

HR 2944

District of Columbia Appropriations Act, 2002

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Sep 24, 2001

Current Status: Became Public Law No: 107-96.

Latest Action: Became Public Law No: 107-96. (Dec 21, 2001)

Law: 107-96 (Enacted Dec 21, 2001)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/2944>

Sponsor

Name: Rep. Knollenberg, Joe [R-MI-11]

Party: Republican • **State:** MI • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Sep 24, 2001
Appropriations Committee	Senate	Discharged From	Nov 6, 2001

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
107 S 1543	Related bill	Jan 23, 2002: Indefinitely postponed by Senate by Unanimous Consent. (consideration: CR S49)
107 HRES 307	Procedurally related	Dec 6, 2001: Laid on the table. (consideration: CR H9045-9053)
107 HRES 245	Procedurally related	Sep 25, 2001: Motion to reconsider laid on the table Agreed to without objection.

Summary (as of Dec 5, 2001)

District of Columbia Appropriations Act, 2002 - Makes appropriations to the District of Columbia for FY 2002, including amounts for the Federal payments: (1) for District of Columbia Resident Tuition Support; (2) for incentives for adoption of children; (3) to the Capitol City Career Development and Job Training Partnership; (4) to the Capitol Education Fund; (5) to the Metropolitan Kappa Youth Development Foundation, Inc.; (6) to the Fire and Emergency Medical Services Department; (7) to the Chief Medical Examiner; (8) to the Youth Life Foundation; (9) to Food and Friends for their Capital Campaign; (10) to the City Administrator for the Criminal Justice Coordinating Council for the District; (11) to Southeastern University; (12) to the District of Columbia Public Schools; (13) for the District of Columbia and the Federal law enforcement Mobile Wireless Interoperability Project; (14) to the District of Columbia for emergency planning and security costs and to reimburse the District for certain security expenses related to the presence of the Federal Government in the District; (15) to the Chief Financial Officer of the District; (16) to the District of Columbia Corrections Trustee Operations; (17) to the District of Columbia Courts; (18) to carry out the Family Court Act; (19) for Defender Services in District of Columbia Courts; (20) to the Court Services and Offender Supervision Agency for the District of Columbia (including transfer of funds); (21) to the Children's National Medical Center; (22) to the St. Coletta of Greater Washington Expansion Project; and (23) to the Faith and Politics Institute; (24) to the Thurgood Marshall Academy Charter School; (25) to the George Washington University Center for Excellence in Municipal Management; and (26) to the District of Columbia Court Appointed Special Advocates Unit. Requires that out of the Federal payment made available in the District of Columbia Appropriations Act, 2001: (1) for the Metropolitan Police Department, \$100,000 for the police mini-station shall remain available through FY 2002; (2) such amount for the Washington Interfaith Network shall remain available through December 31, 2002; and (3) such amount for the Brownfield Remediation shall remain available until expended.

Amends the Victims of Violent Crime Compensation Act of 1996, as amended by the Miscellaneous Appropriations Act, 2001 (as enacted into law by the Consolidated Appropriations Act, 2001), to allow the use of any unobligated balance existing in the Crime Victims Compensation Fund (currently, in excess of \$250,000) as of the end of each fiscal year (beginning with FY 2000), to be used only in accordance with a plan developed by the District and submitted to (currently, approved by) specified congressional committees. Repeals the requirement that 80 percent of the balance be used for direct compensation payments to crime victims through the Fund. Provides that under the plan: (1) 50 percent of such balance shall be used for direct compensation payments to crime victims through the Fund and in accordance with this Act; and (2) 50 percent for outreach activities designed to increase the number of crime victims who apply for such direct compensation payments.

Increases the pay for services of counsel for the representation of indigents, including services in neglect and parental rights termination proceedings. Sets at \$25 per hour, plus expenses, the court compensation for the services of investigators, experts, and others necessary for an adequate defense of an indigent person.

