

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4850

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IN THE SENATE OF THE UNITED STATES

JULY 21, 2004

Received

SEPTEMBER 7, 2004

Read twice and referred to the Committee on Appropriations

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## AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 District of Columbia and related agencies for the fiscal  
6 year ending September 30, 2005, and for other purposes,  
7 namely:

8                                   TITLE I—FEDERAL FUNDS

9       FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

10       For a Federal payment to the District of Columbia,  
11 to be deposited into a dedicated account, for a nationwide  
12 program to be administered by the Mayor, for District of  
13 Columbia resident tuition support, \$25,600,000, to remain  
14 available until expended: *Provided*, That such funds, in-  
15 cluding any interest accrued thereon, may be used on be-  
16 half of eligible District of Columbia residents to pay an  
17 amount based upon the difference between in-State and  
18 out-of-State tuition at public institutions of higher edu-  
19 cation, or to pay up to \$2,500 each year at eligible private  
20 institutions of higher education: *Provided further*, That the  
21 awarding of such funds may be prioritized on the basis  
22 of a resident's academic merit, the income and need of  
23 eligible students and such other factors as may be author-  
24 ized: *Provided further*, That the District of Columbia gov-  
25 ernment shall maintain a dedicated account for the Resi-

1 dent Tuition Support Program that shall consist of the  
2 Federal funds appropriated to the Program in this Act  
3 and any subsequent appropriations, any unobligated bal-  
4 ances from prior fiscal years, and any interest earned in  
5 this or any fiscal year: *Provided further*, That the account  
6 shall be under the control of the District of Columbia  
7 Chief Financial Officer, who shall use those funds solely  
8 for the purposes of carrying out the Resident Tuition Sup-  
9 port Program: *Provided further*, That the Office of the  
10 Chief Financial Officer shall provide a quarterly financial  
11 report to the Committees on Appropriations of the House  
12 of Representatives and Senate for these funds showing,  
13 by object class, the expenditures made and the purpose  
14 therefor: *Provided further*, That not more than 7 percent  
15 of the total amount appropriated for this program may  
16 be used for administrative expenses.

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

19 For necessary expenses, as determined by the Mayor  
20 of the District of Columbia in written consultation with  
21 the elected county or city officials of surrounding jurisdic-  
22 tions, \$15,000,000, to remain available until expended, to  
23 reimburse the District of Columbia for the costs of pro-  
24 viding public safety at events related to the presence of  
25 the national capital in the District of Columbia and for

1 the costs of providing support to respond to immediate  
2 and specific terrorist threats or attacks in the District of  
3 Columbia or surrounding jurisdictions: *Provided*, That any  
4 amount provided under this heading shall be available only  
5 after notice of its proposed use has been transmitted by  
6 the President to Congress and such amount has been ap-  
7 portioned pursuant to chapter 15 of title 31, United  
8 States Code.

9 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
10 COURTS

11 For salaries and expenses for the District of Colum-  
12 bia Courts, \$202,110,000, to be allocated as follows: for  
13 the District of Columbia Court of Appeals, \$8,952,000,  
14 of which not to exceed \$1,500 is for official reception and  
15 representation expenses; for the District of Columbia Su-  
16 perior Court, \$84,948,000, of which not to exceed \$1,500  
17 is for official reception and representation expenses; for  
18 the District of Columbia Court System, \$40,699,000, of  
19 which not to exceed \$1,500 is for official reception and  
20 representation expenses; and \$67,511,000, to remain  
21 available until September 30, 2006, for capital improve-  
22 ments for District of Columbia courthouse facilities: *Pro-*  
23 *vided*, That notwithstanding any other provision of law,  
24 a single contract or related contracts for development and  
25 construction of facilities may be employed which collec-

1 tively include the full scope of the project: *Provided fur-*  
2 *ther*, That the solicitation and contract shall contain the  
3 clause “availability of Funds” found at 48 CFR 52.232–  
4 18: *Provided further*, That funds made available for capital  
5 improvements shall be expended consistent with the Gen-  
6 eral Services Administration master plan study and build-  
7 ing evaluation report: *Provided further*, That notwith-  
8 standing any other provision of law, all amounts under  
9 this heading shall be apportioned quarterly by the Office  
10 of Management and Budget and obligated and expended  
11 in the same manner as funds appropriated for salaries and  
12 expenses of other Federal agencies, with payroll and finan-  
13 cial services to be provided on a contractual basis with  
14 the General Services Administration (GSA), and such  
15 services shall include the preparation of monthly financial  
16 reports, copies of which shall be submitted directly by GSA  
17 to the President and to the Committees on Appropriations  
18 of the House of Representatives and Senate, the Com-  
19 mittee on Government Reform of the House of Represent-  
20 atives, and the Committee on Governmental Affairs of the  
21 Senate: *Provided further*, That 30 days after providing  
22 written notice to the Committees on Appropriations of the  
23 House of Representatives and Senate, the District of Co-  
24 lumbia Courts may reallocate not more than \$1,000,000  
25 of the funds provided under this heading among the items

1 and entities funded under this heading for operations, and  
2 not more than 4 percent of the funds provided under this  
3 heading for facilities.

4 DEFENDER SERVICES IN DISTRICT OF COLUMBIA  
5 COURTS

6 For payments authorized under section 11–2604 and  
7 section 11–2605, D.C. Official Code (relating to represen-  
8 tation provided under the District of Columbia Criminal  
9 Justice Act), payments for counsel appointed in pro-  
10 ceedings in the Family Court of the Superior Court of the  
11 District of Columbia under chapter 23 of title 16, D.C.  
12 Official Code, or pursuant to contractual agreements to  
13 provide guardian ad litem representation, training, tech-  
14 nical assistance and such other services as are necessary  
15 to improve the quality of guardian ad litem representation,  
16 payments for counsel appointed in adoption proceedings  
17 under chapter 3 of title 16, D.C. Code, and payments for  
18 counsel authorized under section 21–2060, D.C. Official  
19 Code (relating to representation provided under the Dis-  
20 trict of Columbia Guardianship, Protective Proceedings,  
21 and Durable Power of Attorney Act of 1986),  
22 \$41,500,000, to remain available until expended: *Pro-*  
23 *vided*, That the funds provided in this Act under the head-  
24 ing “Federal Payment to the District of Columbia Courts”  
25 (other than the \$67,511,000 provided under such heading

1 for capital improvements for District of Columbia court-  
2 house facilities) may also be used for payments under this  
3 heading: *Provided further*, That in addition to the funds  
4 provided under this heading, the Joint Committee on Ju-  
5 dicial Administration in the District of Columbia shall use  
6 funds provided in this Act under the heading “Federal  
7 Payment to the District of Columbia Courts” (other than  
8 the \$67,511,000 provided under such heading for capital  
9 improvements for District of Columbia courthouse facili-  
10 ties), to make payments described under this heading for  
11 obligations incurred during any fiscal year: *Provided fur-*  
12 *ther*, That funds provided under this heading shall be ad-  
13 ministered by the Joint Committee on Judicial Adminis-  
14 tration in the District of Columbia: *Provided futher*, That  
15 notwithstanding any other provision of law, this appro-  
16 priation shall be apportioned quarterly by the Office of  
17 Management and Budget and obligated and expended in  
18 the same manner as funds appropriated for expenses of  
19 other Federal agencies, with payroll and financial services  
20 to be provided on a contractual basis with the General  
21 Services Administration (GSA), and such services shall in-  
22 clude the preparation of monthly financial reports, copies  
23 of which shall be submitted directly by GSA to the Presi-  
24 dent and to the Committees on Appropriations of the  
25 House of Representatives and Senate, the Committee on

1 Government Reform of the House of Representatives, and  
2 the Committee on Governmental Affairs of the Senate.

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

6 (INCLUDING TRANSFER OF FUNDS)

7 For salaries and expenses, including the transfer and  
8 hire of motor vehicles, of the Court Services and Offender  
9 Supervision Agency for the District of Columbia and the  
10 Public Defender Service for the District of Columbia, as  
11 authorized by the National Capital Revitalization and Self-  
12 Government Improvement Act of 1997, \$183,490,000, of  
13 which not to exceed \$2,000 is for official receptions and  
14 representation expenses related to Community Supervision  
15 and Pretrial Services Agency programs; of which not to  
16 exceed \$25,000 is for dues and assessments relating to  
17 the implementation of the Court Services and Offender  
18 Supervision Agency Interstate Supervision Act of 2002;  
19 of which \$115,343,000 shall be for necessary expenses of  
20 Community Supervision and Sex Offender Registration, to  
21 include expenses relating to the supervision of adults sub-  
22 ject to protection orders or the provision of services for  
23 or related to such persons; of which \$39,314,000 shall be  
24 available to the Pretrial Services Agency; and of which  
25 \$28,833,000 shall be transferred to the Public Defender



1 Service for the District of Columbia: *Provided*, That not-  
2 withstanding any other provision of law, all amounts  
3 under this heading shall be apportioned quarterly by the  
4 Office of Management and Budget and obligated and ex-  
5 pended in the same manner as funds appropriated for sal-  
6 aries and expenses of other Federal agencies: *Provided fur-*  
7 *ther*, That the Director is authorized to accept and use  
8 gifts in the form of in-kind contributions of space and hos-  
9 pitality to support offender and defendant programs, and  
10 equipment and vocational training services to educate and  
11 train offenders and defendants: *Provided further*, That the  
12 Director shall keep accurate and detailed records of the  
13 acceptance and use of any gift or donation under the pre-  
14 vious proviso, and shall make such records available for  
15 audit and public inspection: *Provided further*, That the  
16 Court Services and Offender Supervision Agency Director  
17 is authorized to accept and use reimbursement from the  
18 D.C. Government for space and services provided on a cost  
19 reimbursable basis: *Provided further*, That the Public De-  
20 fender Service is authorized to charge fees to cover costs  
21 of materials distributed to attendees of educational events,  
22 including conferences, sponsored by the Public Defender  
23 Service, and notwithstanding section 3302 of title 31,  
24 United States Code, said fees shall be credited to the Pub-

1 lic Defender Service account to be available for use with-  
2 out further appropriation.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
4 WATER AND SEWER AUTHORITY

5 For a Federal payment to the District of Columbia  
6 Water and Sewer Authority, \$10,000,000, to remain avail-  
7 able until expended, to continue implementation of the  
8 Combined Sewer Overflow Long-Term Plan: *Provided*,  
9 That the District of Columbia Water and Sewer Authority  
10 provides a 100 percent match for this payment.

