

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-188

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 26, 2009

To approve the request of the District of Columbia government for appropriation and authorization for the fiscal year ending September 30, 2010.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Second Fiscal Year 2010 Budget Request Act".

Sec. 2. The Council of the District of Columbia approves the following expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 2010.

**DIVISION A
DISTRICT OF COLUMBIA APPROPRIATION REQUEST
TITLE I--FEDERAL FUNDS**

THE DISTRICT OF COLUMBIA COURT SYSTEM

**Federal Payment to the Court Services and Offender Supervision Agency
for the District of Columbia**

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$212,408,000, of which not to exceed \$2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which \$153,856,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which \$58,552,000 shall be available to the Pretrial Services Agency; provided, that, notwithstanding any other provision of law, all amounts under

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this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies; provided further, that not less than \$2,000,000 shall be available for re-entrant housing in the District of Columbia; provided further, that the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants; provided further, that the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection; provided further, that the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost-reimbursable basis.

Federal Payment to the District of Columbia Public Defender Service

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$37,316,000; provided, that, notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

Federal Payment to the District of Columbia Courts

For salaries and expenses for the District of Columbia Courts, \$248,952,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$12,014,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$108,491,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$58,447,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$70,000,000, to remain available until September 30, 2011, for capital improvements for District of Columbia courthouse facilities, including structural improvements to the District of Columbia cell block at the Moultrie Courthouse; provided, that funds made available for capital improvements shall be expended consistent with the General Services Administration ("GSA") master plan study and building evaluation report; provided further, that, notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on

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Homeland Security and Governmental Affairs of the Senate; provided further, that 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4% of the funds provided under this heading for facilities.

Defender Services in District of Columbia Courts

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under Chapter 23 of Title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under Chapter 3 of Title 16, D.C. Official Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$52,475,000, to remain available until expended; provided, that funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia; provided further, that, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

DISTRICT OF COLUMBIA GENERAL AND SPECIAL PAYMENTS**Federal Payment for Resident Tuition Support**

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$35,100,000, to remain available until expended; provided, that such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education; provided further, that the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students, and such other factors as may be authorized; provided further, that the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that

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shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year; provided further, that the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program; provided further, that the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

Federal Payment for School Improvement

For a Federal payment for a school improvement program in the District of Columbia, \$74,400,000, to be allocated as follows: for the District of Columbia Public Schools, \$42,200,000 to improve public school education in the District of Columbia; for the Office of the State Superintendent of Education, \$20,000,000 to expand quality public charter schools in the District of Columbia, to remain available until expended; for the Secretary of the Department of Education, \$12,200,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004, approved January 23, 2004 (Pub. L. No. 108-199; 118 Stat. 126), of which up to \$1,000,000 may be used to administer and fund assessments; provided, that, notwithstanding the second proviso under this heading in Pub. L. No. 111-8, funds provided herein may be used to provide opportunity scholarships to students who received scholarships in the 2009-2010 school year; provided further, that funds available under this heading for opportunity scholarships, including from prior-year appropriations acts, may be made available for scholarships to students who received scholarships in the 2009-2010 school year; provided further, that none of the funds provided in this Act or any other Act for opportunity scholarships may be used by an eligible student to enroll in a participating school under the D.C. School Choice Incentive Act of 2003 unless (1) the participating school has and maintains a valid certificate of occupancy issued by the District of Columbia; and (2) the core subject-matter teachers of the eligible student hold 4-year bachelor's degrees.

Federal Payment to the District of Columbia Water and Sewer Authority

For a Federal payment to the District of Columbia Water and Sewer Authority, \$20,000,000, to remain available until expended; provided, that the District of Columbia Water and Sewer Authority provides a 100% match for this payment.

Federal Payment to the Criminal Justice Coordinating Council

For a Federal payment to the Criminal Justice Coordinating Council, \$1,774,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

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Federal Payment for Judicial Commissions

For a Federal payment to the Commission on Judicial Disabilities and Tenure, \$257,000, and for the Judicial Nomination Commission, \$184,000, to remain available until September 30, 2011.

Federal Payment for Consolidated Laboratory Facility

For a Federal payment to the District of Columbia, \$15,000,000, to remain available until September 30, 2011, for costs associated with the construction of a consolidated bioterrorism and forensics laboratory; provided, that the District of Columbia provides a 100% match for this payment.

Federal Payment for the D.C. National Guard

For a Federal payment to the District of Columbia, \$2,000,000, to remain available until September 30, 2011, to support costs associated with the D.C. National Guard.

Federal Payment for Permanent Supportive Housing

For a Federal payment to the District of Columbia, \$19,200,000, to remain available until September 30, 2011, to support permanent supportive housing programs in the District.

Federal Payment for Reconnecting Disconnected Youth

For a Federal payment to the District of Columbia, \$5,000,000, to remain available until September 30, 2011, to support programs aimed at reconnecting disconnected youth.

Federal Payment for Emergency Planning and Security Costs in the District of Columbia

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$15,000,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia, including support requested by the Director of the United States Secret Service Division in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions; provided, that any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

TITLE II--DISTRICT OF COLUMBIA FUNDS--SUMMARY OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund"), except as otherwise specifically provided; provided, that, notwithstanding any other provision of law, except as provided

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in section 450A of the District of Columbia Home Rule Act, approved November 2, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2010 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$10,016,041,000 (of which \$5,637,824,000 shall be from local funds (including \$394,417,000 from dedicated taxes), \$2,661,782,000 shall be from Federal grant funds, \$1,702,355,000 shall be from other funds, and \$5,187,000 shall be from private funds); in addition, \$137,915,000 from funds previously appropriated in this Act as Federal payments, which does not include funds appropriated under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note); provided further, that of the local funds, such amounts as may be necessary may be derived from the District's General Fund balance; provided further, that of these funds the District's intradistrict authority shall be \$791,096,000; in addition, for capital construction projects, an increase of \$3,249,642,000, of which \$2,685,760,000 shall be from local funds, \$54,893,000 from the District of Columbia Highway Trust fund, \$186,805,000 from the Local Street Maintenance fund, \$322,184,000 from Federal grant funds, and a rescission of \$1,834,494,000 from local funds and a rescission of \$91,327,000 from Local Street Maintenance funds appropriated under this heading in prior fiscal years, for a net amount of \$1,323,821,000, to remain available until expended; provided further, that the amounts provided under this heading are to be available, allocated, and expended as proposed under Title III of this Act, at the rate set forth under "District of Columbia Funds Division of Expenses" as included in the Fiscal Year 2010 Proposed Budget and Financial Plan submitted to the Congress by the District of Columbia; provided further, that this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs; provided further, that such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*), as amended by this Act; provided further, that the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2010; except, that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

**TITLE III--DISTRICT OF COLUMBIA FUNDS - - DIVISION OF EXPENSES
OPERATING EXPENSES**

Governmental Direction and Support

Governmental direction and support, \$401,877,000 (including \$311,154,000 from local funds, \$28,272,000 from Federal grant funds, \$62,443,000 from other funds, and \$8,000 from private funds); provided, that there are appropriated such amounts as may be necessary to account for vendor fees that are paid as a fixed percentage of revenue recovered from third

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parties on behalf of the District under contracts that provide for payments of fees based upon such revenue as may be collected by the vendor; provided further, that any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia, to be allocated as follows:

