

PROVIDING FOR THE CONSIDERATION OF H.R. 4942,
DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2001

JULY 25, 2000.—Referred to the House Calendar and ordered to be printed

Mr. LINDER, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 563]

The Committee on Rules, having had under consideration House Resolution 563, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for the consideration of H.R. 4942, the District of Columbia Appropriations Act, 2001, under a modified open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill. The rule further waives clause 2 of rule XXI (prohibiting unauthorized appropriations, legislative provisions or reappropriations in a general appropriation bill) against provisions in the bill, except as otherwise specified in the rule.

The rule makes in order only those amendments that have been pre-printed in the Congressional Record and the amendments printed in this report.

The rule further waives all points of order against the amendments printed in this report, which shall be offered only by a Member designated in this report, and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in this 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 in the House or in the Committee of the Whole.

The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows

a fifteen minute vote. Finally, the rule provides one motion to re-commit with or without instructions.

The waiver of all points of order against consideration of the bill includes a waiver of clause 4 of rule XIII (requiring a three-day lay-over of the committee report) because the report was not filed until Tuesday, July 25, and the bill may be considered on the floor as early as Wednesday, July 26. The waiver of clause 2 of rule XXI against provisions in the bill is necessary because there are several unauthorized appropriations and legislative provisions in the bill, which are listed in the report accompanying H.R. 4942.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE TO ACCOMPANY H.R. 4942—DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2001

Istook: Strikes the paragraph that appropriates \$100,000 for a study analyzing the District's tax structure, and uses the \$100,000 to increase the direct appropriation for Metrorail construction (from \$7,000,000 to \$7,100,000) and reduces the amount to be derived by transfer (from \$18,000,000 to \$17,900,000). (10 Minutes)

Souder: Prohibits the use of federal funds to finance needle-exchange programs in the District of Columbia and is consistent with the language passed in last year's District of Columbia Appropriations Act. (10 Minutes)

Bilbray: Prohibits possession of tobacco products by any individual under the age of 18 years in the District of Columbia unless the individual is making a delivery of cigarettes or tobacco as part of his or her employment or is participating in a supervised law enforcement operation. Provides optional sentencing recommendations for violations. (10 Minutes)

Tiaht: Prevents the exchange of needles within 1000 feet of schools, day care centers, playgrounds, public housing and other areas which are gathering places for children. (10 Minutes)

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISTOOK OF OKLAHOMA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

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

In the item relating to "METRORAIL CONSTRUCTION (INCLUDED 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".

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOUDER OF INDIANA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

In section 150, strike "Federal".

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BILBRAY OF CALIFORNIA, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, insert after the last section (preceding the short title) the following new section:

BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

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

(b) EXCEPTIONS.—

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

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

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

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

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

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

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

(d) EFFECTIVE DATE.—This section shall apply during fiscal year 2001 and each succeeding fiscal year.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TIAHRT OF KANSAS, OR A DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) No person may distribute any needle or syringe for the hypodermic injection of any illegal drug in any area of the District of Columbia which is within 1000 feet of a public or private day care center, elementary school, vocational school, secondary school, college, junior college, or university, or any public housing project, public swimming pool, park, playground, video arcade, or youth center, or an event sponsored by any such entity.

(b) Whoever violates subsection (a) shall be fined not more than \$500 for each needle or syringe distributed in violation of such subsection.

(c) Notwithstanding any other provision of law, any amount collected by the District of Columbia pursuant to subsection (b) shall be deposited in a separate account of the General Fund of the District of Columbia and used exclusively to carry out (either directly or by contract) drug prevention or treatment programs. For purposes of this subsection, no program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug may be considered a drug prevention or treatment program.