11 FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT  
12 INITIATIVE

13 For a Federal payment to the District of Columbia  
14 Department of Transportation, \$3,000,000, to remain  
15 available until September 30, 2006, for design and con-  
16 struction of a continuous pedestrian and bicycle trail sys-  
17 tem from the Potomac River to the District's border with  
18 Maryland.

19 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE  
20 COORDINATING COUNCIL

21 For a Federal payment to the Criminal Justice Co-  
22 ordinating Council, \$1,300,000, to support initiatives re-  
23 lated to the coordination of Federal and local criminal jus-  
24 tice resources in the District of Columbia.

1 FEDERAL PAYMENT FOR CAPITAL DEVELOPMENT IN  
2 THE DISTRICT OF COLUMBIA

3 For a Federal payment to the District of Columbia  
4 for capital development, \$7,000,000, to remain available  
5 until expended, for the Unified Communications Center.

6 FEDERAL PAYMENT FOR PUBLIC SCHOOL LIBRARIES

7 For a Federal payment to the District of Columbia  
8 Public Schools, \$6,000,000, to remain available until ex-  
9 pended, for a public school library enhancement program:  
10 *Provided*, That the District of Columbia Public Schools  
11 provides a 100 percent match for this payment: *Provided*  
12 *further*, That the Federal portion is for the acquisition of  
13 library resources: *Provided further*, That the matching  
14 portion is for any necessary facilities upgrades.

15 FEDERAL PAYMENT FOR THE FAMILY LITERACY  
16 PROGRAM

17 For a Federal payment to the District of Columbia,  
18 \$1,000,000, for a Family Literacy Program to address the  
19 needs of literacy-challenged parents while endowing their  
20 children with an appreciation for literacy and strength-  
21 ening familial ties: *Provided*, That the District of Colum-  
22 bia shall provide a 100 percent match with local funds  
23 as a condition of receiving this payment.

1 FEDERAL PAYMENT FOR FOSTER CARE IMPROVEMENTS  
2 IN THE DISTRICT OF COLUMBIA

3 For the Federal payment to the District of Columbia  
4 for foster care improvements, \$5,000,000: *Provided*, That  
5 \$3,000,000 shall be for the Child and Family Services  
6 Agency, of which \$2,000,000 shall be to continue an early  
7 intervention program to provide intensive and immediate  
8 services for foster children; of which \$1,000,000 shall be  
9 for the emergency support fund to purchase items nec-  
10 essary to allow children to remain in the care of an ap-  
11 proved and licensed family member: *Provided further*, That  
12 \$1,500,000 shall be for the Department of Mental Health  
13 to provide all court-ordered or agency-required mental  
14 health screenings, assessments and treatments for chil-  
15 dren under the supervision of the Child and Family Serv-  
16 ices Agency: *Provided further*, That \$500,000 shall be for  
17 the Washington Metropolitan Council of Governments, to  
18 continue a program in conjunction with the Foster and  
19 Adoptive Parents Advocacy Center, to provide respite care  
20 and recruitment of foster parents: *Provided further*, That  
21 these Federal funds shall supplement and not supplant  
22 local funds.

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

3 For a Federal payment to the Office of the Chief Fi-  
4 nancial Officer of the District of Columbia, \$19,000,000:  
5 *Provided*, That these funds shall be available for the  
6 projects and in the amounts specified in the Statement  
7 of the Managers on the conference report accompanying  
8 this Act: *Provided further*, That each entity that receives  
9 funding under this heading shall submit to the Office of  
10 the Chief Financial Officer of the District of Columbia and  
11 the Committees on Appropriations of the House of Rep-  
12 resentatives and Senate a report on the activities to be  
13 carried out with such funds no later than March 15, 2005.

14 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

15 For Federal payment for a school improvement pro-  
16 gram in the District of Columbia, \$40,000,000, to be allo-  
17 cated as follows: for the District of Columbia Public  
18 Schools, \$13,000,000 to improve public school education  
19 in the District of Columbia; for the State Education Of-  
20 fice, \$13,000,000 to expand quality charter schools in the  
21 District of Columbia; for the Secretary of the Department  
22 of Education, \$14,000,000 to provide opportunity scholar-  
23 ships for students in the District of Columbia in accord-  
24 ance with division C title III of the District of Columbia  
25 Appropriations Act, 2004 (Public Law 108–199, 118 Stat.

1 126), of which up to \$1,000,000 may be used to admin-  
 2 ister and fund assessments for the opportunity scholarship  
 3 program: *Provided*, That the District of Columbia Public  
 4 Schools shall submit a plan for the use of funds provided  
 5 under this heading for public school education to the Com-  
 6 mittees on Appropriations of the House of Representatives  
 7 and Senate, the Committee on Education and the Work-  
 8 force and the Committee on Government Reform of the  
 9 House of Representatives, the Committee on Health, Edu-  
 10 cation, Labor, and Pensions of the Senate: *Provided fur-*  
 11 *ther*, That the funds provided under this heading for pub-  
 12 lic school education shall not be made available until 30  
 13 calendar days after the submission of a spending plan by  
 14 the District of Columbia Public Schools to the Committees  
 15 on Appropriations of the House of Representatives and  
 16 Senate.

17 TITLE II—DISTRICT OF COLUMBIA FUNDS

18 OPERATING EXPENSES

19 DIVISION OF EXPENSES

20 The following amounts are appropriated for the Dis-  
 21 trict of Columbia for the current fiscal year out of the  
 22 general fund of the District of Columbia, except as other-  
 23 wise specifically provided: *Provided*, That notwithstanding  
 24 any other provision of law, except as provided in section  
 25 450A of the District of Columbia Home Rule Act (D.C.

1 Official Code, sec. 1–204.50a) and provisions of this Act,  
2 the total amount appropriated in this Act for operating  
3 expenses for the District of Columbia for fiscal year 2005  
4 under this heading shall not exceed the lesser of the sum  
5 of the total revenues of the District of Columbia for such  
6 fiscal year or \$6,199,114,000 (of which \$4,165,485,000  
7 shall be from local funds, \$1,687,554,000 shall be from  
8 Federal grant funds, \$332,761,000 shall be from other  
9 funds, and \$13,314,000 shall be from private funds), in  
10 addition, \$98,900,000 from funds previously appropriated  
11 in this Act as Federal payments: *Provided further*, That  
12 this amount may be increased by proceeds of one-time  
13 transactions, which are expended for emergency or unan-  
14 ticipated operating or capital needs: *Provided further*,  
15 That such increases shall be approved by enactment of  
16 local District law and shall comply with all reserve require-  
17 ments contained in the District of Columbia Home Rule  
18 Act as amended by this Act: *Provided further*, That the  
19 Chief Financial Officer of the District of Columbia shall  
20 take such steps as are necessary to assure that the Dis-  
21 trict of Columbia meets these requirements, including the  
22 apportioning by the Chief Financial Officer of the appro-  
23 priations and funds made available to the District during  
24 fiscal year 2005, except that the Chief Financial Officer  
25 may not reprogram for operating expenses any funds de-

1 rived from bonds, notes, or other obligations issued for  
2 capital projects.

3 GOVERNMENTAL DIRECTION AND SUPPORT

4 Governmental direction and support, \$416,069,000  
5 (including \$261,068,000 from local funds, \$100,256,000  
6 from Federal grant funds, and \$54,745,000 from other  
7 funds), in addition, \$19,000,000 from funds previously  
8 appropriated in this Act under the heading “Federal Pay-  
9 ment to the Chief Financial Officer of the District of Co-  
10 lumbia”, and \$500,000 from funds previously appro-  
11 priated in this Act under the heading “Federal Payment  
12 for Foster Care Improvements in the District of Colum-  
13 bia” shall be available to the Metropolitan Washington  
14 Council of Governments: *Provided*, That not to exceed  
15 \$9,300 for the Mayor, \$9,300 for the Chairman of the  
16 Council of the District of Columbia, \$9,300 for the City  
17 Administrator, and \$9,300 for the Office of the Chief Fi-  
18 nancial Officer shall be available from this appropriation  
19 for official reception and representation expenses: *Pro-*  
20 *vided further*, That any program fees collected from the  
21 issuance of debt shall be available for the payment of ex-  
22 penses of the debt management program of the District  
23 of Columbia: *Provided further*, That no revenues from  
24 Federal sources shall be used to support the operations  
25 or activities of the Statehood Commission and Statehood



1 Compact Commission: *Provided further*, That the District  
2 of Columbia shall identify the sources of funding for Ad-  
3 mission to Statehood from its own locally generated reve-  
4 nues: *Provided further*, That notwithstanding any other  
5 provision of law, or Mayor's Order 86-45, issued March  
6 18, 1986, the Office of the Chief Technology Officer's del-  
7 egated small purchase authority shall be \$500,000: *Pro-*  
8 *vided further*, That the District of Columbia government  
9 may not require the Office of the Chief Technology Officer  
10 to submit to any other procurement review process, or to  
11 obtain the approval of or be restricted in any manner by  
12 any official or employee of the District of Columbia gov-  
13 ernment, for purchases that do not exceed \$500,000.