- (1) Council of the District of Columbia. – \$19,833,000 from local funds; provided, that not to exceed \$10,600 shall be available for the Chairman of the Council of the District of Columbia from this appropriation for official reception and representation expenses;
- (2) Office of the District of Columbia Auditor. – \$4,119,000 from local funds;
- (3) Advisory Neighborhood Commission. – \$1,001,000 from local funds;
- (4) Office of the Mayor. – \$5,349,000 from local funds; provided, that not to exceed \$10,600 shall be available for the Mayor from this appropriation for official reception and representation expenses;
- (5) Office of Community Affairs. – \$3,022,000 from local funds;
- (6) Serve DC. – \$3,757,000 (including \$434,000 from local funds and \$3,323,000 from Federal grant funds);
- (7) Office of the Secretary. – \$3,299,000 (including \$2,751,000 from local funds, \$540,000 from other funds, and \$8,000 from private funds); provided, that, beginning in fiscal year 2010, such amounts on deposit and any such future deposits into the Emancipation Day Fund, established by section 4 of the District of Columbia Emancipation Parade and Fund Act of 2004, effective March 17, 2005 (D.C. Law 15-240; D.C. Official Code § 1-183), shall be available upon deposit and shall remain available until expended, consistent with the purposes set forth in that section;
- (8) City Administrator. - \$5,442,000 from local funds; provided, that not to exceed \$10,600 shall be available for the City Administrator from this appropriation for official reception and representation expenses;
- (9) Office of Risk Management. – \$1,039,000 from local funds;
- (10) Department of Human Resources. – \$5,686,000 (including \$5,408,000 from local funds and \$277,000 from other funds);
- (11) Office of Disability Rights. – \$1,135,000 from local funds;
- (12) Medical Liability Captive Insurance Agency. - \$1,000,000 from other funds;
- (13) Office of Finance and Resource Management. – \$4,323,000 from local funds;
- (14) Office of Partnership and Grants Services. – \$642,000 from local funds;
- (15) Office of Contracting and Procurement. – \$3,897,000 (including \$3,021,000 from local funds and \$876,000 from other funds);
- (16) Office of Chief Technology Officer. – \$43,052,000 (including \$41,027,000 from local funds and \$2,025,000 from other funds);
- (17) Office of Property Management. – \$35,208,000 (including \$21,801,000 from local funds and \$13,407,000 from other funds); provided, that amounts on deposit in, and any such future deposits to, the Commodities Cost Reserve Fund established under D.C. Official

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Code § 47-368.04 shall be available upon deposit and shall remain available until expended consistent with the purposes established under D.C. Official Code § 47-368.04(b);

(18) Contract Appeals Board. – \$1,100,000 from local funds;

(19) Board of Elections and Ethics. – \$5,382,000 (including \$5,193,000 from local funds, and \$189,000 from federal funds);

(20) Office of Campaign Finance. – \$1,690,000 from local funds;

(21) Public Employee Relations Board. – \$1,004,000 from local funds;

(22) Office of Employee Appeals. – \$1,798,000 from local funds;

(23) Metropolitan Washington Council of Governments. – \$396,000 from local funds;

(24) Office of the Attorney General. – \$87,813,000 (including \$58,303,000 from local funds, \$22,676,000 from Federal grant funds, and \$6,834,000 from other funds); provided, that not less than \$2,639,000 shall be available from this appropriation for the Office of the Attorney General to award a grant to the District of Columbia Bar Foundation for the purpose of providing support to nonprofit organizations that deliver civil legal services to low-income and under-served District residents pursuant to the Civil Legal Services Amendment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-301.114); provided further, that not less than \$221,000 of this appropriation shall be available to fund the District of Columbia Poverty Lawyer Loan Assistance Program, established by the District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006, effective March 2, 2007 (D.C. Law 16-203; D.C. Official Code § 1-308.21 *et seq.*);

(25) Office of the Inspector General. – \$17,541,000 (including \$15,457,000 from local funds and \$2,084,000 from Federal grant funds); and

(26) Office of the Chief Financial Officer. – \$143,349,000 (including \$105,866,000 from local funds, and \$37,483,000 from other funds); provided, that not to exceed \$10,600 shall be available for the Chief Financial Officer of the District from this appropriation for official reception and representation expenses; provided further, that amounts appropriated by this Act may be increased by the amount required to pay banking fees for maintaining the funds of the District of Columbia.

Economic Development and Regulation

Economic development and regulation, \$433,467,000 (including \$164,633,000 from local funds (including \$34,202,000 from dedicated taxes), \$115,376,000 from Federal grant funds, \$153,378,000 from other funds, and \$80,000 from private funds), to be allocated as follows:

(1) Deputy Mayor for Economic Development. – \$41,410,000 (including \$25,184,000 from local funds (including \$21,164,000 from dedicated taxes), \$8,226,000 from other funds, and \$8,000,000 from Federal grant funds);

(2) Office of Planning. – \$8,128,000 (including \$7,618,000 from local funds, \$450,000 from Federal grant funds, and \$60,000 from other funds); provided, that the local funds

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provided to the Office of Planning in previous fiscal years for Neighborhood Historic Preservation, including the Targeted Homeowner Grant funds authorized by section 11b(k) of the Historic Landmark and Historic District Protection Act of 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02(k)), shall remain available until expended; provided further, that any funds deposited into the Historic Landmark-District Protection Fund, established by section 11a of the Historic Landmark and Historic District Protection Act of 1978, effective November 16, 2006 (D.C. Law 16-185; D.C. Official Code § 6-1110.01), and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available until expended;

(3) Department of Small and Local Business Development. – \$2,385,000 from local funds; provided, that any funds deposited into the Small Business Micro Loan Fund, established by section 2375 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75), and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available until expended;

(4) Office of Motion Pictures and Television. – \$636,000 (including \$584,000 from local funds and \$52,000 from other funds); provided, that any funds deposited into the Film DC Economic Incentive Fund, established by section 2 of the Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501), and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available until expended;

(5) Office of Zoning. – \$3,136,000 from local funds;

(6) Department of Housing and Community Development. – \$84,585,000 (including \$10,020,000 from local funds, \$63,962,000 from Federal grant funds, and \$10,603,000 from other funds);

(7) Department of Employment Services. – \$140,148,000 (including \$57,215,000 from local funds, \$42,081,000 from Federal grant funds, \$40,771,000 from other funds, and \$80,000 from private funds); provided, that, of the local funds appropriated, up to 1% may be deposited into the Integrated Services Fund for At-Risk Children, Youth, and Families, established by section 5203 of the Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.02), and used for the purposes set forth in section 5204 (D.C. Official Code § 4-1345.03) of that act; provided further, that funds deposited into the Integrated Services Fund shall remain available until expended; provided further, that the District is authorized to transfer, either through a grant or as a direct payment, \$1,200,000 in local funds to an educational institution with an automotive workforce development training program, which provides vocational training in the field of automotive technology for at-risk youth and adults;

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- (8) Board of Real Property Assessment and Appeals. – \$698,000 from local funds;
- (9) Department of Consumer and Regulatory Affairs. – \$35,133,000 (including \$13,258,000 from local funds and \$21,875,000 from other funds);
- (10) Office of the Tenant Advocate. – \$3,567,000 (including \$560,000 from local funds and \$3,007,000 from other funds);
- (11) Commission on Arts and Humanities. – \$6,563,000 (including \$5,434,000 from local funds, \$729,000 from Federal grant funds, and \$400,000 from other funds);
- (12) Alcoholic Beverage Regulation Administration. – \$5,886,000 (including \$400,000 from local funds and \$5,486,000 from other funds);
- (13) Public Services Commission. – \$10,111,000 (including \$154,000 from Federal grant funds and \$9,958,000 from other funds);
- (14) Office of the People’s Counsel. – \$5,136,000 from other funds;
- (15) Department of Insurance, Securities, and Banking. – \$16,327,000 from other funds;
- (16) Office of Cable Television. – \$8,477,000 from other funds;
- (17) Housing Authority Subsidy Payment. – \$25,103,000 from local funds;
- (18) Housing Production Trust Fund Subsidy Payment. – \$13,039,000 from dedicated taxes; and
- (19) Business Improvement District Transfer. - \$23,000,000 from other funds.

