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District of Columbia Appropriations Act for FY2001: Comparison of General Provisions of P.L. 106-113, and House and Senate Versions of H.R. 4942

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District of Columbia Appropriations Act for FY2001: Comparison of General Provisions of P.L. 106-113, and House and Senate Versions of H.R. 4942

Summary

The chronology of District of Columbia Appropriations for FY2001 is as follows. On February 7, 2000, President Clinton submitted his budget recommendations for FY2001. The Administration's proposed budget includes \$ 445 million in federal payments and assistance to the District of Columbia. The Administration's budget recommendations, unlike previous years, did not include a general provision section. The Administration, in an effort to address city leadership concerns about the inclusion of social riders and what some observers characterize as intrusive provisions in past District of Columbia appropriations acts, had hoped to negotiate with the House and Senate leadership on the contents of the general provisions to be included in the FY2001 appropriations bill for the District of Columbia. In previous years city officials had complained to the Administration and the leadership of Congress about the inclusion of a number of social riders dealing with such issues as abortion, medical marijuana, and needle and syringe exchange programs.

The District of Columbia Financial Responsibility and Management Assistance Authority (Authority), on June 7, 2000, approved a budget compromise reached by the city council and the mayor, which included \$4.7 billion in general fund expenditures and \$695 million in enterprise funds. The District budget, which must be approved by Congress, requests \$445 million in special federal payments.

On September 14, 2000, the House passed its version of the District's appropriation bill, H.R. 4942, which includes \$414 million in special federal payments to the District. On September 27, 2000, the Senate completed action on its own version of the District's Appropriations Act for FY2001, H.R. 4942 (previously S. 3041), which includes \$448 million in special federal payments.

There are significant differences in the general provisions of the House and Senate versions of H.R. 4942, and P.L. 106-113, which includes the District of Columbia Appropriations Act for FY2000. The Senate bill would phase-out the \$150 million reserve fund, instead the city would be required to phase-in and maintain as a percentage of its operating budget two reserve funds: a 3% contingency reserve and a 4% emergency reserve. The House bill would grant public charter schools first priority in the acquisition of surplus public school facilities and prohibit the Public Benefits Corporation, which manages D.C. General Hospital and several health care satellite facilities, from exceeding its budget.

Both the House and Senate versions of H.R. 4942 include prohibitions and restrictions on the use of federal and District funds for: abortions; needle and syringe exchange programs; medical marijuana; statehood lobbying; medical, employment, and government benefits to unmarried couples, including homosexuals; and court challenges aimed at providing city residents with voting representation in Congress. This report will be updated as events warrant.

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District of Columbia Appropriations Act for FY2001: Comparison of General Provisions of P.L. 106-113, and House and Senate Versions of H.R. 4942

Background

On September 27, 2000, the Senate approved its version of H.R. 4942, substituting the language of S. 3041. The House passed its version of H.R. 4942, a bill appropriating funds for the District of Columbia for FY2001 on September 14, 2000. The Senate bill includes \$448 million in special federal assistance to the District of Columbia. This is \$34 million more than included in the House bill. Differences exist between the general provisions of the House and Senate versions of H.R. 4942, and P.L. 106-113, which includes the District of Columbia Appropriations Act for FY2000. The Senate bill would phase out the \$150 million reserve fund, but would require the city to maintain a 3% contingency reserve and a 4% emergency reserve. The House bill would grant public charter schools first priority in the acquisition of surplus public school facilities, and would prohibit the Public Benefits Corporation from exceeding its budget.

Like the FY2000 District of Columbia Appropriations Act, both the House and Senate versions of H.R. 4942 would continue to prohibit and restrict the use of federal and District funds for:

- ! abortions;
- ! needle and syringe exchange programs;
- ! medical marijuana; statehood lobbying;
- ! medical, employment, and government benefits to unmarried couples, including homosexuals; and
- ! court challenges aimed at providing city residents with voting representation in Congress.

The following is a side-by-side comparison of the general provisions of the District of Columbia Appropriations Act for FY2000, P.L. 106-113, and House and Senate versions of H.R. 4942. This report follows the structure of P.L. 106-113. Any identical, similar, or equivalent House or Senate language that may not share the same section number as corresponding P.L. 106-113 provisions is identified in the same row as its P.L. 106-113 counterpart. For additional information on H.R. 4942 see the CRS report (RL30513) *Appropriations for FY2001: District of Columbia* by Eugene Boyd.

