairman, I make a point of order against the amendment as to the underlying merits. I will offer at an appropriate time a written statement for the record.

Mr. Chairman, I make a point of order against the amendment because it violates the rules of the House since it calls for the en bloc consideration of two different paragraphs in the bill. The precedents of the House are clear in this matter: Amendments to a paragraph or section are not in order until such paragraph or section has been read. Cannon's Precedents, Volume 8, section 2354.

Mr. Chairman, I ask for a ruling from the Chair.

The CHAIRMAN. If no other Member desires to be heard, for the reasons

stated by the gentleman from Oklahoma (Mr. ISTOOK), the point of order is sustained.

Are there any other amendments to this portion of the bill?

PARLIAMENTARY INQUIRY

Ms. NORTON. Mr. Chairman, parliamentary inquiry. Are we at general provisions where an amendment can be at the desk and now be pursued?

The CHAIRMAN. When the Clerk begins to read again, he will begin at that portion.

The Clerk will read section 101.

The Clerk read as follows:

GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

AMENDMENT NO. 22 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 printed in the CONGRESSIONAL RECORD offered by Ms. NORTON:

Strike "GENERAL PROVISIONS" and all that follows through the last section before the short title.

Mr. ISTOOK. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. This amendment touches portions of the bill that have not yet been read or considered. Does the gentlewoman from the District of Columbia (Ms. NORTON) ask unanimous consent for its present consideration?

Ms. NORTON. I do, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentlewoman from the District of Columbia?

Mr. ISTOOK. Mr. Chairman, I reserve a point of order. I have no objection to the gentlewoman proceeding for, I believe, the agreed upon time was for 5 minutes to certainly explain her amendment and her position.

The CHAIRMAN. Without objection, pending the point of order, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes on her amendment.

There was no objection.

Ms. NORTON. Mr. Chairman, I believe that there has been a time agreement for 20 minutes divided equally. If I may have unanimous agreement on that time?

Mr. ISTOOK. Mr. Chairman, I would certainly agree to that. I misstated on the time. I agree to a unanimous consent request of 20 minutes to be divided 10 minutes per side.

The CHAIRMAN. Without objection, the time on the amendment of the gentlewoman from the District of Columbia (Ms. NORTON) will be 20 minutes divided equally.

There was no objection.

The CHAIRMAN. That will include any amendments thereto.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to introduce a democracy amendment that will wipe out all riders, most of them operational riders, that are outdated or irrelevant. Members would not commit themselves one way or the other on the substance of any underlying provision by voting to eliminate them all.

The chairman announced on the floor just a few minutes ago that he has himself begun to look at these provisions and has found some of them to be outmoded. I appreciate that he is now looking into the bill in this way.

In his budget, as transmitted, the President offered to work with the Congress and the District to identify and limit at the very least the number of general provisions or attachments not only to be consistent with the principle of home rule but also because most are so old that they have been overtaken by events, or they are now a part of D.C. or Federal law.

Last year, the chairman indicated that riders in the D.C. appropriation reflected the fact that over many years, whoever was President had been transmitting old riders and the chairman had simply included what the President sent. Upon inspection, the White House found that most of the attachments are no longer applicable. Many already exist in Federal law or the D.C. Code. Example, section 114 requires council approval of capital project borrowing; but that is now required by the D.C. code.

Other riders should be deleted because they are incorporated into the D.C. budget text or the local budget act, or will be proposed locally this year. Example, restrictions on the use of official vehicles, a restriction required by Congress and adopted in the local Budget Support Act.

Still, other riders should be deleted because they are one-time provisions, are no longer applicable or duplicate existing Federal law. Example, the bill says appropriations or obligations that expire at the end of the year unless otherwise stated. Yet this matter is covered by Federal law.

Other provisions should be deleted because they are issues of local home rule and/or should be deleted to ensure that the District is treated the same as any other State or local jurisdiction. Some of these are social riders, such as voting rights. Most, however, are operational matters normally left to local jurisdictions. The democracy amendment I offer today would eradicate all of these riders, most of them operational and out of date or redundant of current law.

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No Member would answer for any one of them, because the amendment is a

democracy and autonomy amendment that does not address any substantive issue or specific provision. However, we will surely answer for the piling on of amendments that are already in local or Federal law, or corpses, left over from prior years and circumstances and administrations that are dead and gone.