Public Safety and Justice

Public safety and justice, \$1,280,872,000 (including \$931,795,000 from local funds, \$260,481,000 from Federal grant funds, \$88,396,000 from other funds, and \$200,000 from private funds); in addition, \$2,000,000 from funds previously appropriated in this Act under the heading “Federal Payment for the D.C. National Guard”, \$1,774,000 from funds previously appropriated in this Act under the heading “Federal Payment to the Criminal Justice Coordinating Council”, \$441,000 from funds previously appropriated in this Act under the heading “Federal Payment for Judicial Commissions”; to be allocated as follows:

- (1) Metropolitan Police Department. – \$485,296,000 (including \$446,423,000 from local funds, \$6,491,000 from Federal grant funds, \$32,181,000 from other funds, and \$200,000 from private funds); provided, that not to exceed \$750,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime;
- (2) Fire and Emergency Medical Services Department. – \$189,455,000 (including \$187,935,000 from local funds and \$1,520,000 from other funds); provided, that not less than \$1,000,000 shall be available for the cadet program for young adult District residents, established pursuant to section 2 of the Police Officer and Firefighter Cadet Programs Funding Authorization and Human Rights Act of 1977 Amendment Act of 1982, effective March 8, 1983 (D.C. Law 4-172; D.C. Official Code § 5-418);

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- (3) Police Officers and Firefighters Retirement System. – \$132,975,000 from local funds;
- (4) Department of Corrections. – \$138,710,000 (including \$103,887,000 from local funds and \$34,824,000 from other funds);
- (5) District of Columbia National Guard. – \$7,481,000 (including \$3,365,000 from local funds and \$4,116,000 from Federal grant funds); provided, that the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard; provided further, that such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this Act, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved; in addition, \$2,000,000 from funds previously appropriated in this Act under the heading “Federal Payment for the D.C. National Guard”;
- (6) Homeland Security and Emergency Management Agency. – \$239,043,000 (including \$3,277,000 from local funds and \$235,767,000 from Federal grant funds);
- (7) Commission on Judicial Disabilities and Tenure. – \$257,000, from funds previously appropriated in this Act under the heading “Federal Payment for Judicial Commissions”;
- (8) Judicial Nomination Commission. – \$184,000 from funds previously appropriated in this Act under the heading “Federal Payment for Judicial Commissions”;
- (9) Office of Police Complaints. – \$2,618,000 from local funds;
- (10) District of Columbia Sentencing and Criminal Code Review Commission. – \$816,000 from local funds;
- (11) Office of the Chief Medical Examiner. – \$8,638,000 (including \$8,364,000 from local funds and \$274,000 from other funds);
- (12) Office of Administrative Hearings. – \$7,013,000 (including \$7,005,000 from local funds and \$8,000 from other funds);
- (13) Corrections Information Council. - \$25,000 from local funds;
- (14) Criminal Justice Coordinating Council. – \$298,000 from local funds; in addition, \$1,774,000 from funds previously appropriated in this Act under the heading “Federal Payment to the Criminal Justice Coordinating Council”;
- (15) Forensic Laboratory Technician Training Program. – \$1,249,000 from local funds;
- (16) Office of Unified Communications. – \$40,912,000 (including \$29,873,000 from local funds and \$11,038,000 from other funds);
- (17) Office of Victims Services. – \$14,700,000 (including \$3,065,000 from local funds, \$3,610,000 from Federal grant funds, and \$8,025,000 from other funds);

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(18) Office of Justice Grants Administration. – \$10,892,000 (including \$395,000 from local funds and \$10,497,000 from Federal grant funds); and

(19) Motor Vehicle Theft Prevention Commission. - \$750,000 (including \$225,000 from local funds and \$525,000 from other funds).

Public Education System

Public Education System, including the development of national defense education programs, \$1,641,409,000 (including \$1,360,647,000 from local funds, \$256,143,000 from Federal grant funds, \$20,835,000 from other funds, and, \$3,784,000 from private funds); in addition, \$35,100,000 from funds previously appropriated in this Act under the heading “Federal Payment for Resident Tuition Support” and \$74,400,000 from funds previously appropriated in this Act under the heading “Federal Payment for School Improvement in the District of Columbia”; to be allocated as follows:

(1) District of Columbia Public Schools.— \$528,624,000 (including \$510,881,000 from local funds, \$9,955,000 from Federal grant funds, \$4,005,000 from other funds, and \$3,784,000 from private funds); in addition, \$42,200,000 from funds previously appropriated in this Act under the heading “Federal Payment for School Improvement” and \$12,200,000 from funds previously appropriated in this Act under the heading “Federal Payment for School Improvement” to provide opportunity scholarships for students in the District of Columbia; provided, that this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary or secondary school during fiscal year 2010 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100% of the costs incurred by the District of Columbia that are attributable to the education of the nonresident (as established by the Chancellor of the District of Columbia Public Schools); provided further, that not to exceed \$10,600 for the Chancellor shall be available from this appropriation for official reception and representation expenses; provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2010, an amount equal to 10% of the total amount of the local funds appropriations request provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2011 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2011;

(2) Teachers Retirement System. - \$3,000,000 from local funds;

(3) Office of the State Superintendent of Education.— \$368,112,000 (including \$111,990,000 from local funds, \$245,394,000 from Federal grant funds, and \$10,728,000 from other funds); in addition, \$35,100,000 from funds previously appropriated in this Act under the heading “Federal Payment for Resident Tuition Support,” and \$20,000,000 from funds previously appropriated in this Act under the heading “Federal Payment for School Improvement” to expand quality public charter schools in the District of Columbia, shall be

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available for the Office of the State Superintendent of Education; provided, that of the amounts provided to the Office of the State Superintendent of Education, \$1,000,000 from local funds shall remain available until June 30, 2011, for an audit of the student enrollment of each District of Columbia public school and of each District of Columbia public charter school; provided further, that \$5,000,000 in local funds shall remain available until expended for the *Blackman and Jones v. District of Columbia* consent decree;

(4) District of Columbia Public Charter Schools.— \$373,969,000 from local funds shall be available for District of Columbia public charter schools; provided, that there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year; provided further, that if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall remain available until expended for public education in accordance with section 2403(b)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)(2)); provided further, that of the amounts made available to District of Columbia public charter schools, \$100,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(5) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)(5)); provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2010, an amount equal to 25% of the total amount of the local funds appropriations request provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2011 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2011; provided further, that the annual financial audit for the performance of an individual District of Columbia public charter school shall be funded by the charter school;