District of Columbia General Provisions: P.L. 106-113, and House and Senate Versions of H.R. 4942

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Sec. 101. <i>Consultant Contracts</i> . All procurement contracts for temporary or intermittent consultants are to be made public and available for public inspection.	Identical to provision in P.L. 106-113.	Not included in bill.
Sec. 102. <i>Prepayment Audits</i> . All vouchers for payments from expenditures of appropriations contained in the Act must be audited before payment.	Identical to provision in P.L. 106-113.	Not included in bill.
Sec. 103. <i>Prohibition Against Deficit Spending</i> . The provision prohibits deficit spending by limiting spending to not more than the amount specifically appropriated.	Identical to provision in P.L. 106-113.	Sec. 101. of this bill
Sec. 104. <i>Use of Private Automobiles</i> . The provision allows appropriated funds to be used to reimburse employees for use of private automobiles and motorcycles when carrying out official duties subject to federal travel regulations (Federal Property Management Regulations 101-7).	Identical to provision in P.L. 106-113.	Not included in bill.
Sec. 105. <i>Payment of Travel and Dues Related Expenses</i> . The provision allows funds appropriated under this Act to be used for travel and dues-related expenses of organizations concerned with the work of the District when approved by the mayor, and by the chair of the District Council in the case of travel and dues related to the activities of the Council.	Identical to provision in P.L. 106-113.	Sec. 102 of this bill.
Sec. 106. <i>Payment of Judgements</i> . The provision allows District funds to be used to pay judgments against the city. The provision does not affect or modify Sec. 11(c) of Title XII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47-1812.11(c)(3), a provision governing credits and refunds for overpayments of District taxes.	Identical to provision in P.L. 106-113.	Sec. 103 of this bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p>Sec.107. <i>Public Assistance and Crime Control Matching Funds.</i> Appropriated funds may be used for payment of public assistance without reference to the requirements outlined under Sec. 3-205.44 of the D.C. Code, which has been repealed. Appropriated funds may also be used to cover the non-federal share of grants for violent offender incarceration and truth-in-sentencing incentive grants authorized under subtitle A, Title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 1370).</p>	Not included in bill	Not included in bill.
Not included in Act.	<p><i>Sec. 108 Personal Service and Consulting Contracts.</i> Requires the mayor to maintain an index of all personal services and consulting contracts in effect on behalf of the District of Columbia.</p>	Not included in bill.
<p>Sec. 108. <i>Prohibition Against the Carryover of Appropriated funds.</i> The provision requires the city to expend funds appropriated for FY2000 during that fiscal year, unless provided by another provision of this act.</p>	Identical to provision in P.L. 106-113.	Not included in bill
<p>Sec. 109. <i>Use of Public Schools.</i> The act allows public schools to be used for community or partisan political activities during non-school hours.</p>	Identical to provision in P.L. 106-113.	Identical to provision in P.L. 106-113.
<p>Sec. 110. <i>Congressional Inspection of Personnel Records.</i> The personnel records of all persons employed by the District government would be made available for inspection by House and Senate authorization and appropriations subcommittees, and the District of Columbia Council.</p>	Identical to provision in P.L. 106-113.	Sec. 104 of this bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Sec. 111. <i>Payment for Information Leading to Revenue Recovery.</i> As authorized by the District of Columbia Revenue Recovery Act of 1977 (D.C. Code, sec. 47-421), District funds may be used to make payments to any person or persons who furnish information leading to the collection of taxes, penalties, or interest owed to the District of Columbia by any person, partnership, corporation, unincorporated association, trust, or estate violating the revenue laws of the District of Columbia.	Identical to provision in P.L. 106.113.	Sec. 106 of this bill.
Sec. 112. <i>Prohibition on the Use of Funds for Lobbying.</i> Prohibits the city from using funds to defeat any legislation pending before Congress or any state legislature.	Identical to provision in P.L. 106.113.	Sec. 107 of this bill.
Sec. 113. <i>Capital Borrowing Plan.</i> Requires the mayor to develop an annual capital outlays borrowing plan. The plan is to include quarterly and project information. The mayor is to report to the Council and the Congress on actual and projected spending.	Identical to provision in P.L. 106-113.	Sec. 108 of this bill.
Sec. 114. <i>Council Approval for Capital Borrowing Plan.</i> Requires the mayor to obtain approval of the City Council before borrowing funds for capital projects.	Identical to provision in P.L. 106-113.	Not included in bill.
Sec. 115. <i>Limitation on the Use of Capital Funds.</i> Prohibits the use of capital project funds for operating expenses.	Identical to provision in P.L. 106-113.	Not included in bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p>Sec. 116. <i>Prohibition on the Reprogramming of Funds.</i> Prohibits the District government from reprogramming federal and District funds appropriated under the Act for seven specific activities. Funds could not be reprogrammed in order to:</p> <ol style="list-style-type: none"> 1. create new programs; 2. eliminate a program or project; 3. establish or change allocations specifically denied, limited, or increased by Congress; 4. increase funds for activities or personnel in areas where funds have been denied or restricted; 5. re-establish funding for any project previously deferred through reprogramming; 6. augment existing programs or projects by reprogramming funds that exceed \$1 million or 10% of the existing program's funding; 7. prohibit a 20% or greater increase in personnel assigned to a specific project. <p>Funds may be reprogrammed after congressional review by House and Senate Appropriations Committees.</p>	Identical to provision in P.L. 106-113.	Sec. 109 of this bill.
<p>Sec. 117. <i>Prohibition on the Use of Federal Funds for Personal Services.</i> Prohibits the use of federal funds for personal services including cook, chauffeur, or personal servant.</p>	Identical to provision in P.L. 106-113.	Not included in bill.
<p>Sec. 118. <i>Prohibition on the Purchase of Low Mileage Vehicles.</i> Prohibits the District government from using federal funds to purchase low-miles-per-gallon vehicles. Purchased vehicles must have a miles per gallon average of 22. The provision does not apply to security, emergency, or armored vehicles.</p>	Identical to provision in P.L. 106-113.	Not included in bill.
<p>Sec. 119. <i>City Administrator's Pay Ceiling.</i> Increases the pay ceiling of the city administrator's salary. The provision allows the mayor to determine compensation for members of the Redevelopment Land Agency board, but limits such compensation to no more than the daily equivalent of the annual rate for the base pay of DS-15.</p>	Not included in bill	Not included in bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Sec. 120. <i>Merit Personnel Act Responsibility of the Mayor.</i> States that the mayor shall be responsible for the administration of personnel function of employees under the city's merit pay personnel code. In determining employee compensation, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 shall apply.	Sec. 119 of this bill.	Sec. 110 of this bill.
Sec. 121. <i>Council Review of Revised Revenue Estimates.</i> Requires the mayor to submit to the Council revised revenue estimates for the first quarter of FY2000 not later than 30 days after the first quarter of fiscal year 2000.	Sec. 120 of this bill.	Sec. 112 of this bill.
Sec. 122. <i>Sole Source Contracts.</i> Prohibits sole source contracts for services unless competitive bidding is not feasible and the contract has been approved by the control board as set forth by D.C. Code, sec. 1-1183.3.	Sec. 121 of this bill.	Sec. 113 of this bill.
