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District of Columbia Appropriations Act for FY2005: Comparison of General Provisions of P.L. 108-199 and House, Senate, and Conference Versions of H.R. 4850 (P.L. 108-335)

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District of Columbia Appropriations Act for FY2005: Comparison of General Provisions of P.L. 108-199 and House, Senate, and Conference Versions of H.R. 4850 (P.L. 108-335)

Summary

This report summarizes the general provisions of the District of Columbia Appropriations Act for FY2004 (Division C, Title IV, of P.L. 108-199) and the District of Columbia Appropriations Act for FY2005, P.L. 108-335 (formerly H.R. 4850). It only briefly summarizes proposed and final FY2005 funding levels. For details on FY2005 proposed funding levels and analysis of key policy issues in the House, Senate, and conference versions of the FY2005 act, see CRS Report RL32313, *Appropriations for FY2005: District of Columbia*, by Eugene Boyd.

On July 7, 2004, the House Appropriations Subcommittee on the District of Columbia marked up an unnumbered bill to provide congressional approval of the city's budget and provide federal payments to the District of Columbia for targeted activities. On July 14, the House Appropriations Committee considered and voted to report the unnumbered bill without amendments. The committee recommended approval of the city's \$8.2 billion budget, which includes a \$6.2 billion operating budget and \$2 billion in enterprise funds. The committee also recommended \$560 million in special federal payments to the city. The committee bill, designated H.R. 4850, was reported to the House on July 19, 2004. H.R. 4850 was passed by the House the following day, July 20, by a vote of 371 to 54. It was approved by the Senate on September 22, 2004, by voice vote. The conference version was approved by both the House and the Senate on October 6, 2004, and was signed by the President on October 18, 2004, as P.L. 108-335. On December 8, 2004, the President signed P.L. 108-447, which included several charter school-related amendments of provisions in P.L. 108-335. **Table 1** is a section-by-section comparison of the general provisions of P.L. 108-199 and P.L. 108-335 (formerly H.R. 4850).

These general provisions, which can be grouped into six categories, address fiscal and budgetary matters; impose administrative controls; facilitate congressional oversight and reporting; limit use of appropriated funds for advocacy of District statehood or congressional voting representation; address educational issues; and impose limits, restrictions, and prohibitions on the use of federal or local funding to carry out specific social policies (see **Table 2**). For instance, P.L. 108-335 continues to (1) allow the District to use its local, but not federal, funds to administer a domestic partners health insurance act approved by the city in 1992; (2) prohibit the use of District or federal funds to prepare and implement a medical marijuana ballot initiative; and (3) restrict the use of federal or District funds for abortion services except in instances of rape or incest, or a threat to the mother's health. The act continues to prohibit the use of local and federal funding for a needle exchange program. The Senate bill would have allowed the use of local funds for such a program. The act, as passed, also includes fiscal and budgetary controls prohibiting deficit spending, limiting the reprogramming of funds, prohibiting the use of sole source contracts, and detailing requirements for emergency and contingency reserve funds. This report will be updated as warranted.

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District of Columbia Appropriations Act for FY2005: Comparison of General Provisions of P.L. 108-199 and House, Senate, and Conference Versions of H.R. 4850 (P.L. 108-335)

Background

This report summarizes the general provisions of the District of Columbia Appropriations Act.¹ When enacting appropriations for the District of Columbia, Congress has typically included a number of general provisions. **Table 1**, which follows, is a side-by-side comparison of the general provisions of the District of Columbia Appropriations Act for FY2004 (Division C of P.L. 108-199) and the House, Senate, and conference versions of H.R. 4850, an act appropriating funds for the District of Columbia for FY2005.

This comparison follows the structure of P.L. 108-199. Identical or equivalent legislative language that does not share the same section number as the corresponding P.L.108-199 provision is identified in the same row as its P.L. 108-199 counterpart. Provisions included in P.L. 108-199, but not included in the House, Senate, or conference versions of the District's FY2005 appropriations are highlighted in gray.

Article I, Section 8, Clause 17 of the Constitution grants Congress exclusive legislative control over the District of Columbia. Congress has used this authority to bolster the fiscal soundness and governmental integrity of the nation's capital. City officials have objected to inclusion of a number of general provisions as intrusive and counter to the spirit of home rule, and have sought to reduce their number and scope.

The general provisions included in the House, Senate, and conference versions of H.R. 4850 can be grouped into six distinct but overlapping categories. These include

- fiscal and budgetary directives and controls;
- administrative directives and controls;
- congressional oversight and reporting;
- limitations on lobbying for statehood or congressional voting representation;

¹ For detailed information on proposed funding levels and summaries and analysis of key policy issues, see CRS Report RL32313, *Appropriations for FY2005: District of Columbia*, by Eugene Boyd.

- education-related provisions; and
- congressionally imposed restrictions and prohibitions related to social policy.

Table 2 groups the provisions of House, Senate and enacted versions of the District of Columbia Appropriations Act for FY2005 within these six categories. Some of the provisions may appear in more than one category.

The most controversial provisions are those related to social policy. The final conference version of H.R. 4850 (P.L. 108-335) continues to prohibit and restrict the use of federal and District funds for abortion services and medical marijuana. The act, consistent with a provision include in the House-passed version of the act, prohibits the use of federal and District funds for a needle exchange program to aid in preventing the spread of AIDS and HIV. The Senate version of the bill would have prohibited the use of federal, but not District, funds for needle exchange programs. The Senate bill would have lifted restrictions on the use of District funds for lobbying and advocacy activities in support of voting representation in Congress for residents of the District of Columbia. However, the House and conference versions of the act maintain the prohibition on the use of District and federal funds for such activities, although the conference version does allow the city to use District funds to staff the offices of the city's statehood shadow senator and representatives. These offices were created by the District to champion the cause of statehood for the District in Congress.

In previous years, city officials have objected to the inclusion of a number of social riders dealing with such issues as abortion, medical marijuana, domestic partners health insurance expansion,² and needle exchange programs. They asserted that such riders interfered with the right of District residents to make their own policy decisions and violated the spirit of home rule. Proponents of social riders have argued that such provisions are within the powers of Congress under Article I, Section 8, of the Constitution, which conveys to Congress exclusive legislative control over the District of Columbia. In addition, supporters of specific social riders such as the prohibition against the use of federal funds to implement the District's domestic partners health care expansion program contend that they are intended to protect the institution of marriage, or, in the case of medical marijuana and needle exchange programs, prohibit government sanctioning of illegal drug use.

In addition, the District's appropriations may be increased by no more than \$15 million through the use of a reserve fund. The reserve fund may only be used for unanticipated one-time expenditures, for potential deficits, for debt reduction, for unanticipated program needs, or to cover revenue shortfalls; it may not be used to fund agencies under court-ordered receivership. The mayor must notify the House and Senate Appropriations Committees in advance of any obligation or expenditure of reserve funds. Unlike a similar provision included in the District's FY2004 appropriations act, however, Section 331 of the conference version of P.L. 108-335

² H.R. 2765 would allow the use of District funds to administer the Health Care Benefits Expansion Act of 1992. Congress first lifted the prohibition on the use of District funds to administer the program in the FY2002 District of Columbia Appropriations Act.

does not include language requiring the mayor to notify the House and Senate Appropriations Committees at least 30 days in advance of expending or obligating reserve funds.

