

## Union Calendar No. 153

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

## H. R. 2546

[Report No. 104-294]

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, 1996, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 1995

Mr. WALSH, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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A BILL

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, 1996, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the

1 District of Columbia for the fiscal year ending September  
2 30, 1996, and for other purposes, namely:

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

4 For payment to the District of Columbia for the fiscal  
5 year ending September 30, 1996, \$660,000,000, as au-  
6 thorized by section 502(a) of the District of Columbia  
7 Self-Government and Governmental Reorganization Act,  
8 Public Law 93-198, as amended (D.C. Code, sec. 47-  
9 3406.1).

10 FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

11 For the Federal contribution to the Police Officers  
12 and Fire Fighters', Teachers', and Judges' Retirement  
13 Funds, as authorized by the District of Columbia Retire-  
14 ment Reform Act, approved November 17, 1979 (93 Stat.  
15 866; Public Law 96-122), \$52,000,000.

16 DIVISION OF EXPENSES

17 The following amounts are appropriated for the Dis-  
18 trict of Columbia for the current fiscal year out of the  
19 general fund of the District of Columbia, except as other-  
20 wise specifically provided.

21 GOVERNMENTAL DIRECTION AND SUPPORT

22 Governmental direction and support, \$149,793,000  
23 and 1,465 full-time equivalent positions (end of year) (in-  
24 cluding \$118,167,000 and 1,125 full-time equivalent posi-  
25 tions from local funds, \$2,464,000 and 5 full-time equiva-

1 lent positions from Federal funds, \$4,474,000 and 71 full-  
2 time equivalent positions from other funds, and  
3 \$24,688,000 and 264 full-time equivalent positions from  
4 intra-District funds): *Provided*, That not to exceed \$2,500  
5 for the Mayor, \$2,500 for the Chairman of the Council  
6 of the District of Columbia, and \$2,500 for the City Ad-  
7 ministrator shall be available from this appropriation for  
8 expenditures for official purposes: *Provided further*, That  
9 any program fees collected from the issuance of debt shall  
10 be available for the payment of expenses of the debt man-  
11 agement program of the District of Columbia: *Provided*  
12 *further*, That \$29,500,000 is used for pay-as-you-go cap-  
13 ital projects of which \$1,500,000 shall be used for a cap-  
14 ital needs assessment study, and \$28,000,000 shall be  
15 used for a new financial management system of which  
16 \$2,000,000 shall be used to develop a needs analysis and  
17 assessment of the existing financial management environ-  
18 ment, and the remaining \$26,000,000 shall be used to  
19 procure the necessary hardware and installation of new  
20 software, conversion, testing and training: *Provided fur-*  
21 *ther*, That the \$26,000,000 shall not be obligated or ex-  
22 pended until: (1) the District of Columbia Financial Re-  
23 sponsibility and Management Assistance Authority sub-  
24 mits a report to the General Accounting Office within 90  
25 days after the date of enactment of this Act reporting the

1 results of the needs analysis and assessment of the exist-  
2 ing financial management environment, specifying the de-  
3 ficiencies in, and recommending necessary improvements  
4 to or replacement of the District's financial management  
5 system including a detailed explanation of each rec-  
6 ommendation and its estimated cost; (2) the General Ac-  
7 counting Office reviews the Authority's report and for-  
8 wards it along with such comments or recommendations  
9 as deemed appropriate on any matter contained therein  
10 to the Committees on Appropriations of the House and  
11 the Senate, the Committee on Governmental Reform and  
12 Oversight of the House, and the Committee on Govern-  
13 mental Affairs of the Senate within 60 days from receipt  
14 of the report; and (3) 30 days lapse after receipt by Con-  
15 gress of the General Accounting Office's comments or rec-  
16 ommendations.

17 ECONOMIC DEVELOPMENT AND REGULATION

18 Economic development and regulation, \$139,285,000  
19 and 1,692 full-time equivalent positions (end-of-year) (in-  
20 cluding \$66,505,000 and 696 full-time equivalent posi-  
21 tions from local funds, \$38,792,000 and 509 full-time  
22 equivalent positions from Federal funds, \$17,658,000 and  
23 260 full-time equivalent positions from other funds, and  
24 \$16,330,000 and 227 full-time equivalent positions from  
25 intra-District funds): *Provided*, That the District of Co-

1 lumbia Housing Finance Agency, established by section  
2 201 of the District of Columbia Housing Finance Agency  
3 Act, effective March 3, 1979 (D.C. Law 2-135; D.C.  
4 Code, sec. 45-2111), based upon its capability of repay-  
5 ments as determined each year by the Council of the Dis-  
6 trict of Columbia from the Housing Finance Agency's an-  
7 nual audited financial statements to the Council of the  
8 District of Columbia, shall repay to the general fund an  
9 amount equal to the appropriated administrative costs  
10 plus interest at a rate of four percent per annum for a  
11 term of 15 years, with a deferral of payments for the first  
12 three years: *Provided further*, That notwithstanding the  
13 foregoing provision, the obligation to repay all or part of  
14 the amounts due shall be subject to the rights of the own-  
15 ers of any bonds or notes issued by the Housing Finance  
16 Agency and shall be repaid to the District of Columbia  
17 government only from available operating revenues of the  
18 Housing Finance Agency that are in excess of the amounts  
19 required for debt service, reserve funds, and operating ex-  
20 penses: *Provided further*, That upon commencement of the  
21 debt service payments, such payments shall be deposited  
22 into the general fund of the District of Columbia.

23 PUBLIC SAFETY AND JUSTICE

24 Public safety and justice, including purchase of 135  
25 passenger-carrying vehicles for replacement only, includ-

1 ing 130 for police-type use and five for fire-type use, with-  
2 out regard to the general purchase price limitation for the  
3 current fiscal year, \$954,106,000 and 11,544 full-time  
4 equivalent positions (end-of-year) (including \$930,889,000  
5 and 11,365 full-time equivalent positions from local funds,  
6 \$8,942,000 and 70 full-time equivalent positions from  
7 Federal funds, \$5,160,000 and 4 full-time equivalent posi-  
8 tions from other funds, and \$9,115,000 and 105 full-time  
9 equivalent positions from intra-District funds): *Provided*,  
10 That the Metropolitan Police Department is authorized to  
11 replace not to exceed 25 passenger-carrying vehicles and  
12 the Fire Department of the District of Columbia is au-  
13 thorized to replace not to exceed five passenger-carrying  
14 vehicles annually whenever the cost of repair to any dam-  
15 aged vehicle exceeds three-fourths of the cost of the re-  
16 placement: *Provided further*, That not to exceed \$500,000  
17 shall be available from this appropriation for the Chief of  
18 Police for the prevention and detection of crime: *Provided*  
19 *further*, That the Metropolitan Police Department shall  
20 provide quarterly reports to the Committees on Appropria-  
21 tions of the House and Senate on efforts to increase effi-  
22 ciency and improve the professionalism in the department:  
23 *Provided further*, That notwithstanding any other provi-  
24 sion of law, or Mayor's Order 86-45, issued March 18,  
25 1986, the Metropolitan Police Department's delegated

1 small purchase authority shall be \$500,000: *Provided fur-*  
2 *ther*, That the District of Columbia government may not  
3 require the Metropolitan Police Department to submit to  
4 any other procurement review process, or to obtain the ap-  
5 proval of or be restricted in any manner by any official  
6 or employee of the District of Columbia government, for  
7 purchases that do not exceed \$500,000: *Provided further*,  
8 That the Metropolitan Police Department shall employ an  
9 authorized level of sworn officers not to be less than 3,800  
10 sworn officers for the fiscal year ending September 30,  
11 1996: *Provided further*, That funds appropriated for ex-  
12 penses under the District of Columbia Criminal Justice  
13 Act, approved September 3, 1974 (88 Stat. 1090; Public  
14 Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the  
15 fiscal year ending September 30, 1996, shall be available  
16 for obligations incurred under the Act in each fiscal year  
17 since inception in the fiscal year 1975: *Provided further*,  
18 That funds appropriated for expenses under the District  
19 of Columbia Neglect Representation Equity Act of 1984,  
20 effective March 13, 1985 (D.C. Law 5-129; D.C. Code,  
21 sec. 16-2304), for the fiscal year ending September 30,  
22 1996, shall be available for obligations incurred under the  
23 Act in each fiscal year since inception in the fiscal year  
24 1985: *Provided further*, That funds appropriated for ex-  
25 penses under the District of Columbia Guardianship, Pro-