14 ECONOMIC DEVELOPMENT AND REGULATION

15 Economic development and regulation, \$334,745,000  
16 (including \$55,764,000 from local funds, \$93,050,000  
17 from Federal grant funds, \$185,806,000 from other  
18 funds, and \$125,000 from private funds), of which  
19 \$13,000,000 collected by the District of Columbia in the  
20 form of BID tax revenue shall be paid to the respective  
21 BIDs pursuant to the Business Improvement Districts Act  
22 of 1996 (D.C. Law 11-134; D.C. Official Code, sec. 2-  
23 1215.01 et seq.), and the Business Improvement Districts  
24 Amendment Act of 1997 (D.C. Law 12-26; D.C. Official  
25 Code, sec. 2-1215.15 et seq.): *Provided*, That such funds

1 are available for acquiring services provided by the Gen-  
2 eral Services Administration: *Provided further*, That Busi-  
3 ness Improvement Districts shall be exempt from taxes  
4 levied by the District of Columbia: *Provided further*, That  
5 local funds in the amount of \$1,200,000 shall be appro-  
6 priated for the Excel Institute.

7 PUBLIC SAFETY AND JUSTICE

8 Public safety and justice, \$797,423,000 (including  
9 \$760,849,000 from local funds, \$6,599,000 from Federal  
10 grant funds, \$29,966,000 from other funds, and \$9,000  
11 from private funds), in addition, \$1,300,000 from funds  
12 previously appropriated in this Act under the heading  
13 “Federal Payment to the Criminal Justice Coordinating  
14 Council”: *Provided*, That not to exceed \$500,000 shall be  
15 available from this appropriation for the Chief of Police  
16 for the prevention and detection of crime: *Provided further*,  
17 That the Mayor shall reimburse the District of Columbia  
18 National Guard for expenses incurred in connection with  
19 services that are performed in emergencies by the National  
20 Guard in a militia status and are requested by the Mayor,  
21 in amounts that shall be jointly determined and certified  
22 as due and payable for these services by the Mayor and  
23 the Commanding General of the District of Columbia Na-  
24 tional Guard: *Provided further*, That such sums as may  
25 be necessary for reimbursement to the District of Colum-

1 bia National Guard under the preceding proviso shall be  
 2 available from this appropriation, and the availability of  
 3 the sums shall be deemed as constituting payment in ad-  
 4 vance for emergency services involved.

5 PUBLIC EDUCATION SYSTEM

6 (INCLUDING TRANSFERS OF FUNDS)

7 Public education system, including the development  
 8 of national defense education programs, \$1,223,424,000  
 9 (including \$1,058,709,000 from local funds,  
 10 \$151,978,000 from Federal grant funds, \$8,957,000 from  
 11 other funds, \$3,780,000 from private funds) in addition,  
 12 \$25,600,000 from funds previously appropriated in this  
 13 Act under the heading “Federal Payment for Resident  
 14 Tuition Support”, \$6,000,000 from funds previously ap-  
 15 propriated in this Act under the heading “Federal Pay-  
 16 ment for Public School Libraries”, and \$26,000,000 from  
 17 funds previously appropriated in this Act under the head-  
 18 ing “Federal Payment for School Improvement in the Dis-  
 19 trict of Columbia” to be allocated as follows:

20 (1) DISTRICT OF COLUMBIA PUBLIC  
 21 SCHOOLS.—\$888,944,000 (including \$760,494,000  
 22 from local funds, \$117,450,000 from Federal grant  
 23 funds, \$7,330,000 from other funds, \$3,670,000  
 24 from private funds), in addition, \$6,000,000 from  
 25 funds previously appropriated in this Act under the

1 heading “Federal Payment for Public School Librar-  
2 ies” shall be available for District of Columbia Pub-  
3 lic Schools and \$13,000,000 from funds previously  
4 appropriated in this Act under the heading “Federal  
5 Payment for School Improvement in the District of  
6 Columbia” shall be available for District of Colum-  
7 bia Public Schools: *Provided*, That notwithstanding  
8 any other provision of law, rule, or regulation, the  
9 evaluation process and instruments for evaluating  
10 District of Columbia Public School employees shall  
11 be a non-negotiable item for collective bargaining  
12 purposes: *Provided further*, That this appropriation  
13 shall not be available to subsidize the education of  
14 any nonresident of the District of Columbia at any  
15 District of Columbia public elementary or secondary  
16 school during fiscal year 2005 unless the non-  
17 resident pays tuition to the District of Columbia at  
18 a rate that covers 100 percent of the costs incurred  
19 by the District of Columbia that are attributable to  
20 the education of the nonresident (as established by  
21 the Superintendent of the District of Columbia Pub-  
22 lic Schools): *Provided further*, That notwithstanding  
23 the amounts otherwise provided under this heading  
24 or any other provision of law, there shall be appro-  
25 priated to the District of Columbia Public Schools

1 on July 1, 2005, an amount equal to 10 percent of  
2 the total amount of the local funds appropriations  
3 request provided for the District of Columbia Public  
4 Schools in the proposed budget of the District of Co-  
5 lumbia for fiscal year 2006 (as submitted to Con-  
6 gress), and the amount of such payment shall be  
7 chargeable against the final amount provided for the  
8 District of Columbia Public Schools under the Dis-  
9 trict of Columbia Appropriations Act, 2006: *Pro-*  
10 *vided further*, That not to exceed \$9,300 for the Su-  
11 perintendent of Schools shall be available from this  
12 appropriation for official reception and representa-  
13 tion expenses.

14 (2) TEACHERS' RETIREMENT FUND.—  
15 \$9,200,000 from local funds shall be available for  
16 the Teacher's Retirement Fund.

17 (3) STATE EDUCATION OFFICE.—\$43,104,000  
18 (including \$10,015,000 from local funds,  
19 \$32,913,000 from Federal grant funds, and  
20 \$176,000 from other funds), in addition,  
21 \$25,600,000 from funds previously appropriated in  
22 this Act under the heading "Federal Payment for  
23 Resident Tuition Support" shall be available for the  
24 State Education Office and \$13,000,000 from funds  
25 previously appropriated in this Act under the head-

1 ing “Federal Payment for School Improvement in  
2 the District of Columbia” shall be available for the  
3 State Education Office: *Provided*, That of the  
4 amounts provided to the State Education Office,  
5 \$500,000 from local funds shall remain available  
6 until June 30, 2006 for an audit of the student en-  
7 rollment of each District of Columbia Public School  
8 and of each District of Columbia public charter  
9 school.

10 (4) DISTRICT OF COLUMBIA PUBLIC CHARTER  
11 SCHOOLS.—\$196,802,000 from local funds shall be  
12 available for District of Columbia public charter  
13 schools: *Provided*, That there shall be quarterly dis-  
14 bursement of funds to the District of Columbia pub-  
15 lic charter schools, with the first payment to occur  
16 within 15 days of the beginning of the fiscal year:  
17 *Provided further*, That if the entirety of this alloca-  
18 tion has not been provided as payments to any pub-  
19 lic charter schools currently in operation through the  
20 per pupil funding formula, the funds shall remain  
21 available for public education in accordance with sec-  
22 tion 2403(b)(2) of the District of Columbia School  
23 Reform Act of 1995 (D.C. Official Code, sec. 38–  
24 1804.03(b)(2)): *Provided further*, That of the  
25 amounts made available to District of Columbia pub-

1       lic charter schools, \$100,000 shall be made available  
2       to the Office of the Chief Financial Officer as au-  
3       thorized by section 2403(b)(5) of the District of Co-  
4       lumbia School Reform Act of 1995 (D.C. Official  
5       Code, sec. 38–1804.03(b)(5)): *Provided further*, That  
6       notwithstanding the amounts otherwise provided  
7       under this heading or any other provision of law,  
8       there shall be appropriated to the District of Colum-  
9       bia public charter schools on July 1, 2005, an  
10      amount equal to 25 percent of the total amount of  
11      the local funds appropriations request provided for  
12      payments to public charter schools in the proposed  
13      budget of the District of Columbia for fiscal year  
14      2006 (as submitted to Congress), and the amount of  
15      such payment shall be chargeable against the final  
16      amount provided for such payments under the Dis-  
17      trict of Columbia Appropriations Act, 2006.

18           (5) UNIVERSITY OF THE DISTRICT OF COLUM-  
19      BIA SUBSIDY.—\$49,602,000 from local funds shall  
20      be available for the University of the District of Co-  
21      lumbia subsidy: *Provided*, That this appropriation  
22      shall not be available to subsidize the education of  
23      nonresidents of the District of Columbia at the Uni-  
24      versity of the District of Columbia, unless the Board  
25      of Trustees of the University of the District of Co-

1 lumbia adopts, for the fiscal year ending September  
2 30, 2005, a tuition rate schedule that will establish  
3 the tuition rate for nonresident students at a level  
4 no lower than the nonresident tuition rate charged  
5 at comparable public institutions of higher education  
6 in the metropolitan area: *Provided further*, That not-  
7 withstanding the amounts otherwise provided under  
8 this heading or any other provision of law, there  
9 shall be appropriated to the University of the Dis-  
10 trict of Columbia on July 1, 2005, an amount equal  
11 to 10 percent of the total amount of the local funds  
12 appropriations request provided for the University of  
13 the District of Columbia in the proposed budget of  
14 the District of Columbia for fiscal year 2006 (as  
15 submitted to Congress), and the amount of such  
16 payment shall be chargeable against the final  
17 amount provided for the University of the District of  
18 Columbia under the District of Columbia Appropria-  
19 tions Act, 2006: *Provided further*, That not to exceed  
20 \$9,300 for the President of the University of the  
21 District of Columbia shall be available from this ap-  
22 propriation for official reception and representation  
23 expenses.

