

HR 2765

District of Columbia Appropriations Act, 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Jul 17, 2003

Current Status: See also H. R. 2673.

Latest Action: See also H. R. 2673. (Jan 22, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/2765>

Sponsor

Name: Rep. Frelinghuysen, Rodney P. [R-NJ-11]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jul 17, 2003

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
108 HR 2673	Related document	Jan 23, 2004: Became Public Law No: 108-199.
108 S 1583	Companion bill	Sep 4, 2003: Placed on Senate Legislative Calendar under General Orders. Calendar No. 272.
108 HRES 334	Procedurally related	Jul 25, 2003: Laid on the table.

District of Columbia Appropriations Act, 2004 - **Title I: Federal Funds** - Makes appropriations to the District of Columbia for FY 2004, including amounts for the Federal payments: (1) for District of Columbia Resident Tuition Support; (2) for emergency planning and security costs in the District; (3) to support hospital bioterrorism preparedness in the District; (4) to District of Columbia Courts; (5) for Defender Services in District of Columbia Courts; (6) to the Court Services and Offender Supervision Agency for the District of Columbia (including transfer of funds); (7) to the Chief Financial Officer of the District; (8) to the Department of Transportation in the District for a downtown circulator transit system and to offset a portion of the District's allocated operating subsidy payment to the Washington Metropolitan Area Transit Authority; (9) to the DC Water and Sewer Authority; (10) to the Department of Transportation in the District for the Anacostia Waterfront Initiative; (11) for capital development in the District; (12) to Children's National Medical Center; (13) to the St. Coletta of Greater Washington Expansion Project; (14) for foster care improvements in the District; and (15) for school improvement.

Authorizes appropriations.

Title II: District of Columbia Funds - Appropriates specified sums out of the District's general fund and/or other funds 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 (including transfer of funds); (6) human support services (including transfer of funds); (7) public works; (8) the Emergency and Contingency Reserve Fund; (9) repayment of certain loans and interest; (10) payment of interest on short-term borrowing; (11) for principal and interest payments on the District's Certificates of Participation, issued to finance the ground lease underlying the building located at One Judiciary Square; (12) refunds and the payment of legal settlements or judgments that have been entered against the District government; (13) the John A. Wilson Building; (14) workforce investments; (15) certain non-departmental agency costs; (16) emergency planning and security costs; (17) transportation assistance; (18) pay-as-you-go capital in lieu of capital financing; (19) a Tax Increment Financing Program; (20) the Cash Reserve; (21) making refunds associated with disallowed Medicaid funding; (22) the Water and Sewer Authority; (23) the Washington Aqueduct; (24) the Stormwater Permit Compliance Enterprise Fund; (25) the Lottery and Charitable Games Enterprise Fund; (26) the Sports and Entertainment Commission; (27) the District of Columbia Retirement Board; (28) the Washington Convention Center Enterprise Fund; (29) the National Capital Revitalization Corporation; and (30) capital outlay (including rescissions).

Title III: General Provisions - Sets forth authorized or prohibited uses of funds appropriated by this Act identical or similar to corresponding provisions of the District of Columbia Appropriations Act, 2003.

(Sec. 308) Prohibits funds provided in this Act from being used to carry out lobbying activities on any matter.

(Sec. 309) Prohibits the availability of appropriations, without prior approval by the congressional appropriations committees, for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) establishes or changes allocations specifically denied, limited, or increased under this Act; (4) increases funds or personnel for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or activities in excess of \$1 million or ten percent, whichever is greater; or (7) increases by 20 percent or more personnel assigned to a specific program, project, or responsibility center.

(Sec. 315) Authorizes during FY 2004: (1) a District government entity to accept and use a gift or donation with the

Mayor's approval; and (2) the District Council, the District of Columbia courts, and the District Board of Education to accept and use gifts without such approval.

(Sec. 317) 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. 318) 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. 321) Prohibits a District government officer or employee (including any DC independent agency, but excluding the Office of Chief Technology Officer, the Office of the CFO, and the Metropolitan Police Department) from entering into an agreement in excess of \$2,500 for the procurement of goods or services on behalf of any District government entity until the individual has conducted an analysis of how the procurement involved under the applicable District government regulations and procedures would differ from the procurement of goods and services involved under the Federal supply schedule and other applicable General Services Administration regulations and procedures, including an analysis of any differences in the costs to be incurred and the time required to obtain them.

(Sec. 323) Prohibits the use of funds contained in this Act 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.

(Sec. 324) Prohibits the use of Federal funds contained in this Act 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.

(Sec. 325) Prohibits the use of funds contained in this Act: (1) 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 CFO that the officer understands the duties and restrictions applicable, including reports required as a result of this Act or its amendments; or (2) 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.

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. 327) Provides that nothing in this Act may be construed to prevent the Council or the Mayor of the District of Columbia 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. 328) Requires the Superior Court of the District of Columbia or the District of Columbia Court of Appeals to assess 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. 329) Requires the Mayor to report quarterly to specified congressional committees on the following District issues:

(1) crime; (2) access to substance and alcohol 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. 331) Prohibits the funds contained 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) (In The Matter Of: Roland D. Pool and Michael S. Geller (Boy Scouts' Policy of Excluding Homosexuals)).

(Sec. 332) Prohibits the transfer of any Federal funds to any Federal department, agency, or instrumentality, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(Sec. 333) Provides that, in addition to any other authority to pay claims and judgments, a District government department, agency, or instrumentality may pay the settlement or judgment of a claim or lawsuit in an amount less than \$10,000.

(Sec. 334) Requires all funds from the Crime Victims Compensation Fund, established pursuant to the Victims of Violent Crime Compensation Act of 1996, that are designated for outreach activities to be deposited in the Crime Victims Assistance Fund for such activities and to remain available until expended.