Appropriates specified sums out of the District's general fund (and other funds, in some cases) for the current fiscal year for: (1) operating expenses (with limitations); (2) governmental direction and support; (3) economic development and regulation; (4) public safety and justice; (5) the public education system; (6) human support services (including transfer of funds); (7) public works; (8) receivership programs; (9) workforce investments; (10) the Reserve; (11) Reserve relief; (12) the Emergency and Contingency Reserve Funds; (13) repayment of certain loans and interest; (14) payments related to the District of Columbia Emergency Assistance Act of 2001; (15) repayment of General Fund Recovery Debt, and payment of interest on short-term borrowing; (16) emergency planning and security costs; (17) the John A. Wilson Building; (18) for certain non-departmental agency costs; (19) the Water and Sewer Authority; (20) the Washington Aqueduct; (21) the Stormwater Permit Compliance Enterprise Fund; (22) the Lottery and Charitable Games Enterprise

Fund; (23) the Sports and Entertainment Commission; (24) the District of Columbia Retirement Board; (25) the Washington Convention Center Enterprise Fund; (26) the Housing Finance Agency; (27) the National Capital Revitalization Corporation; and (28) capital outlay (including rescissions). Requires \$1.55 million made available under the District of Columbia Appropriations Act, 2001 for taxicab driver security enhancements in the District to remain available through FY 2002.

Transfers limited funds to the Emergency Reserve Fund.

Amends the District of Columbia Public Works Act of 1954 to set forth administrative provisions with respect to billings for water and sewer authority services provided to the Federal Government.

Amends the Supplemental Appropriations Act, 2001 to provide that nothing in the Act may be construed to affect the determination of the amounts required to be paid for water and sewer services under the District of Columbia Public Works Act of 1954 or to waive the requirement under such Act for the Secretary of Defense to pay such amounts to the District.

Sets forth authorizations as well as limitations and prohibitions on the uses of appropriations under this Act, and directives to the Mayor, the Council, and the Board of Education identical with or similar to those in the District of Columbia Appropriations Act, 2001.

(Sec. 107) Allows the District to use local funds provided in this Act to carry out lobbying activities on any matter other than: (1) the promotion or support of any boycott; or (2) statehood in Congress for the District. States that nothing in this Act may be construed to prohibit any elected official from advocating with respect to such issues.

(Sec. 111) Amends the District of Columbia Government Comprehensive Merit Personnel Act of 1978, as added by the District Government Personnel Exchange Agreement Amendment Act of 2002, with respect to administration of the Office of the Chief Technology Officer.

(Sec. 112) Requires the Mayor to submit to the D.C. Council, within 30 days after the end of the first quarter of FY 2002, the new FY 2002 revenue estimates as of the end of such quarter, to be used in the budget request for FY 2003.

(Sec. 115) Permits an entity of the District of Columbia government to accept and use a gift or donation during FY 2002 to carry out authorized functions or duties if approved by the Mayor. Exempts the Council, the District of Columbia courts, and the District of Columbia Board of Education from this requirement.

(Sec. 117) Prohibits the expenditure of funds appropriated under this Act for abortions except where the mother's life would be endangered if the fetus were carried to term or in cases of rape or incest.

(Sec. 118) Bars the use of funds under this Act to implement or enforce: (1) the District of Columbia Health Care Benefits Expansion Act of 1992 (also known as the District Domestic Partner Act); or (2) any system of registration of unmarried, cohabiting couples for purposes of extending them benefits on the same basis as such benefits are extended to legally married couples.

(Sec. 119) Allows the Mayor to accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act if the Chief Financial Officer reports to the D.C. Council detailed information regarding such grant, and the Council approves such activity. Prohibits any obligation or expenditure from the general fund or other District government funds in anticipation of the approval or receipt of a Federal, private, or other grant not subject to this Act.

(Sec. 121) Requires the District of Columbia Board of Education, or its successor, and the District of Columbia Public Schools (DCPS), within 120 days of referral, to: (1) assess or evaluate any student who may have a disability and may require special education services; and (2) place in an appropriate program of special education any student classified as having a disability.

(Sec. 122) Requires recipients of funds under this Act to comply with the Buy American Act.

Expresses the sense of Congress that, to the greatest extent practicable, such funds should be used to purchase only American-made equipment and products.

Declares a person ineligible to receive any contract made with funds provided under this Act if the person has been judicially determined to have intentionally affixed a "Made in America" label to a product that is not U.S.-made.

