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SENATE

{ REPORT  
109-106

### DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2006

JULY 21, 2005.—Ordered to be printed

Mr. BROWNBACK, from the Committee on Appropriations,  
submitted the following

### REPORT

[To accompany S. 1446]

The Committee on Appropriations reports the bill (S. 1446) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2006, and for other purposes, reports favorably thereon and recommends that the bill do pass.

#### *Amounts of new budget (obligational) authority for fiscal year 2006*

Total of bill as reported to the Senate .....	\$593,000,000
Amount of 2005 appropriations .....	555,521,000
Amount of 2006 budget estimate .....	573,000,000
Amount of House allowance .....	603,397,000
Bill as recommended to Senate compared to—	
2005 appropriations .....	+ 37,479,000
2006 budget estimate .....	+ 19,603,000
House allowance .....	– 10,397,000

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## SUMMARY OF BILL

The following discussion of the bill includes general information on initiatives and concerns of the Committee and an analysis of the total resources estimated to be available to the District of Columbia in the coming fiscal year.

The Committee recommendation contains items funded by the House in a different bill, H.R. 3058. The Committee believes that it is appropriate to fund these items in this bill. For ease of comparison, the Committee report sets forth a "House allowance" as if these items had been contained in this bill. These items were contained in the Transportation, Treasury, the Judiciary, Housing and Urban Development, and Related Agencies Appropriations Act, 2006 (H.R. 3058), as passed the House, but were not considered or contained in the Committee recommendation to the Senate on that bill.

## FEDERAL FUNDS

The Committee considered requests from the President for Federal funds totaling \$573,397,000 in budget authority for the District of Columbia appropriation. The Committee recommendation is \$593,000,000 and is appropriated as follows: (1) \$33,200,000 for D.C. resident tuition support; (2) \$218,912,000 for the District of Columbia Courts; (3) \$45,000,000 for Defender Services in the District of Columbia Courts; (4) \$201,828,000 for the Court Services and Offender Supervision Agency for the District of Columbia; (5) \$12,000,000 for security costs related to the presence of the Federal Government in the District of Columbia; (6) \$1,000,000 for transportation assistance; (7) \$5,000,000 for the combined sewer overflow; (8) \$16,500,000 for security, economic development, education and health projects; (9) \$3,000,000 for support of the Anacostia Waterfront Initiative; (10) \$40,000,000 for school improvement; (11) \$2,000,000 for foster care improvements; (12) \$5,200,000 for a new bioterrorism and forensics laboratory; (13) \$500,000 for the National Guard Youth Challenge Program; (14) \$3,000,000 for Marriage Development Accounts and marriage strengthening; (15) \$2,000,000 for a Latino youth initiative; and (16) \$3,000,000 for prisoner reentrant housing.

## DISTRICT OF COLUMBIA FUNDS

The Committee recommends a total of \$8,700,158,000 in District of Columbia operating funds for fiscal year 2006. This is the same level of funding requested by the District of Columbia.

## TOTAL RESOURCES AVAILABLE

Based on recommendations in the bill, a total of \$10,877,356,000 will be available to the District government during fiscal year 2006.

Included in this figure are appropriations from local funds, Federal grants, Federal payments, and private and other funds. The financing of the appropriations from District funds are generated from revenues from various local taxes, fees, charges, and other collections received by the District government.

## GENERAL STATEMENT

The Committee has included funding for three new Federal-local initiatives in the District of Columbia. These include: (1) promoting and sustaining healthy marriages; (2) enhancing educational and health opportunities for Latino youth; and (3) reducing prisoner recidivism.

### *Promoting Healthy Marriages*

The Committee understands that most children born and raised in households where their biological parents are married are more financially and emotionally stable. As a way to assist low-income married couples to save money to pay for job training or education, buy a home or start their own business, the Committee is providing funds to establish "Marriage Development Accounts" [MDAs] in the District of Columbia. MDAs will be available to married couples who are citizens or legal residents of the District of Columbia whose Federal adjusted gross income does not exceed \$50,000 and whose net worth is less than \$10,000.

Participating couples will have a high incentive to save because their contributions will be matched at a ratio of 3:1 by the Federal Government and partnering private institutions. As a requirement of participation, couples will receive training that helps them repair their credit, set a budget and savings schedule, and manage their money.

The Committee is also providing funds for pre-Marriage Development Accounts [pMDAs], which will be available to engaged couples, each of whom is 18 or older and whose combined adjusted gross income is less than \$50,000 and whose total net worth is less than \$10,000. These accounts will also be available to individuals aged 16–22 who are not married, do not have children, and whose family's adjusted gross income is less than \$25,000 (single head of household) or \$50,000 (married couple). pMDAs will give young people and couples who are about to be married the financial tools and life skills training to make positive choices and well-informed plans for the future. pMDAs will help engaged couples build a strong financial and emotional foundation to help foster successful and long-term marriages. pMDAs will also help low-income youths gain a longer-term perspective and provide incentives and training to make economically and emotionally sound life decisions.

Recognizing the importance of grassroots support to ensure the success of these efforts, the Committee is directing that grantees use a portion of these funds to expand their network of service providers by partnering with local churches, faith-based organizations, and non-profit organizations. These service providers will offer life skills training and marital and pre-marital counseling.

*Enhancing Educational and Health Opportunities for Latino Children*

The Committee is concerned about the problems facing Latino youth in the District of Columbia. Latino youth make up more than 25 percent of the under-18 population in the District of Columbia, compared to 10 percent nationally. Many of these young people do not have adequate access to key services including health insurance, health care and appropriate education and job training. The Latino dropout rate in the District is estimated to be in the range of 50 percent. In addition, Latino families earned 54 percent less than the average District resident. This is significant because income level is a key factor in educational achievement. Educational disparities are especially acute with English Language Learners who constitute almost half of all Latino students nationally and a majority of Latino students in the District.

The Committee is providing funding for a Latino Youth Initiative to help address some of these challenges. These resources will support the efforts of community-based organizations in providing direct and supportive services. The Committee has also provided funds for a D.C. Latino Education Director. The Director will have responsibility to coordinate with all relevant parties to ensure that Latino children have appropriate literacy curriculum and teaching. These partners include the District Government, DCPS, Charter Schools, Non-Public Schools, and community-based organizations involved in serving Latino students.

The Committee is also providing resources for a program to help some of the District's most troubled Latino youth: high school dropouts, former gang members, teen parents, and adjudicated youths. Resources provided will help youths obtain their GEDs and gain job skills in the construction industry. These youngsters will also be helping the community by building housing for homeless and low-income D.C. residents.

*Reducing Prisoner Recidivism*

The Committee understands that every year 2,500 former prisoners return home to the District. These returning offenders are assigned to the Court Services and Offender Supervision Agency for release plan investigations during their parole or probation terms. Those who cannot identify a safe place to live are assigned to halfway houses where their stays are capped at 120 days.

The Committee believes strongly that reducing the likelihood of homelessness for those exiting the halfway house system is critical to combating recidivism among returning prisoners. Therefore, the Committee has provided funds for incentives to encourage developers and non-profit organizations to set aside units for ex-offenders when the developer is rehabilitating or constructing new housing.

The Committee also believes that mentors can help ex-offenders better reintegrate into their communities by providing them with the emotional, psychological, spiritual, and motivational support they need. Mentors can help ex-offenders find employment, make sure that they attend counseling sessions, and encourage them to reconcile with family members. Therefore, a portion of the funds provided by the Committee is for rental reimbursements for men-

tors who agree to live in the same housing development as the ex-offenders.

*Financial Condition of the District of Columbia*

The Committee commends the Mayor, the City Council, and the Chief Financial Officer of the District of Columbia in improving its bond rating from the junk bond status of the mid-1990's to investment grade status since February 2001. The Committee notes that Wall Street bond rating agencies have upgraded the city's rating to A. This is particularly noteworthy, given that many other cities are now experiencing downgrading of their bond ratings. This accomplishment is due in large part to three factors: (1) consistent trends of increased financial reserves, (2) stringent budget monitoring and controls in the 3 fiscal years following elimination of the control board, and (3) growth in taxable assessed values.

Despite the city's improved fiscal discipline, the Committee recognizes that the District is facing a fundamental fiscal imbalance between its revenues and its expenditures. This imbalance is estimated to be between \$470,000,000 to \$1,100,000,000 annually and, according to the Government Accountability Office [GAO], some reasons for this imbalance are the high cost of providing services in the city, as well as the city's inability to tax significant amounts of real estate which is Federal property. GAO notes that the city also faces financial management challenges, poor training and inadequate internal control systems that exacerbate the structural imbalance. According to GAO, the imbalance is "largely beyond District officials' direct control." As the city uses its limited resources to provide basic services for its residents, it continues to defer investments in its infrastructure: roads, bridges, school buildings, etc.

## DISTRICT OF COLUMBIA

### FEDERAL FUNDS

A total of \$593,000,000 in Federal funds are estimated to be available to the District government, the District of Columbia Courts, the District of Columbia Court Services and Offender Supervision Agency, and other D.C. entities. A total of \$2,117,972,000 in Federal funds will be received by the District government from the various Federal grant programs. In addition, the District of Columbia receives Federal reimbursements from such programs as Medicaid and Medicare.

The following table summarizes the various Federal funds estimated to be available to the District government during fiscal year 2006:

#### FEDERAL FUNDS [In thousands of dollars]

Item	2006 estimate
Federal Payment for Resident Tuition Support .....	33,200
Federal Payment for Emergency Planning and Security Costs .....	12,000
Federal Payment to the District of Columbia Courts .....	218,912
Federal Payment for Defender Services .....	45,000
Federal Payment to the Court Services and Offender Supervision Agency .....	201,388
Federal Payment to the District of Columbia Water and Sewer Authority .....	5,000
Federal Payment for the Anacostia Waterfront Initiative .....	3,000
Federal Payment to the Criminal Justice Coordinating Council .....	1,300
Federal Payment for Transportation Assistance .....	1,000
Federal Payment for Foster Care and Adoption Improvements .....	2,000
Federal Payment to the Chief Financial Officer .....	16,500
Federal Payment for National Guard Youth .....	500
Federal Payment for a Forensics Lab .....	5,200
Federal Payment for School Improvement .....	40,000
Federal Payment for Marriage Development and Improvement .....	3,000
Federal Payment for a Latino Youth Initiative .....	2,000
Federal Payment for Prisoner Reentrant Housing .....	3,000
Total, Federal funds in bill .....	593,000
Federal Grants .....	2,117,972
Total, Federal Funds .....	2,118,565

#### FEDERAL PAYMENT FOR DISTRICT OF COLUMBIA RESIDENT TUITION SUPPORT

Appropriations, 2005 .....	\$25,395,000
Budget estimate, 2006 .....	33,200,000
House allowance .....	33,200,000
Committee recommendation .....	33,200,000

The Committee recommends \$33,200,000 in Federal funds for the District of Columbia Tuition Assistance Program, an increase of \$7,805,000 over the fiscal year 2005 enacted level and the same as



the President's budget request. On November 12, 1999, Public Law 106-98, the District of Columbia College Access Act of 1999, was signed into law. The Act established the Tuition Assistance Program, a grant program under the direction of the Mayor of the District of Columbia, in consultation with the Secretary of Education.