Sec. 123. <i>Sequestration under the Balanced Budget.</i> In order to comply with sequestration order under Balanced Budget and Emergency Deficit Control Act of 1985, federal funds appropriated under a District of Columbia appropriations act are to be sequestered from each account and not the aggregate total of those accounts.	Sec. 122 of this bill.	Sec. 114 of this bill.
Sec. 124. <i>Sequestration Protocol.</i> Outlines the protocol to be used when there is a sequestration of federal funds appropriated to the District.	Sec. 123 of this bill.	Sec. 115 of this bill.
<p>Sec. 125 <i>Gifts and Donations.</i> Allows District government agencies and officials to accept gifts and donations in FY2000 only if:</p> <ul style="list-style-type: none"> C the mayor approves, (this provision does not apply in cases of gifts or donation to the city council); C the gift or donation is used to carry out an agency function; C the government entity receiving the gift or donation keeps records of all gifts and donations available for audit and public inspection. <p>This section does not apply to the Board of Education.</p>	Sec. 124 of this bill.	Sec. 116 of this bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Sec. 126. <i>Prohibits the Use of Funds for Statehood lobbying.</i> Prohibits the use of federal funds for the payment of expenses related to lobbying Congress on the question of statehood for the District.	Sec. 125 of this bill.	Sec. 117 of this bill.
<p>Sec. 127. <i>UDC Quarterly Reports.</i> Requires the University of the District of Columbia to submit quarterly reports to the mayor and the control board. Reports are to include information on:</p> <ul style="list-style-type: none"> C expenditures; C contracts awarded in excess of \$10,000; C reprogrammed funds; and C organizational changes. <p>The mayor, the city council, and the control board would be required to provide Congress with recommendations concerning the university's future based on quarterly reports. Report is to be submitted no later than February 1, 2001.</p>	Sec. 126 of this bill.	<p><i>Sec. 118. UDC/DCPS Quarterly Reports.</i> Revises Sec. 127 to include public schools. UDC and DCPS required to submit an annual report detailing the number of validated personnel positions; a revised appropriated funds operating budget to the mayor, city council, Consensus Commission, Authority, and congressional committees. .</p>
Not included in the Act.	<p><i>Sec. 127. EPA and Federal Cooperative Agreement Act.</i> Allows EPA to enter into cooperative agreements and grants in DC if principal purpose is to provide comparable benefits to federal and non-federal properties in the District</p>	Same as Sec. 141 of this bill.
Sec. 128. <i>Rollover of Funds for Financial Management System.</i> Allows the District to use previously appropriated funds intended to upgrade the city's financial management system for the purchase of accounting and financial management software, hardware, and related goods and services.	Not included in bill	Sec. 119 of this bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Not included in this Act.	<p><i>Sec. 128. Disposition of Surplus Public School Facilities to Charter Schools.</i> Grants public chartered schools priority in the distribution of surplus public school facilities. The bill would establish the procedure for the disposition of surplus schools to charter schools. Charter schools may purchase or lease surplus schools. The purchase price for a surplus school by a charter school is fair market value minus 25%.</p>	Not included in bill.
<p>Sec. 129. <i>Disabled Students Attorney's Fees.</i> Limits the compensation for attorneys representing disabled students. Allows the Mayor, the Superintendent of Public Schools, and the control board to revise the rate and amount of compensation.</p>	Not included in bill	Sec. 120. of this bill.
Not included in Act.	<p><i>Sec. 129. Charter School contracting and Procurement.</i> Would require charter schools to publish request for proposals in District Register and newspapers for procurement contracts that equal or exceed \$25,000. Public charter schools that include preschool or pre-kindergarten classes must meet city's licensing requirements.</p>	Not included in bill
<p>Sec. 130. <i>Abortion.</i> Prohibits the use of funds for abortion services except in cases of rape, incest, or when the mother's health is endangered.</p>	Identical to provision in P.L. 106-113.	Sec. 121 of this bill.
<p>Sec. 131. <i>Health Care Benefits Expansion Act.</i> Prohibits the use of funds to implement the Health Care Benefits Expansion Act of 1992, which extends medical, employment, and government benefits to unmarried couples, including homosexuals.</p>	Identical to provision in P.L. 106-113.	Sec. 122 of this bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p>Sec. 132. <i>DCPS Quarterly Reports.</i> Requires the superintendent of public schools to submit quarterly reports to the mayor, control board, city council, and Congress no later than 15 days after the end of each quarter. Reports are to include:</p> <ul style="list-style-type: none"> C current quarterly expenditures; C list of frozen accounts; C all active contracts exceeding \$10,000; C reprogrammed funds; and C organizational changes 	Identical to provision in P.L. 106-113.	Not included in bill
<p>Sec. 133. <i>UDC/DCPS Annual Reports to Congress.</i> Requires the superintendent of public schools and the University of the District of Columbia to submit an annual report to Congress, the mayor, the city council, the consensus commission no later than February 15th of each year. The reports are to be a compilation of the position and employees of the school system and University.</p>	Identical to provision in P.L. 106-113.	Not included in bill
<p>Sec. 134. <i>UDC/DCPS Revised Budget Submissions.</i> Requires the superintendent of public schools and the University of the District of Columbia to submit a revised budget by October 1 of each year. The revised budgets are to be submitted to Congress, the mayor, the city council, the control board, and the consensus commission.</p>	Identical to provision in P.L. 106-113.	Not included in bill
<p>Sec. 135. <i>Control Board Approval of Budget for UDC, DCPS, and DC Library.</i> Allows the control board acting on behalf of the public schools, University of the District of Columbia, Board of Library Trustees, and the District of Columbia School of Law to vote and approve the annual or revised budgets of these entities before submission to the mayor for inclusion in the mayor's budget submission to the city council.</p>	Identical to provision in P.L. 106-113.	Sec. 124 of this bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p>Sec. 136(a). Limits the total amount appropriated for District of Columbia for FY2000 to \$5,515,379,000 of which:</p> <ul style="list-style-type: none"> C \$152,753,000 shall be from intra-District funds; C \$3,113,854,000 shall be from local funds. C Allows the ceiling to be exceeded as a result of : C proceeds from one-time emergency transactions approved by the control board; C certification by the Chief Financial Officer (CFO) that additional expenditures will produce revenue returns that exceed 200% of the expenditure. <p>The provision delegates enforcement of the ceiling to the CFO and the control board, and prohibits the CFO from reprogramming funds from bonds and other obligations issued for capital projects if such funds are used to cover operating expenses.</p> <p>(b) The mayor, after consulting with the CFO, may accept grant funds not appropriated in this Act, but only after:</p> <ul style="list-style-type: none"> C the CFO submits a detailed report on the grant to the control board; and C the control board has reviewed and approved the grant. <p> C (c) The provision:</p> <ul style="list-style-type: none"> C prohibits the city from expending city funds in anticipation of a grant award; 	<p>Modified sec. 136. The bill does not include subsec. 136(a) of P.L. 106-113</p>	<p>Modified sec. 136. The bill does not include subsection 136(a) of P.L. 106-113.</p>