(Sec. 124) Prohibits the use of Federal funds contained in this Act: (1) by the District of Columbia Corporation Counsel or any other District government officer or entity to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District; (2) for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug (requires individuals or entities who do so to account for all funds used for such program separately from any funds contained in this Act); (3) 60 days after its enactment to pay the salary of any chief financial officer of any District government office who has not filed a certification with the Mayor and Chief Financial Officer that the officer understands the duties and restrictions applicable, including reports required as a result of this Act or its amendments; or (4) to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act or any tetrahydrocannabinols (THC) derivative.

(Sec. 127) Provides that the Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District on November 3, 1998, shall not take effect.

(Sec. 128) Provides that nothing in this Act may be construed to prevent the Council from addressing the issue of the provision of contraceptive coverage by health insurance plans. Expresses the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

(Sec. 129) Requires the Superior Court of the District of Columbia or the District of Columbia Court of Appeals to assign interest on a voucher submitted by a court-appointed attorney for payment if the voucher is not paid within 45 days of its submission.

(Sec. 130) Appropriates a Federal contribution to the District Metropolitan Police Department to enforce, upon enactment, a District law to ban possession of tobacco products by minors.

(Sec. 131) Requires the Mayor to report quarterly to specified congressional committees on the following District issues: (1) crime; (2) access to drug abuse treatment; (3) management of parolees and pre-trial violent offenders; (4) education; (5) improvement in basic District services, including rat control and abatement; (6) application for and management of Federal grants; and (7) indicators of child well-being.

(Sec. 132) Provides that nothing in this Act bars the D.C. Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

(Sec. 133) Amends the District of Columbia Financial Responsibility and Management Assistance Act of 1995 to require:

(1) for FY 2002 and 2003 the District government budget to contain a budget reserve in specified amounts to remain available until expended; and (2) for FY 2004 and 2005 such budget to contain a cumulative cash reserve of \$50,000. Requires any amount in the budget reserve for FY 2001 to remain available until expended. Specifies conditions on the use of such funds by the District. Provides that if any amount of the budget reserve or the cumulative cash reserve is expended in one fiscal year it shall be replenished in the following fiscal year appropriations to maintain the required balance.

Amends the District of Columbia Appropriations Act, 2001 to make the repeal of current requirements for a positive reserve fund balance effective October 1, 1999 instead of October 1, 2000.

Requires all funds identified by the District government in the Consolidated Appropriations Act, 2000 pertaining to the reserve fund as reflected in the certified annual financial report for FY 2000, to be deposited during FY 2002 in the Emergency and Contingency Reserve Funds.

Amends the Home Rule Act to establish a contingency reserve fund (separate from other accounts in the General Fund) into which the Mayor shall deposit in cash by October 1 of each fiscal year (beginning with FY 2002) such amount as may be required to maintain a balance in the fund of at least three percent of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds (or, in the case of fiscal years before FY 2007, such amount as may be required to maintain a balance in the fund of at least the minimum contingency reserve balance for such fiscal year, as determined under the Act).

(Sec. 134) Prohibits funds appropriated by this Act (except those for the Office of Contracting and Procurement) from being available for an Integrated Product Team until reorganization plans for the Integrated Product Team and a Capital Construction Services Administration have been approved, or deemed approved, by the Council.

(Sec. 135) Requires the Chief Financial Officer to report to appropriate congressional committees, the Mayor, and the Council on a revised appropriation funds operating budget for all agencies of the District government for FY 2002 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(Sec. 136) Amends the District of Columbia Home Rule Act to strike provisions for compensating a Chairman of the D.C. City Council \$10,000 annually in addition to his or her compensation as a Council Member. Requires the Chairman to receive compensation, payable in equal installments, at a rate equal to \$10,000 less than the compensation of the Mayor.

(Sec. 137) Provides that, in addition to any other authority to pay claims and judgments, any District department, agency, or instrumentality may pay the settlement or judgment of a claim or lawsuit in an amount less than \$10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2002.

(Sec. 138) Provides that the Closing of Portions of 2nd and N Streets, N.E. and Alley System in Square 710, S.O. 00-97, Act of 2001 (D.C. Act 14-106) shall take effect on the enactment of such Act or the enactment of this Act, whichever is later (thus waiving the period of congressional review of such Act).