Mr. Chairman, District residents gave themselves a new start with a new mayor and a reconstructed city council. I ask the House to respond with a new bill that does not hang on the back of today's cities, tails, and times it has thrown off.

Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I continue to reserve my point of order, and I yield myself such time as I may consume.

Mr. Chairman, basically, the gentlewoman representing the District of Columbia has offered an amendment to strike out all of the provisions after the appropriating paragraphs, all of the substantive provisions in this bill; and basically, as I believe she stated, there are two categories. One of them are so-called social riders, such as the concern with programs to exchange drug needles out on the public streets, and programs such as the marijuana initiative that the District in a referendum adopted, which this Congress has expressly disapproved and said it shall not go into effect. Other provisions are not so-called social riders, but they are provisions that have been carried on this bill for a number of years because they have not been enacted into substantive law, where this would be the controlling standard if they were not in the bill.

Now, I realize that the gentlewoman says, well, these are old things to be done away with; they are not needed anymore. We went through those provisions before this bill was offered this year; and we wiped out two dozen, two dozen provisions that have been carried on this bill for years, that I agree, fit the description of things that were outdated, outmoded, duplicative, and no longer necessary. If there are any others of those that still remain, we want to take them out too; but we are not satisfied that that is the case.

For example, we do have provisions in this bill to make it clear that all contracts regarding the District are a matter of public record. We had a circumstance, Mr. Chairman, just a few weeks ago when the former head of the Public Benefit Corporation, which operates the D.C. General Hospital, said, since you fired me, I am entitled to \$1 million, and people said, where is the contract? And people could not find it. It should have been public record.

We had testimony in a hearing from the control board that is supposed to be a repository of these, and they said, we never saw such a contract. And get

this: the control board, headed by the former vice chairman of the Federal Reserve Board, has been writing checks for millions of dollars not budgeted, not approved, for millions of dollars, as I mentioned before, to keep this facility afloat, despite years of efforts by this Congress, years and years by this Congress saying, they are wasting money over there, it is a sink hole, they have not fixed it, and the control board continued writing millions of dollars worth of checks.

There were no signed agreements, there were no memoranda, there were no security agreements, there was no promissory note, there was no statement of collateral, there was nothing, nothing, for about \$200 million of outlay of public money, not budgeted, not authorized by law, and they did not even have any sort of written agreements for it.

So of course we need a provision that says, all of these contracts are a matter of public record. If the District or the control board is going to loan money to the Public Benefit Corporation for the D.C. General Hospital, they ought to have at least one piece of paper that reflects why they wrote all of these millions of dollars of checks. All contracts are a matter of public record. That is an example of one of the provisions that the gentlewoman wishes to strike.

Also, a restriction saying, we do not use this public money for personal cooks, chauffeurs or other servants. They cannot use it for any sole-source contracts. They cannot renew contracts or extend them without taking competitive bids. Let us protect the taxpayer from sweetheart deals.

Now, we can be satisfied that some provisions are actually in the law elsewhere so that they do not need to be carried in this bill. That is why we wiped out two dozen of them that have been carried year after year; and we want to get rid of all of these and have them in substantive law, but they are not there yet.

That is just an example, Mr. Chairman, of the provisions of the gentlewoman's amendment, along with many others that we will be discussing later, would wipe out all in one block.

As well as reserving my point of order against this amendment, Mr. Chairman, as an improper way to bring issues up before this House, I certainly oppose the amendment.

Mr. Chairman, I reserve my point of order, and I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

If I may respond, the gentleman has named what amounts to violations of D.C. law and violations of what is required in this appropriation attachment. All that demonstrates is having it in an attached provision, does not get the provision enforced.

The point is, is it a matter of D.C. law, and is it a matter of Federal law? Once it is a matter of law, anything else we do to make it a matter of law is redundant, a law that is already there. And if one has a complaint about sole-source contracts, and I certainly would, if one has a complaint about competitive bids, and I certainly would, then you have to go to those who are not enforcing the law, not simply pile on attachments, which also do not enforce the law.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I offered this democracy amendment in the full Committee on Appropriations, and I appreciate the gentlewoman from the District of Columbia (Ms. NORTON) offering it today on the House floor, because she is the democratically elected representative of the District of Columbia, and she well knows that most of the provisions in this appropriations bill do not belong in any Federal appropriations bill.