1 tective Proceedings, and Durable Power of Attorney Act  
2 of 1986, effective February 27, 1987 (D.C. Law 6-204;  
3 D.C. Code, sec. 21-2060), for the fiscal year ending Sep-  
4 tember 30, 1996, shall be available for obligations in-  
5 curred under the Act in each fiscal year since inception  
6 in fiscal year 1989: *Provided further*, That not to exceed  
7 \$1,500 for the Chief Judge of the District of Columbia  
8 Court of Appeals, \$1,500 for the Chief Judge of the Supe-  
9 rior Court of the District of Columbia, and \$1,500 for the  
10 Executive Officer of the District of Columbia Courts shall  
11 be available from this appropriation for official purposes:  
12 *Provided further*, That the District of Columbia shall oper-  
13 ate and maintain a free, 24-hour telephone information  
14 service whereby residents of the area surrounding Lorton  
15 prison in Fairfax County, Virginia, can promptly obtain  
16 information from District of Columbia government offi-  
17 cials on all disturbances at the prison, including escapes,  
18 riots, and similar incidents: *Provided further*, That the  
19 District of Columbia government shall also take steps to  
20 publicize the availability of the 24-hour telephone informa-  
21 tion service among the residents of the area surrounding  
22 the Lorton prison: *Provided further*, That not to exceed  
23 \$100,000 of this appropriation shall be used to reimburse  
24 Fairfax County, Virginia, and Prince William County, Vir-  
25 ginia, for expenses incurred by the counties during the fis-



1 cal year ending September 30, 1996, in relation to the  
2 Lorton prison complex: *Provided further*, That such reim-  
3 bursements shall be paid in all instances in which the Dis-  
4 trict requests the counties to provide police, fire, rescue,  
5 and related services to help deal with escapes, fires, riots,  
6 and similar disturbances involving the prison: *Provided*  
7 *further*, That the Mayor shall reimburse the District of  
8 Columbia National Guard for expenses incurred in connec-  
9 tion with services that are performed in emergencies by  
10 the National Guard in a militia status and are requested  
11 by the Mayor, in amounts that shall be jointly determined  
12 and certified as due and payable for these services by the  
13 Mayor and the Commanding General of the District of Co-  
14 lumbia National Guard: *Provided further*, That such sums  
15 as may be necessary for reimbursement to the District of  
16 Columbia National Guard under the preceding proviso  
17 shall be available from this appropriation, and the avail-  
18 ability of the sums shall be deemed as constituting pay-  
19 ment in advance for emergency services involved.

20 PUBLIC EDUCATION SYSTEM

21 Public education system, including the development  
22 of national defense education programs, \$788,983,000  
23 and 11,670 full-time equivalent positions (end-of-year)  
24 (including \$670,833,000 and 9,996 full-time equivalent  
25 positions from local funds, \$87,385,000 and 1,227 full-

1 time equivalent positions from Federal funds,  
2 \$21,719,000 and 234 full-time equivalent positions from  
3 other funds, and \$9,046,000 and 213 full-time equivalent  
4 positions from intra-District funds), to be allocated as fol-  
5 lows: \$577,242,000 and 10,167 full-time equivalent posi-  
6 tions (including \$494,556,000 and 9,014 full-time equiva-  
7 lent positions from local funds, \$75,786,000 and 1,058  
8 full-time equivalent positions from Federal funds,  
9 \$4,343,000 and 44 full-time equivalent positions from  
10 other funds, and \$2,557,000 and 51 full-time equivalent  
11 positions from intra-District funds), for the public schools  
12 of the District of Columbia; \$109,175,000 from local  
13 funds shall be allocated for the District of Columbia  
14 Teachers' Retirement Fund; \$79,269,000 and 1,079 full-  
15 time equivalent positions (including \$45,250,000 and 572  
16 full-time equivalent positions from local funds,  
17 \$10,611,000 and 156 full-time equivalent positions from  
18 Federal funds, \$16,922,000 and 189 full-time equivalent  
19 positions from other funds, and \$6,486,000 and 162 full-  
20 time equivalent positions from intra-District funds) for the  
21 University of the District of Columbia; \$21,062,000 and  
22 415 full-time equivalent positions (including \$20,159,000  
23 and 408 full-time equivalent positions from local funds,  
24 \$446,000 and 6 full-time equivalent positions from Fed-  
25 eral funds, \$454,000 and 1 full-time equivalent position

1 from other funds, and \$3,000 from intra-District funds)  
2 for the Public Library; \$2,267,000 and 9 full-time equiva-  
3 lent positions (including \$1,725,000 and 2 full-time equiv-  
4 alent positions from local funds and \$542,000 and 7 full-  
5 time equivalent positions from Federal funds) for the  
6 Commission on the Arts and Humanities; \$64,000 from  
7 local funds for the District of Columbia School of Law  
8 and a reduction of \$96,000 for the Education Licensure  
9 Commission: *Provided*, That the public schools of the Dis-  
10 trict of Columbia are authorized to accept not to exceed  
11 31 motor vehicles for exclusive use in the driver education  
12 program: *Provided further*, That not to exceed \$2,500 for  
13 the Superintendent of Schools, \$2,500 for the President  
14 of the University of the District of Columbia, and \$2,000  
15 for the Public Librarian shall be available from this appro-  
16 priation for expenditures for official purposes: *Provided*  
17 *further*, That this appropriation shall not be available to  
18 subsidize the education of nonresidents of the District of  
19 Columbia at the University of the District of Columbia,  
20 unless the Board of Trustees of the University of the Dis-  
21 trict of Columbia adopts, for the fiscal year ending Sep-  
22 tember 30, 1996, a tuition rate schedule that will establish  
23 the tuition rate for nonresident students at a level no  
24 lower than the nonresident tuition rate charged at com-

1 parable public institutions of higher education in the met-  
2 ropolitan area.

3 HUMAN SUPPORT SERVICES

4 Human support services, \$1,845,638,000 and 6,469  
5 full-time equivalent positions (end-of-year) (including  
6 \$1,067,516,000 and 3,650 full-time equivalent positions  
7 from local funds, \$726,685,000 and 2,639 full-time equiv-  
8 alent positions from Federal funds, \$46,763,000 and 66  
9 full-time equivalent positions from other funds, and  
10 \$4,674,000 and 114 full-time equivalent positions from  
11 intra-District funds): *Provided*, That \$26,000,000 of this  
12 appropriation, to remain available until expended, shall be  
13 available solely for District of Columbia employees' dis-  
14 ability compensation: *Provided further*, That the District  
15 shall not provide free government services such as water,  
16 sewer, solid waste disposal or collection, utilities, mainte-  
17 nance, repairs, or similar services to any legally con-  
18 stituted private nonprofit organization (as defined in sec-  
19 tion 411(5) of Public Law 100-77, approved July 22,  
20 1987) providing emergency shelter services in the District,  
21 if the District would not be qualified to receive reimburse-  
22 ment pursuant to the Stewart B. McKinney Homeless As-  
23 sistance Act, approved July 22, 1987 (101 Stat. 485; Pub-  
24 lic Law 100-77; 42 U.S.C. 11301 et seq.).

## 1 PUBLIC WORKS

2 Public works, including rental of one passenger-car-  
3 rying vehicle for use by the Mayor and three passenger-  
4 carrying vehicles for use by the Council of the District of  
5 Columbia and purchase of passenger-carrying vehicles for  
6 replacement only, \$297,326,000 and 1,914 full-time equiv-  
7 alent positions (end-of-year) (including \$225,673,000 and  
8 1,158 full-time equivalent positions from local funds,  
9 \$2,682,000 and 32 full-time equivalent positions from  
10 Federal funds, \$18,342,000 and 68 full-time equivalent  
11 positions from other funds, and \$50,629,000 and 656 full-  
12 time equivalent positions from intra-District funds): *Pro-*  
13 *vided*, That this appropriation shall not be available for  
14 collecting ashes or miscellaneous refuse from hotels and  
15 places of business.

## 16 WASHINGTON CONVENTION CENTER FUND

17 For payment to the Washington Convention Center  
18 Fund, \$5,400,000 from local funds.

## 19 REPAYMENT OF LOANS AND INTEREST

20 For reimbursement to the United States of funds  
21 loaned in compliance with An Act to provide for the estab-  
22 lishment of a modern, adequate, and efficient hospital cen-  
23 ter in the District of Columbia, approved August 7, 1946  
24 (60 Stat. 896; Public Law 79-648); section 1 of An Act  
25 to authorize the Commissioners of the District of Colum-

1 bia to borrow funds for capital improvement programs and  
2 to amend provisions of law relating to Federal Govern-  
3 ment participation in meeting costs of maintaining the  
4 Nation's Capital City, approved June 6, 1958 (72 Stat.  
5 183; Public Law 85-451; D.C. Code, sec. 9-219); section  
6 4 of An Act to authorize the Commissioners of the District  
7 of Columbia to plan, construct, operate, and maintain a  
8 sanitary sewer to connect the Dulles International Airport  
9 with the District of Columbia system, approved June 12,  
10 1960 (74 Stat. 211; Public Law 86-515); sections 723  
11 and 743(f) of the District of Columbia Self-Government  
12 and Governmental Reorganization Act of 1973, approved  
13 December 24, 1973, as amended (87 Stat. 821; Public  
14 Law 93-198; D.C. Code, sec. 47-321, note; 91 Stat.  
15 1156; Public Law 95-131; D.C. Code, sec. 9-219, note),  
16 including interest as required thereby, \$327,787,000 from  
17 local funds.