(5) University of the District of Columbia Subsidy.— \$62,070,000 from local funds shall be available for the University of the District of Columbia subsidy; provided, that this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2010, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area; provided further, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2010, an amount equal to 10% of the total amount of the local funds appropriations request provided for the University of the District of Columbia in the proposed budget of the District of Columbia for fiscal year 2011 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount

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provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2011; provided further, that not to exceed \$10,600 for the President of the University of the District of Columbia shall be available from this appropriation for official reception and representation expenses;

(6) District of Columbia Public Libraries.— \$41,538,000 (including \$39,904,000 from local funds, \$794,000 from Federal grant funds, and \$840,000 from other funds shall be available for the District of Columbia Public Libraries; provided, that not to exceed \$8,500 for the Public Librarian shall be available from this appropriation for official reception and representation expenses;

(7) Public Charter School Board. – \$3,637,000 (including \$1,660,000 from local funds and \$1,976,000 from other funds);

(8) Office of the Deputy Mayor for Education. – \$778,000 from local funds; provided, that amounts on deposit as of September 30, 2009, within the Integrated Services Fund for At-Risk Children, Youth, and Families, established by section 5203 of the Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.02), shall be available and shall remain available until expended;

(9) Office of Public Education Facilities Modernization – \$32,199,000 (including \$28,914,000 from local funds and \$3,286,000 from other funds);

(10) Non-Public Tuition. - \$149,100,000 from local funds;

(11) Special Education Transportation – \$77,431,000 from local funds; provided, that, notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the Special Education Transportation agency under the direction of the Office of the State Superintendent of Education, on July 1, 2010, an amount equal to 10% of the total amount of the local funds appropriations request provided for the Special Education Transportation agency in the proposed budget of the District of Columbia for fiscal year 2011 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the Special Education Transportation agency under the District of Columbia Appropriations Act, 2011; provided further, that amounts appropriated under this heading may be used to offer financial incentives as necessary to reduce the number of routes serving 2 or fewer students; and

(12) State Board of Education - \$951,000 from local funds.

Human Support Services

Human support services, \$3,336,590,000, including (\$1,378,216,000 from local funds (including \$25,764,000 from dedicated taxes), \$1,925,708,000 from Federal grant funds, \$32,208,000 from other funds, and \$458,000 from private funds); in addition, \$19,200,000 from funds previously appropriated in this Act under the heading “Federal Payment for Permanent Supportive Housing” and \$5,000,000 from funds previously appropriated in this Act under the heading “Federal Payment for Reconnecting Disconnected Youth”; provided further, that up to

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1% of the local funds appropriated for the Child Family and Services Agency, the Department of Health, the Department of Human Services, the Department of Mental Health, and the Department of Youth Rehabilitation Services may be deposited into the Integrated Services Fund for At-Risk Children, Youth, and Families, established by section 5203 of the Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 4-1345.02) ("Integrated Services Fund"), and used for the purposes set forth in section 5204 (D.C. Official Code § 4-1345.03) of that act; provided further, that funds deposited into the Integrated Services Fund shall remain available until expended. Funds to be allocated as follows:

(1) Department of Human Services. – \$304,060,000 (including \$144,388,000 from local funds, \$156,948,000 from Federal grant funds, and \$2,725,000 from other funds); in addition, \$19,200,000 from funds previously appropriated in this Act under the heading "Federal Payment for Permanent Supportive Housing";

(2) Child and Family Services Agency. – \$253,136,000 (including \$194,161,000 from local funds, \$58,203,000 from Federal grant funds, \$750,000 from other funds, and \$22,000 from private funds);

(3) Department of Mental Health. – \$202,367,000 (including \$191,390,000 from local funds, \$6,435,000 from Federal grant funds, \$4,424,000 from other funds, and \$117,000 from private funds);

(4) Department of Health. – \$228,640,000 (including \$78,190,000 from local funds, \$135,859,000 from Federal grant funds, \$14,272,000 from other funds, and \$319,000 from private funds); provided further, that any funds deposited into the Health Professional Recruitment Fund, established by section 16a of the District of Columbia Health Professionals Recruitment Program Act of 2005, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 7-751.15a), including unspent funds from prior fiscal years, shall remain available until expended;

(5) Department of Parks and Recreation. – \$41,639,000 (including \$39,625,000 from local funds, and \$2,014,000 from other funds);

(6) Office on Aging. – \$23,004,000 (including \$16,218,000 from local funds and \$6,786,000 from Federal grant funds);

(7) District of Columbia Unemployment Compensation Fund. – \$11,136,000 from local funds;

(8) Disability Compensation Fund. – \$25,163,000 from local funds, to remain available until expended;

(9) Office of Human Rights. – \$2,935,000 (including \$2,617,000 from local funds and \$318,000 from Federal grant funds);

(10) Office of Latino Affairs. – \$3,821,000 from local funds;

(11) Children Investment Trust Fund Subsidy Payment. – \$10,602,000 from local funds;

(12) Office of Asian and Pacific Islander Affairs. - \$965,000 from local funds;

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(13) Office on Veterans Affairs. - \$463,000 from local funds;

(14) Department of Youth Rehabilitation Services. - \$85,016,000 from local funds; provided, that amounts appropriated herein may be expended to implement the provisions of section 105(k) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.05(k)); in addition, \$5,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Reconnecting Disconnected Youth";

(15) Department on Disability Services. - \$95,130,000 (including \$62,007,000 from local funds, \$26,923,000 from Federal grant funds, and \$6,200,000 from other funds); and

(16) Department of Healthcare Finance. - \$2,048,514,000 (including \$512,455,000 from local funds (including \$25,764,000 from dedicated taxes), \$1,534,236,000 from Federal grant funds, and \$1,823,000 from other funds); provided, that any funds deposited into the Healthy DC Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02), including unspent funds from prior fiscal years, shall remain available until expended; provided further, that any funds deposited into the Nursing Facility Quality of Care Fund, established by D.C. Official Code § 47-1262, including unspent funds from prior fiscal years, shall remain available until expended.

Public Works

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and 3 passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$635,307,000 (including \$413,602,000 from local funds (including \$13,000,000 from dedicated taxes), \$55,962,000 from Federal grant funds, \$130,000 from private funds, and \$165,613,000 from other funds), to be allocated as follows:

(1) Department of Public Works. - \$125,121,000 (including \$116,021,000 from local funds and \$9,101,000 from other funds);

(2) Department of Transportation. - \$107,132,000 (including \$13,043,000 from local funds (including \$13,000,000 from dedicated taxes), \$4,200,000 from Federal grant funds, and \$89,889,000 from other funds);

(3) Department of Motor Vehicles. - \$40,286,000 (including \$26,524,000 from local funds and \$13,762,000 from other funds);

(4) Department of the Environment. - \$109,440,000 (including \$17,343,000 from local funds, \$51,762,000 from Federal grant funds, \$40,205,000 from other funds, and \$130,000 from private funds);

(5) Taxi Cab Commission. - \$1,869,000 (including \$1,213,000 from local funds and \$656,000 from other funds);

(6) Washington Metropolitan Area Transit Commission. - \$123,000 from local funds;

(7) Washington Metropolitan Area Transit Authority. - \$243,668,000 (including

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\$231,668,000 from local funds, and \$12,000,000 from other funds); and
(8) School Transit Subsidies. – \$7,668,000 from local funds.