There are 72 provisions at last count, 17 new ones in the bill this time. We have a couple dozen provisions that are either already part of Federal law, other parts of Federal law that do not need to be here for any purpose, or are in the D.C. Code. D.C. is legally required to do these things. It is in their law. What are we doing keeping this stuff in the D.C. appropriations bill? It is sort of just making sure that that heel stays deep on D.C.'s throat so that they do not ever think that they can run their own affairs.

Let us get rid of this junk. It is detritus. It does not belong on an appropriations bill. There are so many of these examples, punitive examples where we tell them what to do with their own vehicles, how much allowance for privately owned vehicles, how fuel-efficient automobiles have to be. It is all stuff that is contained in other places, or it ought not to be contained anywhere.

Now, there are some controversial issues included in this amendment. There is a domestic partnership, tough issue. But the reality is that 3,000 employers across the country offer domestic partnership coverage. All kind of States and localities. I was not given those numbers this year, but we know the numbers; and it is a whole bunch of States and localities that do this. Why are we telling the District that it cannot? We do not turn around and tell anybody in the jurisdictions that we represent that they cannot do this; but we tell D.C. they cannot do it, because we are not accountable to them. They cannot do anything to fight back.

Mr. Chairman, that is why this democracy amendment is in order, and that is why it is called a democracy amendment. We believe that people ought to be able to run their own af-

fairs, that the power comes not from the State to the people, but from the people to the government. Then let the people of the District of Columbia be empowered to run their own government and get rid of this extraneous stuff. It does not belong here. Treat D.C. residents the way we treat our own constituents. That is all we are asking. That is the bottom line of this amendment. Do unto others as you would do unto yourself.

Mr. Chairman, we would not do it to our constituents; we should not do it to D.C. residents.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Chairman, I rise to commend the subcommittee chairman for the provisions he has put in the bill, and I oppose the amendment. The fact of the matter is, there has been an ongoing effort to expand charter schools in the District of Columbia. It is one of the most successful efforts in the United States. We have had a policy for a number of years, when the D.C. government closes a school, to allow the people who have charter school programs to have an opportunity to use the unused school building, and that policy has been flouted. It has not been put into effect. The chairman, in the bill, is trying to honor that agreement and get the D.C. Government off the dime to allow the unused school buildings, under proper circumstances, to be used by the children of the District who are enrolled in charter schools.

I understand that if we drop this language, the charter school people are going to be ignored. If we keep the language in, we will have an opportunity to work out something reasonable, so I commend the chairman for his language.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, I rise in strong support of my colleague's amendment, and I thank her for her leadership on these issues.

I want to address just one provision in the gentlewoman's democracy amendment, the domestic partnership health benefits.

At a time when 44 million people in our country lack health care coverage, this House has decided that it will erect new barriers for certain citizens of our capital city to obtain health care insurance. They have decided to prohibit the implementation of the District's plan to extend health care coverage to domestic partners of city employees, and I must ask why. Congress stands as the only barrier between affordable health care for countless families of city employees. This stand could mean the difference between having a sensible health care plan or no plan at all; it could mean

the difference between wellness and illness, and in some cases, life and death.

As a proponent for health care for all, I am extremely disturbed by this underlying provision. The employees of this city want nothing more and nothing less than fairness and equality in the workplace. Allowing access to the most basic of benefits, health care, does just that.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, on July 11, the D.C. Council passed a bill which would require employers in the District of Columbia to provide contraceptive coverage to their employees. Despite the fact that a good conscience clause exempting employers who wish to waive this on religious or moral obligations was offered, it was not adopted by the council.

Furthermore, the debate got rather ugly and some council members espoused anti-Catholic and anti-Christian beliefs in the course of this discussion. One of the provisions that would be deleted by the gentlewoman's amendment would be the requirement for the District of Columbia City Council to go back and reconsider the conscience clause, allowing for religious and moral obligations.

Now, if the concern is that there are not contraceptives available in the District of Columbia, according to the Department of Health and Human Services, there are 10 locations inside the District of Columbia where contraceptives can be obtained free.