24 (6) DISTRICT OF COLUMBIA PUBLIC LIBRAR-  
25 IES.—\$30,831,000 (including \$28,978,000 from



1 local funds, \$1,093,000 from Federal grant funds,  
2 \$651,000 from other funds, and \$110,000 from pri-  
3 vate funds) shall be available for the District of Co-  
4 lumbia Public Libraries: *Provided*, That not to ex-  
5 ceed \$7,500 for the Public Librarian shall be avail-  
6 able from this appropriation for official reception  
7 and representation expenses.

8 (7) COMMISSION ON THE ARTS AND HUMAN-  
9 ITIES.—\$4,941,000 (including \$3,618,000 from local  
10 funds, \$523,000 from Federal grant funds, and  
11 \$800,000 from other funds) shall be available for  
12 the Commission on the Arts and Humanities.

#### 13 HUMAN SUPPORT SERVICES

#### 14 (INCLUDING TRANSFER OF FUNDS)

15 Human support services, \$2,533,825,000 (including  
16 \$1,165,314,000 from local funds, \$1,331,670,000 from  
17 Federal grant funds, \$27,441,000 from other funds,  
18 \$9,400,000 from private funds), in addition, \$4,500,000  
19 from funds previously appropriated in this Act under the  
20 heading “Federal Payment to Foster Care Improvements  
21 in the District of Columbia”: *Provided*, That \$29,600,000  
22 of this appropriation, to remain available until expended,  
23 shall be available solely for District of Columbia employ-  
24 ees’ disability compensation: *Provided further*, That no less  
25 than \$8,498,720, to remain available until expended, shall

1 be deposited in the Addiction Recovery Fund, established  
2 pursuant to section 5 of the Choice in Drug Treatment  
3 Act of 2000, effective July 8, 2000 (D.C. Law 13–146;  
4 D.C. Official Code, sec. 7–3004), to be used exclusively  
5 for the purpose of the Choice in Drug Treatment program,  
6 established pursuant to section 4 of the Choice in Drug  
7 Treatment Act of 2000 (D.C. Law 13–146; D.C. Official  
8 Code, sec. 7–3003), of which \$7,500,000 shall be provided  
9 from local funds: *Provided further*, That none of the  
10 \$8,498,720 for the Choice in Drug Treatment program  
11 shall be used by the Department of Health’s Addiction  
12 Prevention and Recovery Administration to provide youth  
13 residential treatment services or youth outpatient treat-  
14 ment services: *Provided further*, That no less than  
15 \$2,000,000 shall be available to the Department of  
16 Health’s Addiction Prevention and Recovery Administra-  
17 tion exclusively for the purpose of providing youth residen-  
18 tial treatment services: *Provided further*, That no less than  
19 \$1,575,416 shall be available to the Department of  
20 Health’s Addiction Prevention and Recovery Administra-  
21 tion exclusively for the purpose of providing youth out-  
22 patient treatment services, of which \$750,000 shall be  
23 made available exclusively to provide intensive outpatient  
24 treatment slots, outpatient treatment slots, and other pro-  
25 gram costs for youth in the care of the Youth Services

1 Administration: *Provided further*, That no less than  
2 \$1,400,000 shall be used by the Department of Health’s  
3 Addiction Prevention and Recovery Administration to  
4 fund a Child and Family Services Agency pilot project en-  
5 titled Family Treatment Court: *Provided further*, That  
6 \$1,200,000 of local funds, to remain available until ex-  
7 pended, shall be deposited in the Adoption Voucher Fund,  
8 established pursuant to section 3805(a) of the Adoption  
9 Voucher Fund Act of 2000, effective October 19, 2000  
10 (D.C. Law 13–172; D.C. Official Code, sec. 4–344(a)), to  
11 be used exclusively for the purposes set forth in section  
12 3805(b) of the Adoption Voucher Fund Act (D.C. Official  
13 Code, sec. 4–344(b)): *Provided further*, That no less than  
14 \$300,000 shall be used by the Department of Health’s En-  
15 vironmental Health Administration to operate the Total  
16 Maximum Daily Load program: *Provided further*, That no  
17 less than \$1,268,500 shall be used by the Department of  
18 Health’s Environmental Health Administration to operate  
19 its air quality programs, of which no less than \$242,000  
20 shall be used to fund 4 full-time air quality employees:  
21 *Provided further*, That the Department of Human Serv-  
22 ices, Youth Services Administration shall not expend any  
23 appropriated fiscal year 2005 funds until the Mayor has  
24 submitted to the Council by September 30, 2004, a plan,  
25 including time lines, to close the Oak Hill Youth Center

1 at the earliest feasible date. All of the above proviso  
2 amounts in this heading relate back to and are a subset  
3 of the first-referenced appropriation amount of  
4 \$2,533,825,000.

5 PUBLIC WORKS

6 Public works, including rental of one passenger-car-  
7 rying vehicle for use by the Mayor and three passenger-  
8 carrying vehicles for use by the Council of the District of  
9 Columbia and leasing of passenger-carrying vehicles,  
10 \$331,936,000 (including \$312,035,000 from local funds,  
11 \$4,000,000 from Federal grant funds, and \$15,901,000  
12 from other funds): *Provided*, That this appropriation shall  
13 not be available for collecting ashes or miscellaneous  
14 refuse from hotels and places of business.

15 CASH RESERVE

16 For the cumulative cash reserve established pursuant  
17 to section 202(j)(2) of the District of Columbia Financial  
18 Responsibility and Management Assistance Act of 1995  
19 (D.C. Official Code, sec. 47-392.02(j)(2)), \$50,000,000  
20 from local funds.

21 REPAYMENT OF LOANS AND INTEREST

22 For payment of principal, interest, and certain fees  
23 directly resulting from borrowing by the District of Co-  
24 lumbia to fund District of Columbia capital projects as  
25 authorized by sections 462, 475, and 490 of the District

1 of Columbia Home Rule Act (D.C. Official Code, secs. 1–  
2 204.62, 1–204.75, and 1–204.90), \$347,700,000 from  
3 local funds.

4 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

5 For payment of interest on short-term borrowing,  
6 \$4,000,000 from local funds.

7 CERTIFICATES OF PARTICIPATION

8 For principal and interest payments on the District’s  
9 Certificates of Participation, issued to finance the ground  
10 lease underlying the building located at One Judiciary  
11 Square, \$11,252,000 from local funds.

12 SETTLEMENTS AND JUDGMENTS

13 For making refunds and for the payment of legal set-  
14 tlements or judgments that have been entered against the  
15 District of Columbia government, \$20,270,000 from local  
16 funds: *Provided*, That this appropriation shall not be con-  
17 strued as modifying or affecting the provisions of section  
18 103 of this Act.

19 WILSON BUILDING

20 For expenses associated with the John A. Wilson  
21 building, \$3,633,000 from local funds.

22 WORKFORCE INVESTMENTS

23 For workforce investments, \$38,114,000 from local  
24 funds, to be transferred by the Mayor of the District of  
25 Columbia within the various appropriation headings in

1 this Act for which employees are properly payable: *Pro-*  
2 *vided*, That of this amount \$3,548,000 shall remain avail-  
3 able until expended to meet the requirements of the Com-  
4 pensation Agreement Between the District of Columbia  
5 Government Units 1 and 2 Approval Resolution of 2004,  
6 effective February 17, 2004 (Res. 15-459; 51 DCR  
7 2325).

8                                   NON-DEPARTMENTAL AGENCY

9           To account for anticipated costs that cannot be allo-  
10 cated to specific agencies during the development of the  
11 proposed budget, \$13,946,000 (including \$4,000,000 from  
12 local funds and \$9,946,000 from other funds) to be trans-  
13 ferred by the Mayor of the District of Columbia within  
14 the various appropriations headings in this Act: *Provided*,  
15 That \$4,000,000 from local funds shall be for anticipated  
16 costs associated with the No Child Left Behind Act.

17                                   EMERGENCY PLANNING AND SECURITY FUND

18           For Emergency Planning and Security Fund,  
19 \$15,000,000 from funds previously appropriated in this  
20 Act under the heading “Federal Payment for Emergency  
21 Planning and Security Costs in the District of Columbia”.

22                                   TAX INCREMENT FINANCING PROGRAM

23           For a Tax Increment Financing Program, such  
24 amounts as are necessary to meet the Tax Increment Fi-

1 nancing requirements, not to exceed \$9,710,000 from the  
2 District’s general fund balance.

3                                   EQUIPMENT LEASE OPERATING

4       For Equipment Lease Operating \$23,109,000 from  
5 local funds: *Provided*, That for equipment leases, the  
6 Mayor may finance \$19,453,000 of equipment cost, plus  
7 cost of issuance not to exceed 2 percent of the par amount  
8 being financed on a lease purchase basis with a maturity  
9 not to exceed 5 years.

10                                  EMERGENCY AND CONTINGENCY RESERVE FUNDS

11       For the emergency reserve fund and the contingency  
12 reserve fund under section 450A of the District of Colum-  
13 bia Home Rule Act (Public Law 98–198, as amended;  
14 D.C. Official Code, sec. 1–204.50a), such additional  
15 amounts from the District’s general fund balance as are  
16 necessary to meet the balance requirements for such funds  
17 under section 450A.

18   FAMILY LITERACY

19       From funds previously appropriated in this Act under  
20 the heading “Federal Payment for the Family Literacy  
21 Program”, \$1,000,000.

22   PAY-AS-YOU-GO CAPITAL

23       For Pay-As-You-Go Capital funds in lieu of capital  
24 financing, \$6,531,000 from local funds, to be transferred  
25 to the Capital Fund.

## 1 PAY-AS-YOU-GO CONTINGENCY

2 For Pay-As-You-Go Contingency Fund, \$43,137,000,  
3 subject to the Criteria for Spending Pay-As-You-Go Fund-  
4 ing Act of 2004, approved by the Council of the District  
5 of Columbia on 1st reading, May 14, 2004 (Title I of Bill  
6 15–768), there are authorized to be transferred from the  
7 contingency fund to certain other headings of this Act as  
8 necessary to carry out the purposes of this Act. Expendi-  
9 tures from the Pay-As-You-Go Contingency Fund shall be  
10 subject to the approval of the Council by resolution.