18 REPAYMENT OF GENERAL FUND RECOVERY DEBT

19 For the purpose of eliminating the \$331,589,000  
20 general fund accumulated deficit as of September 30,  
21 1990, \$38,678,000 from local funds, as authorized by sec-  
22 tion 461(a) of the District of Columbia Self-Government  
23 and Governmental Reorganization Act, approved Decem-  
24 ber 24, 1973, as amended (105 Stat. 540; Public Law  
25 102-106; D.C. Code, sec. 47-321(a)).

## 1                                   SHORT-TERM BORROWING

2           For short-term borrowing, \$9,698,000 from local  
3 funds.

4                                   PAY RENEGOTIATION OR REDUCTION  
5                                   IN COMPENSATION

6           The Mayor shall reduce appropriations and expendi-  
7 tures for personal services in the amount of \$46,409,000,  
8 by decreasing rates of compensation for District govern-  
9 ment employees; such decreased rates are to be realized  
10 for employees who are subject to collective bargaining  
11 agreements to the extent possible through the renegoti-  
12 ation of existing collective bargaining agreements: *Pro-*  
13 *vided*, That, if a sufficient reduction from employees who  
14 are subject to collective bargaining agreements is not real-  
15 ized through renegotiating existing agreements, the Mayor  
16 shall decrease rates of compensation for such employees,  
17 notwithstanding the provisions of any collective bargaining  
18 agreements.

## 19                                   RAINY DAY FUND

20           For mandatory unavoidable expenditures within one  
21 or several of the various appropriation headings of this  
22 Act, to be allocated to the budgets for personal services  
23 and nonpersonal services as requested by the Mayor and  
24 approved by the Council pursuant to the procedures in sec-  
25 tion 4 of the Reprogramming Policy Act of 1980, effective

1 September 16, 1980 (D.C. Law 3-100; D.C. Code, sec.  
2 47-363), \$4,563,000 from local funds: *Provided*, That the  
3 District of Columbia shall provide to the Committees on  
4 Appropriations of the House of Representatives and the  
5 Senate quarterly reports by the 15th day of the month  
6 following the end of the quarter showing how monies pro-  
7 vided under this fund are expended with a final report pro-  
8 viding a full accounting of the fund due October 15, 1996  
9 or not later than 15 days after the last amount remaining  
10 in the fund is disbursed.

11                   INCENTIVE BUYOUT PROGRAM

12       For the purpose of funding costs associated with the  
13 incentive buyout program, to be apportioned by the Mayor  
14 of the District of Columbia within the various appropria-  
15 tion headings in this Act from which costs are properly  
16 payable, \$19,000,000.

17                   OUTPLACEMENT SERVICES

18       For the purpose of funding outplacement services for  
19 employees who leave the District of Columbia government  
20 involuntarily, \$1,500,000.

21                   BOARDS AND COMMISSIONS

22       The Mayor shall reduce appropriations and expendi-  
23 tures for boards and commissions under the various head-  
24 ings in this Act in the amount of \$500,000.



## 1 GOVERNMENT RE-ENGINEERING PROGRAM

2 The Mayor shall reduce appropriations and expendi-  
3 tures for personal and nonpersonal services in the amount  
4 of \$16,000,000 within one or several of the various appro-  
5 priation headings in this Act.

## 6 PERSONAL AND NONPERSONAL SERVICES

## 7 ADJUSTMENTS

8 Notwithstanding any other provision of law, the  
9 Mayor shall adjust appropriations and expenditures for  
10 personal and nonpersonal services, together with the relat-  
11 ed full-time equivalent positions, in accordance with the  
12 direction of the District of Columbia Financial Respon-  
13 sibility and Management Assistance Authority such that  
14 there is a net reduction of \$148,411,000, within or among  
15 one or several of the various appropriation headings in this  
16 Act, pursuant to section 208 of Public Law 104-8, ap-  
17 proved April 17, 1995 (109 Stat. 134).

## 18 CAPITAL OUTLAY

## 19 (INCLUDING RESCISSIONS)

20 For construction projects, \$168,222,000, as author-  
21 ized by An Act authorizing the laying of water mains and  
22 service sewers in the District of Columbia, the levying of  
23 assessments therefor, and for other purposes, approved  
24 April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C.  
25 Code, secs. 43-1512 through 43-1519); the District of

1 Columbia Public Works Act of 1954, approved May 18,  
2 1954 (68 Stat. 101; Public Law 83–364); An Act to au-  
3 thorize the Commissioners of the District of Columbia to  
4 borrow funds for capital improvement programs and to  
5 amend provisions of law relating to Federal Government  
6 participation in meeting costs of maintaining the Nation’s  
7 Capital City, approved June 6, 1958 (72 Stat. 183; Public  
8 Law 85–451; including acquisition of sites, preparation of  
9 plans and specifications, conducting preliminary surveys,  
10 erection of structures, including building improvement and  
11 alteration and treatment of grounds, to remain available  
12 until expended: *Provided*, That \$105,660,000 appro-  
13 priated under this heading in prior fiscal years is re-  
14 scinded: *Provided further*, That funds for use of each cap-  
15 ital project implementing agency shall be managed and  
16 controlled in accordance with all procedures and limita-  
17 tions established under the Financial Management Sys-  
18 tem: *Provided further*, That all funds provided by this ap-  
19 propriation title shall be available only for the specific  
20 projects and purposes intended: *Provided further*, That  
21 notwithstanding the foregoing, all authorizations for cap-  
22 ital outlay projects, except those projects covered by the  
23 first sentence of section 23(a) of the Federal-Aid Highway  
24 Act of 1968, approved August 23, 1968 (82 Stat. 827;  
25 Public Law 90–495; D.C. Code, sec. 7–134, note), for

1 which funds are provided by this appropriation title, shall  
2 expire on September 30, 1997, except authorizations for  
3 projects as to which funds have been obligated in whole  
4 or in part prior to September 30, 1997: *Provided further,*  
5 That upon expiration of any such project authorization the  
6 funds provided herein for the project shall lapse.

7 WATER AND SEWER ENTERPRISE FUND

8 For the Water and Sewer Enterprise Fund,  
9 \$193,398,000 and 1,024 full-time equivalent positions  
10 (end-of-year) (including \$188,221,000 and 924 full-time  
11 equivalent positions from local funds, \$433,000 from other  
12 funds, and \$4,744,000 and 100 full-time equivalent posi-  
13 tions from intra-District funds), of which \$41,036,000  
14 shall be apportioned and payable to the debt service fund  
15 for repayment of loans and interest incurred for capital  
16 improvement projects.

17 For construction projects, \$39,477,000, as author-  
18 ized by An Act authorizing the laying of water mains and  
19 service sewers in the District of Columbia, the levying of  
20 assessments therefor, and for other purposes, approved  
21 April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C.  
22 Code, sec. 43-1512 et seq.): *Provided,* That the require-  
23 ments and restrictions that are applicable to general fund  
24 capital improvement projects and set forth in this Act

1 under the Capital Outlay appropriation title shall apply  
2 to projects approved under this appropriation title.

3 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

4 For the Lottery and Charitable Games Enterprise  
5 Fund, established by the District of Columbia Appropria-  
6 tion Act for the fiscal year ending September 30, 1982,  
7 approved December 4, 1981 (95 Stat. 1174, 1175; Public  
8 Law 97-91), as amended, for the purpose of implementing  
9 the Law to Legalize Lotteries, Daily Numbers Games, and  
10 Bingo and Raffles for Charitable Purposes in the District  
11 of Columbia, effective March 10, 1981 (D.C. Law 3-172;  
12 D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.),  
13 \$229,907,000 and 88 full-time equivalent positions (end-  
14 of-year) (including \$8,099,000 and 88 full-time equivalent  
15 positions for administrative expenses and \$221,808,000  
16 for non-administrative expenses from revenue generated  
17 by the Lottery Board), to be derived from non-Federal  
18 District of Columbia revenues: *Provided*, That the District  
19 of Columbia shall identify the source of funding for this  
20 appropriation title from the District's own locally-gen-  
21 erated revenues: *Provided further*, That no revenues from  
22 Federal sources shall be used to support the operations  
23 or activities of the Lottery and Charitable Games Control  
24 Board.

## 1 CABLE TELEVISION ENTERPRISE FUND

2 For the Cable Television Enterprise Fund, estab-  
3 lished by the Cable Television Communications Act of  
4 1981, effective October 22, 1983 (D.C. Law 5-36; D.C.  
5 Code, sec. 43-1801 et seq.), \$2,469,000 and 8 full-time  
6 equivalent positions (end-of-year) (including \$2,137,000  
7 and 8 full-time equivalent positions from local funds and  
8 \$332,000 from other funds), of which \$690,000 shall be  
9 transferred to the general fund of the District of Colum-  
10 bia.