The chronology of District of Columbia appropriations for FY2005 is as follows. On February 2, 2004, President Bush submitted his budget recommendations for FY2005, including \$560 million in special federal payments for selected activities in the District of Columbia. On May 14, 2005, the mayor and the city council approved the city's FY2005 budget. The budget must be approved by Congress before the city may expend locally raised revenues or federally appropriated funds. The city's budget request included \$6.2 billion in general operating fund expenditures funded by locally raised revenues, federal formula and competitive grants where the District meets the requirements for eligibility, and other sources, including foundation funding and investments. The District's budget also included \$2 billion in enterprise funds, and requested \$1.03 billion in special federal appropriations.

On July 7, 2004, the House Appropriations Committee, Subcommittee on the District of Columbia, completed its consideration and markup of the District of Columbia Appropriations Act for FY2005. The subcommittee approved the city's \$6.2 billion proposed operating budget for FY2005 and recommended an appropriation of \$560 million in special federal assistance to the District of Columbia. On July 14, 2004, the House Appropriations Committee considered and ordered to be requested without amendment the draft bill approved by the subcommittee. On July 19, 2004, the House designated the previously unnumbered bill as H.R. 4850, the District of Columbia Appropriations Act for FY2005. The House approved the measure without amendment by a vote of 371 to 54 (Roll Call No. 399) the next day, July 20.

By a vote of 28-1, the Senate Appropriations Committee reported its version of the District of Columbia Appropriations Act for FY2005, S. 2826, on September 21, 2004. One day later the full Senate passed by unanimous consent the Senate version of H.R. 4850 after substituting the language of S. 2826. On October 5, 2004, a conference committee reported its version of H.R. 4850 (H.Rept. 108-374), reconciling differences in the House and Senate versions of the bill. On October 6, 2004, the House approved the conference version of the act by a vote of 377-36 (Roll Call No. 498). By unanimous consent, the Senate also approved the conference bill on October 6, 2004. The bill was presented to President for his approval on October 7, 2004, and was signed by the President on October 18, 2004. On December 8, 2004, the President, signed a consolidated appropriations act, P.L. 108-447, which included language amending several charter school-related provisions, including those in P.L. 108-335.

**Table 1. District of Columbia Appropriations General Provisions:
P.L.108-199 and House, Senate, and Conference Bills for FY2005 (P.L. 108-335)**

| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| Sec. 401. <i>Prohibition Against Deficit Spending.</i> The provision prohibits deficit spending by limiting spending to not more than the amount specifically appropriated. | Sec. 101. Identical to Sec. 401 of P.L. 108-199. | Sec. 301. Identical to Sec. 401 of P.L. 108-199. | Sec. 301. Identical to Sec. 401 of P.L. 108-199. |
| Sec. 402. <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 city council in the case of travel and dues related to the activities of the city council. | Sec. 102. Identical to Sec. 402 of P.L. 108-199. | Sec. 302. Identical to Sec. 402 of P.L. 108-199. | Sec. 302. Identical to Sec. 402 of P.L. 108-199. |
| Sec. 403. <i>Payment of Judgments.</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. | Sec. 103. Equivalent to Sec. 403 of P.L. 108-199, but does not include clause governing credits and refunds for overpayment of District taxes. | Sec. 303. Equivalent to Sec. 403 of P.L. 108-199. | Sec. 303. Equivalent to Sec. 403 of P.L. 108-199. |
| Sec. 404. <i>Prohibition Against the Carryover of Appropriated Funds.</i> The provision requires the city to expend funds appropriated for FY2003 during that fiscal year, unless provided by another provision of this act. | Sec. 104. Identical to Sec. 404 of P.L. 108-199. | Sec. 304. Identical to Sec. 404 of P.L. 108-199. | Sec. 304. Identical to Sec. 404 of P.L. 108-199. |
| Sec. 405. <i>Use of Public Schools.</i> The act allows public schools to be used for community or partisan political activities during non-school hours. | | | |
| Sec. 406. <i>Congressional Inspection of Personnel Records.</i> The personnel records of all persons employed by the District government may be made available for inspection by House and Senate authorization and appropriations subcommittees, and the District of Columbia City Council. | No comparable provision. | Sec. 305. Identical to Sec. 406 of P.L. 108-199. | No comparable provision. |
| Sec. 407. <i>Prohibition on the Use of Funds for Lobbying.</i> Prohibits the city from using city or federal funds to defeat any legislation pending before Congress or any state legislature. Allows the use of District funds for lobbying except in instances involving support of any boycott or activities in support of statehood or voting representation in Congress for the District. Allows the District's elected officials to advocate with respect to any issue including statehood and voting representation in Congress. | Sec. 105. Identical to Sec. 407 of P.L. 108-199. | Sec. 306. <i>Lobbying Activities of City Officials.</i> Allows the use of District, but not federal funds, to publicize support for or opposition to legislation pending before Congress or a state legislature. | Sec. 305. Identical to Sec. 407 of P.L. 108-199. |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| Comparable language included Sec. 407 | Comparable language included in Sec. 105. | Sec. 307. <i>Advocacy Activities of Local Officials</i> . Allows the District's elected officials to use District, but not federal, funds to advocate with respect to any issue including statehood and voting representation in Congress. | No comparable provision. See Sec. 305. |
| <p>Sec. 408. (a) <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 cannot be reprogrammed in order to:</p> <ul style="list-style-type: none"> • create new programs; • eliminate a program or project; • establish or change allocations specifically denied, limited, or increased by Congress; • increase funds for activities or personnel in areas where funds have been denied or restricted; • re-establish funding for any project previously deferred through reprogramming; • augment existing programs or projects by reprogramming funds that exceed \$1 million or 10% of the existing program's funding; • achieve a 20% or greater increase in personnel assigned to a specific project. <p>(b) Funds may be reprogrammed after congressional review by House and Senate Appropriations Committees. Committees must be notified in writing 30 days in advance of reprogramming. Limits the transfer of reprogrammed funds to not more than 4% of the local funds in the appropriations.</p> | Sec. 106. Modifies Sec. 408(b) of P.L. 108-199. Prohibits the transfer and reprogramming of funds in excess of \$1 million without first notifying Congress within 15 days in advance of the transfer. The previous time limit was 30 days. In addition, under P.L. 108-199, no specific threshold amount triggering congressional notification was identified. | Sec. 308. Modifies Sec. 408(b) of P.L. 108-199. Prohibits the transfer and reprogramming of funds in excess of \$1 million without first notifying Congress within 15 days in advance of the transfer. The previous time limit was 30 days. In addition, under P.L. 108-199, no specific threshold amount triggering congressional notification was identified. | Sec. 306. Modifies Sec. 408(b) of P.L. 108-199. Prohibits the transfer and reprogramming of funds in excess of \$1 million without first notifying Congress within 15 days in advance of the transfer. The previous time limit was 30 days. In addition, under P.L. 108-199, no specific threshold amount triggering congressional notification was identified. |
| Sec. 409. <i>Limitation on the Use of Appropriated Funds</i> . Limits the use of funds to the activities or objects for which the appropriations were made, except as otherwise provided by law. | Sec. 107. Identical to Sec. 409 of P.L. 108-199. | Sec. 309. Identical to Sec. 409 of P.L. 108-199. | Sec. 307. Identical to Sec. 409 of P.L. 108-199. |
| Sec. 410. <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 | Sec. 108. Identical to Sec. 410 of P.L. 108-199. | Sec. 310. Identical to Sec. 410 of P.L. 108-199. | Sec. 308. Identical to Sec. 410 of P.L. 108-199. |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| employee compensation, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 shall apply. | | | |
| Sec. 411. <i>City Council and Congressional Review of Revised Revenue Estimates.</i> Requires the mayor to submit to the city council revised revenue estimates for the first quarter of FY2004 not later than 30 days after the first quarter of FY2004. Estimates are to be used for budget request for FY2005. | Sec. 109. Equivalent to Sec. 411 substituting FY2004 for FY2005, and FY2006 for FY2005. | Sec. 311. Equivalent to Sec. 411 substituting FY2004 for FY2005, and FY2006 for FY2005. | Sec. 309. Equivalent to Sec. 411 substituting FY2004 for FY2005, and FY2006 for FY2005. |
| Sec. 412. <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 CFO. | Sec. 110. Identical to Sec. 412 of P.L. 108-199. | Sec. 312. Identical to Sec. 412 of P.L. 108-199. | Sec. 310. Identical to Sec. 412 of P.L. 108-199 |
| Sec. 413. <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. 414. <i>Prohibits the Use of Federal Funds for Statehood Lobbying.</i> Prohibits the use of <i>federal funds</i> for the payment of expenses related to the offices of U.S. Senate or U.S. House of Representative under the District of Columbia Statehood Constitution Initiative. | Sec. 111. Identical to Sec. 414 of P.L. 108-199. | Sec. 313. Identical to Sec. 414 of P.L. 108-199. | Sec. 311. Identical to Sec. 414 of P.L. 108-199. |
| Sec. 415 <i>Abortion Restrictions.</i> Prohibits the use of <i>federal and District funds</i> for abortion services except in cases of rape, incest, or when the mother's health is endangered. | Sec. 112. Identical to Sec. 415 of P.L. 108-199. | Sec. 314. Identical to Sec. 415 of P.L. 108-199. | Sec. 312. Identical to Sec. 415 of P.L. 108-199. |
| Sec. 416. <i>Health Care Benefits Expansion Act.</i> Prohibits the use of <i>federal funds</i> to implement the Health Care Benefits Expansion Act of 1992, which extends medical, employment, and government benefits to unmarried couples, including homosexuals. | Sec. 113. Identical to Sec. 416 of P.L. 108-199. | Sec. 315. Identical to Sec. 416 of P.L. 108-199. | Sec. 313. Identical to Sec. 416 of P.L. 108-199. |
| Sec. 417(a). <i>Acceptance of Grant Funds Not Included in Ceiling.</i> The mayor, after consulting with the CFO, may accept and expend grants from private and federal sources that are not part of this appropriation. Such gifts may be accepted and expended only after the CFO has submitted to the city council a detailed report regarding such grants. The city council | Sec. 114. Identical to Sec. 417 of P.L. 108-199. | Sec. 316. Identical to Sec. 417 of P.L. 108-199 | Sec. 314. Identical to Sec. 417 of P.L. 108-199. |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| <p>has 14 days after receipt of the report to review and approve its acceptance or to file a resolution of disapproval. The Council has 30 calendar days from initial receipt of the report from the CFO to act on a resolution of disapproval. The provision:</p> <ul style="list-style-type: none"> prohibits the city from expending city funds in anticipation of a grant award; requires the CFO to submit to the city council and House and Senate Appropriations Committees detailed quarterly reports within 15 days after each quarter regarding all federal and private grants approved under this section. | | | |
| <p><i>Sec. 418. Use of City Vehicles.</i> Limits a District employee's use of city 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 by March 1, 2004. Does not specify to whom the inventory is to be submitted.</p> | Sec. 115. Identical to Sec. 418 of P.L. 108-199. | Sec. 317. Identical to Sec. 418 of P.L. 108-199. | Sec. 315. Identical to Sec. 418 of P.L. 108-199. |
| <p><i>Sec. 419. Inspector General Audits.</i> Only the District of Columbia Inspector General in cooperation with the CFO 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).</p> | Sec. 116. Identical to Sec. 419 of P.L. 108-199. | Sec. 318. Identical to Sec. 419 of P.L. 108-199. | Sec. 316. Identical to Sec. 419 of P.L. 108-199. |
| <p><i>Sec. 420. Voting Representation Cost Prohibition and Corporation Counsel Review of Private Lawsuits.</i> Prohibits the use of <i>federal and District funds</i>, including funds for the corporation counsel, to cover the cost of court challenges aimed at providing city residents with voting representation in Congress. The provision permits the District's corporation counsel to review and comment on briefs in lawsuits filed by private citizens, and to consult government officials regarding such lawsuits. This includes lawsuits seeking voting representation in Congress.</p> | Sec. 117. Identical to Sec. 420 of P.L. 108-199. | Sec. 319. Allows the District's Corporation Counsel to use District, but not federal, funds to provide assistance for petitions or civil actions in support of voting representation in Congress for citizens of the District of Columbia. | Sec. 317. Identical to Sec. 420 of P.L. 108-199. |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| <p>Sec. 421. <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. 118. Identical to Sec. 421 of P.L. 108-199.</p> | <p>Sec. 320. Allows the use of District, but not federal, funds for a needle exchange program. Such funds must be accounted for separately.</p> | <p>Sec. 318. Identical to Sec. 421 of P.L. 108-199.</p> |
| <p>Sec. 422. <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. Requires the CFO to submit quarterly report to Congress listing reports required to be submitted by agency CFOs</p> | <p>Sec. 119. Identical to Sec. 422 of P.L. 108-199.</p> | <p>Sec. 321. Identical to Sec. 422 of P.L. 108-199.</p> | <p>Sec. 319. Identical to Sec. 422 of P.L. 108-199.</p> |
| <p>Sec. 423. <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.</p> | <p>Sec. 120. Identical to Sec. 423 of P.L. 108-199.</p> | <p>Sec. 322. Identical to Sec. 423 of P.L. 108-199.</p> | <p>Sec. 320. Identical to Sec. 423 of P.L. 108-199.</p> |
| <p>Sec. 424. <i>Conscience Clause Covering Contraceptive Coverage in Private Health Plans.</i> The provision requires the inclusion of a conscience clause allowing employers to exclude contraceptive coverage in the employer's health insurance plan for moral or religious reasons.</p> | <p>Sec. 121. Identical to Sec. 424 of P.L. 108-199.</p> | <p>Sec. 323. Identical to Sec. 423 of P.L. 108-199.</p> | <p>Sec. 321. Identical to Sec. 424 of P.L. 108-199.</p> |
| <p>Sec. 425. <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. Directs the mayor to submit quarterly reports to House and Senate appropriation and oversight committees.</p> | <p>Sec. 122. Identical to Sec. 425 of P.L. 108-199.</p> | <p>Sec. 324. Identical to Sec. 425 of P.L. 108-199.</p> | <p>Sec. 322. Identical to Sec. 425 of P.L. 108-199</p> |
| <p>Sec. 426. <i>Revised Operating Budget Submission.</i> Requires the CFO to submit to the appropriate committees of Congress, the mayor, and the city council a revised appropriated funds operating budget no later than 30 days after the enactment of this act. The revised budget should reflect anticipated actual expenditures for the fiscal year.</p> | <p>Sec. 123. Modification of Sec. 426 of P.L. 108-199. Adds subsection (b) which states that revised operating budget applies only when CFO certifies that a</p> | <p>Sec. 325. Modification of Sec. 426 of P.L. 108-199. Adds subsection (b) which states that revised operating budget applies only when CFO certifies that a</p> | <p>Sec. 323. Modification of Sec. 426 of P.L. 108-199. Adds subsection (b) which states that revised operating budget applies only when CFO certifies that a</p> |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| | reallocation of an agency's program funds is required to address unanticipated changes in program requirements. | reallocation of an agency's program funds is required to address unanticipated changes in program requirements. | reallocation of an agency's program funds is required to address unanticipated changes in program requirements. |
| Sec. 427. <i>Boy Scouts</i> . Prohibits the use of District or federal funds for payment to plaintiffs awarded \$50,000 by the District's Commission on Human Rights related to Boy Scout's policy prohibiting homosexuals from serving as scout leaders. | Sec. 124. Identical to Sec. 427 of P.L. 108-199. | Sec. 326. Identical to Sec. 427 of P.L. 108-199. | Sec. 324. Identical to Sec. 427 of P.L. 108-199. |
| Sec. 428. <i>Restrictions on the Transfer of Appropriated Funds</i> . None of the funds appropriated under this act may be transferred to an agency of the United States government except as provided in this or another appropriations act. | Sec. 125. Identical to Sec. 428 of P.L. 108-199. | | Sec. 325. Identical to Sec. 428 of P.L. 108-199. |
| Sec. 133. <i>Risk Management for Settlements and Judgments</i> . Allows any District government agency to pay a settlement or judgment stemming from a claim or lawsuit that does not exceed \$10,000. | . | | |
| Sec. 429. <i>Transfer of Crime Victims Compensation Funds</i> . Transfers all outreach funds allocated to the city under the Victims of Violent Crime Compensation Act of 1996 to the Crime Victims Assistance Fund. | | | |