Under the Act, grants are awarded to District residents for undergraduate education within 3 years of graduating or obtaining a graduate equivalent degree. The applicant must be a District resident for 12 consecutive months before the academic year of the award. Grants pay the difference between in-State and out-of-State tuition at public universities, with a cap of \$10,000 per student per school year, and a total cap of \$50,000. Grants may also be used for tuition at private colleges in the metropolitan area and at any private historically black college or university, with a cap of \$2,500 per student per year, and a total cap of \$12,500. In addition, the District of Columbia College Access Improvement Act of 2001 (Public Law 107-157) expanded the Tuition Assistance Program to individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and to individuals who attend private, historically black colleges and universities nationwide.

Every year since the inception of the tuition assistance grant program, the Federal Government has provided sufficient funds to allow all eligible participants to attend out-of-State colleges and universities at the in-State tuition rate. The Committee is pleased to note that 55 percent of all participants are the first members of their families to attend college and that 75 percent of students surveyed at one of the largest schools in the city said that the program influenced their decision to pursue post-secondary education. Clearly, the program is working well and more and more District students are gaining the opportunity to attend colleges and universities of their choice.

The Committee recognizes that this program has enabled many District of Columbia residents to pursue post-secondary educational opportunities. The program is unique to the District in providing a similar opportunity to the state-level university system in all states. The Committee notes this year's budget request of \$33,200,000 represents over a 30 percent increase over fiscal year 2005 funding, which itself represented a 50 percent boost over the fiscal year 2004 level. The Committee understands that the District has used reserve funds to fund the program in fiscal year 2005 and appears to have reduced the extensive carryover fund balance that raised concerns in previous budgets.

The Committee is concerned that the significant annual funding increases in a brief 2-year span signal that program costs have the potential of growing well beyond the level at which future Federal funding may be available and sustainable. To address this concern, the Committee directs the Mayor and the District's State Education Office officials to work closely with its Senate and House authorizing and appropriations Committees to immediately take steps to institute effective cost containment measures and regularly report to Congress about the effects of these efforts. The Committee further directs the District to fully explore non-Federal sources of ad-

ditional funds to augment the Federal investment to meet program needs.

#### FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriations, 2005 .....	\$189,274,000
Budget estimate, 2006 .....	221,693,000
House allowance .....	221,693,000
Committee recommendation .....	218,912,000

The Committee recommends \$218,912,000 for the D.C. Courts. This is \$29,638,000 more than the fiscal year 2005 enacted level and \$2,781,000 below the President's budget request. As part of the District of Columbia Revitalization Act of 1997, the Federal Government began to finance the D.C. Courts. This includes funding for the operations of the D.C. Court of Appeals, Superior Court, and the Court System. By law, the annual budget includes estimates of the expenditures for the operations of the Courts prepared by the Joint Committee on Judicial Administration and the President's recommendation for funding the Courts' operations.

#### *Court Operations*

The Committee recommends \$138,183,000 for the Courts' operations, an increase of \$3,584,000 over the fiscal year 2005 enacted level and the same as the President's request.

#### *Court Capital Expenditures*

The Committee recommends \$80,729,000 for capital improvements, a total of \$2,781,000 below the President's budget request and \$24,528,000 above the fiscal year 2005 level.

The increased funds for capital expenditures will allow the Courts to continue to renovate, improve, and expand court facilities. The Committee recognizes that the relocation of the Court of Appeals from its existing location in the Moultrie Courthouse to the Old Courthouse at 451 Indiana Avenue is a critical step towards meeting the space needs of the D.C. Court of Appeals and providing critical additional space for Superior Court operations, including the newly formed Family Court in the Moultrie Building. The Committee understands that the readaptation of the Old Courthouse for modern day use as a functional courthouse includes the restoration of this national historic landmark, expansion of the courthouse, and construction of an underground parking garage west of the historic building.

This increase will also enable the Courts to continue implementation of the Integrated Justice Information System [IJIS] and allow the Courts to upgrade fire and security alarm systems.

#### *Transfer Authority*

The Committee authorizes the Courts to transfer up to \$1,000,000 of the operations funds provided in the Federal Payment to the D.C. Courts among the accounts within the Federal Payment to the District of Columbia Courts appropriation. This flexibility will be especially important in implementing Family Court reforms. The Committee authorizes the Courts to transfer up to 4 percent of the capital funds provided. This flexibility will enable the Courts to prioritize renovations and construction projects.

### *Reporting Requirements*

The Courts are directed to submit monthly reports, through the General Services Administration, to the Senate and House Committees on Appropriations, within 15 calendar days after the end of each month, on the status of obligations by object class and a monthly personnel summary by position, full-time equivalent positions, and program/function. The obligation report should show, at a minimum, the original operating plan, current operating plan, obligations year to date, percent obligated, planned obligations year to date, percentage deviation from plan year to date, projected total obligations end of year, and projected surplus/deficit.

In addition, the obligation report shall: (1) under the Defender Services Spending Plan, include a breakdown of expenditures for the Counsel for Child Abuse and Neglect Program and the program of representation of indigents in criminal cases under the Criminal Justice Act; (2) include a monthly breakdown of expenditures for the D.C. Courts' capital improvements; and (3) where year-to-date obligations exceed or fall below the plan estimates by 1 percent or more, include an explanation of why a category is over- or under-budgeted.

*Financial Plan.*—The Executive Officer of the District of Columbia Courts shall provide a financial plan of the fiscal year 2006 enacted level for operations and capital improvements of the D.C. Courts to the Committees on Appropriations of the House of Representatives and Senate no later than March 31, 2006. The financial plan shall detail by object class the planned expenditure of the Courts' appropriation, describing any new initiatives or deviation from the conference report. The Committee shall provide a joint House-Senate letter of approval to the Courts after review of the financial plan. The Courts must provide 30 days notice to the Committee in order to deviate from the financial plan after approval of such plan by Congress.

#### DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

Appropriations, 2005 .....	\$38,192,000
Budget estimate, 2006 .....	45,000,000
House allowance .....	45,000,000
Committee recommendation .....	45,000,000

The Committee recommends \$45,000,000 for attorney programs for indigent defendants, child abuse and guardianship cases administered by the D.C. Courts, the same as the President's request and \$6,808,000 above the fiscal year 2005 enacted level. This funding increase will allow D.C. attorneys and investigators to receive the same hourly rate as their Federal counterparts.

#### FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

Appropriations, 2005 .....	\$178,560,000
Budget estimate, 2006 .....	203,388,000
House allowance .....	203,388,000
Committee recommendation .....	201,388,000

The Committee recommends \$201,388,000 for the Court Services and Offender Supervision Agency [CSOSA]. This recommendation

is \$2,000,000 below the President's budget request and \$22,828,000 more than the fiscal year 2005 enacted level.

The District of Columbia Revitalization Act of 1997 established CSOSA, assuming the functions of the District's pretrial services, adult probation, parole, and adult offender supervision functions. The mission of CSOSA for the District of Columbia is to increase public safety, prevent crime, reduce recidivism, and support the fair administration of justice in close collaboration with the community.

The Revitalization Act relieved the District of Columbia of "state-level" financial responsibilities and restructured a number of criminal justice functions, including pretrial services, parole, and adult probation. Following passage of the Revitalization Act, under the direction of a Trustee appointed by the U.S. Attorney General, three separate and disparately functioning entities of the District of Columbia government were reorganized into one Federal agency. CSOSA assumed its probation function from the D.C. Superior Court and its parole function from the D.C. Board of Parole. The Revitalization Act transferred the parole supervision functions to CSOSA and the parole decision-making functions to the U.S. Parole Commission [USPC]. On August 5, 1998, the parole determination function was transferred to the USPC, and on August 4, 2000, the USPC assumed responsibility for parole revocation and modification with respect to felons. The CSOSA appropriation is comprised of three components: The Community Supervision Program [CSP], the District of Columbia Pretrial Services Agency [PSA], and the Public Defender Service [PDS] for the District of Columbia. PDS is a federally funded independent D.C. agency responsible for the defense of indigent individuals and receives funding by transfer from the CSOSA appropriation. The CSP is responsible for supervision of offenders (either on probation or parole), and the PSA is responsible for supervising pretrial defendants.

The Committee understands that the majority of the additional funds it is providing will be used to increase the capacity of residential substance abuse treatment for offenders at Karrick Hall from 21 to 100 participants. These resources will fund the level of treatment slots at the fully authorized level. The Committee recognizes that most offenders have serious drug addiction problems and must receive treatment in order to lead productive, crime-free lives. The Committee is pleased that CSOSA has made such steady progress in increasing the drug treatment capacity for offenders.

The funding provided will also enable CSOSA to enhance its community-based and sanctions-based supervision strategy and support the fair administration of justice by providing the courts and the U.S. Parole Commission with timely, accurate and complete information required in their decision-making process. The Committee recommendation also includes \$42,195,000 for the D.C. Pretrial Services Agency and a transfer of \$29,833,000 for the D.C. Public Defender Service.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR SECURITY  
COSTS RELATED TO THE PRESENCE OF THE FEDERAL GOVERNMENT

Appropriations, 2005 .....	\$14,880,000
Budget estimate, 2006 .....	15,000,000
House allowance .....	15,000,000
Committee recommendation .....	12,000,000

The Committee is aware that the District police, fire, and emergency personnel have had to provide security for a number of events due to the fact that the District of Columbia is the seat of the Federal Government and headquarters of many international organizations. Recently, the need for the District of Columbia to provide security has increased, thereby increasing over-time costs for personnel and diverting police from neighborhood patrols. The President has supported reimbursing the District for these costs. The Committee recommends \$12,000,000 for this purpose which is \$3,000,000 below the President's request and the fiscal year 2005 level.