## 11 STARPLEX FUND

12 For the Starplex Fund, \$8,637,000 from other funds  
13 for the expenses incurred by the Armory Board in the ex-  
14 ercise of its powers granted by An Act To Establish a Dis-  
15 trict of Columbia Armory Board, and for other purposes,  
16 approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-  
17 301 et seq.) and the District of Columbia Stadium Act  
18 of 1957, approved September 7, 1957 (71 Stat. 619; Pub-  
19 lic Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided,*  
20 That the Mayor shall submit a budget for the Armory  
21 Board for the forthcoming fiscal year as required by sec-  
22 tion 442(b) of the District of Columbia Self-Government  
23 and Governmental Reorganization Act, approved Decem-  
24 ber 24, 1973 (87 Stat. 824; Public Law 93-198; D.C.  
25 Code, sec. 47-301(b)).

## 1 D.C. GENERAL HOSPITAL

2 For the District of Columbia General Hospital, estab-  
3 lished by Reorganization Order No. 57 of the Board of  
4 Commissioners, effective August 15, 1953, a reduction of  
5 \$2,487,000 and a reduction of 180 full-time equivalent po-  
6 sitions in intra-District funds.

## 7 D.C. RETIREMENT BOARD

8 For the D.C. Retirement Board, established by sec-  
9 tion 121 of the District of Columbia Comprehensive Re-  
10 tirement Reform Act of 1989, approved November 17,  
11 1989 (93 Stat. 866; D.C. Code, sec. 1-711), \$13,417,000  
12 and 11 full-time equivalent positions (end-of-year) from  
13 the earnings of the applicable retirement funds to pay  
14 legal, management, investment, and other fees and admin-  
15 istrative expenses of the District of Columbia Retirement  
16 Board: *Provided*, That the District of Columbia Retire-  
17 ment Board shall provide to the Congress and to the  
18 Council of the District of Columbia a quarterly report of  
19 the allocations of charges by fund and of expenditures of  
20 all funds: *Provided further*, That the District of Columbia  
21 Retirement Board shall provide the Mayor, for transmittal  
22 to the Council of the District of Columbia, an item ac-  
23 counting of the planned use of appropriated funds in time  
24 for each annual budget submission and the actual use of

1 such funds in time for each annual audited financial re-  
2 port.

3 CORRECTIONAL INDUSTRIES FUND

4 For the Correctional Industries Fund, established by  
5 the District of Columbia Correctional Industries Estab-  
6 lishment Act, approved October 3, 1964 (78 Stat. 1000;  
7 Public Law 88-622), \$10,048,000 and 66 full-time equiv-  
8 alent positions (end-of-year) (including \$3,415,000 and 22  
9 full-time equivalent positions from other funds and  
10 \$6,633,000 and 44 full-time equivalent positions from  
11 intra-District funds).

12 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

13 For the Washington Convention Center Enterprise  
14 Fund, \$37,957,000, of which \$5,400,000 shall be derived  
15 by transfer from the general fund.

16 DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY

17 AND MANAGEMENT ASSISTANCE AUTHORITY

18 For the District of Columbia Financial Responsibility  
19 and Management Assistance Authority, established by sec-  
20 tion 101(a) of the District of Columbia Financial Respon-  
21 sibility and Management Assistance Act of 1995, approved  
22 April 17, 1995 (109 Stat. 97; Public Law 104-8),  
23 \$3,500,000.

## 1 GENERAL PROVISIONS

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

9 SEC. 102. Except as otherwise provided in this Act,  
10 all vouchers covering expenditures of appropriations con-  
11 tained in this Act shall be audited before payment by the  
12 designated certifying official and the vouchers as approved  
13 shall be paid by checks issued by the designated disbursing  
14 official.

15 SEC. 103. Whenever in this Act, an amount is speci-  
16 fied within an appropriation for particular purposes or ob-  
17 jects of expenditure, such amount, unless otherwise speci-  
18 fied, shall be considered as the maximum amount that  
19 may be expended for said purpose or object rather than  
20 an amount set apart exclusively therefor.

21 SEC. 104. Appropriations in this Act shall be avail-  
22 able, when authorized by the Mayor, for allowances for  
23 privately owned automobiles and motorcycles used for the  
24 performance of official duties at rates established by the  
25 Mayor: *Provided*, That such rates shall not exceed the



1 maximum prevailing rates for such vehicles as prescribed  
2 in the Federal Property Management Regulations 101-7  
3 (Federal Travel Regulations).

4       SEC. 105. Appropriations in this Act shall be avail-  
5 able for expenses of travel and for the payment of dues  
6 of organizations concerned with the work of the District  
7 of Columbia government, when authorized by the Mayor:  
8 *Provided*, That the Council of the District of Columbia  
9 and the District of Columbia Courts may expend such  
10 funds without authorization by the Mayor.

11       SEC. 106. There are appropriated from the applicable  
12 funds of the District of Columbia such sums as may be  
13 necessary for making refunds and for the payment of  
14 judgments that have been entered against the District of  
15 Columbia government: *Provided*, That nothing contained  
16 in this section shall be construed as modifying or affecting  
17 the provisions of section 11(c)(3) of title XII of the Dis-  
18 trict of Columbia Income and Franchise Tax Act of 1947,  
19 approved March 31, 1956 (70 Stat. 78; Public Law 84-  
20 460; D.C. Code, sec. 47-1812.11(c)(3)).

21       SEC. 107. Appropriations in this Act shall be avail-  
22 able for the payment of public assistance without reference  
23 to the requirement of section 544 of the District of Colum-  
24 bia Public Assistance Act of 1982, effective April 6, 1982  
25 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the

1 non-Federal share of funds necessary to qualify for Fed-  
2 eral assistance under the Juvenile Delinquency Prevention  
3 and Control Act of 1968, approved July 31, 1968 (82  
4 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

5 SEC. 108. No part of any appropriation contained in  
6 this Act shall remain available for obligation beyond the  
7 current fiscal year unless expressly so provided herein.

8 SEC. 109. No funds appropriated in this Act for the  
9 District of Columbia government for the operation of edu-  
10 cational institutions, the compensation of personnel, or for  
11 other educational purposes may be used to permit, encour-  
12 age, facilitate, or further partisan political activities.  
13 Nothing herein is intended to prohibit the availability of  
14 school buildings for the use of any community or partisan  
15 political group during non-school hours.

16 SEC. 110. The annual budget for the District of Co-  
17 lumbia government for the fiscal year ending September  
18 30, 1997, shall be transmitted to the Congress no later  
19 than April 15, 1996.

20 SEC. 111. None of the funds appropriated in this Act  
21 shall be made available to pay the salary of any employee  
22 of the District of Columbia government whose name, title,  
23 grade, salary, past work experience, and salary history are  
24 not available for inspection by the House and Senate Com-  
25 mittees on Appropriations, the House Committee on Gov-

1 ernment Reform and Oversight, District of Columbia Sub-  
2 committee, the Subcommittee on General Services, Fed-  
3 eralism, and the District of Columbia, of the Senate Com-  
4 mittee on Governmental Affairs, and the Council of the  
5 District of Columbia, or their duly authorized representa-  
6 tive: *Provided*, That none of the funds contained in this  
7 Act shall be made available to pay the salary of any em-  
8 ployee of the District of Columbia government whose name  
9 and salary are not available for public inspection.

10 SEC. 112. There are appropriated from the applicable  
11 funds of the District of Columbia such sums as may be  
12 necessary for making payments authorized by the District  
13 of Columbia Revenue Recovery Act of 1977, effective Sep-  
14 tember 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-  
15 421 et seq.).

16 SEC. 113. No part of this appropriation shall be used  
17 for publicity or propaganda purposes or implementation  
18 of any policy including boycott designed to support or de-  
19 feat legislation pending before Congress or any State legis-  
20 lature.

21 SEC. 114. At the start of the fiscal year, the Mayor  
22 shall develop an annual plan, by quarter and by project,  
23 for capital outlay borrowings: *Provided*, That within a rea-  
24 sonable time after the close of each quarter, the Mayor  
25 shall report to the Council of the District of Columbia and

1 the Congress the actual borrowings and spending progress  
2 compared with projections.

3 SEC. 115. The Mayor shall not borrow any funds for  
4 capital projects unless the Mayor has obtained prior ap-  
5 proval from the Council of the District of Columbia, by  
6 resolution, identifying the projects and amounts to be fi-  
7 nanced with such borrowings.

8 SEC. 116. The Mayor shall not expend any moneys  
9 borrowed for capital projects for the operating expenses  
10 of the District of Columbia government.

11 SEC. 117. None of the funds appropriated by this Act  
12 may be obligated or expended by reprogramming except  
13 pursuant to advance approval of the reprogramming  
14 granted according to the procedure set forth in the Joint  
15 Explanatory Statement of the Committee of Conference  
16 (House Report No. 96-443), which accompanied the Dis-  
17 trict of Columbia Appropriation Act, 1980, approved Octo-  
18 ber 30, 1979 (93 Stat. 713; Public Law 96-93), as modi-  
19 fied in House Report No. 98-265, and in accordance with  
20 the Reprogramming Policy Act of 1980, effective Septem-  
21 ber 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361  
22 et seq.).