Financing and Other

Financing and Other, \$911,255,000 (including \$904,805,000 from local funds (including \$210,550,000 from dedicated taxes), and \$6,449,000 from other funds), to be allocated as follows:

(1) Repayment of Loans and Interest - for payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code §§ 1-204.62, 1-204.75, and 1-204.90), and \$472,061,000 (including \$468,596,000 from local funds (including \$4,800,000 from dedicated taxes), and \$3,465,000 from other funds));

(2) Short-Term Borrowing –\$9,000,000 from local funds for payment of interest on short-term borrowing;

(3) Certificates of Participation - for lease payments representing principal and interest on the District's Certificates of Participation, issued to finance land and buildings located at One Judiciary Square, and for the Unified Communications Center and Office of Unified Communications, located on the St. Elizabeth's Campus, \$32,285,000 from local funds;

(4) Debt Issuance Costs - for the payment of debt service issuance costs, \$15,000,000 from local funds;

(5) Schools Modernization Fund - for the Schools Modernization Fund, established by section 4042 of the Schools Modernization Amendment Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 1-325.41), \$8,612,000 from local funds;

(6) Revenue Bonds - for the repayment of revenue bonds, \$4,861,000 from local funds (including \$4,861,000 from dedicated taxes);

(7) Settlements and Judgments - for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government, \$21,477,000 from local funds; provided, that this appropriation shall not be construed as modifying or affecting the provisions of section 103 of this Act;

(8) Wilson Building - for expenses associated with the John A. Wilson building, \$3,625,000 from local funds;

(9) Non-Departmental - to account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget, \$3,603,000 to be transferred by the Mayor of the District of Columbia within the various appropriations headings in this Act subject to any limitation or requirement set forth in the Fiscal Year 2010 Budget Support Act of 2009 (Bill 18-203);

(10) Emergency Planning and Security Costs – \$15,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Emergency Planning

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and Security Costs in the District of Columbia"; provided, that, notwithstanding any other law, the District of Columbia may charge obligations and expenditures that are pending reimbursement under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" to this local appropriations heading;

(11) Equipment Lease Operating - \$46,157,000 from local funds;

(12) Pay-As-You-Go Capital funds – in lieu of capital financing, \$2,984,000 from other funds to be transferred to the Capital Fund; provided, that the Office of the Chief Financial Officer reconcile the capital budgets recorded in the District's Financial Accounting System of Record ("SOAR"), with budgets approved by the Council annually and provide the Mayor with a report on the reconciliation at the project level by February 1, following the end of every fiscal year;

(13) District Retiree Health Contribution - for a District Retiree Health Contribution, \$90,700,000 from local funds;

(14) Baseball Revenue- \$32,081,000 from local funds derived from a dedicated tax to account for the inflows and outflows of both operating and capital dollars; in addition, the amounts appropriated herein may be increased by such amounts as may be necessary and as are consistent with the Ballpark Omnibus Financing And Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.01 *et seq.*), to pay debt service, and to maintain and replenish required reserves for baseball revenue bonds;

(15) Convention Center Transfer. - \$93,054,000 from local funds (including \$93,054,000 from dedicated taxes);

(16) Highway Trust Fund Transfer. - \$29,762,000 from local funds (including \$29,762,000 from dedicated taxes);

(17) Tax Increment Financing - the amounts appropriated herein may be increased by an amount not to exceed \$45,992,000 from dedicated taxes for a Tax Increment Financing program as may be necessary to meet the Tax Increment Financing requirements; and

ENTERPRISE AND OTHER FUNDS

Amounts shall be provided to enterprise funds as follows; provided, that, in the event that certain dedicated revenues exceed budgeted amounts, the District may increase its General Fund budget authority as needed to transfer all such revenues, pursuant to local law, to the Highway Trust Fund, the Washington Convention Center, the TIF and PILOT debt service agencies, the Ballpark Fund, and the Housing Production Trust Fund.

Business Improvement District Revenue

For Business Improvement Districts - \$23,000,000 collected by the District of Columbia in the form of Business Improvement District ("BID") tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*); provided, that such funds are available for

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acquiring services provided by the Government Services Administration; provided further, that BIDs shall be exempt from taxes levied by the District of Columbia.

Water and Sewer Authority

Pursuant to section 445a of the District of Columbia Home Rule Act, approved August 6, 1996 (110 Stat. 1698; D.C. Official Code § 1-204.45a), which provides that the Council may comment or make recommendations concerning such annual estimates but shall have no authority to revise the budget for the District of Columbia Water and Sewer Authority, the Council forwards this non-appropriated budget request: For operation of the Water and Sewer Authority, \$393,653,000 from other funds, of which \$1,332,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects and payable to the District's debt service fund. For construction projects, \$773,327,000, to be distributed as follows: \$511,855,000 for the Blue Plains Wastewater Treatment Plant, \$230,118,000 for the Combined Sewer Overflow Program, \$13,667,000 for the Washington Aqueduct, and \$17,687,000 for the capital equipment program; in addition, \$20,000,000 from funds previously appropriated in this Act under the heading "Federal Payment to the District of Columbia Water and Sewer Authority"; provided, that the requirements and restrictions that are applicable to General Fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

The Council also forwards this recommendation: the District of Columbia Water and Sewer Authority ("DC WASA") has been unable to justify incremental operating budget and rate increases for District ratepayers, in light of recent operating surpluses, cost savings, and increased federal assistance. Therefore, the Council recommends that the Congress not approve DC WASA's recommended rate increases until it is able to provide evidence of the need for those increases. DC WASA should provide clear evidence of measures it has taken, short of increasing ratepayer contribution, to avoid or minimize any increases.

Washington Aqueduct

For operation of the Washington Aqueduct, \$54,356,000 from other funds.

Lottery and Charitable Games Enterprise Fund

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (Pub. L. No. 97-91; 95 Stat. 1174), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1301 *et seq.* and § 22-1716 *et seq.*), \$250,000,000 from other funds; provided, that the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues; provided further, that no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board; provided further, that, after

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notification to the Mayor, amounts appropriated herein may be increased by an amount necessary for the Lottery and Charitable Games Enterprise Fund to make transfers to the General Fund of the District of Columbia and to cover prizes, agent commissions, and gaming related fees directly associated with unanticipated excess lottery revenues, not included in this appropriation.

District of Columbia Retirement Board

For the District of Columbia Retirement Board, established pursuant to section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat 866; D.C. Official Code § 1-711), \$30,622,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board; provided, that the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds; provided further, that the District of Columbia Retirement Board shall provide to the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

Washington Convention Center Enterprise Fund

For the Washington Convention Center Enterprise Fund, including for functions previously performed by the District of Columbia Sports and Entertainment Commission, \$91,974,000 from other funds.

Housing Finance Agency

For the Housing Finance Agency, \$8,894,000 from other funds.

University of the District of Columbia

For the University of the District of Columbia, \$129,855,000 (including, \$62,070,000 from local funds, \$19,839,000 from Federal grant funds, \$47,419,000 from other funds, and \$527,000 from private funds); provided, that this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2010, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area; provided further, that the Board of Trustees of the University of the District of Columbia is hereby authorized to use the Municipal University Fund, established for depositing all revenues and receipts derived from tuition and fees, for such University purposes as the Board of Trustees may approve, in compliance with all applicable regulations.

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District of Columbia Public Library Trust Fund

For the District of Columbia Public Library Trust Fund, \$17,000 from other funds.