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If one is above the poverty level, one can pay a minimum cost for contraceptives. Contraceptives are available in the District of Columbia. There is no reason for the District, for the council to carry on this debate about religious and moral convictions not being applicable. Because if someone for some reason did not have access to health care coverage that provided contraceptives, and they wanted to obtain contraceptives, they could go to one of the 10 locations in the District of Columbia where they could get free contraceptives at low cost if they are above the poverty level.

So I think the gentlewoman's amendment to strike all provisions would go way too fast and would not task the city council with going back and reconsidering the conscience clause which I think they should consider.

So if one strikes all the general provisions, I think it is a bridge too far, a step too far; and I think it is a wrong thing. I think we should allow Congress, which has the constitutional requirement to oversee this, to carry on with these general provisions as are listed in the bill.

The CHAIRMAN. The gentlewoman from the District of Columbia has 1½ minutes remaining.

Ms. NORTON. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in strong support of her amendment.

Mr. Chairman, as I sat here to think about what could one say in 90 seconds, it occurs to me that each and every one of my colleagues ought to consider this. None of us, not one of us in this body wants to take ownership of every policy adopted by the D.C. City Council and its mayor, not one of us. It is theirs to take, theirs to do.

But I suggest to my colleagues, to the extent that we include provision 1, 2, 3, and 4 and leave out 5, 6, and 7, one could clearly argue, well, apparently one is against 1 through 5, but one must be for 6, 7 and 8. That is not the case. It is not the case. I am not responsible for what the D.C. City Council does, the D.C. City Council is, and the voters of the District of Columbia are, any more than the D.C. Council is responsible for what I do on this floor.

This is called a democracy amendment, because, in a democracy, we believe that the people can be wrong. The people can disagree. The people do not all need to be overseen by Big Brother. It seems to me that is a conservative concept. It seems to me that is something that people who want smaller government adopt as a premise, that Big Brother ought not to be overseeing the District of Columbia. Vote for this democracy amendment.

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) has 2 minutes remaining.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I thank the gentleman for yielding me this time.

There has always been, there always will be, there is now bureaucratic opposition to any sort of reform, especially in school reform that gives parents greater opportunities, greater freedoms.

The gentleman rails on about micro-managing this and avoidance of that. What we are trying to do with, especially the charter school provision, is to give people, the individuals, the parents in the District of Columbia, greater freedom, greater choice, not the bureaucrats, not the educational system in general, but parents, individuals.

Is that not the best kind of freedom to give anybody? Is that not the best kind of public policy to adopt here? It is not a hard hand of government coming down on the District. It is the freedom we are going to give parents in the District of Columbia to select charter schools for their kids, the greatest opportunity we can possibly give to anyone, including the residents of the District of Columbia.

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) has 1 minute remaining.

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of the time.

Certainly, as I said before, I agree with the concept that, if there are things in this bill that are carry-overs that serve no purpose any further, then they should join the two dozen provisions that we have already taken out that have been carried year after year in this bill.

We will continue to work with the other side of the aisle and our own side to make sure that we do not carry anything that is not necessary. Of course, the other issues are policy issues such as we have talked about relating to drug needles, relating to contraceptive mandates that exclude a conscience clause. Those issues are going to be brought up in further amendments.

But as to this one, Mr. Chairman, I would like to close the debate.

Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. Chairman, I make a point of order against the amendment because it violates the rules of the House since it calls for the en bloc consideration of two different paragraphs in the bill.

The precedents of the House are clear in this matter: "Amendments to a paragraph or section are not in order until such paragraph or section has been read," Cannon's Precedents, Volume 8, section 2354.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentlewoman from the District of Columbia desire to be heard on the point of order?

Ms. NORTON. Mr. Chairman, I understand the rules of the House. I appreciate that I have been heard on what, for us, is a vital amendment. I will continue to work with the gentleman from Oklahoma (Mr. ISTOOK) to eliminate such provisions as we can agree should be eliminated.

The CHAIRMAN. For the reasons stated by the gentleman from Oklahoma (Mr. ISTOOK), the point of order is sustained.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PETRI) having assumed the chair, Mr. LAHOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4942) 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, 2001, and for other purposes, had come to no resolution thereon.