The Committee understands that since the beginning of this year, the District has been expending its fiscal year 2005 security resources at a rate of approximately \$1,000,000 per month. Therefore, the Committee is providing the level of funding which assumes that the District will continue to spend at the current expenditure rate.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE  
DISTRICT OF COLUMBIA

Appropriations, 2005 .....	\$32,240,000
Budget estimate, 2006 .....	20,000,000
House allowance .....	16,500,000
Committee recommendation .....	16,500,000

The Committee is providing \$16,500,000 to the Chief Financial Officer of the District of Columbia for education, job-training, security, economic development, and health projects in the District of Columbia. The Committee intends to continue to provide a portion of these funds to Children's National Medical Center for a new pediatric intensive care unit and neonatal intensive care unit and to St. Coletta's of Greater Washington for its building project.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE IN  
THE DISTRICT OF COLUMBIA

Appropriations, 2005 .....	\$2,976,000
Budget estimate, 2006 .....	5,000,000
House allowance .....	5,000,000
Committee recommendation .....	3,000,000

The Committee recommends \$3,000,000 to continue to implement the Anacostia Waterfront Initiative, which is \$24,000 below the fiscal year 2005 enacted level and \$2,000,000 below the President's budget request. These funds will support the construction of a multi-use hiker and biker trail system along both sides of the Anacostia River in the District of Columbia. This recreational amenity and transportation alternative will help connect neighborhoods and transform the Anacostia River into a great civic center for the city. The Committee understands that the 20-mile interconnected trail network will provide pedestrian and bicycle-friendly access to the

shores of the Anacostia River and will serve to connect the regional trail system in Maryland to the National Mall. With alternative corridors and loops to choose from, users of the trail will find a variety of experiences and connections to other regional and national trails, including Fort Circle Trail, Bladensburg Trail, the East Coast Greenway and the Potomac Heritage Scenic Trail.

The Committee continues to support the use of innovative bridges along the Anacostia bike trail and urges the District's Department of Transportation to consider using this new technology in other road projects throughout the city.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND  
SEWER AUTHORITY

Appropriations, 2005 .....	\$4,762,000
Budget estimate, 2006 .....	
House allowance .....	10,000,000
Committee recommendation .....	5,000,000

The Committee recommends \$5,000,000, to be matched 100 percent with local funds, for the Water and Sewer Authority [WASA] to implement the Combined Sewer Overflow Program. This is \$238,000 more than the amount appropriated in fiscal year 2005. The President requested no funds for this purpose. The Committee notes that this funding will assist WASA in designing a new system to address combined sewer overflows. The combined sewer system, which serves 33 percent of the District, was constructed in 1890 by the Federal Government. Because of its age and capacity constraints, the system discharges sanitary waste and storm-water into the surrounding rivers approximately 60–75 times per year during heavy rains.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR  
TRANSPORTATION

Appropriations, 2005 .....	\$2,480,000
Budget estimate, 2006 .....	
House allowance .....	
Committee recommendation .....	1,000,000

The Committee recommends \$1,000,000 for transportation assistance in the District of Columbia, which is \$1,480,000 below the fiscal year 2005 enacted level. The President did not request funds for this purpose.

The Committee intends that these resources be for expenses related to phase I implementation of the District's downtown circulator transit system. This new surface transportation service will provide high-frequency, high-quality, and low-cost service to connect the east and west sides of downtown, the White House, the National Mall and monuments area, the Capitol Complex, Union Station, and Georgetown. The Committee understands that these funds will be matched 100 percent by the District of Columbia and by the private sector (led by the Downtown Business Improvement District group). The Committee understands that Phase I of the Circulator is now operating and will include the following routes: (1) north-south along 7th Street, NW, between the Convention Center and the SW Waterfront; and (2) east-west between Georgetown and Union Station.

## FEDERAL PAYMENT FOR FOSTER CARE IMPROVEMENT

Appropriations, 2005 .....	\$4,960,000
Budget estimate, 2006 .....	
House allowance .....	
Committee recommendation .....	2,000,000

The Committee understands that in the District of Columbia, the Child and Family Services Agency [CFSA] is responsible for protecting approximately 3,000 children in “out-of-home” placements, and another 5,000 children in “in-home” placements. During its history, many children in CFSA’s care have languished for extended periods of time due to managerial shortcomings and long-standing organizational divisiveness in the city. As a result, the agency was placed in receivership in 1995. In June 2001, the court removed CFSA from receivership and put the agency under probation. That probationary period ended in January 2003.

Concerned about CFSA’s troubled history, the Committee began a Federal foster care initiative in fiscal year 2004 which focused on improving several critical areas. These critical needs are: (1) intensive, early intervention when children enter care; (2) early mental health assessments and mental health services for all children in foster care; (3) recruitment and retention of qualified social workers; (4) recruitment and retention of foster parents; and (5) improved computer tracking of all children in foster care. During fiscal year 2004 and 2005, the Committee provided a total of \$20,000,000 to fund these efforts. The Committee was extremely disappointed that the District’s City Council voted to reduce local funding for CFSA in its fiscal year 2006 local budget. The Council took this action despite the objections of the Mayor, the Director of CFSA, the Court-appointed Federal judge who had served as the agency’s receiver, and child welfare advocates in the District. The Committee believes strongly that these actions will undermine the significant strides that CFSA had made with Federal support. Further, the Committee is concerned about the precedent that the Council has taken by using Federal funds to supplant local funds, despite the clear language in the Act and believes that the Council’s actions have violated the spirit of the law.

Despite grave concerns that the Council will take a similar action next year, the Committee wants CFSA to continue to make improvements. Therefore, the Committee is providing funds to continue to provide loan repayment for social workers, to assist with post-adoption services and to continue to provide respite opportunities for foster parents.

*Loan Repayment for Social Workers*

The Committee is providing \$1,000,000 for the repayment of student loans for social workers at CFSA. The Committee understands that the higher the caseload per social worker, the lower the quality of service to each of the caseworker’s children. The District, like many cities, suffers from a high turnover rate of social workers. In fact, the national turnover rate has doubled since 1991. Clearly, the relatively low pay and difficult working conditions of social workers has resulted in a child welfare workforce crisis.

The Committee recognizes that steps must be taken to encourage more workers to enter the child welfare workforce and improve the

salaries, working conditions, and training of workers. Student loan repayment is aiding in the retention and improvement of conditions for the District's social workers.

#### *Post Adoptive Services*

The Committee is providing \$750,000 to assist CFSA in providing post permanency services to adoptive parents and guardians to ensure that children remain in stable homes. These resources will fund mental health services, respite support, training seminars, one-on-one counseling support, and a post-permanency resource center.

#### *Recruitment and Retention of Foster Parents*

The Committee is providing \$250,000 to recruit and retain foster parents. The Committee recognizes that CFSA has experienced difficulties recruiting and retaining an adequate number of appropriate, qualified foster parents. This lack of sufficient numbers of foster homes has given rise to so-called group homes in the District.

One reason for the shortage of foster parents is the lack of availability of respite care in the District. The Committee has been informed that foster parents do not have the same opportunities for respite as biological parents. Foster parents cannot merely send their children to spend the weekend with a relative or family friend, or to visit with a classmate at his or her home. Foster parents must seek out persons who have met many agency-established criteria. Therefore, foster parents often care for their children—many of whom have special needs—without significant breaks.

Of the funds provided, the Committee intends that the Washington Council of Governments, which has years of experience with the D.C. foster care system, provide the direct service implementation of this respite proposal and that the Foster and Adoptive Parents Advocacy Center provide the oversight, quality control, and evaluation of the program. The Committee intends that resources shall provide: (1) emergency respite, which would be provided with less than 1 month's notice; (2) planned respite, which would be planned at least 1 month in advance; and (3) ongoing respite, which would be at pre-established meeting times and places, e.g., Saturday programs, enrichment programs, and field trips.

#### *Concerns About the District's Juvenile Justice System*

In fiscal year 2005, the Committee received a report and heard testimony from the District of Columbia's Inspector General which detailed the deplorable conditions and wasteful management at the Oak Hill Youth Facility, the city's juvenile detention facility. Afterwards, Committee members visited the campus to see the situation first-hand. The Committee found that not only are the buildings aged and decrepit, but as the Inspector General's report stated, important services such as substance abuse treatment programs are unavailable for drug-addicted youths. Children who are detained and awaiting trial are commingled with those who are committed offenders.

The Committee has stated that it agrees with the November 6, 2001 recommendations of the Blue Ribbon Commission on Youth



Safety and Juvenile Justice Reform that Oak Hill be “closed and demolished.” It is an old, decrepit, institution that is inadequate for youth detention and undoubtedly very expensive to operate and maintain. The Committee is concerned at the continued slow pace of progress and urges District officials to follow the recommendations of the Blue Ribbon Commission and shut down Oak Hill as quickly as feasible.

The Committee is also concerned with the poor delivery of services to youth in the District’s court services and juvenile justice services agencies. The Committee strongly urges the District of Columbia government and all relevant agencies who participate in the welfare and oversight of troubled youth in the juvenile justice, education, mental health, and social services systems in the District to work together more closely and to diligently carry out their responsibilities to better pursue and produce acceptable outcomes that demonstrate success in resolving all the district’s juvenile justice problems.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT IN THE DISTRICT OF  
COLUMBIA

Appropriations, 2005 .....	\$39,680,000
Budget estimate, 2006 .....	41,616,000
House allowance .....	41,616,000
Committee recommendation .....	40,000,000

The Committee has included \$40,000,000 to augment and improve educational opportunities for all students in the District of Columbia. This is \$320,000 above the fiscal year 2005 enacted level and \$1,616,000 below the President’s budget request. This initiative is comprised of three interrelated components: investing in excellence in traditional public schools; expanding choice through high quality charter schools; and offering opportunity scholarships for low-income students in under-performing schools. Therefore, of the funds provided, \$13,000,000 is to provide a scholarship program for low-income children in under-performing schools; \$13,000,000 is for the development of quality public charter schools; \$13,000,000 is to strengthen leadership and instructional excellence and increase student achievement at District of Columbia Public Schools in accordance with the No Child Left Behind Act; and \$1,000,000 is for administrative expenses.

*Improving Public Education*

The Committee recommends \$13,000,000 for the District of Columbia Public Schools [DCPS]. Of these funds, the Committee directs that not less than \$250,000 shall be to support the Superintendent’s assessment of public school facilities. As it has since it first began providing funds for school improvement in fiscal year 2004, the Committee continues to direct DCPS to use some of this appropriation to recruit and retain principals and teachers to strengthen leadership and instructional excellence. Further, DCPS is directed to use a portion of these funds to improve student achievement by providing supplemental services and enhancing public school choice. Within 30 days of enactment, DCPS must provide an expenditure plan for the use of this appropriation.

The Committee believes that some improvements were made with fiscal year 2004 and 2005 funding by rewarding excellence in D.C. public schools.

#### *Hearings on Education*

The Committee held two hearings on public education in the District of Columbia which informed the fiscal year 2006 recommendations. The first hearing, held on May 25, 2005 focused on the public school and public charter school systems in the District, highlighting many areas which need improvement. The second hearing, held on June 15, 2005 reviewed the fiscal year 2006 local funds budget to support education.

During both of these hearings, the Committee learned the following troubling information.

#### *Poor Performance*

Only 32 percent of 4th graders in DCPS are reading at a basic level, compared to 62 percent nationally. Only 36 percent of these same students are performing at a basic level in math, compared to 77 percent nationally. This means that two out of every three 4th graders in the District cannot read, multiply, or divide at the appropriate grade level. Special education students make up 20 percent of the school system's enrollment of 61,710 students—twice the national average for school districts. DCPS students scored approximately 200 points below the national average on the SAT.

#### *High Costs*

Per-pupil spending in the District of Columbia is the highest in the Nation. According to the National Education Association, the District spends \$13,317 per pupil each year, which is much higher than the national average of \$8,208.

During its hearings, the Committee learned that insufficient funding is not the problem. To the contrary, according to the District's Chief Financial Officer, funding for the District's school system—including traditional public schools and charter schools—has increased 75 percent since fiscal year 1999, even though overall enrollment has actually dropped 5 percent during that same time period. Student enrollment in traditional public schools has dropped 19 percent since fiscal year 1999, as parents have sought out other options for their children. Yet funding for traditional public schools (not including charter schools) has increased 38 percent over that same time period. It appears that the funding for DCPS is entirely decoupled from student enrollment.

Despite large increases in spending, one-third of schools have no art or music education programs. Many school facilities remain open, even though they are well below capacity, are run-down or even unsafe. These past failures are significant and have contributed to the 37 percent adult illiteracy rate in the District. The DCPS superintendent testified that over 30 percent of DCPS teachers are not even certified.

The Committee has learned that DCPS spends only 50 cents of every operating dollar to directly educate its students. This is far below the national average of 61 percent and is lower than any of the 50 States.

### *Plan for Improvement*

The Committee understands that the District hired a new superintendent in August 2004 who has an ambitious plan to (1) improve teaching and learning in every classroom; (2) provide more efficient management and operations systems; and (3) increase collaborations with parents, civic organizations, businesses, and other city agencies.

To accomplish the first goal, he plans to institute more challenging curriculum and standards, give high-performing schools greater autonomy, offer art and music education again, put new discipline policies in place, expand professional development for teachers, and partner with the business and civic community to gain their support for students.

To accomplish the second goal, he plans to improve procurement processes, upgrade administrative systems, institute performance-based budgeting, complete a new information technology plan, and make the best use of all school facilities.

To accomplish the third goal, he plans to provide more community briefings, open a new office devoted to parent involvement with 5 parent resource centers, and establish a business advisory committee to guide communications and outreach efforts city-wide.

The Committee supports all of these planned efforts.

### *Reason for Concern*

Although the Committee is supportive of the new DCPS superintendent and his plan for overhauling the D.C. school system, the Committee is aware that five DCPS superintendents have come and gone over the past 7 years. Often the varied attempts by these individuals to fix the problems were met with delay, denial, and dismissal.

The Committee is informed that a number of schools with declining enrollments and in deteriorating condition should be closed and disposed of for some better purpose. The Committee believes that the savings achieved by closing under-utilized school buildings can be used to repair and improve the remaining school buildings.

In addition, the Committee understands that 4,633 students submitted applications to attend a public school outside of their neighborhood. There are 3,276 students on waiting lists at various schools in the District, with some schools' waiting lists as long as 250. The Committee would strongly support DCPS allocating funds to replicate successful public school models in neighborhoods identified in need of additional public school options.

The Committee understands that DCPS' information technology [IT] systems are plagued with problems. In his own strategic plan, the superintendent states that DCPS' IT systems are 10–15 years behind industry norms and that DCPS suffers from a “huge technology gap.” These severe IT problems undermine DCPS' ability to carry out its underlying mission. The Committee believes that the nature and complexity of these IT problems warrant a comprehensive, long-term solution. As the superintendent works to address this problem, the Committee recommends that he seek assistance from the State Information Technology Consortium [SITC], a non-profit organization with substantial experience in the development of IT collaborative solutions. SITC is well-suited to help DCPS de-

velop practical, cost-effective solutions using existing technology investments.

The Committee is supportive of the vision of the new superintendent and believes that he is personally and professionally skilled to make major improvements to the current system.

However, the Committee plans to monitor the progress of DCPS' improvement—both in student achievement and in resource and facilities management. The Committee intends to intervene in the coming year if improvements in these areas are not achieved.

### *Strengthening Charter Schools*

The Committee recommends \$13,000,000 for public charter schools in the District of Columbia, directed to specific initiatives which will strengthen schools, enhance capacity, improve academic quality, and create a network of integrated services. The Committee recommends the following initiatives within the amount provided for charter schools: \$4,000,000 for the Direct Loan Fund for Charter Schools; \$2,000,000 for Credit Enhancement; \$2,000,000 for continuation of the City Build Charter School Program; \$1,500,000 for flexible grants; \$2,000,000 only for grants for public charter schools for improvement of public school facilities which are leased or owned by public charter schools; \$400,000 for college access programming; \$300,000 to create a truancy center; \$250,000 for administration of Federal entitlement funding; \$300,000 for data collection and analysis; and \$250,000 for administration within the State Education Office. In addition, the Mayor of the District of Columbia is directed to continue the Public Education Improvement Incentive Grant program created in fiscal year 2005 with unobligated funds. Grant awards are a significant incentive to raising student achievement and supporting principals in their everyday work.

The Committee has played a significant role in the development of public charter schools in the District of Columbia. With 42 public charter schools now educating 21 percent of the student population, the District of Columbia has the distinction of having more charter schools per capita than any other city or State in the Nation. In fiscal year 2005 the Committee included language engaging the Government Accountability Office [GAO] to study the performance of the D.C. charter school authorizing boards (or "authorizers") in their approval and oversight roles. The authorizers in the District are the D.C. Board of Education and the D.C. Public Charter School Board. Specifically, the GAO was required to report on the performance of the authorizers in their role in monitoring the quality of instruction provided to the students attending charter schools. In the report, "Charter Schools—Oversight Practices in the District of Columbia", issued in May 2005, the GAO found that under current law charter school authorizers are prohibited from revoking a charter for failure to accomplish the schools' academic goals before 5 years from issuance of the charter. The Committee is concerned that this unduly restricts the authorizers from taking necessary steps to ensure that the schools they charter are providing a quality education to their students.

In the District of Columbia 19 schools are required under the No Child Left Behind Act to be making annual yearly progress [AYP]

toward their academic goals, of which only 9 achieved AYP. The Committee strongly believes that the charter school authorizers should have all the tools they need to provide oversight and support to the schools they charter. Therefore, the Committee strongly urges the Mayor and Council to review the requirements of both the D.C. School Reform Act and the No Child Left Behind Act and make any legislative changes necessary to ensure consistency between the two acts regarding the promotion of school quality. At a minimum, the law governing charter school authorization and oversight in the District should not constrain or prohibit authorizers from taking appropriate action to ensure that the public charter schools under their purview are reaching the academic achievement expectations required by the school charter or NCLB.

*Facilities.*—Access to appropriate facilities is a major challenge of public charter schools. The Committee is encouraged that public charter schools will receive equal access to public facilities and financing. The following are specific areas of concern for the Committee.

*Co-location.*—The Committee commends the Superintendent of the District of Columbia Public Schools and the Board of Education for assessing excess space in public school facilities and making some space available to public charter schools in need of appropriate school facilities immediately. The Committee understands that 10 public schools with underutilized classrooms will share space with a public charter school in the fall of 2005, so called “co-locations”. The District requires that rental payments from a charter school be for the use of the host school, which provides a strong incentive to lease underutilized space (D.C. Code §38–1831.01(b)(2)) because rental payments from charter schools provide a reliable revenue source for host schools. The Committee strongly supports the Superintendent as co-location leases are implemented for school year 2005–2006.

*Surplus Public School Facilities.*—In March 2000 the District of Columbia Financial Responsibility and Management Assistance Authority transferred jurisdiction of 38 public school properties to the control of the Mayor of the District of Columbia. These so-called “surplus school properties” have been utilized for the following purposes: 6 have been sold to charter schools; 10 have been leased to charter schools; 5 are being used by D.C. Public Schools for office space; 3 are being used for shelter from homelessness; 4 are being used for government office space; 5 are vacant; 7 have been sold for economic development; and 2 are being leased to private entities.

The School Reform Act of 1995 provided a preference for charter schools to obtain surplus property to alleviate identified lack of appropriate school space. The Committee strongly supported the legal preference in its fiscal year 2003 and 2004 Committee reports. In addition, Public Law 108–335, Section 342(c) requires that charter schools are provided a right of first offer on the disposition of any property.

The Committee requests a report from the Mayor of the District of Columbia, in consultation with the Chairman of the Council of the District of Columbia, on the current use of all 38 original surplus properties, the market rate value of each property, and the

profit generated from any prior sales to more fully understand the benefit to the city.

The Committee strongly encourages the city to create a mechanism whereby the proceeds from sales or leases of surplus public school property are deposited into a segregated account for school facilities improvement. The proceeds would enable the Superintendent to improve the entire system at a time when facilities funding is limited.

This year public charter schools spent \$11,000,000 on the private real estate market to renovate facilities for educational use, and it is projected that charter schools will spend an additional \$16,000,000 next year. The Committee remains concerned about the lack of appropriate educational space for public charter schools while former public school facilities are used for other purposes. The Committee expects that additional surplus public school facilities will be made available expeditiously to charter schools, consistent with the right of first offer required under Section 342(c) of Public Law 108-335.

*Incubator Facility.*—The Committee strongly supports the creation of regional incubator facilities for public charter schools to house a small number of new schools in each facility for a limited time. The Committee directs that no later than February 1, 2006 the Mayor of the District of Columbia shall obligate prior year funding for such a facility or facilities, in partnership with the Building Hope Charter School Facilities Fund.

*City Build Charter School Program.*—The Committee recommendation includes \$2,000,000 to continue the City Build Charter School Program. The program shall first identify communities which have the greatest near term potential of attracting or retaining residents as “City Build Communities”; then the Mayor may solicit proposals from public charter schools to locate in City Build Communities. The Committee strongly encourages that public charter schools which demonstrate community service activities, such as family literacy programs, receive priority in future grants. In addition, the Committee continues to strongly encourage the Mayor of the District of Columbia and the Deputy Mayor for Planning and Economic Development to give priority and to highly leverage public funds to projects which include charter schools or other educational space in future development in the District.

The Mayor of the District of Columbia is directed to use up to \$500,000 of prior year unobligated funds to conduct an independent study of how public school options may attract or retain families to live in the District of Columbia. Of these funds, the State Education Office may use such sums as necessary for administration of the study and creation of a database of where families live and attend school.

To achieve the goal of attracting or retaining residents, the independent study shall assess the opportunity for schools to enhance neighborhoods; the capacity and desire of residents for authorizing specific neighborhood-based public charter schools; and recommendations on new policies necessary to encourage connections among schools and community. In addition, the study shall identify communities in the District which have recently experienced shifts in population, specifically of families with school-age children; com-

munities where high quality public school options are at capacity; and communities that have recently undergone or will undergo in the near future residential development. This study shall inform the Mayor's selection of "City Build Communities."

#### *Improving Opportunities for School Choice*

The Committee recommendation includes \$14,000,000 to continue a scholarship program to allow low-income students attending consistently under-performing public schools to choose to attend private schools within the District. The Committee believes that this program is improving the academic prospects of students receiving scholarships and is stimulating improvement within the public school system.

The Committee is providing funds for scholarships that will be available to low-income District students in grades K through 12 who are attending consistently low performing public schools. The scholarships are for the tuition, transportation, and fees at participating private schools within the District and cannot exceed \$7,500 per elementary and middle school student. If the funds provided are not sufficient to serve all the eligible applicants, scholarships will be awarded through random selection.

#### *Program Is Succeeding*

The Committee is very pleased with the first year launch of the D.C. Opportunity Scholarship Program. In a very brief period, the Washington Scholarship Fund [WSF], the grantee administering the program, has accepted applications from more than 5,400 students. The Committee understands the challenges that WSF has met, given the speed with which the organization had to design, launch, and recruit for the historic new demonstration project in school choice. Even so, WSF has made substantial progress in the inaugural months of the program, as noted by the U.S. Department of Education in its first report to Congress on the program.

In the "Evaluation of the D.C. Opportunity Scholarship Program: First Year Report on Participation," the Institute for Education Sciences at the U.S. Department of Education noted that:

- More than 1,800 eligible, low-income D.C. children applied for the program for the 2004–2005 school year during an extremely brief application period necessitated by the lateness of the law's passage.
- The average household income of the 2004–2005 applicants was \$18,742, far below the statutory requirement of 185 percent of the poverty level.
- Compared to other scholarship programs across the Nation, this program has a more diverse group of participating schools, including 28 percent of schools that are not religiously affiliated.
- Based on applicant levels to date for 2005–2006, there will be enough students for both the "treatment" and "control" groups in all 13 grades (K–12) to provide a sufficient sample for the rigorous, federally mandated evaluation of the program.

In addition to these conclusions from the Department of Education's April report, the Committee notes that last fall, 1,029 students entered D.C. non-public schools using Opportunity Scholar-

ships. The first year of the program offered scholarship recipients a choice of 58 participating schools. Over 95 percent of students who started the school year stayed in the program.

The Committee is pleased that more than 1,000 students have received scholarships for the upcoming school year, 2005–2006, and that there are nearly 900 students in the control group for the Federal evaluation, including students in all 13 grades, K–12.

#### *Private High School Capacity is Inadequate*

Against the backdrop of this very promising start, the Committee is concerned that there is a shortage of spaces in D.C. non-public high schools for students with scholarships. The Committee understands that presently there is a mismatch between the number of high school spaces available and the number of scholarship students seeking a space in a D.C. non-public high school. As a result, students already in possession of a scholarship will have to leave the program due to the capacity constraint. This is a problem for the families and the students who will not have access to the choice they were awarded by virtue of receiving the scholarship. It will also have a deleterious effect on the Federal evaluation since some students in the “treatment” group will not in fact be able to use their scholarships and will not receive their desired “treatment.”

#### *Capacity Problem Will Worsen Every Year*

This is a problem that has already surfaced for the upcoming school year, but it will only get worse in the 3 subsequent years of the demonstration project. Specifically, for the 2005–2006 school year there are between 40 and 60 high school students still looking for a school. Even without distributing any new scholarships in grades 6 through 12, the number of high school students who cannot find a space is expected to grow each year as current middle school students graduate: 152 8th graders entering high school in year 3, 175 7th graders entering high school in year 4, and 179 6th graders entering high school in year 5. At this rate by the final year of the demonstration project, there will be 606 students in high school, even with no new scholarships being distributed past the fifth grade. If no action is taken, nearly 75 percent of students holding scholarships to attend high school will be unable to use them because of limited capacity.

#### *Reasons for Capacity Problems*

The Committee has been informed that there are apparently two primary reasons that capacity is limited in the high school grades: (1) the scholarship cap of \$7,500 is below the cost of tuition and fees in the vast majority of D.C. non-public high schools, creating a financial hardship for schools who enroll scholarship students; (2) the requirement that students attend only schools within the District of Columbia severely limits the slots available at the high school level.

The Committee plans to hold hearings to learn from expert witnesses about the full extent of the capacity limitations for the upcoming year and the subsequent academic years. It also intends to explore options for addressing these challenges, and to understand



the implications of students not using their scholarships on the federally-mandated evaluation.

The Committee deeply regrets that, because of a shortage of available spaces in D.C. non-public high schools, a number of students who are already enrolled in the scholarship program for 8th grade will be forced to return to failing public schools—negating the very choice of an alternative which the program was designed to create. The Committee also regrets that a number of students who applied for and successfully received scholarships through the lottery will not be able to use their scholarships after all.

#### FEDERAL PAYMENT FOR FORENSICS AND BIOTERRORISM LABORATORY

Appropriations, 2005 .....	\$7,936,000
Budget estimate, 2006 .....	7,200,000
House allowance .....	7,200,000
Committee recommendation .....	5,200,000

The Committee recommends \$5,200,000 for costs associated with the construction of a new bioterrorism and forensics laboratory in the District of Columbia. This is \$2,000,000 less than the President's budget and \$2,736,000 below the fiscal year 2005 enacted level. The District's laboratory capacity has not kept pace with the innovations in the field and is therefore unable to meet the demands of the current workload. Because of this lack of capacity, the District is forced to seek help from the FBI crime laboratory in Quantico, Virginia. The FBI has its own workload capacity and therefore limits the evidence it will process for the District. This lack of capacity and the limitations of old technology have led to many so-called "cold" or unsolved crime cases in the District. A new laboratory will not only allow the District to more effectively and efficiently process crime cases, but it will be an essential element in processing evidence associated with potential bioterrorism attacks. The Committee expects the District to provide at least an additional \$1,500,000 in local funds for the costs associated with this new laboratory.

#### FEDERAL PAYMENT FOR MARRIAGE DEVELOPMENT AND IMPROVEMENT

Appropriations, 2005 .....	
Budget estimate, 2006 .....	
House allowance .....	
Committee recommendation .....	\$3,000,000

#### *Children Born to Married Parents Usually Have Brighter Futures*

The Committee is informed that every year almost 57 percent of babies born to residents of the District of Columbia are born to single mothers. This is more than 40 percent higher than the national average. The Committee understands that children raised by never-married mothers are 7 times more likely to be poor compared to those children born to married parents and that over 80 percent of long-term child poverty occurs in broken or never-married families.

The Committee believes that marriage has an enormous potential to reduce poverty among couples who are unmarried at the time of their child's birth. Studies show that increasing the number of healthy marriages would also have substantial non-economic

benefits for children. For example, children who are raised in marriage by their biological mother and father are less likely to have emotional and behavioral problems, to be physically abused, to become involved in crime, to fail in school, to abuse drugs, and to end up on welfare as adults.

*Promoting Teen Abstinence has Positive Results*

The Committee is aware of the negative effects of sexual behavior among teenagers. Studies show that girls who begin sexual activity at an early age are more likely to become pregnant and give birth out of wedlock and to be single mothers. Since single mothers are far more likely to be poor, early sexual activity is linked to higher levels of child and maternal poverty. The Committee believes that abstinence education programs aid in encouraging teenagers to delay sexual activity and the negative consequences associated with it.

*Marriage Development Accounts*

The Committee understands that most children born and raised in households where their biological parents are married are more financially and emotionally stable. As a way to assist low-income married couples to save money to pay for job training or education, buy a home or start their own businesses, the Committee is providing funds to establish "Marriage Development Accounts" [MDAs] in the District of Columbia. MDAs will be available to married couples who are citizens or legal residents of the District of Columbia whose Federal adjusted gross income does not exceed \$50,000 and whose net worth is less than \$10,000 (excluding a primary residence and one vehicle).

Participating couples will have a high incentive to save because their contributions will be matched at a ratio of 3:1 by the Federal Government and partnering private institutions. As a requirement of participation, couples will receive training that helps them repair their credit, set a budget and savings schedule, and manage their money. The Capital Area Asset Building Corporation [CAAB], a non-profit organization which is already assisting low-income individuals through a network of community service providers, will manage this new program. The MDAs will be held by CAAB at local financial institutions.

*Pre-Marriage Development Accounts*

The Committee is also providing funds for pre-Marriage Development Accounts [pMDAs], which will be available to engaged couples, each of whom is 18 or older and whose combined adjusted gross income is less than \$50,000 and whose total net worth is less than \$10,000. These accounts will also be available to individuals aged 16–22 who are not married, do not have children, and whose adjusted gross income is less than \$25,000 (non-dependant individual's income) or \$50,000 (dependant individual's household income). pMDAs will give young people and couples who are about to be married the financial tools and life skills training to make positive choices and well-informed plans for the future. pMDAs will help engaged couples build a strong financial and emotional foundation to help foster successful and long-term marriages. pMDAs will also

help low-income youths gain a longer-term perspective and provide incentives and training to make economically—and emotionally—sound life decisions.

#### *Implementation*

The Committee is providing \$1,500,000 to the Capital Area Asset Building Corporation [CAAB] to implement MDAs and pMDAs. CAAB is a non-profit organization currently serving a consortium of community service providers which are working with low-income families and individuals in the District of Columbia. CAAB will establish the MDAs and will jointly hold deposits with a qualified financial institution. Of the funds provided, the Committee intends that \$400,000 shall be for program planning, marketing, evaluation account administration, and services to account holders.

For each dollar that the couple or youth deposits, CAAB will reserve a \$3 match in a separate parallel account, using Federal and private or local funds. The Committee directs CAAB to provide an accounting of all funds deposited—Federal, local, and private—by June 30, 2006.

When the accountholder has accumulated enough savings and matching funds to purchase the asset and has completed a financial education course, payments from the MDA will be made directly to the asset provider such as a university or a financial institution. Couples who open an account and subsequently attend at least four marriage counseling classes will be eligible for a bonus of \$300 for their account.

#### *Restrictions on Funds*

MDAs and pMDAs may only be used to: (1) buy a home; (2) pay for post-secondary education or vocational training; or (3) start or expand a small business. Accountholders must attend at least 8 hours of financial education prior to withdrawing the matching funds to purchase the asset. Asset-specific training will also be available. The funds in the accounts must be invested within 3 years and the matched amount will only be paid directly to the asset provider such as a college or a job training facility or a financial institution. At the end of the 3 year period, any match funds that are not used shall be returned to the general match pool so that these funds may be reallocated to new enrollees. The couple must then withdraw any of their own savings from the MDA and transfer them to their bank account.

Engaged couples must marry prior to withdrawing funds from their pMDAs. Upon marriage, couples will receive a \$200 bonus to pay for costs associated with marriage licenses and other fees. If the couple does not marry, neither will be entitled to the Federal-private matching funds in the account. In the event of certain life circumstances, one partner may receive half of the match. These life circumstances are limited to the death of the fiancé, a conviction of a felony or misdemeanor crime of the fiancé, or an indictment for domestic violence.

Single individuals aged 16–22 who remain unmarried and childless may contribute to their accounts for up to 4 years. The participating community service providers will provide credit counseling, debt management counseling, and asset-specific training. Couples

who participate in pre-marital and marital counseling will receive a \$300 bonus in their accounts. Unmarried youths will be required to receive life-skills training, and to work with mentors to develop long-term education, job training, and asset-building goals.

CAAB and its participating service providers shall work with the East Capitol Center for Change and its network of faith-based organizations and the National Center for Fathering to ensure that these services are offered to all accountholders.

#### *Federal Match*

The Committee is requiring that for every \$3 in Federal funds for MDAs and pMDAs, the Capital Area Asset Building Corporation provide \$1 in matching funds which shall be obtained from private entities.

No more than a total of \$9,000 of Federal and private matching funds may be provided to any participating married or engaged couple and no more than \$4,500 of Federal and private matching funds may be provided to unmarried youths.

#### *Promoting Successful Marriages and Encouraging Positive Life Decisions*

The Committee is providing \$650,000 for the East Capitol Center for Change [ECCC] and \$850,000 for the National Center for Fathering [NCF] to work with local churches and other faith-based organizations to provide marriage counseling, couples mentoring, couples coaching, marriage retreats, "Dad training," and community outreach. Both ECCC and NCF will work with CAAB and its participating service providers to provide account holders with life skills counseling, couples mentoring, and youth mentoring (which will include relationship counseling and abstinence counseling). ECCC and NCF will work with the faith community to provide pre-marital and marital counseling and relationship mentors and coaches for participating couples.

Recognizing the importance of grassroots support to ensure the success of these efforts, the Committee directs ECCC and NCF to expand their network of service providers by developing partnership with local churches, faith-based organizations, and other non-profit organizations. The Committee expects that ECCC and NCF will provide technical assistance and training to their partners in order to replicate the successful models which they are currently using.

The Committee has included bill language requiring CAAB, ECCC, and NCF to submit detailed expenditure plans within 30 days of enactment of the bill. In addition, the Committee is directing CAAB to provide detailed program requirements governing MDAs and pMDAs that comport with the above report language with 30 days of enactment of the bill.

#### FEDERAL PAYMENT FOR LATINO YOUTH INITIATIVE

Appropriations, 2005 .....	
Budget estimate, 2006 .....	
House allowance .....	
Committee recommendation .....	\$2,000,000

The Committee is concerned about the problems and challenges facing many Latino youth in the District of Columbia. Latino youth make up more than 25 percent of the under-18 population in the District of Columbia, compared to 10 percent nationally. Many of these young people do not have adequate access to key services including health insurance, health care and education and job training. The Latino dropout rate in the District is estimated to be in the range of 50 percent. In addition, Latino families earned 54 percent less than the average District resident which is significant since income level is often affects educational achievement. Educational disparities are especially acute for English Language Learners who constitute a majority of Latino students in the District.

A study released earlier this year by the Equal Rights Center documented that Spanish-speaking applicants for services such as Medicaid or Children's Health Insurance experienced some form of discrimination about 50 percent of the time in their encounters with the Department of Health, often when applying for coverage on behalf of Latino children who are U.S. citizens. This is troubling, especially since Latinos in the District are more likely than other Americans to experience certain health problems such as obesity, diabetes, heart disease, and certain cancers.

The Committee has also learned that Latino youth are disproportionately represented in the various stages of the criminal justice system in the District. Data from the D.C. Metropolitan Police Department, showed that while the total number of arrests decreased from 1999 to 2000, the number of arrests of Latinos increased by almost 25 percent.

For these reasons, the Committee has included \$2,000,000 to begin a Latino youth initiative in the District.

#### *Strengthening Latino Youth Programs*

The Committee is providing \$1,250,000 to The National Council of La Raza [NCLR] to improve health and educational outcomes of Latino children and promote violence prevention among Latino youth in the District. Working in partnership with its community-based affiliates in the Metropolitan area, NCLR will establish a multi-faceted demonstration project focused on health, education, and violence prevention among Latino children and youth in the region. This initiative will build on and be integrated into existing, successful NCLR programs that serve and collaborate with low-income Latino children and youth.

A key component of this effort will be the development of cadres of *promotores* or lay community promoters as a primary pathway to deliver culturally competent and language appropriate information to Latino communities on health and violence prevention.

The objective of NCLR's work in the District will be to mobilize Latinos to take action in improving their children's health status and preventing violence and promoting well-being in their communities. One such strategy, the use of *promotores*, has been pioneered by NCLR and its affiliates in a number of health-related contexts, mainly in the Southwest. NCLR proposes to expand this approach to the D.C. region, target it toward children's health, and to study its potential effectiveness as a tool for gang-related vio-

lence prevention. NCLR's will also support, promote, and document the implementation of these demonstration programs to inform policy and practice more broadly across the region and the Nation.

The Committee intends that resources will be divided among the core health and gang violence elements of the program and will support the work of the partner community-based affiliates in the D.C. area. Within each core element of the program, the Committee expects the bulk of the resources will be allocated to program interventions.

#### *Improving Latino Education*

The Committee has included \$400,000 for the Mid Atlantic Equity Consortium, Inc. [MAEC] to administer a Latino Education Initiative. MAEC will administer a program aimed at reducing dropout rates and increasing achievement of Latino students, especially those who are English Language Learners [ELL]. MAEC will use research on Latino student achievement and available community resources to make policy recommendations. The Committee intends that MAEC should serve as the fiscal agent for these funds and may contract with or sub-grant to eligible entities in order to carry out the intent of the funding.

Of this amount, the Committee has included sufficient funds for a Latino Education Director who will oversee and coordinate city-wide efforts to improve educational opportunities and outcomes for Latino students.

The Committee is informed that MAEC has expertise in this area and has been working with DCPS on related issues for several years. Because it is an independent nonprofit, it has the ability to work citywide to ensure that ELL and Latino students are well-served whether they attend DCPS, charter, or non-public schools.

MAEC will coordinate the recruitment and hiring of the Latino Education Director. The Director will have responsibility to coordinate with all relevant parties: the District Government, DCPS, Charter Schools, Non-Public Schools, and community-based organizations involved in serving Latino students.

The Committee is also providing \$400,000 for the Latin American Youth Center [LAYC] YouthBuild Public Charter School [YouthBuild PCS], a newly approved charter school that takes to scale a highly successful program that the LAYC has operated for 10 years. The YouthBuild program has worked with D.C.'s most troubled youth—high school dropouts, former gang members, teen parents, adjudicated youth—and helped them obtain a GED and gain job skills in the construction industry while creating housing for homeless and low-income D.C. residents.

The Committee understands that the YouthBuild Public Charter School combines academics and vocational training in one of D.C.'s fastest-growing job markets; benefits the community by rehabilitating low-income housing while teaching students construction skills; and is a proven program being taken to a larger scale.

The promotion of education reform in small alternative settings in our Nation's capital has been a priority for the Congress. The YouthBuild PCS is fostering that reform by taking the most disconnected and disadvantaged youth in the Nation's capital and ensuring that the educational system works for them as well.

## FEDERAL PAYMENT FOR PRISONER RE-ENTRANT HOUSING

Appropriations, 2005 .....	.....
Budget estimate, 2006 .....	.....
House allowance .....	.....
Committee recommendation .....	\$2,000,000

The Committee is providing \$3,000,000 for a Prisoner Reentrant Housing Initiative in the District of Columbia.

*Many Ex-Offenders Face Homelessness*

The Committee understands that every year 2,500 former prisoners return home to the District. Returning offenders are assigned to the Court Services and Offender Supervisor Agency [CSOSA] for release plan investigation during parole or probation term. Those who cannot identify a safe place to live are assigned to halfway houses where their stays are capped at 120 days.

*Preventing Homelessness can Reduce Recidivism*

The Committee believes strongly that reducing the likelihood of homelessness for those exiting the halfway house system is critical to combating recidivism among returning prisoners. Stable housing increases the likelihood that the offender will successfully complete his or her term of parole or supervised release, find and maintain employment, maintain family relationships, and access the programs and services that contribute to successful reentry. CSOSA originally brought this issue to the attention of the D.C. Department of Housing and Community Development [DHCD] in December 2004, noting the relationship between stable housing and offenders' compliance with the conditions of community supervision. An important aspect of supervision is the offender's growing awareness of, and participation in, community-based social services; this occurs during the term of supervision and constitutes a critical stage of the reentry process. Currently, the D.C. reentry initiative offers individuals exiting the criminal justice system direct services and access to 30 community-based nonprofit organizations. Unity health care provides health services through a clinic designed specifically for reentrants. The Department of Employment Services provides job readiness and job placement services at its offices, and case workers assist reentrants in obtaining GED certification and enrollment in college courses at UDC.

The Committee is aware that ex-offenders are faced with rebuilding their lives as they seek to join the workforce, support their families and become productive members of society. Despite successes in delivery of social and health care services, there is a very pressing need for affordable housing.

*Incentives to Provide Housing for Ex-Offenders*

The Committee intends that the funding provided be used to offer incentives to encourage developers and non-profit organizations to rehabilitate or construct new housing for reentrants in order to increase the pool of available housing for those exiting the criminal justice system. Construction funding will be administered by the District's Department of Housing and Community Development [DHCD], which has the infrastructure in place to monitor housing construction incentives as part of the Housing Production

Trust Fund. DHCD will issue a special Notice of Funding Availability [NOFA] to solicit developers of these housing units. The NOFA will include the following restrictions on developers using the funds: (1) the developer must derive reentrant tenants from designated non-profit support service agencies, (2) the units must be dedicated to reentrants for a period of at least 25 years, (3) the operating funds for the first 6 months of tenancy will be eligible project expenses.

#### *Federal-Local Partnership*

The Committee directs the District to partner with the federally-funded Court Services and Offender Supervision Agency [CSOSA] in this effort, which provides parole supervision services. The Committee understands that the District will offer participants access to job readiness and employment opportunities, healthcare services, education, child care, substance abuse counseling, and mental health services.

#### *Rental Reimbursement for On-site Mentors*

The Committee believes that mentors play a crucial role in helping ex-offenders successfully reintegrate into society by providing them with emotional, psychological, spiritual and motivational support. Mentors can help ex-offenders find employment, make sure that they attend counseling sessions, and encourage them to reconcile with family members.

A portion of the funds provided by the Committee is for rental reimbursements for mentors who agree to live in the same housing development as the ex-offenders. Since these mentors will live in close proximity to the program participants, they will be much more accessible and better able to provide one-on-one support. As a condition of receiving these funds, the District must work with CSOSA to match mentors with participants. CSOSA has trained 200 mentors to date through its Faith-Based Reentry Initiative. The Committee believes that these mentors will make excellent candidates for this program. Recognizing the significant Latino population in the District, the Committee directs the District and CSOSA to ensure that participants are matched with bilingual mentors.

#### *Concerns About Overcrowding at D.C. Jail*

The Committee is disappointed that the Council of the District of Columbia reduced the proposed fiscal year 2006 local funds budget for the D.C. Department of Corrections by \$4,000,000 at a time when there is serious overcrowding at the D.C. Jail. The Committee believes that this cut will impair the Department's ability to fully and securely staff its facilities and will also limit its ability to move jail inmates to available beds in nearby contract facilities. The Committee urges the Council, the Mayor, and the D.C. Department of Corrections to rectify this funding shortage.



FEDERAL PAYMENT FOR THE NATIONAL GUARD YOUTH CHALLENGE  
PROGRAM

Appropriations, 2005 .....	
Budget estimate, 2006 .....	
House allowance .....	
Committee recommendation .....	\$500,000

The Committee recommendation includes \$500,000 for the creation of a D.C. National Guard Youth Challenge Program for at-risk youth. Youth ChalleNGe is a community-based program to help youth obtain a GED or high school diploma through mentoring, leadership and citizenship training, and community service.

USE OF FEDERAL LANDS IN THE DISTRICT OF COLUMBIA

The Committee is pleased that the President has recently proposed legislation to convey more than 200 acres of Federal land to the District. The Committee believes that converting Federal land to local use will not only enable the District to broaden its constricted tax base, but will allow the District to make better use of these land parcels. According to the Mayor, this transfer will “simultaneously create economic opportunity, improve life for many D.C. residents and advance home rule.” The Committee notes that the Director of the Office of Management and Budget described the administration’s proposal as a “first step in a broader examination of underutilized Federal lands that may be considered for future conveyance to the District.” To facilitate and expedite the better use of these properties, the Committee directs the District to seek the independent assistance of a firm to conduct an assessment of reuse options through, among other things, land transfers, revised lease arrangements, and joint ventures to determine the best use of the parcels. The firm should have extensive experience and an in-depth knowledge of all facets of the real estate capital markets and real estate valuation. In addition to industry knowledge, the firm should be independent and have an understanding and appreciation of the various stakeholders with an interest in the land survey program. The Committee directs the District to report on its progress with respect to firm recruitment and a plan for the Federal land survey by March 31, 2006.

DISTRICT OF COLUMBIA LOCAL OPERATING BUDGET

The Committee recommends a total of \$8,700,158,000 for the operating expenses of the District of Columbia as contained in the fiscal year 2006 budget submitted to the Congress by the Government of the District of Columbia on June 6, 2005. Of the total, \$5,007,344,000 is from local funds, \$1,921,287,000 is from Federal grant funds, \$1,754,399,000 is from other funds, \$17,129,000 is from private funds, and \$163,116,000 is from prior year funds. The Committee directs that any changes to the financial plan as submitted by the District must follow the reprogramming guidelines.

The following tables detail the revenue and expenses plan of the District for fiscal year 2006:

## FISCAL YEAR 2006 FINANCIAL PLAN

[In thousands of dollars]

	Local Funds	Grants and Other Revenue	Gross funds
<b>Revenues</b>			
<b>Local Sources:</b>			
Property Taxes .....	1,242,479	.....	1,242,479
Sales Taxes .....	876,129	.....	876,129
Income Taxes .....	1,405,670	.....	1,405,670
Gross Receipts .....	246,891	.....	246,891
Other Taxes .....	330,364	.....	330,364
Licenses and Permits .....	66,470	.....	66,470
Fines and Forfeitures .....	113,613	.....	113,613
Charges/Services .....	56,436	.....	56,436
Miscellaneous .....	416,335	.....	416,335
Fund Balance Use .....	591,642	.....	591,642
Transfers to Capital .....	(30,000)	.....	(30,000)
Revenue Proposals/Onetime Revenues .....	8,729	.....	8,729
Subtotal Local Revenues .....	5,324,758	.....	5,324,758
<b>Federal and Other Sources:</b>			
Federal Payments .....	.....	34,500	34,500
Federal Grants .....	.....	1,904,539	1,904,539
Private Grants .....	.....	16,213	16,213
Subtotal Federal Sources Revenues .....	.....	1,955,252	1,955,252
<b>Other Financing Sources:</b>			
Lottery Transfer .....	73,100	.....	73,100
Total General Fund Revenues .....	5,397,858	1,955,252	7,353,110
<b>Expenditures</b>			
<b>Current Operating:</b>			
Governmental Direction and Support .....	340,859	171,975	512,834
Economic Development and Regulation .....	328,156	118,312	446,468
Public Safety and Justice .....	827,037	10,577	837,614
Public Education System .....	1,189,302	240,194	1,429,496
Human Support Services .....	1,307,530	1,405,819	2,713,349
Public Works .....	366,101	8,375	374,476
Financing and Other .....	588,717	.....	588,717
Cash Reserve (Budgeted Contingency) .....	50,000	.....	50,000
Lease Purchase Costs .....	.....	.....	.....
Subtotal, Operating Expenditures .....	4,997,702	1,955,252	6,952,954
Paygo Capital .....	207,083	.....	207,083
Transfer to Trust Fund for Post-Employment Benefits .....	138,000	.....	138,000
General Fund Contribution to Capital Fund Balance .....	53,800	.....	53,800
Total General Fund Expenditures .....	5,396,585	1,955,252	7,351,837
Operating Margin, Budget Basis .....	1,273	.....	1,273

**GOVERNMENTAL DIRECTION AND SUPPORT**  
[In thousands of dollars]

Agency/activity	Approved fis- cal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommenda- tion	Intra-District	Committee recommenda- tion	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
COUNCIL OF THE DISTRICT OF COLUMBIA .....	12,809	14,038	.....	14,038	14,038	.....	14,038	1,230	.....
OFFICE OF THE D.C. AUDITOR .....	1,784	2,008	.....	2,008	2,008	.....	2,008	224	.....
ADVISORY NEIGHBORHOOD COMMISSIONS .....	976	976	.....	976	976	.....	976	.....	.....
OFFICE OF THE MAYOR .....	10,439	13,454	(110)	13,343	13,343	(110)	13,343	3,014	.....
OFFICE OF SECRETARY .....	3,679	4,241	.....	4,241	4,241	.....	4,241	563	.....
CUSTOMER SERVICE OPERATIONS .....	1,052	1,048	(695)	353	1,048	(695)	353	(3)	.....
OFFICE OF CITY ADMINISTRATOR .....	111,424	173,880	(584)	173,297	173,880	(584)	173,297	62,456	.....
OFFICE OF RISK MANAGEMENT .....	2,023	2,365	(500)	1,865	2,365	(500)	1,865	343	.....
OFFICE OF PERSONNEL .....	14,056	13,544	(2,594)	10,950	13,544	(2,594)	10,950	(511)	.....
HUMAN RESOURCES DEVELOPMENT .....	1,978	2,000	.....	2,000	2,000	.....	2,000	22	.....
OFFICE OF FINANCE AND RESOURCE MANAGEMENT .....	188,016	200,888	(190,259)	10,630	200,888	(190,259)	10,630	12,873	.....
OFFICE OF CONTRACTING AND PROCUREMENT .....	12,334	14,642	(1,653)	12,989	14,642	(1,653)	12,989	2,308	.....
OFFICE OF THE CHIEF TECHNOLOGY OFFICER .....	44,685	43,474	(4,052)	39,422	43,474	(4,052)	39,422	(1,211)	.....
OFFICE OF PROPERTY MANAGEMENT .....	61,625	69,346	(49,795)	19,551	69,346	(49,795)	19,551	7,721	.....
CONTRACT APPEALS BOARD .....	764	806	.....	806	806	.....	806	42	.....
BOARD OF ELECTION & ETHICS .....	4,805	5,042	.....	5,042	5,042	.....	5,042	237	.....
OFFICE OF CAMPAIGN FINANCE .....	1,324	1,374	.....	1,374	1,374	.....	1,374	50	.....
PUBLIC EMPLOYEE RELATIONS BOARD .....	776	801	.....	801	801	.....	801	25	.....
OFFICE OF EMPLOYEE APPEALS .....	1,536	1,589	.....	1,589	1,589	.....	1,589	53	.....
METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS .....	926	440	.....	440	440	.....	440	(486)	.....
OFFICE OF THE ATTORNEY GENERAL FOR THE DISTRICT OF CO- LUMBIA .....	62,381	66,275	(2,392)	63,883	66,275	(2,392)	63,883	3,894	.....
OFFICE OF THE INSPECTOR GENERAL .....	11,295	12,942	.....	12,942	12,942	.....	12,942	1,647	.....
OFFICE OF THE CHIEF FINANCIAL OFFICER .....	107,054	124,242	(3,951)	120,291	124,242	(3,951)	120,291	17,189	.....
EMERGENCY PURCHASE CARDS .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
TOTAL GOVERNMENTAL DIRECTION AND SUPPORT .....	657,740	769,418	(256,585)	512,834	769,418	(256,585)	512,834	111,678	.....