| Sec. 430. <i>Transfer of Fines Levied for Driving While Intoxicated or Impaired</i> . Directs the District of Columbia Courts to transfer all fines levied for drunk driving to the general treasury of the city. Requires the city's corporation counsel to use such funds for prosecution and enforcement of city traffic laws. | Sec. 126. Identical to Sec. 430 of P.L. 108-199. | Sec. 327. Identical to Sec. 430 of P.L. 108-199. | Sec. 326. Identical to Sec. 430 of P.L. 108-199. |
| Sec. 431. <i>OLRCB Reimbursements in Labor Dispute Cases</i> . Allows District agencies to transfer funds to the Office of Labor Relations and Collective Bargaining (OLRCB) for purposes of reimbursement to OLRCB in grievance cases where OLRCB represented the agency. | | | |
| Sec. 432. <i>Limitation on Attorney's Fees in IDEA Cases</i> . Places a \$4,000 ceiling on fees for attorneys representing the DCPS and plaintiffs in actions brought under the Individuals with Disability Education Act. Prohibits attorneys in IDEA actions from having a personal, monetary or legal | Sec. 127. Identical to Sec. 432 of P.L. 108-199. | Sec. 328. Identical to Sec. 432 of P.L. 108-199. | Sec. 327. Identical to Sec. 432 of P.L. 108-199. |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| interest in firms that provide schools, diagnostic, or other special education services. | | | |
| Sec. 433. <i>Attorney Certifications in IDEA Actions.</i> Requires attorneys in IDEA cases to certify that they have provided any and all services their client received under IDEA. The CFO shall require attorneys to disclose any interest or relationship with any special education diagnostic service or schools to which the attorney referred the client Requires the CFO to prepare a quarterly report to House and Senate Appropriations Committee on attorneys' fees paid in cases brought under IDEA. Directs the District's Inspector General to conduct investigations to ensure accuracy of the certifications. | Sec. 128. Identical to Sec. 433 of P.L. 108-199. | Sec. 329. Identical to Sec. 433 of P.L. 108-199. | Sec. 328. Identical to Sec. 433 of P.L. 108-199. |
| No comparable provision. | See Sec. 135 | Sec. 330. <i>Eliminates Water and Sewer Authority Federal Agencies Reports to Congress.</i> Eliminates certain reporting requirements by federal agencies to Congress relating to payments to the Water and Sewer Authority. Same as Sec. 135 of House bill. | No comparable provision. |
| No comparable provision. | See. Sec. 136 | Sec. 331. <i>Bonding Requirement for Officers of the Court.</i> Eliminates certain bonding requirements for court officers (including the court system's fiduciary employees, Executive Officer, Fiscal Officer, Register of Wills) consistent with requirements for federal agencies. | Sec. 329. <i>Bonding Requirement for Officers of the Court.</i> Eliminates certain bonding requirements for court officers (including the court system's fiduciary employees, Executive Officer, Fiscal Officer, Register of Wills) consistent with requirements for federal agencies. |
| No comparable provision. | See Sec. 137 | Sec. 332. <i>Recruitment and Travel of Officers of the Court.</i> Includes recruitment and training as a | Sec. 330. <i>Recruitment and Travel of Officers of the Court.</i> Includes recruitment and |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| | | responsibility of the Court's Executive Officer. Allows Court personnel to take advantage of federal discounted airfares. | training as a responsibility of the Court's Executive Officer. Allows Court personnel to take advantage of federal discounted airfares. |
| <p>Sec. 434. <i>Grant Assistance to Public Charter Schools.</i> Technical amendment to provisions governing grants to public charter school adding language that would limit administrative cost of providing grants during any fiscal year to not more than 5% of funds available for grants to the public for that fiscal year.</p> | | | |
| <p>Sec. 435. <i>Parental Representation in Adoption Proceedings and Guardian ad litem Appointments.</i> The provision would allow the District of Columbia to appoint and compensate an attorney to represent a parent or guardian in an adoption proceeding who is facing termination of parental rights if the parent or guardian lacks the financial means of obtaining adequate legal representation. The provision would also allow the Court to appoint and compensate an attorney as a guardian to represent the best interest of the child in the adoption proceedings.</p> | | | |
| <p>Sec. 436. <i>Reserve Fund Budget Increase.</i> The provision would allow the District's appropriation to increase to no more than \$15 million through the use of a reserve fund identified in the city's Comprehensive Annual Financial Report (CAFR) as the city's fund balance. The mayor must notify the House and Senate Appropriations Committees 30 days in advance of any obligation or expenditure of such funds. The CFO must certify that the expenditure of funds will not have a negative impact on the city's long-term financial, fiscal, and economic health. Funds may only be used for unanticipated one-time expenditures, potential deficits, debt reduction, unanticipated program needs, or revenue shortfalls. Funds may not be provided to agencies under court-ordered receivership.</p> | <p>Sec. 129. Similar to Sec. 436 of P.L. 108-199, but does not include language requiring a 30-day advance notification of Congress by the mayor before reserve funds are obligated or expended.</p> | <p>No comparable provision.</p> | <p>Sec. 331. Similar to Sec. 436 of P.L. 108-199, but does not include language requiring a 30-day advance notification of Congress by the mayor before reserve funds are obligated or expended.</p> |
| <p>No comparable provision.</p> | <p>Sec. 130. <i>Emergency Cash Reserve Fund and Contingency Reserve Fund.</i> The provision would amend the DC Code</p> | <p>Sec. 333. <i>Emergency Cash Reserve Fund and Contingency Reserve Fund.</i> The provision would amend the DC Code</p> | <p>Sec. 332. <i>Emergency Cash Reserve Fund and Contingency Reserve Fund.</i> The provision would amend the DC Code</p> |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| | governing Reserve Funds. It would require the District to maintain an emergency reserve fund equal to 2% of its operating budget and a contingency reserve equal to 4% of the budget. | governing Reserve Funds. It would require the District to maintain an emergency reserve fund equal to 2% of its operating budget and a contingency reserve equal to 4% of the budget. | governing Reserve Funds. It would require the District to maintain an emergency reserve fund equal to 2% of its operating budget and a contingency reserve equal to 4% of the budget. |
| No comparable provision. | Sec. 131. <i>Reserve Fund Transfers</i> . The bill would allow the District to transfer funds between the emergency cash reserve fund and the contingency reserve fund. It would allow the District to transfer surplus reserve funds to the general fund. However, transfers to the general may not lower the total amount for reserve funds below 6% of the operating budget for FY2005. | Sec. 334. <i>Reserve Fund Transfers</i> . The bill would allow the District to transfer funds between the emergency cash reserve fund and the contingency reserve fund. It would allow the District to transfer surplus reserve funds to the general fund. However, transfers to the general may not lower the total amount for reserve funds below 6% of the operating budget for FY2005. | Sec. 333. <i>Reserve Fund Transfers</i> . The bill would allow the District to transfer funds between the emergency cash reserve fund and the contingency reserve fund. It would allow the District to transfer surplus reserve funds to the general fund. However, transfers to the general may not lower the total amount for reserve funds below 6% of the operating budget for FY2005. |
| No comparable provision. | Sec. 132. <i>Police Retirement Fund</i> . Authorizes the payment of administrative expenses associated with processing the District's retirement and disability payments. | Sec 335. <i>Police Retirement Fund</i> . Authorizes the payment of administrative expenses associated with processing the District's retirement and disability payments. | Sec 334. <i>Police Retirement Fund</i> . Authorizes the payment of administrative expenses associated with processing the District's retirement and disability payments. |
| No comparable provision. | Sec. 133. <i>Charter School Fund</i> . Clarifies that appropriated funds placed in charter school fund are to be used in support of charter schools and that any unobligated funds available at the end of a fiscal year may not be transferred to the general fund. | No comparable provision. | Sec. 135. <i>Charter School Fund</i> . Clarifies that appropriated funds placed in charter school fund are to be used in support of charter schools and that any unobligated funds available at the end of a fiscal year may not be transferred to the general fund. |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| No comparable provision. | Sec. 134. <i>CFO Authority</i> . Extends through September 30, 2005 the authority of the CFO with respect to personnel, procurement, and preparation of fiscal impact statements. | Sec. 337. <i>CFO Authority</i> . Extends through September 30, 2005 the authority of the CFO with respect to personnel, procurement, and preparation of fiscal impact statements. | Sec. 336. <i>CFO Authority</i> . Extends through September 30, 2005 the authority of the CFO with respect to personnel, procurement, and preparation of fiscal impact statements. |
| No comparable provision. | Sec. 135. <i>Water and Sewer Authority</i> . Eliminates certain reporting requirements by federal agencies to Congress relating to payments to the Water and Sewer Authority. | See Sec. 330. | Sec. 137. <i>Water and Sewer Authority</i> . Eliminates certain reporting requirements by federal agencies to Congress relating to payments to the Water and Sewer Authority. |
| No comparable provision. | Sec. 136. <i>Bonding Requirement for Officers of the Court</i> . Eliminates certain bonding requirements for court officers (including the court system's fiduciary employees, Executive Officer, Fiscal Officer, Register of Wills) consistent with requirements for federal agencies. | See Sec. 331. | |
| No comparable provision. | Sec. 137. <i>Recruitment and Travel of Officers of the Court</i> . Includes recruitment and training as a responsibility of the Court's Executive Officer. Allows Court personnel to take advantage of federal discounted airfares. | See Sec. 332. | |
| No comparable provision. | Sec. 138. <i>Annual Budget of the Office of the Inspector General</i> . States that annual budget for the | Sec. 336. <i>Annual Budget of the Office of the Inspector General</i> . States that annual budget for the | Sec. 338. <i>Annual Budget of the Office of the Inspector General</i> . States that annual budget for the |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| | Office of the Inspector General shall be prepared by the Inspector General and submitted to the Mayor of the District. | Office of the Inspector General shall be prepared by the Inspector General and submitted to the Mayor of the District. | Office of the Inspector General shall be prepared by the Inspector General and submitted to the Mayor of the District. |
| No comparable provision. | No comparable provision. | Sec. 338. <i>Incentives for the Adoption of Children</i> . Established a scholarship fund for children of adoptive parents and children without parents due to terrorist attacks of 9/11/01. | Sec. 339. <i>Incentives for the Adoption of Children</i> . Established a scholarship fund for children of adoptive parents and children without parents due to terrorist attacks of 9/11/01. |
| No comparable provision. | No comparable provision. | Sec. 339. <i>Public Charter School Financing</i> . Allows the Office of Public Charter School Financing and Support to use federal credit enhancement or direct loan funds to provide lease guarantees for charter schools. | Sec. 340. <i>Public Charter School Financing</i> . Amendment included in P.L. 108-447 clarifies the language of the original Sec. 340(a) of P.L. 108-335. The provision amends Sec. 603(e)(3)(E) of the Student Loan Marketing Association Reorganization Act (20 USC 1155(e)(3)(E)) by adding a new subclause (IV) allowing public charter schools to obtain lease guarantees in accordance with rules developed by the District of Columbia Office of Public Charter School Financing. Allows the Office of Public Charter School Financing and Support to use federal credit enhancement or direct loan funds to provide lease guarantees for charter schools. |
| No comparable provision. | No comparable provision. | Sec. 340. <i>Public Charter School Development</i> . Amends the DC | Sec. 341. <i>Public Charter School Development</i> . Amends |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| | | School Reform Act of 1995 to encourage public schools and independent schools to convert to charter schools. | the DC School Reform Act of 1995 to encourage public schools and independent schools to convert to charter schools. |
| No comparable provision. | No comparable provision. | Sec. 341. <i>Teacher Transition and Charter Schools</i> . Allows for a 1-year transition period, and allows public schools that convert to charter schools to retain occupancy of the facility after converting to a charter school. Gives to charter schools preference in the acquisition of surplus school facilities. Allows for a 25 year lease period for city owned property leased to charter schools. | Sec. 342. <i>Teacher Transition and Charter Schools</i> . Allows for a 1-year transition period, and allows public schools that convert to charter schools to retain occupancy of the facility after converting to a charter school. Gives to charter schools the right of first offer in the acquisition of surplus school facilities. Allows for a 25 year lease period for city owned property leased to charter schools. |
| No comparable provision. | No comparable provision. | Sec. 342. <i>Annual Report to Congress on Charter Schools</i> . Outlines the duties and responsibilities of chartering authority's to include an annual report to Congress. | Sec. 343. <i>Annual Report to Congress on Charter Schools</i> . Outlines the duties and responsibilities of chartering authority's to include an annual report to Congress. |
| No comparable provision. | No comparable provision. | Sec. 343. <i>Park Service Lease to District of Columbia</i> . Would allow the Department of Interior to lease to the District National Park Service land in Anacostia Park. Outlines the conditions of the lease agreement. | Sec. 344. <i>Park Service Lease to District of Columbia</i> . Would allow the Department of Interior to lease to the District National Park Service land in Anacostia Park. Outlines the conditions of the lease agreement. |
| No comparable provision. | No comparable provision. | No comparable provision. | Sec. 345. <i>Chicago Sanitary and Ship Canal Dispersal Barrier</i> . |