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p> C requires the CFO to submit to the city council and House and Senate Appropriations Committees detailed reports regarding all federal and private grants approved under this section; C requires the control board to submit to congressional appropriations and authorizing committees a quarterly report accounting for all non-appropriated funds. (d) Requires that local revenues collected in excess of amounts needed to cover operating expenses for FY2000 be used as follows: C the first \$250 million shall be used to establish a reserve account to finance seasonal cash needs in lieu of short-term borrowing; C funds in excess of the first \$250 million may be used to accelerate repayment of borrowed water and sewer funds; and C thirdly, funds may be used to reduce long-term debt. </p>		
<p>Sec. 137. <i>Court Ordered Receiverships.</i> In cases where a District agency is under the control of a court appointed receiver, requires the receiver submit to the mayor budget estimates for the agency for the upcoming fiscal year. The mayor may include his own funding recommendations, but may not revise the receiver's budget estimates when forwarding these estimates to the city council. During its budget deliberations the city council may recommend but may not revise the receiver's budget estimates.</p>	<p>Identical to provision in P.L. 106-113.</p>	<p>Sec. 125 of this bill.</p>
<p>Sec. 138. <i>DCPS Personnel System.</i> Requires that all employees of District public schools be classified as education service employees and be under the personnel authority of the Board of Education. School-based employees are to be classified under a separate category from nonschool-based employees. School-based shall not compete against nonschool-based personnel for the purpose of retention of employment.</p>	<p>Identical to provision in P.L. 106-113.</p>	<p>Not included in bill</p>