(Sec. 335) Requires the District of Columbia Courts to transfer to the DC Treasury all fines levied and collected by the Courts in cases charging Driving Under the Influence and Driving While Impaired. Requires the Office of the Corporation Counsel to use such funds for enforcement and prosecution of District traffic alcohol laws.

(Sec. 336) Allows any District government agency to transfer local funds to the Office of Labor Relations and Collective Bargaining (OLRCB) to pay for OLRCB representation in third-party cases, grievances, and dispute resolution.

(Sec. 337) Prohibits funds contained in this Act from being made available to pay: (1) an attorney's fee who represents a party or defends an action, including an administrative proceeding, brought against the DC Public Schools under IDEA; or (2) an attorney's fee or firm whom the CFO determines to have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(Sec. 338) Directs the CFO to require attorneys in special education cases brought under IDEA in the District to certify in writing, along with other specified disclosures, that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under IDEA.

(Sec. 339) Amends the District of Columbia Code to allow the Court to appoint an attorney: (1) to represent a parent or guardian in an adoption proceeding if the individual is financially unable to obtain adequate representation when a petition for adoption has been filed and there has been no termination or relinquishment of parental rights with respect to the proposed adoptee or consent to the proposed adoption by the parent or guardian whose consent is required under the Code; and (2) as guardian ad litem to represent the child and the child's best interest in an adoption proceeding.

(Sec. 340) Allows the amount appropriated by this Act as Other Type Funds to be: (1) increased by no more than 25 percent to an account for unanticipated growth in revenue collections; and (2) obligated or expended under specified conditions.

(Sec. 341) Allows the amount appropriated by this Act to be: (1) increased by no more than \$15 million from funds identified in the comprehensive annual financial report as the District's fund balance; (2) obligated or expended under

specified conditions; and (3) used only for unanticipated one-time expenditures, addressing potential deficits, reducing debt, unanticipated program needs, or covering revenue shortfalls.

Actions Timeline

- **Jan 22, 2004:** See also H. R. 2673.
- **Nov 19, 2003:** Message on Senate action sent to the House.
- **Nov 18, 2003:** Considered by Senate. (consideration: CR S15021-15029)
- **Nov 18, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S15022-15029)
- **Nov 18, 2003:** Passed Senate with an amendment by Unanimous Consent. (text: CR S15022-15029)
- **Nov 18, 2003:** Senate insists on its amendment, asks for a conference, appoints conferees DeWine; Hutchison; Brownback; Stevens; Landrieu; Durbin; Inouye.
- **Nov 11, 2003:** Returned to the Calendar. when the motion to proceed to H.R. 2861 was agreed to. Calendar No. 278.
- **Sep 30, 2003:** Considered by Senate. (consideration: CR S12160-12179)
- **Sep 29, 2003:** Considered by Senate. (consideration: CR S12108-12125)
- **Sep 26, 2003:** Considered by Senate. (consideration: CR S12028-12037, S12042-11978)
- **Sep 25, 2003:** Considered by Senate. (consideration: CR S11943-11957, S11971, S11971-11978)
- **Sep 24, 2003:** Measure laid before Senate. (consideration: CR S11885-11890)
- **Sep 10, 2003:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 278.
- **Sep 9, 2003:** Considered as unfinished business. (consideration: CR H8060-8062)
- **Sep 9, 2003:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Sep 9, 2003:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2765.
- **Sep 9, 2003:** The previous question was ordered pursuant to the rule.
- **Sep 9, 2003:** ADOPTION OF AMENDMENT - The House proceeded with a roll call vote on the question of adoption of the Tom Davis of Virginia amendment which had been previously adopted during consideration of the bill in the Committee of the Whole.
- **Sep 9, 2003:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 210 - 206 (Roll no. 491).
- **Sep 9, 2003:** On passage Passed by the Yeas and Nays: 210 - 206 (Roll no. 491).
- **Sep 9, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 5, 2003:** Consideration initiated by previous order of the House.
- **Sep 5, 2003:** Considered by previous order of the House. (consideration: CR H7955-7993; text of Title I as reported in House: CR H7965-7966; text of Title II as reported in House: CR H7977-7979; text of Title III as reported in House: CR H7979-7981)
- **Sep 5, 2003:** The House resolved into Committee of the Whole on the state of the Union pursuant to a previous order of the House.
- **Sep 5, 2003:** The Speaker designated the Honorable Charles F. Bass to act as Chairman of the Committee.
- **Sep 5, 2003:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2765.
- **Sep 5, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Norton amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Norton demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Sep 5, 2003:** Mr. Davis, Tom raised a point of order against the content of the measure. Section 119. The Chair sustained the point of order.
- **Sep 5, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Tom Davis (VA) amendment under the five-minute rule.
- **Sep 5, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Tom Davis (VA) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Ms. Norton demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Sep 5, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Hefley amendment under the five-minute rule.
- **Sep 5, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hefley amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Hefley

demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

- **Sep 5, 2003:** DEBATE - The Committee of the Whole proceeded with debate on the Manzullo amendment under the five-minute rule.
- **Sep 5, 2003:** Committee of the Whole House on the state of the Union rises leaving H.R. 2765 as unfinished business.
- **Jul 24, 2003:** Rules Committee Resolution H. Res. 334 Reported to House. Rule provides for consideration of H.R. 2765.
- **Jul 17, 2003:** Introduced in House
- **Jul 17, 2003:** The House Committee on Appropriations reported an original measure, H. Rept. 108-214, by Mr. Frelinghuysen.
- **Jul 17, 2003:** The House Committee on Appropriations reported an original measure, H. Rept. 108-214, by Mr. Frelinghuysen.
- **Jul 17, 2003:** Placed on the Union Calendar, Calendar No. 120.