23 SEC. 118. None of the Federal funds provided in this  
24 Act shall be obligated or expended to provide a personal

1 cook, chauffeur, or other personal servants to any officer  
2 or employee of the District of Columbia.

3 SEC. 119. None of the Federal funds provided in this  
4 Act shall be obligated or expended to procure passenger  
5 automobiles as defined in the Automobile Fuel Efficiency  
6 Act of 1980, approved October 10, 1980 (94 Stat. 1824;  
7 Public Law 96-425; 15 U.S.C. 2001(2)), with an Environ-  
8 mental Protection Agency estimated miles per gallon aver-  
9 age of less than 22 miles per gallon: *Provided*, That this  
10 section shall not apply to security, emergency rescue, or  
11 armored vehicles.

12 SEC. 120. (a) Notwithstanding section 422(7) of the  
13 District of Columbia Self-Government and Governmental  
14 Reorganization Act of 1973, approved December 24, 1973  
15 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-  
16 242(7)), the City Administrator shall be paid, during any  
17 fiscal year, a salary at a rate established by the Mayor,  
18 not to exceed the rate established for level IV of the Exec-  
19 utive Schedule under 5 U.S.C. 5315.

20 (b) For purposes of applying any provision of law lim-  
21 iting the availability of funds for payment of salary or pay  
22 in any fiscal year, the highest rate of pay established by  
23 the Mayor under subsection (a) of this section for any po-  
24 sition for any period during the last quarter of calendar

1 year 1995 shall be deemed to be the rate of pay payable  
2 for that position for September 30, 1995.

3 (c) Notwithstanding section 4(a) of the District of  
4 Columbia Redevelopment Act of 1945, approved August  
5 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code,  
6 sec. 5-803(a)), the Board of Directors of the District of  
7 Columbia Redevelopment Land Agency shall be paid, dur-  
8 ing any fiscal year, per diem compensation at a rate estab-  
9 lished by the Mayor.

10 SEC. 121. Notwithstanding any other provisions of  
11 law, the provisions of the District of Columbia Govern-  
12 ment Comprehensive Merit Personnel Act of 1978, effec-  
13 tive March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-  
14 601.1 et seq.), enacted pursuant to section 422(3) of the  
15 District of Columbia Self-Government and Governmental  
16 Reorganization Act of 1973, approved December 24, 1973  
17 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-  
18 242(3)), shall apply with respect to the compensation of  
19 District of Columbia employees: *Provided*, That for pay  
20 purposes, employees of the District of Columbia govern-  
21 ment shall not be subject to the provisions of title 5 of  
22 the United States Code.

23 SEC. 122. The Director of the Department of Admin-  
24 istrative Services may pay rentals and repair, alter, and  
25 improve rented premises, without regard to the provisions

1 of section 322 of the Economy Act of 1932 (Public Law  
2 72-212; 40 U.S.C. 278a), upon a determination by the  
3 Director, that by reason of circumstances set forth in such  
4 determination, the payment of these rents and the execu-  
5 tion of this work, without reference to the limitations of  
6 section 322, is advantageous to the District in terms of  
7 economy, efficiency, and the District's best interest.

8       SEC. 123. No later than 30 days after the end of the  
9 first quarter of the fiscal year ending September 30, 1996,  
10 the Mayor of the District of Columbia shall submit to the  
11 Council of the District of Columbia the new fiscal year  
12 1996 revenue estimates as of the end of the first quarter  
13 of fiscal year 1996. These estimates shall be used in the  
14 budget request for the fiscal year ending September 30,  
15 1997. The officially revised estimates at midyear shall be  
16 used for the midyear report.

17       SEC. 124. No sole source contract with the District  
18 of Columbia government or any agency thereof may be re-  
19 newed or extended without opening that contract to the  
20 competitive bidding process as set forth in section 303 of  
21 the District of Columbia Procurement Practices Act of  
22 1985, effective February 21, 1986 (D.C. Law 6-85; D.C.  
23 Code, sec. 1-1183.3), except that the District of Columbia  
24 Public Schools may renew or extend sole source contracts  
25 for which competition is not feasible or practical, provided

1 that the determination as to whether to invoke the com-  
2 petitive bidding process has been made in accordance with  
3 duly promulgated Board of Education rules and proce-  
4 dures.

5       SEC. 125. For purposes of the Balanced Budget and  
6 Emergency Deficit Control Act of 1985, approved Decem-  
7 ber 12, 1985 (99 Stat. 1037; Public Law 99–177), as  
8 amended, the term “program, project, and activity” shall  
9 be synonymous with and refer specifically to each account  
10 appropriating Federal funds in this Act, and any seques-  
11 tration order shall be applied to each of the accounts rath-  
12 er than to the aggregate total of those accounts: *Provided*,  
13 That sequestration orders shall not be applied to any ac-  
14 count that is specifically exempted from sequestration by  
15 the Balanced Budget and Emergency Deficit Control Act  
16 of 1985, approved December 12, 1985 (99 Stat. 1037;  
17 Public Law 99–177), as amended.

18       SEC. 126. In the event a sequestration order is issued  
19 pursuant to the Balanced Budget and Emergency Deficit  
20 Control Act of 1985, approved December 12, 1985 (99  
21 Stat. 1037; Public Law 99–177), as amended, after the  
22 amounts appropriated to the District of Columbia for the  
23 fiscal year involved have been paid to the District of Co-  
24 lumbia, the Mayor of the District of Columbia shall pay  
25 to the Secretary of the Treasury, within 15 days after re-



1 ceipt of a request therefor from the Secretary of the  
2 Treasury, such amounts as are sequestered by the order:  
3 *Provided*, That the sequestration percentage specified in  
4 the order shall be applied proportionately to each of the  
5 Federal appropriation accounts in this Act that are not  
6 specifically exempted from sequestration by the Balanced  
7 Budget and Emergency Deficit Control Act of 1985, ap-  
8 proved December 12, 1985 (99 Stat. 1037; Public Law  
9 99-177), as amended.

10       SEC. 127. For the fiscal year ending September 30,  
11 1996, the District of Columbia shall pay interest on its  
12 quarterly payments to the United States that are made  
13 more than 60 days from the date of receipt of an itemized  
14 statement from the Federal Bureau of Prisons of amounts  
15 due for housing District of Columbia convicts in Federal  
16 penitentiaries for the preceding quarter.

17       SEC. 128. Nothing in this Act shall be construed to  
18 authorize any office, agency or entity to expend funds for  
19 programs or functions for which a reorganization plan is  
20 required but has not been approved by the Council pursu-  
21 ant to section 422(12) of the District of Columbia Self-  
22 Government and Governmental Reorganization Act of  
23 1973, approved December 24, 1973 (87 Stat. 790; Public  
24 Law 93-198; D.C. Code, sec. 1-242(12)) and the Govern-  
25 mental Reorganization Procedures Act of 1981, effective

1 October 17, 1981 (D.C. Law 4-42; D.C. Code, secs. 1-  
2 299.1 to 1-299.7). Appropriations made by this Act for  
3 such programs or functions are conditioned on the ap-  
4 proval by the Council, prior to October 1, 1995, of the  
5 required reorganization plans.

6 SEC. 129. (a) An entity of the District of Columbia  
7 government may accept and use a gift or donation during  
8 fiscal year 1996 if—

9 (1) the Mayor approves the acceptance and use  
10 of the gift or donation: *Provided*, That the Council  
11 of the District of Columbia may accept and use gifts  
12 without prior approval by the Mayor; and

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

15 (b) Each entity of the District of Columbia govern-  
16 ment shall keep accurate and detailed records of the ac-  
17 ceptance and use of any gift or donation under subsection  
18 (a) of this section, and shall make such records available  
19 for audit and public inspection.

20 (c) For the purposes of this section, the term “entity  
21 of the District of Columbia government” includes an inde-  
22 pendent agency of the District of Columbia.

23 (d) This section shall not apply to the District of Co-  
24 lumbia Board of Education, which may, pursuant to the  
25 laws and regulations of the District of Columbia, accept

1 and use gifts to the public schools without prior approval  
2 by the Mayor.

3 SEC. 130. None of the Federal funds provided in this  
4 Act may be used by the District of Columbia to provide  
5 for salaries, expenses, or other costs associated with the  
6 offices of United States Senator or United States Rep-  
7 resentatives under section 4(d) of the District of Columbia  
8 Statehood Constitutional Convention Initiatives of 1979,  
9 effective March 10, 1981 (D.C. Law 3-171; D.C. Code,  
10 sec. 1-113(d)).