(Sec. 139) Prohibits funds appropriated in this Act from being used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93-030-(PA) and 93-031-(PA). (The Commission ordered the Boy Scouts of America to reinstate two gay troop leaders and pay them \$50,000 each, as well as all attorney's fees and court costs.)

(Sec. 140) Prohibits the availability of funds under this Act, or any appropriations Acts for subsequent fiscal years, to pay attorney's fees accrued before this Act's effective date that exceeds a cap imposed on attorneys' fees by prior appropriations Acts in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in an action brought against the District of Columbia Public Schools (DCPS) under the Individuals with Disabilities Education Act (IDEA).

Requires the Superintendent of Schools for the District to report to specified congressional committees for each of FY 1999 through 2001, a detailed complete itemized list, by year, of the judgments for attorney's fees awarded to plaintiffs who prevailed in cases brought against the District or the DCPS under IDEA.

(Sec. 141) Requires the General Accounting Office to report to specified congressional committees on awards in judgment rendered in the District that were in excess of the cap imposed by prior appropriations Acts in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in actions brought against the DCPS under IDEA, including a comparison, to the extent practicable, of the causes of actions and judgments rendered against the public school districts of comparable demographics and population as the District.

Actions Timeline

- **Dec 21, 2001:** Signed by President.
- **Dec 21, 2001:** Signed by President.
- **Dec 21, 2001:** Became Public Law No: 107-96.
- **Dec 21, 2001:** Became Public Law No: 107-96.
- **Dec 13, 2001:** Presented to President.
- **Dec 13, 2001:** Presented to President.
- **Dec 7, 2001:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 79 - 20. Record Vote Number: 356.(consideration: CR S12582-12583)
- **Dec 7, 2001:** Senate agreed to conference report by Yea-Nay Vote. 79 - 20. Record Vote Number: 356. (consideration: CR S12582-12583)
- **Dec 7, 2001:** Message on Senate action sent to the House.
- **Dec 6, 2001:** CONSIDERATION OF CONFERENCE REPORT - Mr. Linder asked unanimous consent that it be in order at any time to consider the conference report to accompany H.R. 2944; that all points of order against the conference report and against its consideration be waived; that the conference report be considered as read when called up for consideration; and that H. Res. 307 be laid on the table. Agreed to without objection.
- **Dec 6, 2001:** Mr. Knollenberg brought up conference report H. Rept. 107-321 by previously agreed to special order.
- **Dec 6, 2001:** DEBATE - The House proceeded with one hour of debate on the conference report.
- **Dec 6, 2001:** The previous question was ordered without objection.
- **Dec 6, 2001:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 302 - 84 (Roll no. 482).(consideration: CR H9045-9053)
- **Dec 6, 2001:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 6, 2001:** On agreeing to the conference report Agreed to by the Yeas and Nays: 302 - 84 (Roll no. 482). (consideration: CR H9045-9053)
- **Dec 6, 2001:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Dec 5, 2001:** Conference report filed: Conference report H. Rept. 107-321 filed.(text of conference report: CR H8915-8945)
- **Dec 5, 2001:** Conference report H. Rept. 107-321 filed. (text of conference report: CR H8915-8945)
- **Dec 5, 2001:** Rules Committee Resolution H. Res. 307 Reported to House. Rule provides for consideration of the conference report to H.R. 2944 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions.
- **Dec 4, 2001:** Conference committee actions: Conferees agreed to file conference report.
- **Dec 4, 2001:** Conferees agreed to file conference report.
- **Nov 8, 2001:** Mr. Knollenberg asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference.
- **Nov 8, 2001:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection. (consideration: CR H7918-7919)
- **Nov 8, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 8, 2001:** Mr. Fattah moved that the House instruct conferees.
- **Nov 8, 2001:** DEBATE - The House proceeded with one hour of debate on the motion to instruct conferees. The instructions contained in the motion require the managers on the part of the House to insist on the House position regarding assistance with federal funds for education and training programs in the District of Columbia.
- **Nov 8, 2001:** The previous question was ordered without objection.
- **Nov 8, 2001:** On motion that the House instruct conferees Agreed to by voice vote.
- **Nov 8, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 8, 2001:** The Speaker appointed conferees: Knollenberg, Istook, Cunningham, Doolittle, Sweeney, Vitter, Young (FL), Fattah, Mollohan, Olver, and Obey.
- **Nov 7, 2001:** Considered by Senate. (consideration: CR S11505-11519, S11526-11544)
- **Nov 7, 2001:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 75 - 24. Record Vote Number: 331.(text: CR S11535-11544)
- **Nov 7, 2001:** Passed Senate with an amendment by Yea-Nay Vote. 75 - 24. Record Vote Number: 331. (text: CR