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p>Sec. 139. <i>Use of City Vehicles.</i> Limits a District employee's use of official vehicles only to performance of official duties. Grants four exceptions:</p> <ul style="list-style-type: none"> Ⓒ a police officer may use police vehicles to travel to and from work and home only if the officer resides in the District of Columbia, or is granted permission by the Chief of Police; Ⓒ an employee of the Fire and Emergency Ambulance Department who resides in the District and is on call 24 hours a day; Ⓒ the mayor; and Ⓒ chair of the city council. <p>Requires the CFO to submit an inventory of all vehicles owned leased or operated by the District government. Does not specify to whom the inventory is to be submitted.</p>	Identical to provision in P.L. 106-113.	Sec. 126 of this bill.
<p>Sec. 140. <i>Employee Details and Reductions in Force.</i> Requires District government employees on detail from an agency be paid from funds of the agency to which they are detailed. Modifies reduction in force procedures.</p>	Identical to provision in P.L. 106-113.	Sec. 127. includes technical difference regarding dates governing reduction in force procedures.
<p>Sec. 141. <i>Special Education Evaluation Time Frame.</i> This provision requires that the school board complete an evaluation of students who may be in need of special education services within 120 days of the student's referral and to place students with special education needs, as defined by federal law (Individuals with Disabilities Education Act 20 U.S.C. 1401(a)(1) or the Rehabilitation Act of 1973 29 U.S.C. 706(8), in appropriate programs).</p>	Identical to provision in P.L. 106-113.	Sec. 128 of this bill.
<p>Sec. 142. <i>Buy American Act.</i> Encourages District government to comply with the Buy American Act 41 U.S.C. 10a-10c). Includes a sense of the Congress provision encouraging the purchase of American made products.</p>	Identical to provision in P.L. 106-113.	Sec. 129 of this bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Sec. 143. <i>Inspector General Audits</i> . Only the District of Columbia Inspector General may conduct and certify agency audits in compliance with the District of Columbia Procurement Practices Act of 1985 (D.C. Code, sec. 1-1182.8(a)(4)).	Identical to provision in P.L. 106-113.	Sec. 130 of this bill.
Sec. 144. <i>Approval of Agency Reorganization</i> . Requires the control board approval of all reorganization plans of District agencies.	Identical to provision in P.L. 106-113.	Not included in bill.
Sec. 145. <i>Teacher Evaluations under Labor Agreement</i> . Designates the process used to evaluate the performance of District of Columbia public school teachers as non-negotiable under any collective bargaining agreement.	Identical to provision in P.L. 106-113.	Not included in bill
Sec. 146. <i>Voting Representation Cost Prohibition</i> . Prohibits the use of federal and District funds to cover the cost of court challenges aimed at providing city residents with voting representation in Congress.	Identical to provision in P.L. 106-113.	Sec. 131 of this bill.
Sec. 147. <i>Prisoner Transfers Prohibition</i> . Prohibits the transfer of maximum security prisoners to the Northeast Ohio Correctional Center in Youngstown, Ohio.	Identical to provision in P.L. 106-113.	Not included in bill.
Sec. 148. <i>Reserve Fund</i> . Amends the District of Columbia Financial Responsibility and Management Assistance Act of 1995. The new provision requires the creation of a \$150 million reserve fund. The reserve fund is only to be expended under the following conditions: C based on criteria established by the CFO and approved by the mayor, the city council, and the control board, but in no case may funds be expended before all other surplus funds have been used;	Identical to provision in P.L. 106-113.	Not included in bill. Note: The bill replaces the \$150 million reserve fund requirement with new requirement that establishes two reserve funds: a contingency reserve fund equal to 3% of total operating budget, and an emergency reserve fund equal to 4% of total operating budget. The reserve fund language can be found elsewhere in the bill under board heading Division of Expenses.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p> C funds may not be used to fund agencies under court-ordered receivership; C funds may not be used to fund shortfalls in projected productivity savings and management reforms. </p> <p>Requires the control board to notify House and Senate Appropriations Committees 30 days prior to the spending of reserve funds.</p> <p>Requires the city to maintain a 4% positive fund balance above the projected general fund expenditure level for the following year. Funds in excess of the 4% positive fund balance may be used as follows:</p> <p> C up to 50% may be used for non-recurring expenses; C not less than 50% may be used for debt reduction. </p>		
<p>Sec. 149. <i>Revised Operating Budget Submission.</i> Requires the CFO to submit to the appropriate committees of Congress, the mayor, the city council, and the control board a revised appropriated funds operating budget no later than November 1, 1999 or within 30 days after the passage of this Act.</p>	<p>Not included in bill.</p>	<p>Sec. 132.of this bill.</p>
<p>Not included in this Act.</p>	<p><i>Sec. 149. Inspector General Audit.</i> Would require the IG to annually audit the District of Columbia Highway Trust Fund by February 1 of each year, and to submit the audit findings to Congress.</p>	<p>Not included in bill.</p>
<p>Sec. 150. <i>Needle Exchange Program.</i> Prohibits the creation and funding of a needle exchange program with federal or District government funds. Such programs may be funded with private funds and must be accounted for separately.</p>	<p>Sec. 150. Does not include language that would allow entities to carry-out a needle exchange program with private funds.</p>	<p>Identical to provision in P.L. 106-113.</p>