11 PROHIBITION AGAINST USE OF FUNDS FOR ABORTIONS

12 SEC. 131. (a) IN GENERAL.—Section 602(a) of the  
13 District of Columbia Self-Government and Governmental  
14 Reorganization Act (sec. 1-233(a), D.C. Code), as amend-  
15 ed by section 108(b)(2) of the District of Columbia Finan-  
16 cial Responsibility and Management Assistance Act of  
17 1995, is amended—

18 (1) by striking “or” at the end of paragraph  
19 (9);

20 (2) by striking the period at the end of para-  
21 graph (10) and inserting “; or”; and

22 (3) by adding at the end the following new  
23 paragraph:

24 “(11) enact any act, resolution, or rule which  
25 obligates or expends funds of the District of Colum-  
26 bia (without regard to the source of such funds) for

1 any abortion, or which appropriates funds to any fa-  
2 cility owned or operated by the District of Columbia  
3 in which any abortion is performed, except where the  
4 life of the mother would be endangered if the fetus  
5 were carried to term, or in cases of forcible rape re-  
6 ported within 30 days to a law enforcement agency,  
7 or cases of incest reported to a law enforcement  
8 agency or child abuse agency prior to the perform-  
9 ance of the abortion.”.

10 (b) EFFECTIVE DATE.—The amendment made by  
11 subsection (a) shall apply to acts, resolutions, or rules of  
12 the Council of the District of Columbia which take effect  
13 in fiscal years beginning with fiscal year 1996.

14 SEC. 132. None of the funds appropriated in this Act  
15 shall be obligated or expended on any proposed change in  
16 either the use or configuration of, or on any proposed im-  
17 provement to, the Municipal Fish Wharf until such pro-  
18 posed change or improvement has been reviewed and ap-  
19 proved by Federal and local authorities including, but not  
20 limited to, the National Capital Planning Commission, the  
21 Commission of Fine Arts, and the Council of the District  
22 of Columbia, in compliance with applicable local and Fed-  
23 eral laws which require public hearings, compliance with  
24 applicable environmental regulations including, but not  
25 limited to, any amendments to the Washington, D.C.

1 urban renewal plan which must be approved by both the  
2 Council of the District of Columbia and the National Cap-  
3 ital Planning Commission.

4 SEC. 133. (a) SENSE OF CONGRESS.—It is the sense  
5 of the Congress that, to the greatest extent practicable,  
6 all equipment and products purchased with funds made  
7 available in this Act should be American-made.

8 (b) NOTICE REQUIREMENT.—In providing financial  
9 assistance to, or entering into any contract with, any en-  
10 tity using funds made available in this Act, the head of  
11 each agency of the Federal or District of Columbia govern-  
12 ment, to the greatest extent practicable, shall provide to  
13 such entity a notice describing the statement made in sub-  
14 section (a) by the Congress.

15 SEC. 134. No funds made available pursuant to any  
16 provision of this Act shall be used to implement or enforce  
17 any system of registration of unmarried, cohabiting cou-  
18 ples whether they are homosexual, lesbian, or hetero-  
19 sexual, including but not limited to registration for the  
20 purpose of extending employment, health, or governmental  
21 benefits to such couples on the same basis such benefits  
22 are extended to legally married couples; nor shall any  
23 funds made available pursuant to any provision of this Act  
24 otherwise be used to implement or enforce D.C. Act 9–

1 188, signed by the Mayor of the District of Columbia on  
2 April 15, 1992.

3 SEC. 135. Sections 431(f) and 433(b)(5) of the Dis-  
4 trict of Columbia Self-Government and Governmental Re-  
5 organization Act, approved December 24, 1973 (87 Stat.  
6 813; Public Law 93-198; D.C. Code, secs. 11-1524 and  
7 title 11, App. 433), are amended to read as follows:

8 (a) Section 431(f) (D.C. Code, sec. 11-1524) is  
9 amended to read as follows:

10 “(f) Members of the Tenure Commission shall serve  
11 without compensation for services rendered in connection  
12 with their official duties on the Commission.”.

13 (b) Section 433(b)(5) (title 11, App. 433) is  
14 amended to read as follows:

15 “(5) Members of the Commission shall serve  
16 without compensation for services rendered in con-  
17 nection with their official duties on the Commis-  
18 sion.”.

19 SEC. 136. Section 451 of the District of Columbia  
20 Self-Government and Governmental Reorganization Act of  
21 1973, approved December 24, 1973 (87 Stat. 803; Public  
22 Law 93-198; D.C. Code, sec. 1-1130), is amended by  
23 adding a new subsection (c) to read as follows:

24 “(c)(1) The District may enter into multiyear con-  
25 tracts to obtain goods and services for which funds would

1 otherwise be available for obligation only within the fiscal  
2 year for which appropriated.

3 “(2) If the funds are not made available for the con-  
4 tinuation of such a contract into a subsequent fiscal year,  
5 the contract shall be cancelled or terminated, and the cost  
6 of cancellation or termination may be paid from—

7 “(A) appropriations originally available for the  
8 performance of the contract concerned;

9 “(B) appropriations currently available for pro-  
10 curement of the type of acquisition covered by the  
11 contract, and not otherwise obligated; or

12 “(C) funds appropriated for those payments.

13 “(3) No contract entered into under this section shall  
14 be valid unless the Mayor submits the contract to the  
15 Council for its approval and the Council approves the con-  
16 tract (in accordance with criteria established by act of the  
17 Council). The Council shall be required to take affirmative  
18 action to approve the contract within 45 days. If no action  
19 is taken to approve the contract within 45 calendar days,  
20 the contract shall be deemed disapproved.”.

21 SEC. 137. The District of Columbia Real Property  
22 Tax Revision Act of 1974, approved September 3, 1974  
23 (88 Stat. 1051; D.C. Code, sec. 47-801 et seq.), is amend-  
24 ed as follows:

1           (1) Section 412 (D.C. Code, sec. 47-812) is  
2 amended as follows:

3           (A) Subsection (a) is amended by striking  
4 the third and fourth sentences and inserting the  
5 following sentences in their place: “If the Coun-  
6 cil does extend the time for establishing the  
7 rates of taxation on real property, it must es-  
8 tablish those rates for the tax year by perma-  
9 nent legislation. If the Council does not estab-  
10 lish the rates of taxation of real property by Oc-  
11 tober 15, and does not extend the time for es-  
12 tablishing rates, the rates of taxation applied  
13 for the prior year shall be the rates of taxation  
14 applied during the tax year.”.

15           (B) A new subsection (a-2) is added to  
16 read as follows:

17           “(a-2) Notwithstanding the provisions of subsection  
18 (a) of this section, the real property tax rates for taxable  
19 real property in the District of Columbia for the tax year  
20 beginning October 1, 1995, and ending September 30,  
21 1996, shall be the same rates in effect for the tax year  
22 beginning October 1, 1993, and ending September 30,  
23 1994.”.

24           (2) Section 413(c) (D.C. Code, sec. 47-815(c))  
25 is repealed.



1       SEC. 138. Title 18 U.S.C. 1761(b) is amended by  
2 striking the period at the end and inserting the phrase  
3 “or not-for-profit organizations.” in its place.

4       SEC. 139. Within 120 days of the effective date of  
5 this Act, the Mayor shall submit to the Congress and the  
6 Council a report delineating the actions taken by the execu-  
7 tive to effect the directives of the Council in this Act,  
8 including—

9           (1) negotiations with representatives of collec-  
10        tive bargaining units to reduce employee compensa-  
11        tion;

12           (2) actions to restructure existing long-term  
13        city debt;

14           (3) actions to apportion the spending reductions  
15        anticipated by the directives of this Act to the execu-  
16        tive for unallocated reductions; and

17           (4) a list of any position that is backfilled in-  
18        cluding description, title, and salary of the position.

19       SEC. 140. The Board of Education shall submit to  
20 the Congress, Mayor, and Council of the District of Co-  
21 lumbia no later than fifteen (15) calendar days after the  
22 end of each month a report that sets forth—

23           (1) current month expenditures and obligations,  
24        year-to-date expenditures and obligations, and total  
25        fiscal year expenditure projections vs. budget broken

1 out on the basis of control center, responsibility cen-  
2 ter, agency reporting code, and object class, and for  
3 all funds, including capital financing;

4 (2) a breakdown of FTE positions and staff for  
5 the most current pay period broken out on the basis  
6 of control center, responsibility center, and agency  
7 reporting code within each responsibility center, for  
8 all funds, including capital funds;

9 (3) a list of each account for which spending is  
10 frozen and the amount of funds frozen, broken out  
11 by control center, responsibility center, detailed ob-  
12 ject, and agency reporting code, and for all funding  
13 sources;

14 (4) a list of all active contracts in excess of  
15 \$10,000 annually, which contains; the name of each  
16 contractor; the budget to which the contract is  
17 charged broken out on the basis of control center,  
18 responsibility center, and agency reporting code; and  
19 contract identifying codes used by the D.C. Public  
20 Schools; payments made in the last month and year-  
21 to-date, the total amount of the contract and total  
22 payments made for the contract and any modifica-  
23 tions, extensions, renewals; and specific modifica-  
24 tions made to each contract in the last month;

1           (5) all reprogramming requests and reports  
2           that are required to be, and have been, submitted to  
3           the Board of Education; and

4           (6) changes made in the last month to the orga-  
5           nizational structure of the D.C. Public Schools, dis-  
6           playing previous and current control centers and re-  
7           sponsibility centers, the names of the organizational  
8           entities that have been changed, the name of the  
9           staff member supervising each entity affected, and  
10          the reasons for the structural change.