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| P.L. 108-199 | House Version of H.R. 4850 | Senate Version of H.R. 4850 | Enacted P.L. 108-335 |
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| | | | Authorizes a revised federal appropriation of \$6.825 million for a the project, \$2.275 in non-federal cost and a total cost of \$9.1 million. |
| No comparable provision. | No comparable provision. | Sec. 344. <i>Biennial Evaluation of Charter Schools</i> . Calls for a biennial evaluation by GAO of charter schools. Identifies nine evaluation criteria. First interim report to be submitted to Congress, the Mayor, the Council and the CFO by May 1, 2005. | Sec. 346. <i>Biennial Evaluation of Charter Schools</i> . Calls for a biennial evaluation by GAO of charter schools. Identifies nine evaluation criteria. First interim report to be submitted to Congress, the Mayor, the Council and the CFO by May 1, 2005. |
| No comparable provision. | No comparable provision. | Sec. 345 <i>Charter School Board Operations</i> . Requires the Charter School Board to maintain its accounts according to Generally Accepted Accounting Principles for Not-for-Profit Organizations. The Board must contract for an audit of the financial statement of the Board by an independent certified public accountant. | Sec. 347. <i>Charter School Board Operations</i> . Requires the Charter School Board to maintain its accounts according to Generally Accepted Accounting Principles for Not-for-Profit Organizations. The Board must contract for an audit of the financial statement of the Board by an independent certified public accountant. |