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p>Sec. 151. <i>Lease Agreements and Abstracts.</i> Sixty days after enactment of this Act no funds appropriated under the Act may be used to pay leasing fees unless the lease and an abstract of the lease agreement are on file with the office of the District's deputy mayor for economic development. All leased properties must be occupied. None of the funds appropriated under the Act may be used to pay rental fees unless the lease is included in periodic reports submitted by the mayor and the Council to House and Senate Appropriations Committees. The report is to include information on the location of the property, the name of the lessors, the rate of payment, the extend to which the property is occupied. Where occupancy is impractical, the District must develop a plan to terminate or renegotiate the lease. The mayor must submit a quarterly report to Congress on all real property the city has leased during the prior period.</p>	<p>Identical to provision in P.L. 106-113.</p>	<p>Identical to provision in P.L. 106-113.</p>
<p>Sec. 152. <i>Prohibition on New Lease Agreements.</i> Prohibits the city from entering into new lease agreements unless the mayor certifies to the House and Senate Appropriations Committees that existing rental property does not meet city's needs. Within 60 days of enactment of this Act the mayor must provide a report outlining a comprehensive real property management plan to House and Senate authorization and appropriations committees. If the city enacts reform legislation governing real property leasing practices and procedures the provision prohibiting the District government from entering new leases subject to congressional review would be voided.</p>	<p>Identical to provision in P.L. 106-113.</p>	<p>Sec. 135 of this bill.</p>
<p>Sec. 153. <i>Construction Funds for Charter Schools.</i> Includes charter schools as eligible entities for school construction and repair funds by amending the Student Loan Marketing Association Reorganization Act of 1996 . The provision provides \$5 million in credit enhancement funds for public charter schools. These funds are to be administered by a five-member board appointed by the mayor and the Public Charter School Board.</p>	<p>Not included in bill.</p>	<p>Not included in bill.</p>