11          SEC. 141. The University of the District of Columbia  
12          shall submit to the Congress, Mayor, and Council of the  
13          District of Columbia no later than fifteen (15) calendar  
14          days after the end of each month a report that sets  
15          forth—

16                (1) current month expenditures and obligations,  
17                year-to-date expenditures and obligations, and total  
18                fiscal year expenditure projections vs. budget broken  
19                out on the basis of control center, responsibility cen-  
20                ter, and object class, and for all funds, including  
21                capital financing;

22                (2) a breakdown of FTE positions and all em-  
23                ployees for the most current pay period broken out  
24                on the basis of control center and responsibility cen-  
25                ter, for all funds, including capital funds.

1           (3) a list of each account for which spending is  
2 frozen and the amount of funds frozen, broken out  
3 by control center, responsibility center, detailed ob-  
4 ject, and for all funding sources;

5           (4) a list of all active contracts in excess of  
6 \$10,000 annually, which contains: the name of each  
7 contractor; the budget to which the contract is  
8 charged broken out on the basis of control center  
9 and responsibility center, and contract identifying  
10 codes used by the University of the District of Co-  
11 lumbia; payments made in the last month and year-  
12 to-date, the total amount of the contract and total  
13 payments made for the contract and any modifica-  
14 tions, extensions, renewals; and specific modifica-  
15 tions made to each contract in the last month;

16           (5) all reprogramming requests and reports  
17 that have been made by the University of the Dis-  
18 trict of Columbia within the last month in compli-  
19 ance with applicable law; and

20           (6) changes made in the last month to the orga-  
21 nizational structure of the University of the District  
22 of Columbia, displaying previous and current control  
23 centers and responsibility centers, the names of the  
24 organizational entities that have been changed, the

1 name of the staff member supervising each entity af-  
2 fected, and the reasons for the structural change.

3 SEC. 142. (a) The Board of Education of the District  
4 of Columbia and the University of the District of Colum-  
5 bia shall annually compile an accurate and verifiable re-  
6 port on the positions and employees in the public school  
7 system and the university, respectively. The annual report  
8 shall set forth—

9 (1) the number of validated schedule A posi-  
10 tions in the District of Columbia Public Schools and  
11 the University of the District of Columbia for fiscal  
12 year 1995, fiscal year 1996, and thereafter on full-  
13 time equivalent basis, including a compilation of all  
14 positions by control center, responsibility center,  
15 funding source, position type, position title, pay  
16 plan, grade, and annual salary; and

17 (2) a compilation of all employees in the Dis-  
18 trict of Columbia Public Schools and the University  
19 of the District of Columbia as of the preceding De-  
20 cember 31, verified as to its accuracy in accordance  
21 with the functions that each employee actually per-  
22 forms, by control center, responsibility center, agen-  
23 cy reporting code, program (including funding  
24 source), activity, location for accounting purposes,

1 job title, grade and classification, annual salary, and  
2 position control number.

3 (b) The annual report required by subsection (a) of  
4 this section shall be submitted to the Congress, the Mayor  
5 and Council of the District of Columbia, by not later than  
6 February 8 of each year.

7 SEC. 143. (a) Not later than October 1, 1995, or  
8 within 15 calendar days after the date of the enactment  
9 of the District of Columbia Appropriations Act, 1996,  
10 whichever occurs later, and each succeeding year, the  
11 Board of Education and the University of the District of  
12 Columbia shall submit to the Congress, the Mayor, and  
13 Council of the District of Columbia, a revised appropriated  
14 funds operating budget for the public school system and  
15 the University of the District of Columbia for such fiscal  
16 year that is in the total amount of the approved appropria-  
17 tion and that realigns budgeted data for personal services  
18 and other-than-personal services, respectively, with antici-  
19 pated actual expenditures.

20 (b) The revised budget required by subsection (a) of  
21 this section shall be submitted in the format of the budget  
22 that the Board of Education and the University of the  
23 District of Columbia submit to the Mayor of the District  
24 of Columbia for inclusion in the Mayor's budget submis-  
25 sion to the Council of the District of Columbia pursuant

1 to section 442 of the District of Columbia Self-Govern-  
2 ment and Governmental Reorganization Act, Public Law  
3 93-198, as amended (D.C. Code, sec. 47-301).

4       SEC. 144. The Board of Education, the Board of  
5 Trustees of the University of the District of Columbia, the  
6 Board of Library Trustees, and the Board of Governors  
7 of the D.C. School of Law shall vote on and approve their  
8 respective annual or revised budgets before submission to  
9 the Mayor of the District of Columbia for inclusion in the  
10 Mayor's budget submission to the Council of the District  
11 of Columbia in accordance with section 442 of the District  
12 of Columbia Self-Government and Governmental Reorga-  
13 nization Act, Public Law 93-198, as amended (D.C. Code,  
14 sec. 47-301), or before submitting their respective budgets  
15 directly to the Council.

16       SEC. 145. Notwithstanding any other provision of  
17 law, rule, or regulation, the evaluation process and instru-  
18 ments for evaluating District of Columbia Public Schools  
19 employees shall be a non-negotiable item for collective bar-  
20 gaining purposes.

21       SEC. 146. (a) No agency, including an independent  
22 agency, shall fill a position wholly funded by appropria-  
23 tions authorized by this Act, which is vacant on October  
24 1, 1995, or becomes vacant between October 1, 1995, and  
25 September 30, 1996, unless the Mayor or independent

1 agency submits a proposed resolution of intent to fill the  
2 vacant position to the Council. The Council shall be re-  
3 quired to take affirmative action on the Mayor's resolution  
4 within 30 legislative days. If the Council does not affirma-  
5 tively approve the resolution within 30 legislative days, the  
6 resolution shall be deemed disapproved.

7 (b) No reduction in the number of full-time equiva-  
8 lent positions or reduction-in-force due to privatization or  
9 contracting out shall occur if the District of Columbia Fi-  
10 nancial Responsibility and Management Assistance Au-  
11 thority, established by section 101(a) of the District of Co-  
12 lumbia Financial Responsibility and Management Assist-  
13 ance Act of 1995, approved April 17, 1995 (109 Stat. 97;  
14 Public Law 104-8), disallows the full-time equivalent posi-  
15 tion reduction provided in this act in meeting the maxi-  
16 mum ceiling of 35,771 for the fiscal year ending Septem-  
17 ber 30, 1996.

18 (c) This section shall not prohibit the appropriate  
19 personnel authority from filling a vacant position with a  
20 District government employee currently occupying a posi-  
21 tion that is funded with appropriated funds.

22 (d) This section shall not apply to local school-based  
23 teachers, school-based officers, or school-based teachers'  
24 aides; or court personnel covered by title 11 of the D.C  
25 Code, except chapter 23.



1        SEC. 147. (a) Not later than 15 days after the end  
2 of every fiscal quarter (beginning October 1, 1995), the  
3 Mayor shall submit to the Council a report with respect  
4 to the employees on the capital project budget for the pre-  
5 vious quarter.

6        (b) Each report submitted pursuant to subsection (a)  
7 of this section shall include the following information—

8            (1) a list of all employees by position, title,  
9            grade and step;

10           (2) a job description, including the capital  
11           project for which each employee is working;

12           (3) the date that each employee began working  
13           on the capital project and the ending date that each  
14           employee completed or is projected to complete work  
15           on the capital project; and

16           (4) a detailed explanation justifying why each  
17           employee is being paid with capital funds.

18        SEC. 148. The District of Columbia Government  
19 Comprehensive Merit Personnel Act of 1978, effective  
20 March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1  
21 et seq.), is amended as follows:

22           (a) Section 301 (D.C. Code, sec. 1-603.1) is  
23           amended as follows:

24            (1) A new paragraph (13A) is added to  
25            read as follows:

1           “(13A) ‘Nonschool-based personnel’ means any  
2 employee of the District of Columbia Public Schools  
3 who is not based at a local school or who does not  
4 provide direct services to individual students.”.

5           (2) A new paragraph (15A) is added to  
6 read as follows:

7           “(15A) ‘School administrators’ means prin-  
8 cipals, assistant principals, school program directors,  
9 coordinators, instructional supervisors, and support  
10 personnel of the District of Columbia Public  
11 Schools.”.

12           (b) Section 801A(b)(2) (D.C. Code, sec. 1-  
13 609.1(b)(2)) is amended by adding a new subpara-  
14 graph (L-i) to read as follows:

15           “(L-i) Notwithstanding any other provi-  
16 sion of law, the Board of Education shall not  
17 issue rules that require or permit nonschool-  
18 based personnel or school administrators to be  
19 assigned or reassigned to the same competitive  
20 level as classroom teachers;”

21           (c) Section 2402 (D.C. Code, sec. 1-625.2) is  
22 amended by adding a new subsection (f) to read as  
23 follows:

24           “(f) Notwithstanding any other provision of law, the  
25 Board of Education shall not require or permit nonschool-

1 based personnel or school administrators to be assigned  
2 or reassigned to the same competitive level as classroom  
3 teachers.”.