## 11 REVISED REVENUE ESTIMATE CONTINGENCY PRIORITY

12 If the Chief Financial Officer for the District of Co-  
13 lumbia certifies through a revised revenue estimate that  
14 funds are available from local funds, such available funds  
15 shall be expended as provided in the Contingency for Rec-  
16 ordation and Transfer Tax Reduction and the Office of  
17 Property Management and Library Expenditures Act of  
18 2004, approved by the Council of the District of Columbia  
19 on 1st reading, May 14, 2004 (Bill 15–768), including up  
20 to \$2,000,000 to the Office of Property Management, and  
21 up to \$1,200,000 to the District of Columbia Public Li-  
22 brary.



## 1 ENTERPRISE AND OTHER FUNDS

## 2 WATER AND SEWER AUTHORITY

3 For operation of the Water and Sewer Authority,  
4 \$275,289,000 from other funds, of which \$15,180,402  
5 shall be apportioned for repayment of loans and interest  
6 incurred for capital improvement projects and payable to  
7 the District's debt service fund. For construction projects,  
8 \$371,040,000, to be distributed as follows: \$181,656,000  
9 for the Blue Plains Wastewater Treatment Plant,  
10 \$43,800,000 for the sewer program, \$9,118,000 for the  
11 stormwater program, \$122,627,000 for the water pro-  
12 gram, and \$13,839,000 for the capital equipment pro-  
13 gram; in addition, \$10,000,000 from funds previously ap-  
14 propriated in this Act under the heading "Federal Pay-  
15 ment to the District of Columbia Water and Sewer Au-  
16 thority": *Provided*, That the requirements and restrictions  
17 that are applicable to general fund capital improvement  
18 projects and set forth in this Act under the Capital Outlay  
19 appropriation account shall apply to projects approved  
20 under this appropriation account.

## 21 WASHINGTON AQUEDUCT

22 For operation of the Washington Aqueduct,  
23 \$47,972,000 from other funds.

## 1 STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

2 For operation of the Stormwater Permit Compliance  
3 Enterprise Fund, \$3,792,000 from other funds.

## 4 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

5 For the Lottery and Charitable Games Enterprise  
6 Fund, established by the District of Columbia Appropria-  
7 tion Act, 1982, for the purpose of implementing the Law  
8 to Legalize Lotteries, Daily Numbers Games, and Bingo  
9 and Raffles for Charitable Purposes in the District of Co-  
10 lumbia (D.C. Law 3–172; D.C. Official Code, sec. 3–1301  
11 et seq. and sec. 22–1716 et seq.), \$247,000,000 from  
12 other funds: *Provided*, That the District of Columbia shall  
13 identify the source of funding for this appropriation title  
14 from the District’s own locally generated revenues: *Pro-*  
15 *vided further*, That no revenues from Federal sources shall  
16 be used to support the operations or activities of the Lot-  
17 tery and Charitable Games Control Board: *Provided fur-*  
18 *ther*, That the Lottery and Charitable Games Enterprise  
19 Fund is hereby authorized to make transfers to the gen-  
20 eral fund of the District of Columbia, in excess of this  
21 appropriation, if such funds are available for transfer.

## 22 SPORTS AND ENTERTAINMENT COMMISSION

23 For the Sports and Entertainment Commission,  
24 \$7,322,000 from other funds: *Provided*, That the para-  
25 graph under the heading “Sports and Entertainment

1 Commission” in Public Law 108–199 (118 Stat. 125) is  
2 amended by striking the term “local funds” and inserting  
3 the term “other funds” in its place.

4 DISTRICT OF COLUMBIA RETIREMENT BOARD

5 For the District of Columbia Retirement Board, es-  
6 tablished pursuant to section 121 of the District of Colum-  
7 bia Retirement Reform Act of 1979 (D.C. Official Code,  
8 sec. 1–711), \$15,277,000 from the earnings of the appli-  
9 cable retirement funds to pay legal, management, invest-  
10 ment, and other fees and administrative expenses of the  
11 District of Columbia Retirement Board: *Provided*, That  
12 the District of Columbia Retirement Board shall provide  
13 to the Congress and to the Council of the District of Co-  
14 lumbia a quarterly report of the allocations of charges by  
15 fund and of expenditures of all funds: *Provided further*,  
16 That the District of Columbia Retirement Board shall pro-  
17 vide the Mayor, for transmittal to the Council of the Dis-  
18 trict of Columbia, an itemized accounting of the planned  
19 use of appropriated funds in time for each annual budget  
20 submission and the actual use of such funds in time for  
21 each annual audited financial report.

22 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

23 For the Washington Convention Center Enterprise  
24 Fund, \$77,176,000 from other funds.

## 1 NATIONAL CAPITAL REVITALIZATION CORPORATION

2 For the National Capital Revitalization Corporation,  
3 \$7,850,000 from other funds.

## 4 UNIVERSITY OF THE DISTRICT OF COLUMBIA

5 For the University of the District of Columbia,  
6 \$85,102,000 (including, \$49,603,000 from local funds  
7 previously appropriated in this Act under the heading  
8 “Public Education Systems”, \$15,192,000 from Federal  
9 funds, \$19,434,000 from other funds, and \$873,000 from  
10 private funds): *Provided*, That this appropriation shall not  
11 be available to subsidize the education of nonresidents of  
12 the District of Columbia at the University of the District  
13 of Columbia, unless the Board of Trustees of the Univer-  
14 sity of the District of Columbia adopts, for the fiscal year  
15 ending September 30, 2005, a tuition rate schedule that  
16 will establish the tuition rate for nonresident students at  
17 a level no lower than the nonresident tuition rate charged  
18 at comparable public institutions of higher education in  
19 the metropolitan area.

## 20 UNEMPLOYMENT INSURANCE TRUST FUND

21 For the Unemployment Insurance Trust Fund,  
22 \$180,000,000 from other funds.

## 23 OTHER POST EMPLOYEE BENEFITS TRUST FUND

24 For the Other Post Employee Benefits Trust Fund,  
25 \$953,000 from other funds.

## 1 DC PUBLIC LIBRARY TRUST FUND

2 For the DC Public Library Trust Fund, \$17,000  
3 from other funds: *Provided*, That \$7,000 shall be for the  
4 Theodore W. Noyes Trust Fund: *Provided further*, That  
5 \$10,000 shall be for the Peabody Trust Fund.

## 6 CAPITAL OUTLAY

7 (INCLUDING RESCISSIONS)

8 For construction projects, an increase of  
9 \$1,087,649,000, of which \$839,898,000 shall be from  
10 local funds, \$38,542,000 from Highway Trust funds,  
11 \$37,000,000 from the Rights-of-way funds, \$172,209,000  
12 from Federal grant funds, and a rescission of  
13 \$361,763,000 from local funds appropriated under this  
14 heading in prior fiscal years, for a net amount of  
15 \$725,886,000, to remain available until expended; in addi-  
16 tion, \$7,000,000 from funds previously appropriated in  
17 this Act under the heading “Federal Payment for Capital  
18 Development in the District of Columbia” and \$3,000,000  
19 from funds previously appropriated in this Act under the  
20 heading “Federal Payment for the Anacostia Waterfront  
21 Initiative”: *Provided*, That funds for use of each capital  
22 project implementing agency shall be managed and con-  
23 trolled in accordance with all procedures and limitations  
24 established under the Financial Management System: *Pro-*  
25 *vided further*, That all funds provided by this appropria-

1 tion title shall be available only for the specific projects  
2 and purposes intended: *Provided further*, That the Office  
3 of the Chief Technology Officer of the District of Colum-  
4 bia shall implement the following information technology  
5 projects on behalf of the District of Columbia Public  
6 Schools: Student Information System (project number  
7 T2240), Student Information System PCS (project num-  
8 ber T2241), Enterprise Resource Planning (project num-  
9 ber T2242), E-Rate (project number T2243), and SETS  
10 Expansion PCS (project number T2244).

### 11 TITLE III—GENERAL PROVISIONS

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

18 SEC. 102. Appropriations in this act shall be available  
19 for expenses of travel and for the payment of dues of orga-  
20 nizations concerned with the work of the District of Co-  
21 lumbia government, when authorized by the Mayor, or, in  
22 the case of the Council of the District of Columbia, funds  
23 may be expended with the authorization of the Chairman  
24 of the Council.

1       SEC. 103. There are appropriated from the applicable  
2 funds of the District of Columbia such sums as may be  
3 necessary for making refunds and for the payment of legal  
4 settlements or judgments that have been entered against  
5 the District of Columbia government.

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

9       SEC. 105. (a) Except as provided in subsection (b),  
10 no part of this appropriation shall be used for publicity  
11 or propaganda purposes or implementation of any policy  
12 including boycott designed to support or defeat legislation  
13 pending before Congress or any State legislature.

14       (b) The District of Columbia may use local funds pro-  
15 vided in this Act to carry out lobbying activities on any  
16 matter other than—

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

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

21       (c) Nothing in this section may be construed to pro-  
22 hibit any elected official from advocating with respect to  
23 any of the issues referred to in subsection (b).