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Sec. 154. <i>Disposal of Surplus Property</i> . Requires the mayor, the control board, and Board of Education to implement a plan to dispose of surplus schools within 90 days of enactment of this act.	Not included in bill.	Not included in bill.
Sec. 155. <i>Charter School Authority</i> . Amends the District of Columbia School Reform Act of 1995, P.L. 104-134; D.C. Code, sec. 31-2851) to extend the authority for charter schools indefinitely.	Not included in bill.	Not included in bill.
Sec. 156. <i>Sibling Placement Preference in Charter Schools</i> . Grants placement preference to students with a sibling currently enrolled in a charter school.	Not included in bill.	Not included in bill.
Sec. 157. <i>Managed Competition</i> . Allows for the implementation of a system of managed competition in the delivery of city services. Transfers \$18 million from the control board to the mayor. Provides for congressional (House and Senate Appropriations Committees) review and approval of a managed competition plan.	Not included in bill..	Not included in bill.
Sec. 158. <i>14th Street Bridge Expansion</i> . Transfers up to \$5 million from the city's highway fund to study the feasibility of expanding the lane capacity of the 14 th Street Bridge. Funds are to be used for design work and environmental review.	Not included in bill	Not included in bill.
Not included in this Act.	Sec. 158. Allows the mayor to allocate zone academy bonds to qualified zone academies in the District.	Not included in bill
Sec. 159. <i>Anacostia River Cleanup</i> . Transfers to the mayor from the control board \$5 million from a \$50 million escrow account for environmental cleanup of the Anacostia River. Funds under this account are to be used for the repair and maintenance of roads, highways, bridges, and transit needs of the city and other economic development projects in the District, as outlined at sec. 134 of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (112 Stat. 3681-552).	Not included in bill.	Not included in bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Not included in this Act.	Sec. 159. Corrections Trustee. Covert or treats trustee and employees for the corrections trustee as federal employees for retirement, health, and life insurance purposes.	Not included in bill.
Sec. 160. <i>Crime Victim Compensation Fund</i> . Prohibits monies in the Crime Victim Compensation Fund to be used to cover the costs of administering the fund. Transfers authority for the administration of the Fund from the Court administrator for the District Courts to the United States Department of Treasury. Transfers all unobligated balances of the Fund in excess of \$250,000 to the Department of Treasury.	Not included in bill.	Not included in bill.
Not included in this Act.	Sec. 160. Sense of the Congress provision stating that patients at St. Elizabeth's Hospital (the mentally ill) are poorly served by existing facility and management.	Not included in bill.
Sec. 161. <i>CFO Certifications</i> . Funds may not be used to pay agency CFOs 60 days after the passage of this Act if the agency CFO has not filed a statement with the mayor and CFO of the District certifying that the agency CFO understands and will abide by the duties and restrictions of his office.	Sec. 153. Includes additional language that would impose civil money penalties for failure to comply with job requirement including the submission of reports to Congress.	Sec. 136 of this bill.
Not included in this Act.	Sec. 161. Sense of the Congress provision urging the expedited sale of the Franklin School property.	Not included in bill.
Sec. 162. <i>Management Saving Contingency Plans</i> . Requires the District's proposed budget for FY2001 as submitted to Congress to identify actions to be taken if projected management savings are not reached.	Sec. 155 of this bill.	Sec. 137 slightly different language. Ties the contingency plan to failure to achieve "operational improvement savings and management reform savings."

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Not included in this Act.	Sec. 162. Sense of the Congress provision urging city officials including control board to maintain a fiduciary duty to the taxpayers of the District.	Not included in bill.
Not included in this Act.	Sec. 163. Prohibits the Public Health Benefits Corporation from exceeding its budget.	Not included in bill.
Sec. 163. <i>Budget Definition of Miscellaneous and Other.</i> Requires future budget submissions to define the terms “miscellaneous” and “other”.	Sec. 156 of this bill	Sec. 138 of this bill.
Sec. 164. <i>Southwest Waterfront.</i> Authorizes the Army Corps of Engineers to perform repairs and improvements on the Southwest waterfront. Transfer \$3 million from escrow account for road and transit-related infrastructure repair and maintenance activities to waterfront improvements. Requires the mayor to provide quarterly progress reports to House and Senate Appropriations Committees.	Not included in bill.	Not included in bill
Not included in this Act.	Sec. 164. Requires the CFO to sign an affidavit certifying payment by the Public health Benefits Corporation of cash advances by the city.	Not included in bill.
Sec. 165. <i>Restrictions on Red Cross Building.</i> Expresses the sense of the Congress that the District should not impose any height, square footage, set-back, or other construction or zoning requirements when authorizing industrial revenue bonds to finance construction of a Red Cross building located at 2025 E Street, NW, beyond requirements imposed by the National Capital Planning Commission, and the Fine Arts Commission.	Not included in bill.	Not included in bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Not included in this Act.	Sec. 165. Prohibits the Public Health Benefits Corporation from exceeding its budget. It must certify that any expenditure or obligation is within its budget authority.	Not included in bill.
Sec. 166. <i>Sex Offender Registry</i> . Establishes a sex offender registry to be administered by the Court Services and Offender Supervision Agency.	Not included in bill.	Not included in bill.
Not included in this Act.	Sec. 167. The provision would require the inclusion of a conscience clause if the District includes a contraceptive coverage provision in health insurance legislation.	Not included in bill.
Sec. 167. <i>Medical Marijuana Initiative</i> . Prohibits the use of federal or District funds in carrying out any law or regulation that legalizes or reduces the penalty for possession of a Schedule I substance, including the medical use of marijuana. Prohibits the implementation of citizen approved medical marijuana initiative.	Sec. 157 of this bill.	Sec. 139 of this bill.
Sec. 168. <i>Assistance to Enterprise Zones</i> . Provides \$5 million for commercial revitalization program in enterprise zones and low and moderate income areas in the District. Funds are to be used to offset local taxes in designated areas. The bill would transfer from the control board to the mayor, in consultation with the city council, control over the \$5 million. Mayor is to issue a progress report to the House and Senate Appropriations Committees no later than 180 days after enactment of this Act.	Not included in bill.	Not included in bill.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
<p>Sec. 169. <i>Agencies Performance Accountability Plans.</i> Transfers from the control board to the mayor the responsibility for development of an annual performance accountability plan for all departments, agencies, and programs of the government of the District of Columbia for the subsequent fiscal year. The plan is to be submitted to the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, the Committees on Appropriations of the House of Representatives and the Senate. The plan is to include measurable, objective performance goals; measures of performance to be used in determining whether the government has met the goals; activities subject to court order.</p>	<p>Not included in bill.</p>	<p>Not included in bill.</p>
<p>Not included in this Act.</p>	<p>Sec. 169. Prompt Payment of Appointed Counsel. Provide for the payment of attorneys within 45 days of receiving a completed voucher. Allows for the imposition of interest if payment is not made within 45 days of the presentation of the voucher.</p>	<p>Not included in bill.</p>
<p>Sec. 170. <i>Budget-linked Quality of Life Factors.</i> Identifies a number of quality-of-life indicators that characterize the city's deficiencies in the areas of crime, education, corrections, management of public services. It includes a sense of the Congress provision that directs Congress to consider progress made in the areas of child welfare, public service delivery, education, and criminal justice when Congress consider the District's FY2001 budget request.</p>	<p>Not included in bill.</p>	<p>Not included in bill.</p>
<p>Not included in this Act.</p>	<p>Sec. 170. Prohibits the distribution of needles or syringes within 1000 feet of day care centers, public pools, schools, colleges, parks, video arcades, public housing, playgrounds, and youth centers. Imposes a \$500 fine.</p>	<p>Not included in bill.</p>