- **Nov 7, 2001:** Senate insists on its amendment, asks for a conference, appoints conferees Landrieu, Durbin, Reed, Inouye, DeWine, Hutchison and Stevens.
- **Nov 7, 2001:** Message on Senate action sent to the House.
- **Nov 6, 2001:** Senate Committee on Appropriations discharged by Unanimous Consent.
- **Nov 6, 2001:** Senate Committee on Appropriations discharged by Unanimous Consent.
- **Nov 6, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S11475-11480)
- **Sep 25, 2001:** Rule H. Res. 245 passed House.
- **Sep 25, 2001:** Considered under the provisions of rule H. Res. 245. (consideration: CR H5984-6011; text of measure as reported in House including amendments printed in part A of Rules Committee report 107-217 to H. Res. 245: CR H5995-5999, H5999-6000, H6001-6002, H6005-6007, H6010)
- **Sep 25, 2001:** Rule provides for consideration of H.R. 2944 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Specified amendments are in order.
- **Sep 25, 2001:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 245 and Rule XXIII.
- **Sep 25, 2001:** The Speaker designated the Honorable Doug Bereuter to act as Chairman of the Committee.
- **Sep 25, 2001:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2944.
- **Sep 25, 2001:** DEBATE - The Committee of the Whole proceeded with debate on the Hastings (FL) amendment under the five-minute rule, pending reservation of a point of order.
- **Sep 25, 2001:** DEBATE - The Committee of the Whole proceeded with debate on the Norton amendment, pending reservation of a point of order.
- **Sep 25, 2001:** DEBATE - Pursuant to the provisions of H. Res. 245, the Committee of the Whole proceeded with 10 minutes of debate on the Weldon (FL) amendment.
- **Sep 25, 2001:** DEBATE - The Committee of the Whole proceeded with debate on the Hostettler amendment and on the Norton amendment to the Hostettler amendment under the five-minute rule.
- **Sep 25, 2001:** VOTE POSTPONED - At the conclusion of debate on the amendments, the Chair put the question on adoption of the Norton amendment to the Hostettler amendment and by voice vote, announced that the noes had prevailed. Mrs. Norton demanded a recorded vote pending the absence of a quorum and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Sep 25, 2001:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of the Norton amendment to the Hostettler amendment, which had been debated earlier and on which further proceedings had been postponed.
- **Sep 25, 2001:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2944.
- **Sep 25, 2001:** The previous question was ordered pursuant to the rule.
- **Sep 25, 2001:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Sep 25, 2001:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 327 - 88, 1 Present (Roll no. 355).
- **Sep 25, 2001:** On passage Passed by the Yeas and Nays: 327 - 88, 1 Present (Roll no. 355).
- **Sep 25, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 25, 2001:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 2944.
- **Sep 25, 2001:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Sep 24, 2001:** Introduced in House
- **Sep 24, 2001:** The House Committee on Appropriations reported an original measure, H. Rept. 107-216, by Mr. Knollenberg.
- **Sep 24, 2001:** The House Committee on Appropriations reported an original measure, H. Rept. 107-216, by Mr. Knollenberg.
- **Sep 24, 2001:** Placed on the Union Calendar, Calendar No. 130.
- **Sep 24, 2001:** Rules Committee Resolution H. Res. 245 Reported to House. Rule provides for consideration of H.R. 2944 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions

except motion to recommit with or without instructions. Measure will be read by paragraph. Specified amendments are in order.