Source: Congressional Research Service.

Note: Provisions included in P.L. 108-199, but not included in House, Senate, or conference versions of H.R. 4850, are highlighted in gray.

Table 2. H.R. 4850 General Provisions by Selected Classification: House, Senate, and Conference Versions

| Budget and Fiscal Controls | | |
|--|---|---|
| House version | Senate version | Enacted, P.L. 108-335 |
| Sec. 101. <i>Prohibition Against Deficit Spending.</i> | Sec. 301. <i>Prohibition Against Deficit Spending.</i> | Sec. 301. <i>Prohibition Against Deficit Spending.</i> |
| Sec. 102. <i>Payment of Travel and Dues Related Expenses.</i> | Sec. 302. <i>Payment of Travel and Dues Related Expenses.</i> | Sec. 302. <i>Payment of Travel and Dues Related Expenses.</i> |
| Sec. 103. <i>Payment of Judgments.</i> | Sec. 303. <i>Payment of Judgments.</i> | Sec. 303. <i>Payment of Judgments.</i> |
| Sec. 104. <i>Prohibition Against the Carryover of Appropriated Funds.</i> | Sec. 304. <i>Prohibition Against the Carryover of Appropriated Funds.</i> | Sec. 304. <i>Prohibition Against the Carryover of Appropriated Funds.</i> |
| Sec. 106. <i>Prohibition on the Reprogramming of Funds.</i> | Sec. 305. <i>Congressional Inspection of Personnel Records.</i> | Sec. 306. <i>Prohibition on the Reprogramming of Funds</i> |
| Sec. 107. <i>Limitation on the Use of Appropriated Funds.</i> | Sec. 308. <i>Prohibition on the Reprogramming of Funds.</i> | Sec. 307. <i>Limitation on the Use of Appropriated Funds</i> |
| Sec. 109. <i>City Council and Congressional Review of Revised Revenue Estimates.</i> | Sec. 309. <i>Limitation on the Use of Appropriated Funds.</i> | Sec. 309. <i>Limitation on the Use of Appropriated Funds.</i> |
| Sec. 110. <i>Sole Source Contracts.</i> | Sec. 311. <i>City Council and Congressional Review of Revised Revenue Estimates</i> | Sec. 310. <i>Sole Source Contracts.</i> |
| Sec. 114. <i>Acceptance of Grant Funds Not Included in Ceiling.</i> | Sec. 312. <i>Sole Source Contracts.</i> | Sec. 314. <i>Acceptance of Grant Funds Not Included in Ceiling.</i> |
| Sec. 116. <i>Inspector General Audits.</i> | Sec. 316. <i>Acceptance of Grant Funds Not Included in Ceiling.</i> | Sec. 316. <i>Inspector General Audits.</i> |
| Sec. 118. <i>CFO Certifications.</i> | Sec. 318. <i>Inspector General Audits.</i> | Sec. 319. <i>CFO Certifications</i> |