Unemployment Insurance Trust Fund

For the Unemployment Insurance Trust Fund, \$251,000,000 from other funds.

Housing Production Trust Fund

For the Housing Production Trust Fund, \$51,329,000 (including \$51,329,000 from dedicated taxes); to remain available until expended for purposes identified by the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq.*).

Tax Increment Financing

For Tax Increment Financing, \$32,106,000 from other funds.

Baseball Fund

For the Baseball Fund, \$67,572,000 (including \$59,572,000 from local funds (including \$59,572,000 from dedicated taxes), and \$8,000,000 from other funds).

Repayment of Payment in Lieu of Taxes Financing

For Repayment of Payment in Lieu of Taxes Financing, \$13,886,000 from other funds.

Capital Outlay

For capital construction projects, an increase of \$3,249,642,000, of which \$2,685,760,000 shall be from local funds, \$186,805,000 from the Local Street Maintenance fund, \$54,893,000 from the District of Columbia Highway Trust fund, \$322,184,000 from Federal grant funds, and a rescission of \$1,834,494,000 from local funds and a rescission of \$91,327,000 from Local Street Maintenance funds appropriated under this heading in prior fiscal years for a net amount of \$1,323,821,000, to remain available until expended; in addition, \$15,000,000 to remain available until September 30, 2011 from funds previously appropriated in this Act under the heading "Federal Payment for Consolidated Laboratory Facility"; provided, that funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System; provided further, that all funds provided by this appropriation title shall be available only for the specific projects and purposes intended; provided further, that amounts appropriated under this heading may be increased by the amount transferred from funds appropriated in this act as Pay-As-You-Go Capital funds.

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TITLE IV--GENERAL PROVISIONS

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

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

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

SEC. 104. The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter.

SEC. 105. The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 1, 2010.

SEC. 106. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 107. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For the purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of:

(1) An officer or employee of the Metropolitan Police Department who resides in the District of Columbia or a District of Columbia government employee as may otherwise be designated by the Chief of Police;

(2) At the discretion of the Fire Chief, an officer or employee of the Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day, or is otherwise designated by the Fire Chief;

(3) At the discretion of the Director of the Department of Corrections, an officer or employee of the Department of Corrections who resides in the District of Columbia and is on call 24 hours a day, or is otherwise designated by the Director;

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- (4) The Mayor of the District of Columbia; and
- (5) The Chairman of the Council of the District of Columbia.

SEC. 108. Amounts appropriated in this Act as operating funds, may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

SEC. 109. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), for all agencies of the District of Columbia government for fiscal year 2010 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.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 110. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42).

SEC. 111. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

SEC. 112. This division may be cited as the "District of Columbia Appropriations Act, 2010".

DIVISION – B
DISTRICT OF COLUMBIA AUTHORIZATION REQUEST

SEC. 201. The following proviso under the heading "Lottery and Charitable Games Enterprise Fund" in the District of Columbia Appropriations Act, 1982, approved December 4,

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1981 (Pub. L. No. 97-91; 95 Stat. 1174;), is repealed:

"*Provided further*, that the advertising, sale, operation, or playing of the lotteries, raffles, bingos, or other games authorized by D.C. Law 3-172 is prohibited on the Federal enclave, and in adjacent public buildings and land controlled by the Shipstead-Luce Act as amended by 53 Stat. 1144, as well as in the Old Georgetown Historic District:".

SEC. 202. Section 11201 of the National Capital Revitalization and Self-Government Improvement Act of 1997, approved August 5, 1997 (111 Stat. 734; D.C. Official Code § 24-101), is amended by adding a new subsection (a-1) to read as follows:

"(a-1) *Reimbursement to District of Columbia Department of Corrections.*— The United States Government shall reimburse the District of Columbia Department of Corrections its costs of providing custody and care for:

"(1) Felons committed by the Superior Court of the District of Columbia from the date of sentencing until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons;

"(2) Previously sentenced felons committed to the Department of Corrections as violators of parole, supervised release, or probation from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons; and

"(3) Previously sentenced felons held by or committed to the Department of Corrections on writs from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons."

SEC. 203. Notwithstanding any other law, all entities within the District of Columbia shall be subject to the general sales tax of the District of Columbia for sales to the public in gift shops, restaurants, and similar facilities.

SEC. 204. Title IV of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*), is amended as follows:

(a) The table of contents of part B is amended as follows:

(1) Strike the phrase "Sec. 424a. Authority" and insert the phrase " Sec. 425. Authority" in its place.

(2) Strike the phrase "Sec. 424b. Procurement" and insert the phrase "Sec. 426. Procurement" in its place.

(b) Section 424a (D.C. Official Code § 1-204.25) is amended by striking the phrase "Sec. 424. (a) IN GENERAL." and inserting the phrase "Sec. 425. (a) IN GENERAL." in its place.

(c) Section 424b (D.C. Official Code § 1-204.26) is amended as follows:

(1) Strike the phrase "Sec. 424b. The Chief" and insert the phrase "Sec. 426. The Chief" in its place.

(2) Strike the date "1986" and insert the date "1985" in its place.

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(d) Section 446A(c) (D.C. Official Code § 1-204.46a(c)) is amended to read as follows:

“(c) EFFECTIVE DATE – This section shall apply fiscal year 2006 and each succeeding fiscal year.”

(e) Section 446B(f) (D.C. Official Code § 1-204.46b(f)) is amended to read as follows:

“(f) EFFECTIVE DATE – This section shall apply fiscal year 2006 and each succeeding fiscal year.”

(f) Section 450A(c)(4) (D.C. Official Code § 1-204.50a(c)(4)) is amended to read as follows:

“(4) EFFECTIVE DATE – This section shall apply fiscal year 2006 and each succeeding fiscal year.”

SEC. 205. The federal government shall compensate the District for use and occupancy of public space closed for the security of federal buildings within the District of Columbia and such compensation shall be deemed to be included in and available from the annual appropriations for each agency of the federal government.

SEC. 206. Section 209 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 136; D.C. Official Code § 47-392.09), is repealed.

SEC. 207. An Act to authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District, approved September 8, 1960 (74 Stat. 871; D.C. Official Code § 6-321.01 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 6-321.04) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Strike the phrase “to lease to a redevelopment company or other lessee” and insert the phrase “to lease or sell to a redevelopment company or other lessee or purchaser” in its place.

(B) Strike the phrase “this Act but may not otherwise dispose of such property except to the United States or any department or agency thereof, or to the District of Columbia, in accordance with section 5 of this Act.” and insert the phrase “this Act.” in its place.

(2) Subsections (b) and (c) are repealed.

(b) Section 5 (D.C. Official Code § 6-321.05) is repealed.

SEC. 208. (a) The National Children’s Island Act of 1995, approved July 19, 1996 (110 Stat. 1416; D.C. Official Code § 10-1401 *et seq.*) (“National Children’s Island Act”), is amended as follows:

(1) The long title is amended by striking the phrase “family-oriented park” and inserting the phrase “recreational-use facility” in its place.

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(2) Section 2 (D.C. Official Code § 10-1401) is amended as follows:

(A) Paragraph (4) is amended by striking the phrase “cultural, education, and family-oriented recreation park, together with a children’s playground, to be developed and operated in accordance with the Children’s Island Development Plan Act of 1993, D.C. Act 10-110” and inserting the phrase “cultural, educational, and recreational-use facility, not inconsistent with the Comprehensive Plan of the District of Columbia” in its place.