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Sec. 171. <i>Medicaid Recommendations</i> . Directs the mayor to consider the recommendations of the Health Care Development Commission before using federal Medicaid payment to Disproportionate Share Hospitals for use in serving a small number of childless adults.	Not included in bill.	Not included in bill.
Not included in this Act.	Sec. 171. Bans possession of tobacco by minors and imposes fines, community service, and revocation of driving privileges.	Not included in bill.
Sec. 172. <i>GAO Study of the Criminal Justice System</i> . Directs the General Accounting Office to undertake a study of the District's criminal justice system including law enforcement, courts, prison, probation, and parole. The study is to be submitted to Congress no later than one year after enactment of this act.	Not included in bill.	Not included in bill.
Sec. 173. <i>Corporation Counsel Review of Private Lawsuits</i> . Allows the District's corporation counsel to review and comment on briefs in lawsuits filed by private citizens and to consult with government officials regarding such lawsuits. This provision would allow the corporation counsel to review pending lawsuits relating to voting representation in Congress for District residents.	Sec. 166 of this bill.	Sec. 140 of this bill.
Not included in this Act.	See Sec. 127 of this bill.	Sec. 141 is the same as Sec. 127 of <i>House bill H.R. 4942</i> .

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Not included in this Act.	Not included in bill.	Sec. 142. Comprehensive Financial Management Policy. Requires the District to develop a set of financial management policies including the following components: cash management; debt management; financial asset management; contingency reserve management; emergency reserve management; and real property tax-exempt policies. Requires an annual review of these policies by the CFO, and establishes the procedure for the development of the first comprehensive financial management policy. The process is to involve the CFO, mayor, council, authority, and Congress.
Not included in this Act.	Not included in bill.	<i>Sec. 143 Responsibilities of the CFO.</i> Details the responsibilities of the CFO. Identifies 24 specific duties and responsibilities of the CFO.
Not included in this Act.	Not included in bill	<i>Sec. 144. Overtime Compensation.</i> Limits overtime compensation to work in excess of 40 hours a week in accord with the Fair Labor Standards Act.
Not included in this Act.	Not included in bill.	<i>Sec. 145. Drug Free Workplace Program.</i> Allows the Court Services and Offender Supervision Agency to establish a Drug Free Workplace Program.

P.L. 106-113	House version of H.R. 4942	Senate version H.R. 4942/S. 3041
Not included in this Act.	Not included in bill.	<i>Sec. 146. Quality of Life Quarterly Reports.</i> Directs the mayor to submit quarterly reports to the Senate Appropriations and Governmental Affairs Committees addressing quality of life issues related to crime, crime prevention, drug treatment, offender supervision, education, federal grant management, and child welfare.
Sec. 174. <i>Cellular Tower Placement.</i> Directs the U.S. Park Service to identify sites in Rock Creek Park for the location of two cellular communication towers. The enactment of this provision shall not preempt the authority of District of Columbia, or any state or local law, over the placement, construction, or modification of wireless communications facilities. Nor should the provision be construed as preempting the federal environmental or historic preservation statutes, or judicial review.	Not included in bill.	Not included in bill.
Sec. 175. <i>HUD Earmarks.</i> Provides earmarks for selected programs of the Department of Housing and Urban Development.	Not included in bill.	Not included in bill.