24       SEC. 106. (a) None of the funds provided under this  
25 Act to the agencies funded by this Act, both Federal and

1 District government agencies, that remain available for  
2 obligation or expenditure in fiscal year 2005, or provided  
3 from any accounts in the Treasury of the United States  
4 derived by the collection of fees available to the agencies  
5 funded by this Act, shall be available for obligation or ex-  
6 penditures for an agency through a reprogramming of  
7 funds which—

8 (1) creates new programs;

9 (2) eliminates a program, project, or responsi-  
10 bility center;

11 (3) establishes or changes allocations specifi-  
12 cally denied, limited or increased under this Act;

13 (4) increases funds or personnel by any means  
14 for any program, project, or responsibility center for  
15 which funds have been denied or restricted;

16 (5) reestablishes any program or project pre-  
17 viously deferred through reprogramming;

18 (6) augments any existing program, project, or  
19 responsibility center through a reprogramming of  
20 funds in excess of \$1,000,000 or 10 percent, which-  
21 ever is less; or

22 (7) increases by 20 percent or more personnel  
23 assigned to a specific program, project or responsi-  
24 bility center,



1 unless the Committees on Appropriations of the House of  
2 Representatives and Senate are notified in writing 15 days  
3 in advance of the reprogramming.

4 (b) None the local funds contained in this Act may  
5 be available for obligation or expenditure for an agency  
6 through a transfer of any local funds in excess of  
7 \$1,000,000 from one appropriation heading to another un-  
8 less the Committees on Appropriations of the House of  
9 Representatives and Senate are notified in writing 15 days  
10 in advance of the transfer, except that in no event may  
11 the amount of any funds transferred exceed 4 percent of  
12 the local funds in the appropriations.

13 SEC. 107. Consistent with the provisions of section  
14 1301(a) of title 31, United States Code, appropriations  
15 under this Act shall be applied only to the objects for  
16 which the appropriations were made except as otherwise  
17 provided by law.

18 SEC. 108. Notwithstanding any other provisions of  
19 law, the provisions of the District of Columbia Govern-  
20 ment Comprehensive Merit Personnel Act of 1978 (D.C.  
21 Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.),  
22 enacted pursuant to section 422(3) of the District of Co-  
23 lumbia Home Rule Act (D.C. Official Code, sec. 1-  
24 2041.22(3)), shall apply with respect to the compensation  
25 of District of Columbia employees. For pay purposes, em-

1 ployees of the District of Columbia government shall not  
2 be subject to the provisions of title 5, United States Code.

3       SEC. 109. No later than 30 days after the end of the  
4 first quarter of fiscal year 2005, the Mayor of the District  
5 of Columbia shall submit to the Council of the District  
6 of Columbia and the Committees on Appropriations of the  
7 House of Representatives and Senate the new fiscal year  
8 2005 revenue estimates as of the end of such quarter.  
9 These estimates shall be used in the budget request for  
10 fiscal year 2006. The officially revised estimates at mid-  
11 year shall be used for the midyear report.

12       SEC. 110. No sole source contract with the District  
13 of Columbia government or any agency thereof may be re-  
14 newed or extended without opening that contract to the  
15 competitive bidding process as set forth in section 303 of  
16 the District of Columbia Procurement Practices Act of  
17 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–303.03),  
18 except that the District of Columbia government or any  
19 agency thereof may renew or extend sole source contracts  
20 for which competition is not feasible or practical, but only  
21 if the determination as to whether to invoke the competi-  
22 tive bidding process has been made in accordance with  
23 duly promulgated rules and procedures and has been re-  
24 viewed and certified by the Chief Financial Officer of the  
25 District of Columbia.

1        SEC. 111. None of the Federal funds provided in this  
2 Act may be used by the District of Columbia to provide  
3 for salaries, expenses, or other costs associated with the  
4 offices of United States Senator or United States Rep-  
5 resentative under section 4(d) of the District of Columbia  
6 Statehood Constitutional Convention Initiatives of 1979  
7 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

8        SEC. 112. None of the funds appropriated under this  
9 Act shall be expended for any abortion except where the  
10 life of the mother would be endangered if the fetus were  
11 carried to term or where the pregnancy is the result of  
12 an act of rape or incest.

13        SEC. 113. None of the Federal funds made available  
14 in this Act may be used to implement or enforce the  
15 Health Care Benefits Expansion Act of 1992 (D.C. Law  
16 9–114; D.C. Official Code, sec. 32–701 et seq.) or to oth-  
17 erwise implement or enforce any system of registration of  
18 unmarried, cohabiting couples, including but not limited  
19 to registration for the purpose of extending employment,  
20 health, or governmental benefits to such couples on the  
21 same basis that such benefits are extended to legally mar-  
22 ried couples.

23        SEC. 114. (a) Notwithstanding any other provision  
24 of this Act, the Mayor, in consultation with the Chief Fi-  
25 nancial Officer of the District of Columbia may accept,

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

4 (b)(1) No such Federal, private, or other grant may  
5 be accepted, obligated, or expended pursuant to subsection  
6 (a) until—

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

10 (B) the Council has reviewed and approved the  
11 acceptance, obligation, and expenditure of such  
12 grant.

13 (2) For purposes of paragraph (1)(B), the Council  
14 shall be deemed to have reviewed and approved the accept-  
15 ance, obligation, and expenditure of a grant if—

16 (A) no written notice of disapproval is filed with  
17 the Secretary of the Council within 14 calendar days  
18 of the receipt of the report from the Chief Financial  
19 Officer under paragraph (1)(A); or

20 (B) if such a notice of disapproval is filed with-  
21 in such deadline, the Council does not by resolution  
22 disapprove the acceptance, obligation, or expenditure  
23 of the grant within 30 calendar days of the initial  
24 receipt of the report from the Chief Financial Offi-  
25 cer under paragraph (1)(A).

1 (c) No amount may be obligated or expended from  
2 the general fund or other funds of the District of Colum-  
3 bia government in anticipation of the approval or receipt  
4 of a grant under subsection (b)(2) or in anticipation of  
5 the approval or receipt of a Federal, private, or other  
6 grant not subject to such subsection.

7 (d) The Chief Financial Officer of the District of Co-  
8 lumbia may adjust the budget for Federal, private, and  
9 other grants received by the District government reflected  
10 in the amounts appropriated in this Act, or approved and  
11 received under subsection (b)(2) to reflect a change in the  
12 actual amount of the grant.

13 (e) The Chief Financial Officer of the District of Co-  
14 lumbia shall prepare a quarterly report setting forth de-  
15 tailed information regarding all Federal, private, and  
16 other grants subject to this section. Each such report shall  
17 be submitted to the Council of the District of Columbia  
18 and to the Committees on Appropriations of the House  
19 of Representatives and Senate not later than 15 days after  
20 the end of the quarter covered by the report.

21 SEC. 115. (a) Except as otherwise provided in this  
22 section, none of the funds made available by this Act or  
23 by any other Act may be used to provide any officer or  
24 employee of the District of Columbia with an official vehi-  
25 cle unless the officer or employee uses the vehicle only in

1 the performance of the officer's or employee's official du-  
2 ties. For purposes of this paragraph, the term "official  
3 duties" does not include travel between the officer's or em-  
4 ployee's residence and workplace, except in the case of—

5           (1) an officer or employee of the Metropolitan  
6 Police Department who resides in the District of Co-  
7 lumbia or is otherwise designated by the Chief of the  
8 Department;

9           (2) at the discretion of the Fire Chief, an offi-  
10 cer or employee of the District of Columbia Fire and  
11 Emergency Medical Services Department who re-  
12 sides in the District of Columbia and is on call 24  
13 hours a day or is otherwise designated by the Fire  
14 Chief;

15           (3) the Mayor of the District of Columbia; and

16           (4) the Chairman of the Council of the District  
17 of Columbia.

18       (b) The Chief Financial Officer of the District of Co-  
19 lumbia shall submit by March 1, 2005, an inventory, as  
20 of September 30, 2004, of all vehicles owned, leased or  
21 operated by the District of Columbia government. The in-  
22 ventory shall include, but not be limited to, the depart-  
23 ment to which the vehicle is assigned; the year and make  
24 of the vehicle; the acquisition date and cost; the general  
25 condition of the vehicle; annual operating and mainte-

1 nance costs; current mileage; and whether the vehicle is  
2 allowed to be taken home by a District officer or employee  
3 and if so, the officer or employee's title and resident loca-  
4 tion.

5 SEC. 116. None of the funds contained in this Act  
6 may be used for purposes of the annual independent audit  
7 of the District of Columbia government for fiscal year  
8 2005 unless—

9 (1) the audit is conducted by the Inspector  
10 General of the District of Columbia, in coordination  
11 with the Chief Financial Officer of the District of  
12 Columbia, pursuant to section 208(a)(4) of the Dis-  
13 trict of Columbia Procurement Practices Act of  
14 1985 (D.C. Official Code, sec. 2-302.8); and

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

23 SEC. 117. (a) None of the funds contained in this  
24 Act may be used by the District of Columbia Corporation  
25 Counsel or any other officer or entity of the District gov-

1 ernment to provide assistance for any petition drive or civil  
2 action which seeks to require Congress to provide for vot-  
3 ing representation in Congress for the District of Colum-  
4 bia.

5 (b) Nothing in this section bars the District of Co-  
6 lumbia Corporation Counsel from reviewing or com-  
7 menting on briefs in private lawsuits, or from consulting  
8 with officials of the District government regarding such  
9 lawsuits.

10 SEC. 118. (a) None of the funds contained in this  
11 Act may be used for any program of distributing sterile  
12 needles or syringes for the hypodermic injection of any ille-  
13 gal drug.

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

19 SEC. 119. None of the funds contained in this Act  
20 may be used after the expiration of the 60-day period that  
21 begins on the date of the enactment of this Act to pay  
22 the salary of any chief financial officer of any office of  
23 the District of Columbia government (including any inde-  
24 pendent agency of the District of Columbia) who has not  
25 filed a certification with the Mayor and the Chief Finan-



1 cial Officer of the District of Columbia that the officer  
2 understands the duties and restrictions applicable to the  
3 officer and the officer's agency as a result of this Act (and  
4 the amendments made by this Act), including any duty  
5 to prepare a report requested either in the Act or in any  
6 of the reports accompanying the Act and the deadline by  
7 which each report must be submitted. The Chief Financial  
8 Officer of the District of Columbia shall provide to the  
9 Committees on Appropriations of the House of Represent-  
10 atives and Senate by the 10th day after the end of each  
11 quarter a summary list showing each report, the due date,  
12 and the date submitted to the Committees.