(B) Paragraphs (5) and (6) are repealed.

(3) Section 3 (D.C. Official Code § 10-1402) is amended as follows:

(A) Subsection (c) is repealed.

(B) Subsection (d) is amended to read as follows:

“(d) REVERSION. — The transfer under subsection (a) of this section and the grant of easements under subsection (b) of this section shall be subject to a limited right of reversion by the Secretary of the Interior. The limited right of reversion may be exercised only if:

“(1) Within 5 years after the revised transfer under subsection (a) of this section occurs or the revised grant of easements under subsection (b) of this section occurs, whichever is later, the District has not commenced activity to improve Kingman Island, or a portion thereof, for cultural, educational, or recreational uses; or

“(2) After 5 years after the revised transfer under subsection (a) of this section occurs or the revised grant of easements under subsection (b) of this section occurs, whichever is later, the District has ceased for at least 5 years to use Kingman Island for cultural, educational, or recreational uses; and

“(3) The Secretary provides to the District written notice of his or her preliminary determination that the condition described in paragraph (1) or (2) of this subsection has occurred and the District has not, within 90 days after the notice was delivered to the District, addressed the Secretary’s preliminary determination to the Secretary’s reasonable satisfaction; and

“(4) After the 90-day period, the Secretary has determined, in accordance with chapter 5 of title 5, United States Code, relating to administrative procedure, that the condition described in paragraph (1) or (2) of this subsection has occurred.”.

(4) Section 4 (D.C. Official Code § 10-1403) is amended as follows:

(A) Subsection (a) is repealed.

(B) Subsection (c) is repealed.

(5) Section 5(a)(1) (D.C. Official Code § 10-1404(a)(1)) is amended by striking the phrase “and effect, except for the references in this Act to paragraphs 3 and 11 of the legend of the plat.” and inserting the phrase “and effect.” in its place.

(b) Within 60 days after the effective date of this section, the Secretary of the Interior shall issue to the District of Columbia, without consideration, a revised, unrestricted, and unqualified deed to Kingman and Heritage Islands and revised, unrestricted, and permanent easements for the areas set forth in section 3(b)(1) of the National Children’s Island Act, for the purposes set forth in section 3(b)(2) of the National Children’s Island Act, and with the same

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right of assignability as set forth in section 3(b)(3) of the National Children's Island Act.

SEC. 209. An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes, approved August 24, 1912 (37 Stat. 444; 40 U.S.C. § 8106), is amended by adding a new section 12 to read as follows:

"Sec. 12. This Act shall not apply to the portions of Fort Dupont Park (United States Reservation 405), the areas known as the Benning Recreation Center and Benning Stoddert Park (United States Reservation 706), or the area currently known as the Walter Reed Army Medical Center (Parcel 319), or to other parks or playgrounds or land on which municipal facilities are located, in the District of Columbia that are, or hereafter may be, under the jurisdiction of the government of the District of Columbia."

SEC. 210. An Act Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved August 30, 1935 (Pub. L. No. 74-409; 49 Stat. 1028), is amended by adding a new section 15 to read as follows:

"Sec. 15. The Secretary of Army, acting through the Chief of Engineers, shall modify the Washington Channel portion of the Washington Harbor project for navigation, District of Columbia, authorized by this act as follows:

"The following portion of the existing Washington Channel is hereby deauthorized: beginning at Washington Harbor Channel Geometry Centerline of the 400 foot wide main navigational ship channel, Centerline Station No. 103+73.12, coordinates North 441948.20, East 1303969.30, as stated and depicted on the Condition Survey Anacostia, Virginia, Washington and Magazine Bar Shoal Channels, Washington, D.C., Sheet 6 of 6, prepared by the U.S. Army Corps of Engineers, Baltimore district, July 2007; thence departing the aforementioned centerline traveling the following courses and distances: N. 40° 10' 45" E., 200.00 feet to a point, on the outline of said 400' wide channel thence binding on said outline the following three (3) courses and distances: S. 49° 49' 15" E., 1,507.86 feet to a point, thence; S. 29° 44' 42" E., 2,083.17 feet to a point, thence; S. 11° 27' 04" E., 363.00 feet to a point, thence; S. 78° 32' 56" W., 200.00 feet to a point binding on the centerline of the 400 foot wide main navigational channel at Centerline Station No. 65+54.31, thence; continuing with the aforementioned centerline the following courses and distances: N. 11° 27' 04" W., 330.80 feet to a point, Centerline Station No. 68+85.10, thence; N. 29° 44' 42" W., 2,015.56 feet to a point, Centerline Station No. 89+00.67, thence; N. 49° 49' 15" W., 1,472.45 feet to the point of beginning, such area in total containing a computed area of 777,284 square feet or 17.84399 acres of riparian water way."

SEC. 211. Section 101(a) of the Federal and District of Columbia Government Real Property Act of 2006, approved December 15, 2006 (Pub. L. No. 109-396; 120 Stat. 2711), is amended to read as follows:

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“(a) Conveyance of Properties.—

“(1) In general.—

“(A) On the date on which the District of Columbia conveys to the Administrator of General Services all right, title, and interest of the District of Columbia in the property described in subsection (c) of this section, the Administrator shall convey to the District of Columbia all right, title, and interest of the United States in U.S. Reservation 13, subject to the conditions described in subsection (b) of this section; and

“(B) Within 60 days of the enactment of this amendment, the Administrator shall convey to the District of Columbia all right, title, and interest in the Old Naval Hospital.”.

SEC. 212. Transfer of Properties.

(a) Within 90 days after the effective date of this section, the director of each federal agency with jurisdiction over the following properties in the District of Columbia shall transfer all right, title, and interest of the United States in each property to the government of the District of Columbia. If jurisdiction over a property is held by the District of Columbia, the District of Columbia may execute a quitclaim deed on behalf of the United States to transfer all right, title, and interest of the United States in the property to the government of the District of Columbia.

- (1) Parcel 255, Lots 13, 15, and 24 (Southwest Waterfront), "including the riparian area designated as Pier 5";
- (2) Square 473, Lots 819, 846, 847, 848, 849, 850, 884 (Southwest Waterfront);
- (3)(A) Square 390, Lot 54 (Southwest Waterfront);
 - (B) Square 391, Lots 804, 805, and 806 (Southwest Waterfront);
 - (C) Square 471, Lot 810 (Southwest Waterfront);
 - (D) Square 472, Lot 827 (Southwest Waterfront);
 - (E) Square 473, Lots 814, 815, 819, 837, 839, 843, and 844 (Southwest Waterfront);
 - (F) Square 503, Lots 883 and 884 (Southwest Waterfront);
- (4) Reservation 277A (North Capitol Street and Florida Avenue, N.W.);
- (5) Reservation 277 (Florida Avenue and Q Street, N.W.);
- (6) Square 2558, Lot 0810 (a portion of the Marie H. Reed Community Learning Center, a District of Columbia Public School);
- (7) Square 2901, Lot 0816 (Raymond Recreation Center, a portion of the Raymond Elementary School campus);
- (8) Square 2901, Lot 0815 (a portion of the Raymond Elementary School campus);
- (9) Square 0364, Lot 0837 (a portion of the Shaw Junior High School campus);
- (10) Parcel 246, Lot 0051 (P.R. Harris School);
- (11) Square 2864, Lot 0830 (Meyer Elementary School, closed);
- (12) Square 3327, Lot 0800 (Rudolph Elementary, closed);