4 SEC. 149. (a) Notwithstanding any other provision  
5 of law, rule, or regulation, an employee of the District of  
6 Columbia Public Schools shall be—

7 (1) classified as an Educational Service em-  
8 ployee’

9 (2) placed under the personnel authority of the  
10 Board of Education; and

11 (3) subject to all Board of Education rules.

12 (b) School-based personnel shall constitute a separate  
13 competitive area from nonschool-based personnel who shall  
14 not compete with school-based personnel for retention pur-  
15 poses.

16 SEC. 150. The District of Columbia Government  
17 Comprehensive Merit Personnel Act of 1978, effective  
18 March 3, 1979 (D.C. Law 2–139; D.C. Code, sec. 1–601.1  
19 et seq.), is amended as follows:

20 (a) Section 2401 (D.C. Code, sec. 1–625.1) is  
21 amended by amending the third sentence to read as  
22 follows: “A personnel authority may establish lesser  
23 competitive areas within an agency on the basis of  
24 all or a clearly identifiable segment of an agency’s

1 mission or a division or major subdivision of an  
2 agency.”.

3 (b) A new section 2406 is added to read as fol-  
4 lows:

5 “SEC. 2406. Abolishment of positions for Fiscal Year  
6 1996.

7 “(a) Notwithstanding any other provision of law, reg-  
8 ulation, or collective bargaining agreement either in effect  
9 or to be negotiated while this legislation is in effect for  
10 the fiscal year ending September 30, 1996, each agency  
11 head is authorized, within the agency head’s discretion,  
12 to identify positions for abolishment.

13 “(b) Prior to February 1, 1996, each personnel au-  
14 thority shall make a final determination that a position  
15 within the personnel authority is to be abolished.

16 “(c) Notwithstanding any rights or procedures estab-  
17 lished by any other provision of this title, any District gov-  
18 ernment employee, regardless of date of hire, who encum-  
19 bers a position identified for abolishment shall be sepa-  
20 rated without competition or assignment rights, except as  
21 provided in this section.

22 “(d) An employee effected by the abolishment of a  
23 position pursuant to this section who, but for this section  
24 would be entitled to compete for retention, shall be entitled  
25 to 1 round of lateral competition pursuant to Chapter 24

1 of the District of Columbia Personnel Manual, which shall  
2 be limited to positions in the employee's competitive level.

3       “(e) Each employee who is a bona fide resident of  
4 the District of Columbia shall have added 5 years to his  
5 or her creditable service for reduction-in-force purposes.  
6 For purposes of this subsection only, a nonresident Dis-  
7 trict employee who was hired by the District government  
8 prior to January 1, 1980, and has not had a break in  
9 service since that date, or a former employee of the U.S.  
10 Department of Health and Human Services at Saint Eliz-  
11 abeths Hospital who accepted employment with the Dis-  
12 trict government on October 1, 1987, and has not had  
13 a break in service since that date, shall be considered a  
14 District resident.

15       “(f) Each employee selected for separation pursuant  
16 to this section shall be given written notice of at least 30  
17 days before the effective date of his or her separation.

18       “(g) Neither the establishment of a competitive area  
19 smaller than an agency, nor the determination that a spe-  
20 cific position is to be abolished, nor separation pursuant  
21 to this section shall be subject to review except as fol-  
22 lows—

23               “(1) an employee may file a complaint contest-  
24               ing a determination or a separation pursuant to title  
25               XV of this Act or section 303 of the Human Rights

1 Act of 1977, effective December 13, 1977 (D.C.  
2 Law 2-38; D.C. Code, sec. 1-2543); and

3 “(2) an employee may file with the Office of  
4 Employee Appeals an appeal contesting that the sep-  
5 aration procedures of subsections (d) and (f) of this  
6 section were not properly applied.

7 “(h) An employee separated pursuant to this section  
8 shall be entitled to severance pay in accordance with title  
9 XI of this Act, except that the following shall be included  
10 in computing creditable service for severance pay for em-  
11 ployees separated pursuant to this section—

12 “(1) four years for an employee who qualified  
13 for veteran’s preference under this act, and

14 “(2) three years for an employee who qualified  
15 for residency preference under this act.

16 “(i) Separation pursuant to this section shall not af-  
17 fect an employee’s rights under either the Agency Reem-  
18 ployment Priority Program or the Displaced Employee  
19 Program established pursuant to Chapter 24 of the Dis-  
20 trict Personnel Manual.

21 “(j) The Mayor shall submit to the Council a listing  
22 of all positions to be abolished by agency and responsibility  
23 center by March 1, 1996, or upon the delivery of termi-  
24 nation notices to individual employees.

1 “(k) Notwithstanding the provisions of section 1708  
2 or section 2402(d), the provisions of this act shall not be  
3 deemed negotiable.

4 “(l) A personnel authority shall cause a 30-day termi-  
5 nation notice to be served, no later than September 1,  
6 1996, on any incumbent employee remaining in any posi-  
7 tion identified to be abolished pursuant to subsection (b)  
8 of this section”.

9 SEC. 151. Notwithstanding any other provision of  
10 law, the total amount appropriated in this Act for operat-  
11 ing expenses for the District of Columbia for fiscal year  
12 1996 under the caption “Division of Expenses” shall not  
13 exceed \$4,867,283,000.

14 REQUIRING DEVELOPMENT OF PLAN TO CLOSE LORTON  
15 CORRECTIONAL COMPLEX

16 SEC. 152. (a) DEVELOPMENT OF PLAN.—

17 (1) IN GENERAL.—Not later than February 15,  
18 1996, the District of Columbia shall develop a plan  
19 for closing the Lorton Correctional Complex over a  
20 transition period not to exceed 5 years in length.

21 (2) REQUIREMENTS OF PLAN.—The plan devel-  
22 oped by the District of Columbia under paragraph  
23 (1) shall meet the following requirements:

24 (A) Under the plan, the Lorton Correc-  
25 tional Complex will be closed by the expiration  
26 of the transition period.

1           (B) Under the plan, the District of Colum-  
2           bia may not operate any correctional facilities  
3           on the Federal property known as the Lorton  
4           Complex located in Fairfax County, Virginia,  
5           after the expiration of the transition period.

6           (C) The plan shall include provisions speci-  
7           fying how and to what extent the District will  
8           utilize alternative management, including the  
9           private sector, for the operation of correctional  
10          facilities for the District, and shall include pro-  
11          visions describing the treatment under such al-  
12          ternative management (including under con-  
13          tracts) of site selection, design, financing, con-  
14          struction, and operation of correctional facilities  
15          for the District.

16          (D) The plan shall include an implementa-  
17          tion schedule, together with specific perform-  
18          ance measures and timelines to determine the  
19          extent to which the District is meeting the  
20          schedule during the transition period.

21          (E) Under the plan, the Mayor of the Dis-  
22          trict of Columbia shall submit a semi-annual re-  
23          port to the President, Congress, and the Dis-  
24          trict of Columbia Financial Responsibility and  
25          Management Assistance Authority describing



1 the actions taken by the District under the  
2 plan, and in addition shall regularly report to  
3 the President, Congress, and the District of Co-  
4 lumbia Financial Responsibility and Manage-  
5 ment Assistance Authority on all significant  
6 measures taken under the plan as soon as such  
7 measures are taken.

8 (b) CONSISTENCY WITH FINANCIAL PLAN AND  
9 BUDGET.—In developing the plan under subsection (a),  
10 the District of Columbia shall ensure that for each of the  
11 years during which the plan is in effect, the plan shall  
12 be consistent with the financial plan and budget for the  
13 District of Columbia for the year under subtitle A of title  
14 II of the District of Columbia Financial Responsibility and  
15 Management Assistance Act of 1995.

16 (c) SUBMISSION OF PLAN.—Upon completing the de-  
17 velopment of the plan under subsection (a), the District  
18 of Columbia shall submit the plan to the President, Con-  
19 gress, and the District of Columbia Financial Responsibil-  
20 ity and Management Assistance Authority.

21 PROHIBITION AGAINST ADOPTION BY UNMARRIED

22 COUPLES

23 SEC. 153. Section 16–302, D.C. Code, is amended—

24 (1) by striking “Any person” and inserting “(a)

25 Subject to subsection (b), any person”; and

1           (2) by adding at the end the following sub-  
2           section:

3           “(b) No person may join in a petition under this sec-  
4           tion unless the person is the spouse of the petitioner.”.

5           This Act may be cited as the “District of Columbia  
6           Appropriations Act, 1996”.

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HR 2546 RH—5



Union Calendar No. 153

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 2546**

[Report No. 104-294]

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## A BILL

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, 1996, and for other purposes.

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OCTOBER 26, 1995

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed