

FISCAL YEAR 2010
BUDGET REQUEST ACT
COUNCIL VERSION

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the request of the District of Columbia government 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 "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**

Reserved; pending proposal of the President's Fiscal Year 2010 Budget

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 in section 450A of the District of Columbia Home Rule Act, approved November 2, 2000 (114 Stat. 2440; D.C. Official Code, Section 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 \$11,045,222,000 (of which \$5,438,777,000 shall be from local funds, (including \$423,444,000 from dedicated taxes) \$2,682,232,000 shall be from Federal grant funds, \$1,766,520,000 shall be from other funds, and \$5,187,000 shall be from private funds), in addition, any amounts provided in Title I of this Act as Federal payments: *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 \$729,061,000; in addition, for capital construction projects, an increase of \$2,518,503,000 of which \$2,312,649,000 shall be from local funds, and \$205,854,000 from the Local Street Maintenance fund, and a rescission of \$1,886,951,000 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 \$631,552,000 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

1 Stat. 777; D.C. Official Code §1-201.01 et seq.), as amended by this Act: *Provided further*, that the Chief
2 Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the
3 District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer
4 of the appropriations and funds made available to the District during fiscal year 2010, except that the
5 Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes,
6 or other obligations issued for capital projects.
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9 **TITLE III--DISTRICT OF COLUMBIA FUNDS - - DIVISION OF EXPENSES**

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11 **OPERATING EXPENSES**

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13 **Governmental Direction and Support**

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15 Governmental direction and support, \$428,652,000 (including \$344,803,000 from local funds,
16 \$26,709,000 from Federal grant funds, \$57,132,000 from other funds and 8,000 from private funds):
17 *Provided*, That there are appropriated such amounts as may be necessary to account for vendor fees that
18 are paid as a fixed percentage of revenue recovered from third parties on behalf of the District under
19 contracts that provide for payments of fees based upon such revenue as may be collected by the vendor:
20 *provided further*, that any program fees collected from the issuance of debt shall be available for the
21 payment of expenses of the debt management program of the District of Columbia, to be allocated as
22 follows:
23

24 (1) Council of the District of Columbia. – \$20,916,000 from local funds: *Provided*, that not to
25 exceed \$10,600 shall be available for the Chairman of the Council of the District of Columbia from this
26 appropriation for official reception and representation expenses;

27 (2) Office of the District of Columbia Auditor. – \$3,988,000 from local funds;

28 (3) Advisory Neighborhood Commission. – \$1,081,000 from local funds;

29 (4) Office of the Mayor. – \$5,876,000 from local funds, *Provided*, that not to exceed \$10,600
30 shall be available for the Mayor from this appropriation for official reception and representation expenses;

31 (5) Office of Community Affairs. – \$4,051,000 from local funds;

32 (6) Serve DC. – \$3,761,000 (including \$438,000 from local funds and \$3,323,000 from Federal
33 grant funds);

34 (7) Office of the Secretary. – \$3,851,000 (including \$3,303,000 from local funds and \$540,000
35 from other funds); *provided*, that beginning in fiscal year 2010 such amounts on deposit and any such
36 future deposits into the Emancipation Day Fund established under D.C. Official Code §1-183 shall be
37 available upon deposit and shall remain available until expended consistent with the purposes established
38 under D.C. Official Code §1-183;

39 (8) City Administrator. - \$5,547,000 from local funds: *Provided*, that not to exceed \$10,600
40 shall be available for the City Administrator from this appropriation for official reception and
41 representation expenses;

42 (9) Office of Risk Management. – \$1,212,000 from local funds;

43 (10) Department of Human Resources. – \$8,156,000 (including \$7,878,000 from local funds and
44 \$277,000 from other funds);

45 (11) Office of Disability Rights. – \$1,289,000 from local funds;

46 (12) Office of Finance and Resource Management. – \$4,423,000 from local funds;

47 (13) Office of Partnership and Grants Services. – \$553,000 from local funds;

48 (14) Office of Contracting and Procurement. – \$4,167,000 (including \$3,276,000 from local
49 funds and \$892,000 from other funds);

50 (15) Office of Chief Technology Officer. – \$56,639,000 (including \$54,604,000 from local funds
51 and \$2,035,000 from other funds);

1 (16) Office of Property Management. – \$34,664,000 (including \$26,342,000 from local funds and
2 \$8,322,000 from other funds): *Provided*, that amounts on deposit within and any such future deposits into
3 the Commodities Cost Reserve Fund established under D.C. Official Code §47-368.04 shall be available
4 upon deposit and shall remain available until expended consistent with the purposes established under
5 D.C. Official Code §47-368.04(b);

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

7 (18) Board of Elections and Ethics. – \$5,495,000, including \$5,306,000 from local funds and
8 \$189,000 from federal funds;

9 (19) Office of Campaign Finance. – \$1,707,000 from local funds;

10 (20) Public Employee Relations Board. – \$929,000 from local funds;

11 (21) Office of Employee Appeals. – \$1,848,000 from local funds;

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

13 (23) Office of the Attorney General. – \$87,906,000 (including \$59,959,000 from local funds,
14 \$21,113,000 from Federal grant funds and \$6,834,000 from other funds): *Provided*, that not less than
15 \$2,600,000 shall be available from this appropriation for the Office of the Attorney General to award a
16 grant to the District of Columbia Bar Foundation for the purpose of providing support to nonprofit
17 organizations that deliver civil legal services to low-income and under-served District residents pursuant
18 to the Civil Legal Services Amendment Act of 2007, effective September 18, 2007 (D.C. Law 17-20;
19 D.C. Official Code §1-301.114); *provided further*, that not less than \$315,000 of this appropriation shall
20 be available to fund the District of Columbia Poverty Lawyer Loan Assistance Program, established by
21 the District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006, effective
22 March 2, 2007 (D.C. Law 16-203; D.C. Official Code §1-308.21 et seq.);

23 (24) Office of the Inspector General. – \$16,941,000 (including \$14,857,000 from local funds and
24 \$2,084,000 from federal grant funds);

25 (25) Office of the Chief Financial Officer. – \$151,156,000 (including \$113,925,000 from local
26 funds, and \$37,232,000 from other funds): *Provided*, that not to exceed \$10,600 shall be available for the
27 Chief Financial Officer of the District from this appropriation for official reception and representation
28 expenses; *provided further*, that amounts appropriated by this act may be increased by the amount
29 required to pay banking fees for maintaining the funds of the District of Columbia.

30 31 **Economic Development and Regulation**

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33 Economic development and regulation, \$454,093,000 (including \$147,952,000 from local funds
34 (including \$28,913,000 from dedicated taxes), \$121,883,000 from Federal grant funds, \$155,266,000
35 from other funds, and \$80,000 from private funds) to be allocated as follows:

36 (1) Deputy Mayor for Economic Development. – \$38,669,000 (including \$4,648,000 from local
37 funds (including \$17,013,000 from dedicated taxes) \$9,008,000 from other funds, and \$800,000 from
38 Federal grant funds);

39 (2) Office of Planning. – \$9,167,000 (including \$8,657,000 from local funds, \$450,000 from
40 Federal grant funds and \$60,000 from other funds): *Provided*, that the local funds provided to the Office
41 of Planning in previous fiscal years for Neighborhood Historic Preservation shall remain available until
42 expended;

43 (3) Department of Small and Local Business Development. – \$2,996,000 from local funds;

44 (4) Office of Motion Pictures and Television. – \$636,000, including \$584,000 from local funds
45 and \$52,000 from other funds;

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

47 (6) Department of Housing and Community Development. – \$88,345,000 (including \$7,274,000
48 from local funds, \$70,469,000 from Federal grant funds and \$10,603,000 from other funds);

49 (7) Department of Employment Services. – \$156,326,000 (including \$73,393,000 from local
50 funds, \$42,081,000 from Federal grant funds, \$40,771,000 from other funds and \$80,000 from private
51 funds): *Provided*, that of the local funds appropriated up to one percent may be deposited into the

1 Integrated Services Fund for At-Risk Children, Youth, and Families and used for the purposes set forth in
2 D.C. Official Code §4-1345.03; *provided further*, that funds deposited into the Integrated Services Fund
3 shall remain available until expended; *provided further*, that the District is authorized to transfer, either
4 through a grant or as a direct payment, \$1,200,000 in local funds to the Excel Institute from this
5 appropriation;

6 (8) Board of Real Property Assessment and Appeals. – \$698,000 from local funds;

7 (9) Department of Consumer and Regulatory Affairs. – \$36,619,000 (including \$14,713,000 from
8 local funds and \$21,905,000 from other funds);

9 (10) Office of the Tenant Advocate. – \$3,647,000 (including \$525,000 from local funds and
10 \$3,122,000 from other funds);

11 (11) Commission on Arts and Humanities. – \$7,353,000 (including \$6,223,000 from local funds,
12 \$729,000 from Federal grant funds and \$400,000 from other funds);

13 (12) Alcoholic Beverage Regulation Administration. – \$5,506,000 (including \$196,000 from
14 local funds and \$6,245,000 from other funds);

15 (13) Public Services Commission. – \$10,111,000 (including \$154,000 from Federal grant funds
16 and \$9,958,000 from other funds);

17 (14) Office of the People’s Counsel. – \$5,136,000 from other funds;

18 (15) Department of Insurance, Securities and Banking. – \$16,327,000 from other funds;

19 (16) Office of Cable Television. – \$9,419,000 from other funds;

20 (17) Housing Authority Subsidy Payment. – \$25,103,000 from local funds;

21 (18) Housing Production Trust Fund Subsidy Payment. – \$11,900,000 from dedicated taxes.
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25 Public Safety and Justice

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27 Public safety and justice, \$1,312,807,000 (including \$952,727,000 from local funds,
28 \$263,379,000 from Federal grant funds, \$96,501,000 from other funds, and \$200,000 from private funds);
29 in addition, any amounts provided in Title I of this Act for the Criminal Justice Coordinating Council, to
30 be allocated as follows:

31 (1) Metropolitan Police Department. – \$503,878,000 (including \$462,874,000 from local funds,
32 \$8,623,000 from Federal grant funds, \$32,181,000 from other funds and \$200,000 from private funds);
33 *Provided*, that not to exceed \$750,000 shall be available from this appropriation for the Chief of Police
34 for the prevention and detection of crime;

35 (2) Fire and Emergency Medical Services. – \$193,526,000 (including \$192,526,000 from local
36 funds and \$1,000,000 from other funds);

37 (3) Police Officers and Firefighters Retirement System. – \$132,300,000 from local funds;

38 (4) Department of Corrections. – \$136,848,000 (including \$102,024,000 from local funds and
39 \$34,824,000 from other funds);

40 (5) District of Columbia National Guard. – \$5,806,000 (including \$2,698,000 from local funds
41 and \$3,108,000 from Federal grant funds): *Provided*, that the Mayor shall reimburse the District of
42 Columbia National Guard for expenses incurred in connection with services that are performed in
43 emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that
44 shall be jointly determined and certified as due and payable for these services by the Mayor and the
45 Commanding General of the District of Columbia National Guard; *provided further*, that such sums as
46 may be necessary for reimbursement to the District of Columbia National Guard under the preceding
47 proviso shall be available from this Act, and the availability of the sums shall be deemed as constituting
48 payment in advance for emergency services involved;

49 (6) Homeland Security and Emergency Management. – \$239,977,000 (including \$4,210,000
50 from local funds and \$235,767,000 from Federal grant funds);

51 (7) Commission on Judicial Disabilities and Tenure. – \$267,000 from local funds;

- 1 (8) Judicial Nomination Commission. – \$182,000 from local funds;
- 2 (9) Office of Police Complaints. – \$2,539,000 from local funds;
- 3 (10) District of Columbia Sentencing and Criminal Code Review Commission. – \$712,000 from
- 4 local funds;
- 5 (11) Office of the Chief Medical Examiner. – \$9,435,000 (including \$9,161,000 from local funds
- 6 and \$274,000 from other funds);
- 7 (12) Officer of Administrative Hearings. – \$6,938,000 (including \$6,930,000 from local funds
- 8 and \$8,000 from other funds);
- 9 (13) Criminal Justice Coordinating Council. – \$2,072,000 (including \$298,000 from local funds
- 10 and \$1,774,000 from Federal grant funds; in addition, any amounts provided in Title I of this Act for a
- 11 “Federal Payment to the Criminal Justice Coordinating Council”
- 12 (14) Forensic Laboratory Technician Training Program. – \$1,249,000 from local funds;
- 13 (15) Office of Unified Communications. – \$51,464,000 (including \$31,275,000 from local funds
- 14 and \$20,189,000 from other funds);
- 15 (16) Office of Victims Services. – \$15,041,000 (including \$3,405,000 from local funds,
- 16 \$3,610,000 from Federal grant funds and \$8,025,000 from other funds); and
- 17 (17) Office of Justice Grants Administration. – \$10,572,000 (including \$75,000 from local funds
- 18 and \$10,497,000 from Federal grant funds).

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21 **Public Education System**
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23 Public Education System, including the development of national defense education programs,
24 \$1,717,567,000 (including \$1,418,106,000 from local funds, \$274,843,000 from Federal grant funds,
25 \$20,835,000 from other funds, and, \$3,784,000 from private funds), in addition, any amounts provided in
26 Title I of this Act for a “Federal Payment for Resident Tuition Support,” “Federal Payment for School
27 Improvement in the District of Columbia,” and “Federal Payment to Jump Start Public School Reform,”
28 to be allocated as follows:

29 (1) District of Columbia Public Schools.— \$593,534,000 (including \$533,390,000 from local
30 funds, \$52,355,000 from Federal grant funds, \$4,005,000 from other funds, and \$3,784,000 from private
31 funds); in addition, any amounts provided in Title I of this Act for the “Federal Payment for School
32 Improvement in the District of Columbia” for the District of Columbia Public Schools, and for the
33 “Federal Payment to Jump Start Public School Reform,” shall be available for District of Columbia
34 Public Schools: *Provided*, that this appropriation shall not be available to subsidize the education of any
35 nonresident of the District of Columbia at any District of Columbia public elementary or secondary
36 school during fiscal year 2010 unless the nonresident pays tuition to the District of Columbia at a rate
37 that covers 100 percent of the costs incurred by the District of Columbia that are attributable to the
38 education of the nonresident (as established by the Chancellor of the District of Columbia Public
39 Schools); *provided further*, that not to exceed \$10,600 for the Chancellor shall be available from this
40 appropriation for official reception and representation expenses; *provided further*, that notwithstanding
41 the amounts otherwise provided under this heading or any other provision of law, there shall be
42 appropriated to the District of Columbia Public Schools on July 1, 2010, an amount equal to 10 percent of
43 the total amount of the local funds appropriations request provided for the District of Columbia Public
44 Schools in the proposed budget of the District of Columbia for fiscal year 2011 as submitted to
45 Congress), and the amount of such payment shall be chargeable against the final amount provided for the
46 District of Columbia Public Schools under the District of Columbia Appropriations Act, 2011;

47 (2) Office of the State Superintendent of Education.— \$348,465,000 (including \$116,043,000
48 from local funds, \$221,694,000 from Federal grant funds, and \$10,728,000 from other funds), in
49 addition, any amounts provided in Title I for “Federal Payment for Resident Tuition Support,” and
50 “Federal Payment for School Improvement in the District of Columbia” for District of Columbia Public
51 Charter School support, shall be available for the Office of the State Superintendent of Education:

1 *Provided*, that of the amounts provided to the State Education Office, \$1,000,000 from local funds shall
2 remain available until June 30, 2011 for an audit of the student enrollment of each District of Columbia
3 public school and of each District of Columbia public charter school; *provided further*, that \$5,000,000 in
4 local funds shall remain available until expended for the Blackman and Jones v. District of Columbia
5 consent decree: *provided further*, that notwithstanding the amounts otherwise provided under this heading
6 or any other provision of law, there shall be appropriated to the Office of the State Superintendent of
7 Education on July 1, 2010, an amount equal to 10 percent of the total amount of the local funds
8 appropriations request provided for the Office of the State Superintendent of Education in the proposed
9 budget of the District of Columbia for fiscal year 2011 (as submitted to Congress), and the amount of
10 such payment shall be chargeable against the final amount provided for the Office of the State
11 Superintendent of Education under the District of Columbia Appropriations Act, 2011;

12 (3) District of Columbia Public Charter Schools.— \$397,367,000 from local funds shall be
13 available for District of Columbia public charter schools: *Provided*, that there shall be quarterly
14 disbursement of funds to the District of Columbia public charter schools, with the first payment to occur
15 within 15 days of the beginning of the fiscal year; *provided further*, that if the entirety of this allocation
16 has not been provided as payments to any public charter schools currently in operation through the per
17 pupil funding formula, the funds shall remain available until expended for public education in accordance
18 with section 2403(b)(2) of the District of Columbia School Reform Act of 1995, approved April 26, 1996
19 (110 Stat. 1321; D.C. Official Code, Sec. 38-1804.03(b)(2)); *provided further*, that of the amounts made
20 available to District of Columbia public charter schools, \$100,000 shall be made available to the Office
21 of the Chief Financial Officer as authorized by section 2403(b)(5) of the District of Columbia School
22 Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code, §38-1804.03(b)(5));
23 *provided further*, that notwithstanding the amounts otherwise provided under this heading or any other
24 provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1,
25 2010, an amount equal to 25 percent of the total amount of the local funds appropriations request
26 provided for payments to public charter schools in the proposed budget of the District of Columbia for
27 fiscal year 2011 (as submitted to Congress), and the amount of such payment shall be chargeable against
28 the final amount provided for such payments under the District of Columbia Appropriations Act, 2011:
29 *Provided further*, that the annual financial audit for the performance of an individual District of Columbia
30 public charter school shall be funded by the charter school;

31 (4) University of the District of Columbia Subsidy.— \$62,070,000 from local funds shall be
32 available for the University of the District of Columbia subsidy: *Provided*, that this appropriation shall
33 not be available to subsidize the education of nonresidents of the District of Columbia at the University of
34 the District of Columbia, unless the Board of Trustees of the University of the District of Columbia
35 adopts, for the fiscal year ending September 30, 2010, a tuition rate schedule that will establish the tuition
36 rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable
37 public institutions of higher education in the metropolitan area; *provided further*, that notwithstanding the
38 amounts otherwise provided under this heading or any other provision of law, there shall be appropriated
39 to the University of the District of Columbia on July 1, 2010, an amount equal to 10 percent of the total
40 amount of the local funds appropriations request provided for the University of the District of Columbia
41 in the proposed budget of the District of Columbia for fiscal year 2011 (as submitted to Congress), and
42 the amount of such payment shall be chargeable against the final amount provided for the University of
43 the District of Columbia under the District of Columbia Appropriations Act, 2011; *provided further*, that
44 not to exceed \$10,600 for the President of the University of the District of Columbia shall be available
45 from this appropriation for official reception and representation expenses;

46 (5) District of Columbia Public Libraries.— \$45,902,000 (including \$44,268,000 from local
47 funds, \$794,000 from Federal grant funds, and \$840,000 from other funds shall be available for the
48 District of Columbia Public Libraries: *Provided*, that not to exceed \$8,500 for the Public Librarian shall
49 be available from this appropriation for official reception and representation expenses;

50 (6) Public Charter School Board. – \$3,837,000 (including \$1,860,000 from local funds and
51 \$1,976,000 from other funds);

1 (7) Office of the Deputy Mayor for Education. – \$4,039,000 from local funds: *Provided*, that
2 amounts on deposit as of September 30, 2008, within the Integrated Services Fund, established under
3 D.C. Official Code §4-1345.03 shall be available and shall remain available until expended;

4 (8) Office of Public Education Facilities Modernization – \$32,822,000 (including \$29,537,000
5 from local funds and \$3,286,000 from other funds);

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

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

17 18 **Human Support Services**

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20 Human support services, \$3,394,390,000 (including \$1,403,528,000 from local funds (including
21 \$28,764,000 from dedicated taxes), \$1,929,452,000 from Federal grant funds, \$32,189,000 from other
22 funds, \$458,000 from private funds): *Provided further*, that up to one percent of the local funds
23 appropriated for the Child Family and Services Agency, the Department of Health, the Department of
24 Human Services, the Department of Mental Health, and the Department of Youth Rehabilitation Services
25 may be deposited into the Integrated Services Fund for At-Risk Children, Youth, and Families and used
26 for the purposes set forth in D.C. Official Code § 4-1345.03; *provided further*, that funds deposited into
27 the Integrated Services Fund shall remain available until expended; to be allocated as follows:

28 (1) Department of Human Service. – \$312,023,000 (including \$153,027,000 from local funds,
29 \$156,271,000 from Federal grant funds, and \$2,725,000 from other funds);

30 (2) Child and Family Services. – \$272,058,000 (including \$213,083,000 from local funds,
31 \$58,203,000 from Federal grant funds, \$750,000 from other funds and \$22,000 from private funds);

32 (3) Department of Mental Health. – \$212,543,000 (including \$200,712,000 from local funds,
33 \$7,290,000 from Federal grant funds, \$4,424,000 from other funds, and \$117,000 from private funds);

34 (4) Department of Health. – \$231,747,000 (including \$82,186,000 from local funds,
35 \$135,460,000 from Federal grant funds, \$13,782,000 from other funds, and \$319,000 from private funds);
36 *provided further*, that any funds deposited into the Health Professional Recruitment Fund, including
37 unspent funds from prior fiscal years, shall remain available until expended;

38 (5) Department of Parks and Recreation. – \$45,384,000 (including \$42,899,000 from local funds,
39 and \$2,485,000 from other funds);

40 (6) Office on Aging. – \$22,852,000 (including \$16,067,000 from local funds and \$6,786,000
41 from Federal grant funds);

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

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

45 (9) Office of Human Rights. – \$2,854,000 (including \$2,536,000 from local funds and \$318,000
46 from Federal grant funds);

47 (10) Office of Latino Affairs. – \$4,360,000 from local funds;

48 (11) Children Investment Trust Fund Subsidy Payment. – \$9,520,000 from local funds;

49 (12) Department of Youth Rehabilitation Services. – \$88,377,000 from local funds: *Provided* that
50 amounts appropriated herein may be expended to implement the provisions of the “On-site Meal

1 Expenses Amendment Act of 2008” passed on 1st reading on May 13, 2008; (Engrossed version of Bill
2 17-768.)

3 (13) Department on Disability Services. – \$99,663,000 (including \$66,540,000 from local funds,
4 \$26,923,000 from Federal grant funds, and \$6,200,000 from other funds; and

5 (14) Department of Healthcare Finance. – \$2,056,710,000 (including \$487,923,000 from local
6 funds (including \$28,764,000 from dedicated taxes), \$1,538,200,000 from Federal grant funds and
7 \$1,823,000 from other funds: *Provided* that any funds deposited into the Healthy DC Fund, including
8 unspent funds from prior fiscal years, shall remain available until expended; *provided further*, that any
9 funds deposited into the Nursing Home Quality of Care Fund, including unspent funds from prior fiscal
10 years shall remain available until expended.

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13 **Public Works**
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15 Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three
16 passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-
17 carrying vehicles, \$667,659,000 (including \$405,155,000 from local funds, including \$13,089,000 from
18 dedicated taxes) \$46,127,000 from Federal grant funds, \$130,000 from private funds, and \$203,157,000
19 from other funds, to be allocated as follows:

20 (1) Department of Public Works. – \$120,999,000 (including \$111,898,000 from local funds and
21 \$9,101,000 from other funds);

22 (2) Department of Transportation. – \$145,463,000 (including \$13,089,000 from dedicated taxes),
23 \$4,200,000 from Federal grant funds and \$128,174,000 from other funds);

24 (3) Department of Motor Vehicles. – \$42,258,000 (including \$28,299,000 from local funds and
25 \$13,959,000 from other funds);

26 (4) Department of the Environment. – \$100,595,000 (including \$19,270,000 from local funds,
27 \$41,927,000 from Federal grant funds, \$39,268,000 from other funds and \$130,000 from private funds;

28 (5) Taxi Cab Commission. – \$1,750,000 (including \$1,094,000 from local funds and \$656,000
29 from other funds);

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

31 (7) Washington Metropolitan Area Transit Authority. – \$248,628,000, including \$236,628,000
32 from local funds, and \$12,000,000 from other funds); and

33 (8) School Transit Subsidies. – \$7,843,000 from local funds.
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36 **Financing and Other**
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38

39 Financing and Other, \$942,737,000 (including \$704,436,000 from local funds (including
40 \$231,852,000 from dedicated taxes) and \$6,449,000 from other funds) to be allocated as follows:

41 (1) Repayment of Loans and Interest - for payment of principal, interest, and certain fees directly
42 resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as
43 authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved
44 December 24, 1973 (87 Stat. 777; D.C. Official Code, Secs. 1-204.62, 1-204.75, and 1-204.90), and
45 \$475,148,000 (including \$466,833,000 from local funds (including \$4,800,000 from dedicated taxes, and
46 \$3,465,000 from other funds);

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

49 (3) Certificates of Participation - for lease payments representing principal and interest on the
50 District's Certificates of Participation, issued to finance land and buildings located at One Judiciary

1 Square, and for the Unified Communications Center and Office of Unified Communications (OUCUCC)
2 located on the St. Elizabeth's Campus, \$32,285,000 from local funds;

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

5 (5) School Modernization Fund - for a School Modernization Fund, \$8,612,000 from local funds;

6 (6) Revenue Bonds - for the repayment of revenue bonds \$6,000,000 from local funds including
7 \$6,000,000 from dedicated taxes);

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

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

14 (9) Workforce Investments –An amount not to exceed \$1,800,000 of funds appropriated in Fiscal
15 Year 2009 for the comp and class study shall remain available until September 30, 2010 to meet the
16 requirements of the Compensation Agreement Between the District of Columbia Government Units 1 and
17 2 Emergency Approval Resolution of 2006, effective September 19, 2006 (Res. 16-794; 53 DCR 7742);

18 (10) Non-Departmental - to account for anticipated costs that cannot be allocated to specific
19 agencies during the development of the proposed budget, \$12,697,000 (including \$12,697,000 from local
20 funds that shall remain available to cover any lease costs that may remain from the District's lease at 225
21 Virginia Avenue) to be transferred by the Mayor of the District of Columbia within the various
22 appropriations headings in this Act;

23 (11) For Emergency Planning and Security Fund, any amount provided in Title I of this Act under
24 the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia":
25 *Provided*, that notwithstanding any other law, the District of Columbia may charge obligations and
26 expenditures that are pending reimbursement under the heading "Federal Payment for Emergency
27 Planning and Security Costs in the District of Columbia" to this local appropriations heading;

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

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

34 (14) District Retiree Health Contribution - for a District Retiree Health Contribution, \$88,700,000
35 from local funds;

36 (15) Baseball Revenue- \$42,007,000 from local funds derived from a dedicated tax to account
37 for the inflows and outflows of both operating and capital dollars in addition, the amounts appropriated
38 herein may be increased by such amounts as may be necessary and as are consistent with the Ballpark
39 Omnibus Financing And Revenue Act of 2004, effective April 08, 2005 (D.C. Law 15-320; D.C. Official
40 Code § 10-1601.01 et seq.) to pay debt service, and to maintain and replenish required reserves for
41 baseball revenue bonds;

42 (16) Tax Increment Financing - the amounts appropriated herein may be increased by an amount
43 not to exceed \$50,233,000 from dedicated taxes for a Tax Increment Financing program as may be
44 necessary to meet the Tax Increment Financing requirements; and

45 (17) Emergency and Contingency Funds - For the emergency reserve fund and the contingency
46 reserve fund under section 450A of the District of Columbia Home Rule Act, approved November 2,
47 2000 (114 Stat. 2440; D.C. Official Code, sec. 1-204.50a), the amounts appropriated herein may be
48 increased by such additional amounts from the funds of the District government as are necessary to meet
49 the balance requirements for such funds under section 450A.

50
51

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, Sec. 2-1215.01 et seq.): *Provided*, that such funds are available for acquiring services provided by the GSA: *Provided further*, that Business Improvement Districts 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 shall have no authority to revise the budget for the District of Columbia Water and Sewer Authority, of which 60% represents rate-payer revenue, the Council forwards this non-appropriated budget request: For operation of the Water and Sewer Authority, \$393,623,000 from other funds, of which \$98,290,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects. 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, any amounts provided under Title I of this Act for a "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.

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, sec. 3-1301 et seq. and Sec. 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

1 District's own locally generated revenues; *provided further*, that no revenues from Federal sources shall
2 be used to support the operations or activities of the Lottery and Charitable Games Control Board;
3 *provided further*, that, after notification to the Mayor, amounts appropriated herein may be increased by
4 an amount necessary for the Lottery and Charitable Games Enterprise Fund to make transfers to the
5 General Fund of the District of Columbia and to cover prizes, agent commissions, and gaming related
6 fees directly associated with unanticipated excess lottery revenues, not included in this
7 appropriation.
8
9

10 **District of Columbia Retirement Board**
11

12 For the District of Columbia Retirement Board, established pursuant to section 121 of the District
13 of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat 866; D.C.
14 Official Code, sec. 1-711), \$30,622,000 from the earnings of the applicable retirement funds to pay legal,
15 management, investment, and other fees and administrative expenses of the District of Columbia
16 Retirement Board: *Provided*, that the District of Columbia Retirement Board shall provide to the
17 Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by
18 fund and of expenditures of all funds; *provided further*, that the District of Columbia Retirement Board
19 shall provide to the Mayor, for transmittal to the Council of the District of Columbia, an itemized
20 accounting of the planned use of appropriated funds in time for each annual budget submission and the
21 actual use of such funds in time for each annual audited financial report.
22

23 **Washington Convention Center Enterprise Fund**
24

25 For the Washington Convention Center Enterprise Fund, including for functions previously
26 performed by the DC Sports and Entertainment Commission, \$97,059,000 from other funds: *Provided*,
27 that amounts on deposit and any such future deposit into the fund established under D.C. Official Code
28 §10-1602.02 shall be available on deposit and shall remain available until expended, notwithstanding the
29 provisions of D.C. Official Code §10-1602.04; *provided further*, that \$636,000 shall be transferred to the
30 District of Columbia for the operation of the Office of Motion Picture and Television Development.
31
32

33 **Housing Finance Agency**
34

35 For the Housing Finance Agency, \$8,894,000 from other funds.
36
37

38 **University of the District of Columbia**
39

40
41 For the University of the District of Columbia, \$142,528,000 (including, \$62,070,000 from local
42 funds, \$19,839,000 from Federal grant funds, \$60,091,000 from other funds, and \$527,000 from private
43 funds): *Provided*, that this appropriation shall not be available to subsidize the education of nonresidents
44 of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of
45 the University of the District of Columbia adopts, for the fiscal year ending September 30, 2010, a tuition
46 rate schedule that will establish the tuition rate for nonresident students at a level no lower than the
47 nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan
48 area; *Provided further*, that the Board of Trustees of the University of the District of Columbia is hereby
49 authorized to use the Municipal University Fund, established for depositing all revenues and receipts

1 derived from tuition and fees, for such University purposes as the Board of Trustees may approve and in
2 compliance with all applicable regulations.

3
4
5 **Department of Human Resources Trust Fund**

6
7 For the District of Columbia Department of Human Resources Trust Fund, \$2,400,000 from
8 other funds.

9
10 **District of Columbia Public Library Trust Fund**

11
12 For the District of Columbia Public Library Trust Fund, \$17,000 from other funds.

13
14 **Unemployment Insurance Trust Fund**

15
16 For the Unemployment Insurance Trust Fund, \$251,000,000 from other funds.

17
18 **Housing Production Trust Fund**

19
20
21 For the Housing Production Trust Fund, \$51,329,000 from other funds; to remain available until
22 expended for purposes identified by the Housing Production Trust Fund Act of 1988, effective March 16,
23 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 et seq.).

24
25 **Tax Increment Financing**

26
27 For Tax Increment Financing \$38,887,000 from other funds.

28
29
30 **Baseball Fund**

31
32 For the Baseball Fund, \$77,498,000 (including \$69,498,000 from dedicated taxes and \$8,000,000
33 from other funds).

34
35 **Repayment of Payment in Lieu of Taxes Financing**

36
37 For Repayment of Payment in Lieu of Taxes Financing \$11,336,000 from other funds.

38
39
40 **Capital Outlay**

41
42 For capital construction projects, an increase of \$2,518,503,000 of which \$2,312,649,000 shall be
43 from local funds, \$205,854,000 from the Local Street Maintenance fund, and a rescission of
44 \$1,886,951,000 from local funds and a rescission of \$91,327,000 from Local Street Maintenance funds
45 appropriated under this heading in prior fiscal years for a net amount of \$631,552,000 to remain available
46 until expended: in addition, \$5,000,000 to remain available until September 30, 2010 from funds
47 previously appropriated in this Act under the heading "Federal Payment for Consolidated Laboratory
48 Facility": *Provided*, that funds for use of each capital project implementing agency shall be managed and
49 controlled in accordance with all procedures and limitations established under the Financial Management
50 System: *Provided further*, that all funds provided by this appropriation title shall be available only for the
51 specific projects and purposes intended: *Provided further*, that amounts appropriated under this heading

1 may be increased by the amount transferred from funds appropriated in this act as Pay-As-You-Go
2 Capital funds.

3
4 **TITLE IV--GENERAL PROVISIONS**

5
6 SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular
7 purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the
8 maximum amount that may be expended for said purpose or object rather than an amount set apart
9 exclusively therefor.

10
11 SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment
12 of dues of organizations concerned with the work of the District of Columbia government, when
13 authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be
14 expended with the authorization of the Chairman of the Council.

15
16 SEC. 103. There are appropriated from the applicable funds of the District of Columbia such
17 sums as may be necessary for making refunds and for the payment of legal settlements or judgments that
18 have been entered against the District of Columbia government.

19
20 SEC. 104. The District of Columbia may use local funds provided in this title to carry out
21 lobbying activities on any matter.

22
23 SEC. 105. The District of Columbia government is authorized to approve and execute
24 reprogramming and transfer requests of local funds under this title through December 1, 2010.

25
26 SEC. 106. Consistent with the provisions of section 1301(a) of title 31, United States Code,
27 appropriations under this Act shall be applied only to the objects for which the appropriations were made
28 except as otherwise provided by law.

29
30 SEC. 107. Except as otherwise provided in this section, none of the funds made available
31 by this Act or by any other Act may be used to provide any officer or employee of the District of
32 Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance
33 of the officer's or employee's official duties. For purposes of this section, the term 'official duties' does
34 not include travel between the officer's or employee's residence and workplace, except in the case of--

- 35 (1) an officer or employee of the Metropolitan Police Department who resides in the
36 District of Columbia or a District of Columbia government employee as may otherwise
37 be designated by the Chief of the Department;
38 (2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia
39 Fire and Emergency Medical Services Department who resides in the District of
40 Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;
41 (3) at the discretion of the Director of the Department of Corrections, an officer or
42 employee of the District of Columbia Department of Corrections who resides in the
43 District of Columbia and is on call 24 hours a day or is otherwise designated by the
44 Director;
45 (4) the Mayor of the District of Columbia; and
46 (5) the Chairman of the Council of the District of Columbia.

47
48
49 SEC. 108. Amounts appropriated in this Act as operating funds, may be transferred to the
50 District of Columbia's enterprise and capital funds and such amounts, once transferred shall retain
51 appropriation authority consistent with the provisions of this Act.

1
2 SEC. 109. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief
3 Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the
4 Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the
5 format of the budget that the District of Columbia government submitted pursuant to section 442 of the
6 District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.42), for all agencies of the District
7 of Columbia government for fiscal year 2010 that is in the total amount of the approved appropriation and
8 that realigns all budgeted data for personal services and other-than-personal-services, respectively, with
9 anticipated actual expenditures.

10
11 (b) This section shall apply only to an agency where the Chief Financial Officer of the District of
12 Columbia certifies that a reallocation is required to address unanticipated changes in program
13 requirements.

14
15 SEC. 110. No later than 30 calendar days after the date of the enactment of this Act, the Chief
16 Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the
17 Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget for the
18 District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised
19 appropriated funds budget shall be in the format of the budget that the District of Columbia government
20 submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, Sec.
21 1-204.42).

22
23
24 SEC. 111. Except as expressly provided otherwise, any reference to `this Act' contained in
25 this division shall be treated as referring only to the provisions of this division.
26
27

28 **DIVISION – B¹**
29 **DISTRICT OF COLUMBIA AUTHORIZATION REQUEST**
30

31 SEC. 201. The following proviso under the heading “Lottery and Charitable Games Enterprise
32 Fund” in the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (Public Law
33 97-91; 95 Stat. 1174;), is repealed: "*Provided further*, that the advertising, sale, operation, or playing of
34 the lotteries, raffles, bingos, or other games authorized by D.C. Law 3-172 is prohibited on the Federal
35 enclave, and in adjacent public buildings and land controlled by the Shipstead-Luce Act as amended by
36 53 Stat. 1144, as well as in the Old Georgetown Historic District:".

37
38 SEC. 202. Section 11201 of the National Capital Revitalization and Self-Government
39 Improvement Act of 1997, approved August 5, 1997 (111 Stat. 734; D.C. Official Code
40 § 24-101), is amended by adding a new subsection (a-1) to read as follows:

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

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

¹ Provisions included under Division B shall be transmitted by the Mayor to the House Committee on Government Reform and the Senate Committee on Homeland Security and Governmental Affairs for enactment.

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

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

7
8 SEC. 203. Notwithstanding any other law, all entities within the District of Columbia shall be
9 subject to the general sales tax of the District of Columbia for sales to the public in gift shops, restaurants,
10 and similar facilities.