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- (13) Square 0511, Lot 0822 (fields and parking of Bundy School, closed);
- (14) Square 0767, Lot 0829 (Canal Park, north parcel);
- (15) Square 0769, Lot 0821 (Canal Park, south parcel);
- (16) Square 0768, Lot 0810 (Canal Park, center parcel);
- (17) Square 2882, Lot 0936 (Banneker Senior High School campus, western portion);
- (18) Square 2880, Lot 0859 (Banneker Senior High School, eastern portion);
- (19) Square 0336, Lot 0828 (Shaw Jr. High School recreation fields);
- (20) Square 0593, Lot 0823 (portion of Bowen Elementary School campus);
- (21) Square 0593, Lot 0822 (portion of Bowen Elementary School campus);
- (22) Square 0595, Lot 0810 (portion of Bowen Elementary School campus);
- (23) Square 0593, Lot 0826 (portion of Bowen Elementary School campus);
- (24) Square 0595, Lot 0807 (portion of Bowen Elementary School campus);
- (25) Square 0647, Lot 0802 (portion of Bowen Elementary School campus);
- (26) Square 0595, Lot 0809 (portion of Bowen Elementary School campus);
- (27) Square 0645, Lot 0816 (portion of Bowen Elementary School campus);
- (28) Square 0650N, Lot 0808 (portion of Bowen Elementary School campus);
- (29) Square 0647, Lot 0803 (portion of Bowen Elementary School campus);
- (30) Square 0645W, Lot 0808 (portion of Bowen Elementary School campus);
- (31) Square 0593, Lot 0050 (portion of Bowen Elementary School campus);
- (32) Square 0593, Lot 0051 (portion of Bowen Elementary School campus);
- (33) Square 0542, Lot 0085 (Southwest Library site);
- (34) All of Reservation 542 between Albermale Street, N.W., and Chesapeake Street, N.W., including Lots 800 and 801 in Square 1772 and Lot 0807 in Square 1768, and Fort Drive, N.W. in Reservation 542 (Wilson Senior High School and Wilson Aquatic Center);
- (35) The northern corner portion of Reservation 470 containing approximately 31,000 square feet, abutting both the east property line of Lot 0811 in Square 1759 and Fessenden Street, N.W. (Deal Middle School);
- (36) Howard Street, N.W. in Reservation 470 (Deal Middle School);
- (37) Fort Drive, N.W. in Reservation 515 (Deal Middle School);
- (38) All of Reservation 519 in Square 5876 and Square 5884, including Lot 940 in Square 5876 (Johnson Middle School);
- (39) The play field portion of Reservation 360 in Square 23 (Francis Middle School);
- and
- (40) The area described in unnumbered section 1 of An Act To authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District, approved September 8, 1960 (74 Stat. 871; Pub. L. 86-736; D.C. Official Code § 6-321.01) (Southwest Waterfront), to the extent not previously conveyed to the District.
- (b)(1) Within 90 days of the effective date of this section, the Secretary of the Interior

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shall transfer administrative jurisdiction, for recreational purposes, of approximately 15 acres of land located in the northern portion of Fort Dupont Park, U.S. Reservation 405, from the United States, by the Department of the Interior, National Park Service, to the government of the District of Columbia

(2) The land to be transferred under paragraph (1) of this subsection is described in the October 2008 Environmental Assessment prepared by the National Park Service, entitled "Transfer of Jurisdiction of Certain National Park Service Properties to the District of Columbia Government (National Capital Parks - East: Fort Dupont Park)".

(3) The transfer under paragraph (1) of this subsection shall be subject to a limited right of reversion by the Secretary of the Interior. The limited right of reversion may be exercised only if:

(A)(i) Within 5 years after the transfer under paragraph (1) of this subsection occurs, the District has not commenced activity to improve the transferred portion of Fort Dupont Park for recreational uses or facilities; or

(ii) After 5 years after the transfer under paragraph (1) of this subsection occurs, the District has ceased for at least 5 years to use the transferred portion of Fort Dupont Park for a recreational use or facility;

(B) The Secretary of the Interior provides to the District written notice of his or preliminary determination that the condition described in subparagraph (A)(i) or (ii) of this paragraph has occurred and the District has not, within 90 days after the notice was delivered to the District, addressed the Secretary's preliminary determination to the Secretary's reasonable satisfaction; and

(C) After such 90-day period, the Secretary has determined, in accordance with chapter 5 of title 5, United States Code (relating to administrative procedure) that the condition described in subparagraph (A)(i) or (ii) of this paragraph has occurred.

SEC. 213. Section 485 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 807; D.C. Official Code § 1-204.85), is amended to read as follows:

"SEC. 485. Except for estate, inheritance, and gift taxes, Bonds and notes issued by the Council pursuant to this title and the interest thereon shall be exempt from all District, State, and Federal taxation, including from taxation by any county, municipality, or other political subdivision of a State and any Territory or possession of the United States."

SEC. 214. Section 424(b)(2)(E) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24b(b)(5)), is amended by striking the period at the end of the sentence and inserting the phrase "times 1.50." in its place.

SEC. 215. Sections 2, 3, and 4 of the Domestic Partnership Police and Fire Amendment Act of 2008, effective January 16, 2008 (D.C. Law 17-358; 56 DCR 1188), are hereby enacted into law.

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SEC. 216. The Contingency Cash Reserve Transparency Amendment Act of 2008, returned unsigned on January 29, 2008 (D.C. Act 17-278; 55 DCR 1530), is hereby enacted into law.

SEC. 217. Section 2 of the Special Election Amendment Act of 2008, effective March 19, 2008 (D.C. Law 17-156; 55 DCR 3694), is hereby enacted into law.

SEC. 218. Reserve fund clarifying amendment.

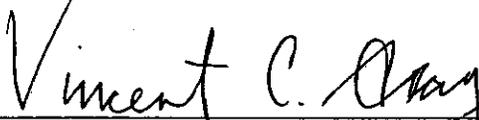
Section 450A of the District of Columbia Home Rule Act, approved November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a), is amended by adding a new subsection (d-1) to read as follows:

“(d-1) *Overfunding allocation authorization.* –

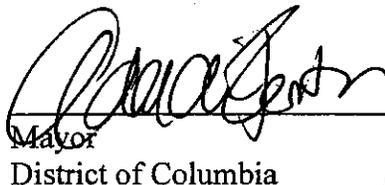
“(1) *In general.* – If at any time during a fiscal year the balance in the emergency reserve fund or the contingency reserve fund exceeds the minimum balance required by subsection (a)(1) or (b)(1) of this section, respectively, the District may withdraw the amount in excess of the respective minimum balance.

“(2) *After an allocation.* – Paragraph (1) of this subsection shall apply based on the calculated required minimum balance for a fiscal year, notwithstanding any actual shortfall in the balance of either the emergency reserve fund or the contingency reserve fund because of a prior allocation that is being repaid in that fiscal year.”.

This division may be cited as the “District of Columbia Omnibus Authorization Act, 2010”.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED WITH DISAPPROVAL AS TO
THE ITEM OR PROVISION DESCRIBED
IN THE ATTACHED STATEMENT:

31

AUGUST 26, 2009