| Budget and Fiscal Controls | | |
|--|--|--|
| House version | Senate version | Enacted, P.L. 108-335 |
| Sec. 123. <i>Revised Operating Budget Submission.</i> | Sec. 321. <i>CFO Certifications</i> | Sec 323. <i>Revised Operating Budget Submission</i> |
| Sec. 125. <i>Restrictions on the Transfer of Appropriated Funds.</i> | Sec 325. <i>Revised Operating Budget Submission</i> | Sec. 325. <i>Restrictions on the Transfer of Appropriated Funds.</i> |
| Sec. 127. <i>Limitation on Attorney's fees in IDEA Cases.</i> | Sec. 327. <i>Restrictions on the Transfer of Appropriated Funds.</i> | Sec. 327. <i>Limitation on Attorney's Fees in IDEA Cases.</i> |
| Sec. 129. <i>Reserve Fund Budget Increase</i> | Sec. 328. <i>Limitation on Attorney's Fees in IDEA Cases.</i> | Sec. 331. <i>Reserve Fund Budget Increase</i> |
| Sec. 130. <i>Emergency Cash Reserve Fund and Contingency Reserve Fund.</i> | Sec. 333. <i>Emergency Cash Reserve Fund and Contingency Reserve Fund.</i> | Sec. 332. <i>Emergency Cash Reserve Fund and Contingency Reserve Fund.</i> |
| Sec. 131. <i>Reserve Fund Transfers.</i> | Sec. 334. <i>Reserve Fund Transfers.</i> | Sec. 333. <i>Reserve Fund Transfers.</i> |
| Sec. 132. <i>Police Retirement Fund.</i> | Sec. 335. <i>Police Retirement Fund.</i> | Sec. 334. <i>Police Retirement Fund.</i> |
| Sec. 133. <i>Charter School Fund.</i> | Sec. 336. <i>Annual Budget of the Office of the Inspector General.</i> | Sec. 335. <i>Charter School Fund</i> |
| Sec. 134. <i>CFO Authority.</i> | Sec. 337. <i>CFO Authority.</i> | Sec. 336. <i>CFO Authority</i> |
| Sec. 136. <i>Bonding Requirement for Officers of the Court.</i> | Sec. 339. <i>Public Charter School Financing</i> | Sec. 338. <i>Annual Budget of the Office of the Inspector General.</i> |
| Sec. 137. <i>Recruitment and Travel of Officers of the Court.</i> | Sec. 332. <i>Recruitment and Travel of Officers of the Court.</i> | Sec. 340. <i>Public Charter School Financing</i> |

| Administrative Controls | | |
|--|---|---|
| House version | Senate version | Enacted P.L. 108-335 |
| Sec. 108. <i>Merit Personnel Act Responsibility of the Mayor</i> | Sec 310. <i>Merit Personnel Act Responsibility of the Mayor</i> | Sec 308. <i>Merit Personnel Act Responsibility of the Mayor</i> |
| Sec. 115. <i>Limits on the Use of City Vehicles.</i> | Sec. 317. <i>Limits on the Use of City Vehicles.</i> | Sec. 315. <i>Limits on the Use of City Vehicles</i> |
| Sec. 126. <i>Transfer of Fines Levied for Driving While Intoxicated or Impaired.</i> | Sec. 329. <i>Certifications by Attorneys in IDEA Actions.</i> | Sec. 326. <i>Transfer of Fines Levied for Driving While Intoxicated or Impaired.</i> |
| Sec. 128. <i>Certifications by Attorneys in IDEA Actions.</i> | Sec. 327. <i>Transfer of Fines Levied for Driving While Intoxicated or Impaired.</i> | Sec. 328. <i>Certifications by Attorneys in IDEA Actions.</i> |
| Sec. 134. <i>CFO Authority.</i> | Sec. 331. <i>Eliminates Bonding Requirement for Certain Officers of the Court</i> | Sec. 329. <i>Eliminates Bonding Requirement for Certain Officers of the Court</i> |
| Sec. 135. <i>Water and Sewer Authority.</i> | Sec. 332. <i>Recruitment and Travel of Officers of the Court.</i> | Sec. 330. <i>Recruitment and Travel of Officers of the Court.</i> |
| | Sec. 343. <i>National Park Service lease of public land to the District of Columbia</i> | Sec. 137. <i>Water and Sewer Authority.</i> |
| | | Sec. 344. <i>National Park Service lease of public land to the District of Columbia</i> |

| Congressional Oversight and Reporting | | |
|---|---|---|
| House version | Senate version | Enacted P.L. 108-335 |
| Sec. 106. <i>Prohibition on the Reprogramming of Funds.</i> Funds may not be reprogrammed in order to establish or change allocations specifically denied, limited, or increased by Congress. Funds may be reprogrammed after congressional review by House and Senate Appropriations Committees. Committees must be notified in writing 30 days in advance of reprogramming. | Sec. 305. <i>Congressional Inspection of Personnel Records.</i> The personnel records of all persons employed by the District government may be made available for inspection by House and Senate authorization and appropriations subcommittees. | Sec. 306. <i>Prohibition on the Reprogramming of Funds</i> Prohibits the transfer and reprogramming of funds in excess of \$1 million without first notifying Congress no later than 15 days in advance of the transfer. |
| Sec. 109. <i>City Council and Congressional Review of Revised Revenue Estimates.</i> Requires the mayor to submit to the city council revised revenue estimates for the first quarter of FY2005 not later than 30 days after the first quarter of FY2006. | Sec. 308. <i>Prohibition on the Reprogramming of Funds</i> Prohibits the transfer and reprogramming of funds in excess of \$1 million without first notifying Congress no later than 15 days in advance of the transfer. | Sec. 309. <i>City Council and Congressional Review of Revised Revenue Estimates.</i> Requires the mayor to submit to the city council revised revenue estimates for the first quarter of FY2005 not later than 30 days after the first quarter of FY2006. |
| Sec. 114. <i>Acceptance of Grant Funds Not Included in Ceiling.</i> 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. | Sec. 311. <i>City Council and Congressional Review of Revised Revenue Estimates.</i> Requires the mayor to submit to the city council revised revenue estimates for the first quarter of FY2005 not later than 30 days after the first quarter of FY2006. | Sec. 314. <i>Acceptance of Grant Funds Not Included in Ceiling</i> Requires the CFO to submit to the city council and House and Senate Appropriations Committees detailed quarterly reports within 15 days after each quarter regarding all federal and private grants approved under this section. |
| Sec.119. <i>Agencies CFO Certifications and Reports.</i> Requires the CFO to submit quarterly report to Congress listing reports required to be submitted by agency CFOs | Sec. 316. <i>Acceptance of Grant Funds Not Included in Ceiling</i> Requires the CFO to submit to the city council and House and Senate Appropriations Committees detailed quarterly reports within 15 days after each quarter regarding all federal and private grants approved under this section. | Sec. 322. <i>Budget-linked Quality of Life Factors.</i> Directs the mayor to submit quarterly reports to House and Senate appropriation and oversight committees on quality of life factors identified in the section. |