13       SEC. 120. (a) None of the funds contained in this  
14 Act may be used to enact or carry out any law, rule, or  
15 regulation to legalize or otherwise reduce penalties associ-  
16 ated with the possession, use, or distribution of any sched-  
17 ule I substance under the Controlled Substances Act (21  
18 U.S.C. 802) or any tetrahydrocannabinols derivative.

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

23       SEC. 121. Nothing in this Act may be construed to  
24 prevent the Council or Mayor of the District of Columbia  
25 from addressing the issue of the provision of contraceptive

1 coverage by health insurance plans, but it is the intent  
2 of Congress that any legislation enacted on such issue  
3 should include a “conscience clause” which provides excep-  
4 tions for religious beliefs and moral convictions.

5       SEC. 122. The Mayor of the District of Columbia  
6 shall submit to the Committees on Appropriations of the  
7 House of Representatives and Senate, the Committee on  
8 Government Reform of the House of Representatives, and  
9 the Committee on Governmental Affairs of the Senate  
10 quarterly reports addressing—

11           (1) crime, including the homicide rate, imple-  
12           mentation of community policing, the number of po-  
13           lice officers on local beats, and the closing down of  
14           open-air drug markets;

15           (2) access to substance and alcohol abuse treat-  
16           ment, including the number of treatment slots, the  
17           number of people served, the number of people on  
18           waiting lists, and the effectiveness of treatment pro-  
19           grams;

20           (3) management of parolees and pre-trial vio-  
21           lent offenders, including the number of halfway  
22           houses escapes and steps taken to improve moni-  
23           toring and supervision of halfway house residents to  
24           reduce the number of escapes to be provided in con-

1 sultation with the Court Services and Offender Su-  
2 pervision Agency for the District of Columbia;

3 (4) education, including access to special edu-  
4 cation services and student achievement to be pro-  
5 vided in consultation with the District of Columbia  
6 Public Schools and the District of Columbia public  
7 charter schools;

8 (5) improvement in basic District services, in-  
9 cluding rat control and abatement;

10 (6) application for and management of Federal  
11 grants, including the number and type of grants for  
12 which the District was eligible but failed to apply  
13 and the number and type of grants awarded to the  
14 District but for which the District failed to spend  
15 the amounts received; and

16 (7) indicators of child well-being.

17 SEC. 123. (a) No later than 30 calendar days after  
18 the date of the enactment of this Act, the Chief Financial  
19 Officer of the District of Columbia shall submit to the ap-  
20 propriate committees of Congress, the Mayor, and the  
21 Council of the District of Columbia a revised appropriated  
22 funds operating budget in the format of the budget that  
23 the District of Columbia government submitted pursuant  
24 to section 442 of the District of Columbia Home Rule Act  
25 (D.C. Official Code, sec. 1-204.42), for all agencies of the

1 District of Columbia government for fiscal year 2004 that  
2 is in the total amount of the approved appropriation and  
3 that realigns all budgeted data for personal services and  
4 other-than-personal-services, respectively, with anticipated  
5 actual expenditures.

6 (b) This section shall apply only to an agency where  
7 the Chief Financial Officer of the District of Columbia  
8 certifies that a reallocation is required to address unanti-  
9 cipated changes in program requirements.

10 SEC. 124. None of the funds contained in this Act  
11 may be used to issue, administer, or enforce any order  
12 by the District of Columbia Commission on Human Rights  
13 relating to docket numbers 93-030-(PA) and 93-031-  
14 (PA).

15 SEC. 125. None of the Federal funds made available  
16 in this Act may be transferred to any department, agency,  
17 or instrumentality of the United States Government, ex-  
18 cept pursuant to a transfer made by, or transfer authority  
19 provided in, this Act or any other appropriation Act.

20 SEC. 126. Notwithstanding any other law, the Dis-  
21 trict of Columbia Courts shall transfer to the general  
22 treasury of the District of Columbia all fines levied and  
23 collected by the Courts under section 10(b)(1) and (2) of  
24 the District of Columbia Traffic Act (D.C. Official Code,  
25 sec. 50-2201.05(b)(1) and (2)). The transferred funds

1 shall remain available until expended and shall be used  
2 by the Office of the Corporation Counsel for enforcement  
3 and prosecution of District traffic alcohol laws in accord-  
4 ance with section 10(b)(3) of the District of Columbia  
5 Traffic Act (D.C. Official Code, sec. 50–2201.05(b)(3)).

6 SEC. 127. None of the funds contained in this Act  
7 may be made available to pay—

8 (1) the fees of an attorney who represents a  
9 party in an action or an attorney who defends an ac-  
10 tion, including an administrative proceeding, brought  
11 against the District of Columbia Public Schools  
12 under the Individuals with Disabilities Education  
13 Act (20 U.S.C. 1400 et seq.) in excess of \$4,000 for  
14 that action; or

15 (2) the fees of an attorney or firm whom the  
16 Chief Financial Officer of the District of Columbia  
17 determines to have a pecuniary interest, either  
18 through an attorney, officer or employee of the firm,  
19 in any special education diagnostic services, schools,  
20 or other special education service providers.

21 SEC. 128. The Chief Financial Officer of the District  
22 of Columbia shall require attorneys in special education  
23 cases brought under the Individuals with Disabilities Act  
24 (IDEA) in the District of Columbia to certify in writing  
25 that the attorney or representative rendered any and all

1 services for which they receive awards, including those re-  
2 ceived under a settlement agreement or as part of an ad-  
3 ministrative proceeding, under the IDEA from the District  
4 of Columbia. As part of the certification, the Chief Finan-  
5 cial Officer of the District of Columbia shall require all  
6 attorneys in IDEA cases to disclose any financial, cor-  
7 porate, legal, memberships on boards of directors, or other  
8 relationships with any special education diagnostic serv-  
9 ices, schools, or other special education service providers  
10 to which the attorneys have referred any clients as part  
11 of this certification. The Chief Financial Officer shall pre-  
12 pare and submit quarterly reports to the Committees on  
13 Appropriations of the House of Representatives and Sen-  
14 ate on the certification of and the amount paid by the gov-  
15 ernment of the District of Columbia, including the District  
16 of Columbia Public Schools, to attorneys in cases brought  
17 under IDEA. The Inspector General of the District of Co-  
18 lumbia may conduct investigations to determine the accu-  
19 racy of the certifications.

20       SEC. 129. The amount appropriated by this Act may  
21 be increased by no more than \$15,000,000 from funds  
22 identified in the comprehensive annual financial report as  
23 the District's fiscal year 2004 unexpended general fund  
24 surplus. The District may obligate and expend these  
25 amounts only in accordance with the following conditions:

1           (1) The Chief Financial Officer of the District  
2 of Columbia shall certify that the use of any such  
3 amounts is not anticipated to have a negative impact  
4 on the District's long-term financial, fiscal, and eco-  
5 nomic vitality.

6           (2) The District of Columbia may only use  
7 these funds for the following expenditures:

8                   (A) Unanticipated one-time expenditures.

9                   (B) Expenditures to avoid deficit spending.

10                  (C) Debt Reduction.

11                  (D) Unanticipated program needs.

12                  (E) Expenditures to avoid revenue short-  
13 falls.

14           (3) The amounts shall be obligated and ex-  
15 pended in accordance with laws enacted by the  
16 Council in support of each such obligation or ex-  
17 penditure.

18           (4) The amounts may not be used to fund the  
19 agencies of the District of Columbia government  
20 under court ordered receivership.

21           (5) The amounts may be obligated and ex-  
22 pended only if approved by the Committees on Ap-  
23 propriations of the House of Representatives and  
24 Senate in advance of any obligation or expenditure.

1       SEC. 130. (a) Section 450A(a) of the District of Co-  
2 lumbia Home Rule Act (D.C. Official Code, sec. 1-  
3 204.50a(a)) is amended as follows:

4           (1) Paragraph (1) is amended to read as fol-  
5 lows:

6           “(1) IN GENERAL.—There is established an  
7 emergency cash reserve fund (“emergency reserve  
8 fund”) as an interest-bearing account (separate from  
9 other accounts in the General Fund) into which the  
10 Mayor shall make a deposit in cash each fiscal year  
11 of such an amount as may be required to maintain  
12 a balance in the fund of at least 2 percent of the  
13 operating expenditures as defined in paragraph (2)  
14 of this subsection or such amount as may be re-  
15 quired for deposit in a fiscal year in which the Dis-  
16 trict is replenishing the emergency reserve fund pur-  
17 suant to subsection (a)(7).”.

18           (2) Paragraph (2) is amended to read as fol-  
19 lows:

20           “(2) OPERATING EXPENSES.—For the purpose  
21 of this subsection, operating expenditures is defined  
22 as the amount reported in the District of Columbia’s  
23 Comprehensive Annual Financial Report for the fis-  
24 cal year immediately preceding the current fiscal  
25 year as the actual operating expenditure from local



1 funds, less such amounts that are attributed to debt  
2 service payments for which a separate reserve fund  
3 is already established under this Act.”.

4 (3) Paragraph (7) is amended to read as fol-  
5 lows:

6 “(7) REPLENISHMENT.—The District of Co-  
7 lumbia shall appropriate sufficient funds each fiscal  
8 year in the budget process to replenish any amounts  
9 allocated from the emergency reserve fund during  
10 the preceding fiscal years so that not less than 50  
11 percent of any amount allocated in the preceding fis-  
12 cal year or the amount necessary to restore the  
13 emergency reserve fund to the 2 percent required  
14 balance, whichever is less, is replenished by the end  
15 of the current fiscal year and 100 percent of the  
16 amount allocated or the amount necessary to restore  
17 the emergency reserve fund to the 2 percent re-  
18 quired balance, whichever is less, is replenished by  
19 the end of the second fiscal year following each such  
20 allocation.”.