11
12 SEC. 204. The 2005 District of Columbia Omnibus Authorization Act, approved October 16,
13 2006 (Public Law 109–356; 120 Stat. 2019) is amended as follows:

14 (a) Section 101(c) is amended to read as follows:

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

17 (b) Section 102(a)(4) is amended to read as follows:

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

20 (c) Section 202(a) is amended as follows:

21 (1) Paragraph (1) is amended by striking the phrase “Sec. 424. (a) IN GENERAL.” and inserting
22 the phrase “Sec. 425. (a) IN GENERAL.” in its place.

23 (2) Paragraph (2) is amended by striking the phrase “Sec. 424a. Authority” and inserting the
24 phrase “Sec. 425. Authority” in its place.

25 (d) Section 203(a) is amended as follows:

26 (1) Paragraph (1) is amended as follows:

27 (A) Strike the phrase “Sec. 424b. The Chief” and insert the phrase “Sec. 426. The Chief”
28 in its place.

29 (B) Strike the date “1986” and insert the date “1985” in its place.

30 (2) Paragraph (2) is amended by striking the phrase “Sec. 424b. Procurement” and inserting the
31 phrase “Sec. 426. Procurement” in its place.

32 (e) Section 305(f) is amended to read as follows:

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

35
36 SEC. 205. The federal government shall compensate the District for use and occupancy of public
37 space closed for the security of federal buildings within the District of Columbia and such compensation
38 shall be deemed to be included in and available from the annual appropriations for each agency of the
39 federal government.

40
41 SEC. 206. Section 209 of the District of Columbia Financial Responsibility and Management
42 Assistance Act of 1995, approved April 17, 1995 (109 Stat. 136; D.C. Official Code § 47-392.09), is
43 repealed.

44
45 SEC. 207. REDEVELOPMENT OF SOUTHWEST WATERFRONT. The Act entitled “An Act
46 to authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from
47 the United States to the District of Columbia Redevelopment Land Agency title to certain real property in
48 said District”, approved September 8, 1960 (Public Law 86-736; 74 Stat. 871; D.C. Official Code § 6-
49 321.01 et seq.), is amended as follows:

50 (a) Section 4 is amended as follows:

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

- 1 (A) Insert the phrase “or sell” after the phrase “to lease”.
- 2 (B) Insert the phrase “or purchaser” after the phrase “lessee”.
- 3 (C) Strike the phrase “but may not otherwise dispose of such property except
- 4 to the United States or any department or agency thereof, or to the District of Columbia, in accordance
- 5 with section 5 of this Act.”
- 6 (2) Subsection (b) is repealed.
- 7 (3) Subsection (c) is repealed.
- 8 (b) Section 5 is repealed.
- 9

10 SEC. 208. REDEVELOPMENT OF KINGMAN ISLAND. (a) The National Children’s Island
11 Act of 1995, approved July 19, 1996 (Public Law 104-163; sec. 10–1401 et seq., D.C. Official Code)
12 (“National Children’s Island Act”) is amended as follows:

- 13 (1) The short title is amended by striking the phrase “family-oriented park” and
- 14 inserting the phrase “recreational uses and facilities”.
- 15 (2) Section 2 is amended as follows:
 - 16 (A) Paragraph (4) is amended by striking the phrase “cultural, education, and
 - 17 family-oriented recreation park, together with a children’s playground, to be developed and operated in
 - 18 accordance with the Children’s Island Development Plan Act of 1993, D.C. Act 10-110” and inserting the
 - 19 phrase “cultural, educational, and recreational uses and facilities, not inconsistent with the
 - 20 Comprehensive Plan of the District of Columbia” in its place.
 - 21 (B) Paragraphs (5) and (6) are repealed.
- 22 (2) Section 3 is amended as follows:
 - 23 (A) Subsection (c) is repealed:
 - 24 (B) Subsection (d) is amended to read as follows:

25 “(d) REVERSION. — (1) The transfer under subsection (a) and the grant of easements under
26 subsection (b) shall be subject to a limited right of reversion by the Secretary of the Interior. The limited
27 right of reversion may be exercised only if:

- 28 (A) (i) Within 5 years after the revised transfer under subsection (a) occurs or
- 29 the revised grant of easements under subsection (b) occurs, whichever is later, the District has not
- 30 commenced activity to improve Kingman Island, or a portion thereof, for cultural, educational, or
- 31 recreational uses or facilities; or
- 32 (ii) After 5 years after the revised transfer under subsection (a) occurs or the
- 33 revised grant of easements under subsection (b) occurs, whichever is later, the District has ceased for at
- 34 least 5 years to use Kingman Island for a cultural, educational, or recreational use or facility; and
- 35 (B) The Secretary provides to the District written notice of his or her preliminary
- 36 determination that the condition described in paragraph (1)(A)(i) or (ii) has occurred and the District has
- 37 not, within 90 days after the notice was delivered to the District, addressed the Secretary’s preliminary
- 38 determination to the Secretary’s reasonable satisfaction; and
- 39 (C) After such 90-day period, the Secretary has determined, in accordance with
- 40 chapter 5 of title 5, United States Code (relating to administrative procedure) that the condition described
- 41 in paragraph (1)(A)(i) or (ii) has occurred.

- 42 (3) Section 4 is amended as follows:
 - 43 (A) Subsection (a) is repealed.
 - 44 (B) Subsection (c) is repealed.
- 45 (4) Section 5(a)(1) is amended by striking the phrase “except for the references in
- 46 this Act to paragraphs 3 and 11 of the legend of the plat”.

47 (b) Within 60 days after the effective date of this section, the Secretary of the Interior shall
48 issue to the District of Columbia, without consideration: (i) a revised, unrestricted and unqualified deed to
49 the Islands; and (ii) revised, unrestricted, permanent easements for the areas set forth in section 3(b)(1) of
50 the National Children’s Island Act, for the purposes set forth in section 3(b)(2) of the National Children’s

1 Island Act, and with the same right of assignability as set forth in section 3(b)(3) of the National
2 Children’s Island Act.

3
4 SEC. 209. CONSTRUCTION OF RECREATIONAL FACILITIES ON CERTAIN LAND
5 UNDER THE JURISDICTION OF THE DISTRICT. The act entitled “An Act Making appropriations for
6 sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and
7 thirteen, and for other purposes”, approved August 24, 1912 (ch. 355, 37 Stat. 444; 40 U.S.C. § 8601) and
8 40 U.S.C. § 8601 shall not apply to the portions of Fort Dupont Park (United States Reservation 405), the
9 areas known as the Benning Recreation Center and Benning Stoddert Park (United States Reservation
10 706) or the area currently known as the Walter Reed Army Medical Center (Parcel 319) in the District of
11 Columbia that are, or hereafter may be, under the jurisdiction of the government of the District of
12 Columbia.

13
14 SEC. 210. REALIGNMENT OF WASHINGTON CHANNEL. (a) The Secretary of Army,
15 acting through the Chief of Engineers, shall modify the Washington Channel portion of the Washington
16 Harbor project for navigation, District of Columbia, authorized by the River and Harbor Act of 1935,
17 approved August 30, 1935 (ch. 831, 49 Stat. 1028), as described in subsection (b)

18 (b) The following portion of the existing Washington Channel is hereby deauthorized:
19 beginning at Washington Harbor Channel Geometry Centerline of the 400 foot wide main
20 navigational ship channel, Centerline Station No. 103+73.12, coordinates North
21 441948.20, East 1303969.30, as stated and depicted on the Condition Survey Anacostia,
22 Virginia, Washington and Magazine Bar Shoal Channels, Washington, D.C., Sheet 6 of
23 6, prepared by the U.S. Army Corps of Engineers, Baltimore district, July 2007; thence
24 departing the aforementioned centerline traveling the following courses and distances: N.
25 40° 10’ 45” E., 200.00 feet to a point, on the outline of said 400’ wide channel thence
26 binding on said outline the following three (3) courses and distances: S. 49° 49’ 15” E.,
27 1,507.86 feet to a point, thence; S. 29° 44’ 42” E., 2,083.17 feet to a point, thence; S. 11°
28 27’ 04” E., 363.00 feet to a point, thence; S. 78° 32’ 56” W., 200.00 feet to a point
29 binding on the centerline of the 400 foot wide main navigational channel at Centerline
30 Station No. 65+54.31, thence; continuing with the aforementioned centerline the
31 following courses and distances: N. 11° 27’ 04” W., 330.80 feet to a point, Centerline
32 Station No. 68+85.10, thence; N. 29° 44’ 42” W., 2,015.56 feet to a point, Centerline
33 Station No. 89+00.67, thence; N. 49° 49’ 15” W., 1,472.45 feet to the point of beginning,
34 such area in total containing a computed area of 777,284 square feet or 17.84399 acres of
35 riparian water way.

36
37 SEC. 211. Transfer of Properties. (a) Within 90 days after the effective date of this act, the
38 director of each federal agency with jurisdiction over the following properties in the District of Columbia
39 shall transfer all right, title, and interest of the United States in each property to the government of the
40 District of Columbia. If jurisdiction over a property is held by the District of Columbia, the District of
41 Columbia may execute a quitclaim deed on behalf of the United States to transfer all right, title, and
42 interest of the United States in such property to the government of the District of Columbia:

- 43 (1) Parcel 255, Lots 13, 15, and 24 (Southwest Waterfront);
44 (2) Square 473, Lots 819, 846, 847, 848, 849, 850, 884 (Southwest Waterfront);
45 (3) Square 503, Lot 884 (Southwest Waterfront);
46 (4) Reservation 277A (North Capitol Street and Florida Avenue, NW);
47 (5) Reservation 277 (Florida Avenue and Q Street, NW);
48 (6) Square 2558, Lot 0810 (a portion of the Marie H. Reed Community Learning
49 Center, a District of Columbia Public School);
50 (7) Square 2901, Lot 0816 (Raymond Recreation Center, a portion of the Raymond
51 Elementary School campus);

- 1 (8) Square 2901, Lot 0815 (a portion of the Raymond Elementary School campus);
- 2 (9) Square 0364, Lot 0837 (a portion of the Shaw Junior High School campus);
- 3 (10) Parcel 246, Lot 0051 (P.R. Harris School);
- 4 (11) Square 2864, Lot 0830 (Meyer Elementary School, closed);
- 5 (12) Square 3327, Lot 0800 (Rudolph Elementary, closed);
- 6 (13) Square 0511, Lot 0822 (fields and parking of Bundy School, closed);
- 7 (14) Square 0767, Lot 0829 (Canal Park, north parcel);
- 8 (15) Square 0769, Lot 0821 (Canal Park, south parcel);
- 9 (16) Square 0768, Lot 0810 (Canal Park, center parcel);
- 10 (17) Square 2882, Lot 0936 (Banneker Senior High School campus, western portion);
- 11 (18) Square 2880, Lot 0859 (Banneker Senior High School, eastern portion);
- 12 (19) Square 0336, Lot 0828 (Shaw Jr. High School recreation fields);
- 13 (20) Square 0593, Lot 0823 (portion of Bowen Elementary School campus);
- 14 (21) Square 0593, Lot 0822 (portion of Bowen Elementary School campus);
- 15 (22) Square 0595, Lot 0810 (portion of Bowen Elementary School campus);
- 16 (23) Square 0593, Lot 0826 (portion of Bowen Elementary School campus);
- 17 (24) Square 0595, Lot 0807 (portion of Bowen Elementary School campus);
- 18 (25) Square 0647, Lot 0802 (portion of Bowen Elementary School campus);
- 19 (26) Square 0595, Lot 0809 (portion of Bowen Elementary School campus);
- 20 (27) Square 0645, Lot 0816 (portion of Bowen Elementary School campus);
- 21 (28) Square 0650N, Lot 0808 (portion of Bowen Elementary School campus);
- 22 (29) Square 0647, Lot 0803 (portion of Bowen Elementary School campus);
- 23 (30) Square 0645W, Lot 0808 (portion of Bowen Elementary School campus);
- 24 (31) Square 0593, Lot 0050 (portion of Bowen Elementary School campus);
- 25 (32) Square 0593, Lot 0051 (portion of Bowen Elementary School campus); and
- 26 (33) Square 0542, Lot 0085 (Southwest Library site).

27
28 SEC. 212. 50-State Exemption for District Bonds. Section 458 of the District of Columbia Home
29 Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code § 1-204.58), is amended by
30 inserting at the end of the sentence “Such bonds and notes shall also be exempt from taxation by any
31 State, Territory, or possession, or by an county, municipality, or other political subdivision of any State,
32 Territory, or possession of the United States.”.

33
34
35 This Act may be cited as the “District of Columbia Omnibus Authorization Act, 2010”.

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