| Congressional Oversight and Reporting | | |
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| House version | Senate version | Enacted P.L. 108-335 |
| Sec. 122. <i>Budget-linked Quality of Life Factors.</i> Directs the mayor to submit quarterly reports to House and Senate appropriation and oversight committees on quality of life factors identified in the section. . | Sec. 321. <i>Agencies CFO Certifications and Reports.</i> Requires the CFO to submit quarterly report to Congress listing reports required to be submitted by agency CFOs | Sec. 328. <i>Attorney Certifications in IDEA Actions</i> Requires the CFO to prepare a quarterly report to House and Senate Appropriations Committees on attorney's fees paid in cases under IDEA |
| Sec. 123. <i>Revised Operating Budget Submission.</i> Requires the CFO to submit to the appropriate committees of Congress, the mayor, and the city council a revised operating budget not later than 30 days after the enactment of this act. | Sec. 324. <i>Budget-linked Quality of Life Factors.</i> Directs the mayor to submit quarterly reports to House and Senate appropriation and oversight committees on quality of life factors identified in the section. | Sec. 331. <i>Reserve Funds.</i> The mayor must notify and receive the approval of the House and Senate Appropriations Committees in advance of any obligation or expenditure of reserve funds. |
| Sec. 128. <i>Attorney Certifications in IDEA Actions</i> Requires the CFO to prepare a quarterly report to House and Senate Appropriations Committees on attorney's fees paid in cases under IDEA. | Sec. 329. <i>Attorney Certifications in IDEA Actions</i> Requires the CFO to prepare a quarterly report to House and Senate Appropriations Committees on attorney's fees paid in cases under IDEA | Sec. 343. <i>Annual Report to Congress on Charter Schools.</i> Outlines the duties and responsibilities of chartering authority's to include an annual report to Congress |
| Sec. 129. <i>Reserve Funds.</i> The mayor must notify and receive the approval of the House and Senate Appropriations Committees in advance of any obligation or expenditure of reserve funds. | Sec. 330. <i>Eliminates Water and Sewer Authority Federal Agencies Reports to Congress.</i> Eliminates certain reporting requirements by federal agencies to Congress relating to payments to the Water and Sewer Authority. | Sec. 346. <i>Biennial Evaluation of Charter Schools.</i> Calls for a biennial evaluation by GAO of charter schools. Identifies nine evaluation criteria. First interim report to be submitted to Congress, the Mayor, the Council and the CFO by May 1, 2005. |
| Sec. 135. Sec. 330. <i>Eliminates Water and Sewer Authority Federal Agencies Reports to Congress.</i> Eliminates certain reporting requirements by federal agencies to Congress relating to payments to the Water and Sewer Authority. | Sec. 342. <i>Annual Report to Congress on Charter Schools.</i> Outlines the duties and responsibilities of chartering authority's to include an annual report to Congress. | |

| Congressional Oversight and Reporting | | |
|---|---|---|
| House version | Senate version | Enacted P.L. 108-335 |
| | Sec. 344. <i>Biennial Evaluation of Charter Schools.</i> Calls for a biennial evaluation by GAO of charter schools. Identifies nine evaluation criteria. First interim report to be submitted to Congress, the Mayor, the Council and the CFO by May 1, 2005. | |
| Congressionally Imposed Restrictions (Social Riders) | | |
| House version | Senate version | Enacted P.L. 108-335 |
| Sec. 112. <i>Restrictions on Funding of Abortion Services.</i> | Sec. 313. <i>Restrictions on Funding of Abortion Services.</i> | Sec. 312. <i>Restrictions on Funding of Abortion Services</i> |
| Sec. 113. <i>Health Care Benefits Expansion Act.</i> | Sec. 314. <i>Health Care Benefits Expansion Act.</i> | Sec. 313. <i>Health Care Benefits Expansion Act</i> |
| Sec. 118. <i>Needle Exchange Program.</i> | Sec. 320. <i>Needle Exchange Program.</i> | Sec. 318 <i>Needle Exchange Program</i> |
| Sec. 120. <i>Prohibition on the Implementation of Medical Marijuana Initiative.</i> | Sec. 322. <i>Prohibition on the Implementation of Medical Marijuana Initiative.</i> | Sec. 320. <i>Prohibition on the Implementation of Medical Marijuana Initiative.</i> |
| Sec. 121. <i>Conscience Clause Covering Contraceptive Coverage in Private Health Plans.</i> | Sec. 323. <i>Conscience Clause Covering Contraceptive Coverage in Private Health Plans.</i> | Sec. 321. <i>Conscience Clause Covering Contraceptive Coverage in Private Health Plans.</i> |
| Sec. 124. <i>Boy Scouts.</i> Prohibits the payment of award to plaintiffs over Boy Scouts policy excluding homosexuals from serving as scout leaders. | Sec. 326. <i>Boy Scouts.</i> Prohibits the payment of award to plaintiffs over Boy Scouts policy excluding homosexuals from serving as scout leaders. | Sec. 324. <i>Boy Scouts.</i> Prohibits the payment of award to plaintiffs over Boy Scouts policy excluding homosexuals from serving as scout leaders. |

| Limits on Advocacy of Congressional Voting Representation | | |
|---|---|---|
| House version | Senate version | Enacted P.L. 108-335 |
| Sec. 105. <i>Prohibition on the Use of Funds for Lobbying.</i> | Sec. 306. <i>Prohibition on the Use of Federal Funds for Lobbying.</i> | Sec. 305. <i>Prohibition on the Use of Federal Funds for Lobbying.</i> |
| | Sec. 307. <i>Prohibition on the Use of Federal Funds for Advocacy Activities of Local Officials.</i> | Sec. 311. <i>Prohibits the Use of Federal Funds for Statehood Lobbying.</i> |
| Sec. 111. <i>Prohibits the Use of Federal Funds for Statehood Lobbying.</i> | Sec. 313. <i>Prohibits the Use of Federal Funds for Statehood Lobbying.</i> | Sec. 317. <i>Prohibits the Use of Federal Funds by Corporation Counsel to Review of Private Lawsuits Seeking Congressional Voting Representation in Congress.</i> |
| Sec. 117. <i>Voting Representation Cost Prohibition and Corporation Counsel Review of Private Lawsuits.</i> | Sec. 319. <i>Prohibits the Use of Federal Funds by Corporation Counsel to Review of Private Lawsuits Seeking Congressional Voting Representation in Congress.</i> | |

| Education-Related Provisions | | |
|---------------------------------------|--|--|
| House version | Senate version | Enacted P.L. 108-335 |
| Sec. 133. <i>Charter School Fund.</i> | Sec. 338. <i>Incentives for the Adoption of Children. Establishment of scholarship fund for children of adoption and children of 9/11 victims.</i> | Sec. 339. <i>Incentives for the Adoption of Children. Establishment of scholarship fund for children of adoption and children of 9/11 victims.</i> |
| | Sec. 339. <i>Public Charter School Financing</i> | Sec. 340. <i>Public Charter School Financing</i> |
| | Sec. 340. <i>Public Charter School Development.</i> | Sec. 341. <i>Public Charter School Development.</i> |
| | Section 341 <i>Teacher Transition and Charter Schools.</i> | Section 342 <i>Teacher Transition and Charter Schools.</i> |

| Education-Related Provisions | | |
|-------------------------------------|--|---|
| House version | Senate version | Enacted P.L. 108-335 |
| | <i>Sec. 342. Annual Report to Congress on Charter Schools.</i> | <i>Sec. 343. Annual Report to Congress on Charter Schools.</i> |
| | <i>Sec. 344. Biennial Evaluation of Charter Schools.</i> | <i>Sec. 346. Biennial Evaluation of Charter Schools</i> |
| | <i>Sec. 345 Charter School Board Operations.</i> | <i>Sec. 347 Charter School Board Operations</i> |
| Unrelated Provision | | |
| | | <i>Sec. 345. Chicago Sanitary and Ship Canal Dispersal Barrier. Authorizes a revised federal appropriation of \$6.825 million for a the project, \$2.275 in non-federal cost and a total cost of \$9.1 million.</i> |

Source: Congressional Research Service.