21 (b) Section 450A(b) of such Act (sec. 1–204.50a(b),  
22 D.C. Official Code) is amended as follows:

23 (1) Paragraph (1) is amended to read as fol-  
24 lows:

1           “(1) IN GENERAL.—There is established a con-  
2           tingency cash reserve fund (“contingency reserve  
3           fund”) as an interest-bearing account, separate from  
4           other accounts in the general fund, into which the  
5           Mayor shall make a deposit in cash each fiscal year  
6           of such amount as may be required to maintain a  
7           balance in the fund of at least 4 percent of the oper-  
8           ating expenditures as defined in paragraph (2) of  
9           this subsection or such amount as may be required  
10          for deposit in a fiscal year in which the District is  
11          replenishing the emergency reserve fund pursuant to  
12          subsection (b)(6).”.

13           (2) Paragraph (2) is amended to read as fol-  
14          lows:

15           “(2) OPERATING EXPENSES.—For the purpose  
16          of this subsection, operating expenditures is defined  
17          as the amount reported in the District of Columbia’s  
18          Comprehensive Annual Financial Report for the fis-  
19          cal year immediately preceding the current fiscal  
20          year as the actual operating expenditure from local  
21          funds, less such amounts that are attributed to debt  
22          service payments for which a separate reserve fund  
23          is already established under this Act.”.

24           (3) Paragraph (6) is amended to read as fol-  
25          lows:

1           “(6) REPLENISHMENT.—The District of Co-  
2           lumbia shall appropriate sufficient funds each fiscal  
3           year in the budget process to replenish any amounts  
4           allocated from the contingency reserve fund during  
5           the preceding fiscal years so that not less than 50  
6           percent of any amount allocated in the preceding fis-  
7           cal year or the amount necessary to restore the con-  
8           tingency reserve fund to the 4 percent required bal-  
9           ance, whichever is less, is replenished by the end of  
10          the current fiscal year and 100 percent of the  
11          amount allocated or the amount necessary to restore  
12          the contingency reserve fund to the 4 percent re-  
13          quired balance, whichever is less, is replenished by  
14          the end of the second fiscal year following each such  
15          allocation.”.

16          SEC. 131. For fiscal year 2005, the Chief Financial  
17          Officer shall re-calculate the emergency and contingency  
18          cash reserve funds amount established by section 450A of  
19          the District of Columbia Home Rule Act (D.C. Official  
20          Code, sec. 1-204.50a), as amended by this Act, and is au-  
21          thorized to transfer funds between the emergency and con-  
22          tingency cash reserve funds to reach the required percent-  
23          ages, and may transfer funds from the emergency and  
24          contingency cash reserve funds to the general fund of the  
25          District of Columbia to the extent that such funds are not

1 necessary to meet the requirements established for each  
2 fund, except that the Chief Financial Officer may not  
3 transfer funds from the emergency or the contingency re-  
4 serve funds to the extent that such a transfer would lower  
5 the fiscal year 2005 total percentage below 7 percent.

6       SEC. 132. (a) Section 6 of the Policemen and Fire-  
7 men’s Retirement and Disability Act Amendments of 1957  
8 (sec. 5–732, D.C. Official Code) is amended by striking  
9 the period at the end of the first sentence and inserting  
10 the following: “, and for the administrative costs associ-  
11 ated with making such benefit payments.”.

12       (b) The amendment made by subsection (a) shall  
13 apply with respect to fiscal year 2005 and each succeeding  
14 fiscal year.

15       SEC. 133. (a) CONTINUING AVAILABILITY OF  
16 AMOUNTS IN CHARTER SCHOOL FUND.—Section  
17 2403(b)(1) of the District of Columbia School Reform Act  
18 of 1995 (sec. 38–1804.03(b)(1), D.C. Official Code) is  
19 amended by adding at the end the following new sentence:  
20 “Amounts in the Charter School Fund shall remain avail-  
21 able until expended, and any amounts in the Fund remain-  
22 ing unobligated or unexpended at the end of a fiscal year  
23 shall not revert to the General Fund of the District of  
24 Columbia.”.

1 (b) AVAILABILITY OF ADDITIONAL LOCAL FUNDS  
2 FOR CHARTER SCHOOL FUND.—Section 2403(b)(2)(A) of  
3 such Act (sec. 38–1804.03(b)(2)(A), D.C. Official Code)  
4 is amended by inserting after “District of Columbia,” the  
5 following: “together with any other local funds that the  
6 Chief Financial Officer of the District of Columbia cer-  
7 tifies are necessary to carry out the purposes of the Fund  
8 during the fiscal year,”.

9 (c) EFFECTIVE DATE.—The amendments made by  
10 this section shall apply with respect to fiscal year 2005  
11 and each succeeding fiscal year.

12 SEC. 134. (a) CONTINUATION OF CERTAIN AUTHOR-  
13 ITY OF CHIEF FINANCIAL OFFICER.—Section 2302 of the  
14 Emergency Wartime Supplemental Appropriations Act,  
15 2003 (Public Law 108–11; 117 Stat. 593), is amended  
16 by striking “September 30, 2004” and inserting “Sep-  
17 tember 30, 2005”.

18 (b) EFFECTIVE DATE.—The amendment made by  
19 subsection (a) shall take effect as if included in the enact-  
20 ment of the Emergency Wartime Supplemental Appropria-  
21 tions Act, 2003.

22 SEC. 135. (a) Section 106(b) of the District of Co-  
23 lumbia Public Works Act of 1954 (sec. 34–2401.25(b),  
24 D.C. Official Code) is amended by striking paragraph (5).

1 (b) Section 212(b) of such Act (sec. 34–2112(b),  
2 D.C. Official Code) is amended by striking paragraph (5).

3 (c) The amendments made by this section shall apply  
4 with respect to quarters occurring during fiscal year 2005  
5 and each succeeding fiscal year.

6 SEC. 136. (a) APPROVAL OF BONDS BY JOINT COM-  
7 MITTEE ON JUDICIAL ADMINISTRATION.—Section 11–  
8 1701(b), District of Columbia Official Code, is amended  
9 by striking paragraph (5).

10 (b) EXECUTIVE OFFICER.—

11 (1) IN GENERAL.—Section 11–1704, District of  
12 Columbia Official Code, is amended to read as fol-  
13 lows:

14 **“§ 11–1704. Oath of Executive Officer**

15 “The Executive Officer shall take an oath or affirma-  
16 tion for the faithful and impartial discharge of the duties  
17 of that office.”.

18 (2) CLERICAL AMENDMENT.—The table of sec-  
19 tions for subchapter I of chapter 17 of title 11, Dis-  
20 trict of Columbia Official Code, is amended by  
21 amending the item relating to section 11–1704 to  
22 read as follows:

“11–1704. Oath of Executive Officer.”.

23 (c) FISCAL OFFICER.—Section 11–1723, District of  
24 Columbia Official Code, is amended—

25 (1) by striking “(a)(1)” and inserting “(a)”;

1 (2) by striking subsection (b); and

2 (3) by redesignating paragraphs (2) and (3) of  
3 subsection (a) as subsections (b) and (c).

4 (d) AUDITOR-MASTER.—Section 11–1724, District of  
5 Columbia Official Code, is amended by striking the second  
6 and third sentences.

7 (e) REGISTER OF WILLS.—

8 (1) IN GENERAL.—Section 11–2102, District of  
9 Columbia Official Code, is amended—

10 (A) in the heading, by striking “bond;”;

11 (B) in subsection (a)(2), by striking “give  
12 bond,” and all that follows through “seasonably  
13 to record” and inserting “seasonably record”;  
14 and

15 (C) by striking the third sentence of sub-  
16 section (a).

17 (2) CLERICAL AMENDMENT.—The item relating  
18 to section 11–2102 in the table of sections for chap-  
19 ter 21 of title 11, District of Columbia Official Code,  
20 is amended by striking “bond;”.

21 SEC. 137. Section 11–1728, District of Columbia Of-  
22 ficial Code, is amended to read as follows:

1 **“§ 11-1728. Recruitment and training of personnel;**  
2 **travel**

3 “(a) The Executive Officer shall be responsible for  
4 recruiting such qualified personnel as may be necessary  
5 for the District of Columbia courts and for providing in-  
6 service training for court personnel.

7 “(b) Travel under Federal supply schedules is author-  
8 ized for the travel of court personnel on official business.  
9 The Joint Committee shall prescribe such requirements,  
10 conditions, and restrictions for such travel as it considers  
11 appropriate, and shall include policies and procedures for  
12 preventing abuses of that travel authority.”.

13 (b) The table of sections for subchapter II of chapter  
14 17 of title 11, District of Columbia Official Code, is  
15 amended by amending the item relating to section 11-  
16 1728 to read as follows:

“11-1728. Recruitment and training of personnel; travel.”.

17 SEC. 138. (a) Notwithstanding any other provision  
18 of this Act, the amount of local funds made available  
19 under this Act for the Office of the Inspector General shall  
20 be the amount provided in the annual estimate of the In-  
21 spector General of the expenditures and appropriations  
22 necessary for the operation of the Office for fiscal year  
23 2005, as prepared by the Inspector General and submitted  
24 to the Mayor of the District of Columbia under section  
25 208(a)(2)(A) of the District of Columbia Procurement



1 Practices Act of 1985 (sec. 2–302.08(a)(2)(A), D.C. Offi-  
2 cial Code).

3 (b) The Chief Financial Officer of the District of Co-  
4 lumbia shall take such steps as are necessary to carry out  
5 this section.

6 This Act may be cited as the “District of Columbia  
7 Appropriations Act, 2005”.

Passed the House of Representatives July 20, 2004.

Attest:

JEFF TRANDAHL,

*Clerk.*