## ECONOMIC DEVELOPMENT AND REGULATION

[In thousands of dollars]

Agency/activity	Approved fis- cal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommenda- tion	Intra-District	Committee recommenda- tion	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
OFFICE OF THE DEPUTY MAYOR OF PLANNING .....	22,309	42,980	.....	42,980	42,980	.....	42,980	20,671	.....
OFFICE OF PLANNING .....	6,512	6,673	.....	6,673	6,673	.....	6,673	162	.....
OFFICE OF LOCAL BUSINESS DEVELOPMENT .....	1,040	1,438	.....	1,438	1,438	.....	1,438	398	.....
OFFICE OF MOTION PICTURES AND TELEVISION .....	564	579	.....	579	579	.....	579	15	.....
OFFICE OF ZONING .....	2,581	2,902	.....	2,902	2,902	.....	2,902	321	.....
DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT .....	145,265	210,710	.....	210,710	210,710	.....	210,710	65,445	.....
DEPARTMENT OF EMPLOYMENT SERVICES .....	88,345	93,048	(2,534)	90,514	93,048	(2,534)	90,514	4,702	.....
BOARD OF APPEALS AND REVIEW .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
BOARD OF REAL PROPERTY ASSES. & APPEALS .....	342	431	.....	431	431	.....	431	89	.....
DEPARTMENT CONSUMER & REGULATORY AFFAIRS .....	37,247	40,251	(106)	40,145	40,251	(106)	40,145	3,003	.....
COMMISSION ON ARTS & HUMANITIES .....	9,918	(20)	9,898	9,918	(20)	9,898	9,918	.....	.....
ALCOHOL BEVERAGE REGULATION ADMINISTRATION .....	4,877	4,702	.....	4,702	4,702	.....	4,702	(175)	.....
DEPARTMENT OF BANKING AND FINANCIAL INSTITUTIONS .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
PUBLIC SERVICE COMMISSION .....	7,656	7,976	.....	7,976	7,976	.....	7,976	320	.....
OFFICE OF THE PEOPLE'S COUNSEL .....	3,885	4,306	.....	4,306	4,306	.....	4,306	421	.....
DEPARTMENT OF INSURANCE, SECURITIES AND BANKING .....	13,675	14,158	.....	14,158	14,158	.....	14,158	483	.....
OFFICE OF CABLE TELEVISION AND TELECOMMUNICATIONS .....	4,000	5,054	.....	5,054	5,054	.....	5,054	1,054	.....
HOUSING AUTHORITY SUBSIDY .....	.....	4,003	.....	4,003	4,003	.....	4,003	4,003	.....
TOTAL, ECONOMIC DEVELOPMENT AND REGULATION .....	338,298	449,128	(2,560)	446,468	449,128	(2,560)	446,468	110,830	.....

## PUBLIC SAFETY AND JUSTICE

[In thousands of dollars]

Agency/activity	Approved fis- cal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommenda- tion	Intra-District	Committee recommenda- tion	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
METROPOLITAN POLICE DEPARTMENT .....	372,561	377,488	.....	372,089	377,488	.....	372,089	4,926	.....
FIRE AND EMERGENCY SERVICES DEPARTMENT .....	145,364	156,268	(5,398)	155,900	156,268	(368)	155,900	10,904	.....
POLICE OFFICERS' & FIRE FIGHTERS' RETIREMENT SYSTEM .....	112,100	117,500	.....	117,500	117,500	.....	117,500	5,400	.....

DEPARTMENT OF CORRECTIONS .....	121,447	132,686	(1,934)	130,751	132,686	(1,934)	130,751	11,239	.....
NATIONAL GUARD .....	3,253	3,428	.....	3,428	3,428	.....	3,428	175	.....
D.C. EMERGENCY MANAGEMENT AGENCY .....	5,030	5,495	.....	5,495	5,495	.....	5,495	465	.....
COMMISSION ON JUDICIAL DISABILITIES & TENURE .....	213	218	.....	218	218	.....	218	5	.....
JUDICIAL NOMINATION COMMISSION .....	118	126	.....	126	126	.....	126	8	.....
OFFICE OF POLICE COMPLAINTS .....	1,756	2,095	.....	2,095	2,095	.....	2,095	339	.....
D.C. SENTENCING COMMISSION .....	581	662	.....	662	662	.....	662	81	.....
OFFICE OF THE CHIEF MEDICAL EXAMINER .....	6,762	9,265	.....	9,265	9,265	.....	9,265	2,503	.....
OFFICE OF ADMINISTRATIVE HEARINGS .....	6,647	7,057	(1,164)	5,893	7,057	(1,164)	5,893	410	.....
CORRECTIONS INFORMATION COUNCIL .....	155	155	.....	155	155	.....	155	(0)	.....
CRIMINAL JUSTICE COORDINATING COUNCIL .....	1,550	1,576	.....	1,576	1,576	.....	1,576	26	.....
FORENSICS LABORATORY TECHNICIAN TRAINING PROGRAM .....	800	800	.....	800	800	.....	800	.....	.....
OFFICE OF UNIFIED COMMUNICATIONS .....	30,217	31,662	.....	31,662	31,662	.....	31,662	1,444	.....
EMERGENCY AND DISASTER RESPONSE .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
TOTAL, PUBLIC SAFETY AND JUSTICE .....	808,553	846,479	(8,864)	837,615	846,479	(8,864)	837,615	37,926	.....

## PUBLIC EDUCATION SYSTEM

[In thousands of dollars]

Agency/activity	Approved fiscal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommendation	Intra-District	Committee recommendation	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
D.C. PUBLIC SCHOOLS .....	962,496	1,033,194	(54,157)	979,037	1,033,194	(54,157)	979,037	70,699	.....
TEACHERS' RETIREMENT FUND .....	9,200	15,500	.....	15,500	15,500	.....	15,500	6,300	.....
STATE EDUCATION OFFICE .....	82,388	78,449	.....	78,449	78,449	.....	78,449	(3,939)	.....
D.C. PUBLIC CHARTER SCHOOLS .....	196,802	239,284	.....	239,284	239,284	.....	239,284	42,483	.....
UNIVERSITY OF THE DISTRICT OF COLUMBIA .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
UNIVERSITY OF THE DISTRICT OF COLUMBIA SUBSIDY .....	49,602	57,873	.....	57,873	57,873	.....	57,873	8,270	.....
D.C. PUBLIC LIBRARY .....	32,402	34,473	(320)	34,153	34,473	(320)	34,153	2,071	.....
COMMISSION ON ARTS & HUMANITIES .....	5,357	.....	.....	.....	.....	.....	.....	(5,357)	.....
DISTRICT OF COLUMBIA EDUCATIONAL INVESTMENT FUND .....	.....	21,000	.....	21,000	21,000	.....	21,000	21,000	.....
DISTRICT OF COLUMBIA CHARTER SCHOOLS INVESTMENT FUND .....	.....	4,200	.....	4,200	4,200	.....	4,200	4,200	.....
TOTAL, PUBLIC EDUCATION SYSTEM .....	1,338,246	1,483,973	(54,477)	1,429,496	1,483,973	(54,477)	1,429,496	145,727	.....

**HUMAN SUPPORT SERVICES**  
[In thousands of dollars]

Agency/activity	Approved fis- cal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommenda- tion	Intra-District	Committee recommenda- tion	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
DEPARTMENT OF HUMAN SERVICES .....	442,380	414,015	(198)	413,817	414,015	(198)	413,817	(28,365)	.....
CHILD AND FAMILY SERVICES AGENCY .....	220,802	236,762	(44,284)	192,478	236,762	(44,284)	192,478	15,960	.....
DEPARTMENT OF MENTAL HEALTH .....	208,506	229,545	(42,917)	186,628	229,545	(42,917)	186,628	21,038	.....
DEPARTMENT OF HEALTH .....	1,637,183	1,729,326	(8,842)	1,720,484	1,729,326	(8,842)	1,720,484	92,143	.....
DEPARTMENT OF PARKS AND RECREATION .....	43,971	51,340	(7,450)	43,890	51,340	(7,450)	43,890	7,369	.....
OFFICE ON AGING .....	21,133	21,415	(225)	21,190	21,415	(225)	21,190	282	.....
PBC TRANSITION .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
UNEMPLOYMENT COMPENSATION FUND .....	8,124	7,124	.....	7,124	7,124	.....	7,124	(1,000)	.....
DISABILITY COMPENSATION FUND .....	29,600	30,281	.....	30,281	30,281	.....	30,281	681	.....
OFFICE OF HUMAN RIGHTS .....	2,514	5,032	.....	5,032	5,032	.....	5,032	2,518	.....
OFFICE ON LATINO AFFAIRS .....	4,462	4,485	(830)	3,655	4,485	(830)	3,655	22	.....
D.C. ENERGY OFFICE .....	17,839	21,147	(326)	20,820	21,147	(326)	20,820	3,308	.....
CHILDREN AND YOUTH INVESTMENT FUND .....	5,068	8,068	.....	8,068	8,068	.....	8,068	3,000	.....
BROWNFIELD REMEDIATION .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ASIAN AND PACIFIC ISLANDER AFFAIRS .....	353	540	.....	540	540	.....	540	186	.....
OFFICE OF VETERANS AFFAIRS .....	239	251	.....	251	251	.....	251	12	.....
MEDICAID RESERVE .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
INCENTIVES FOR ADOPTION OF CHILDREN .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
DEPARTMENT OF YOUTH REHABILITATION SERVICES .....	.....	61,327	(2,237)	59,090	61,327	(2,237)	59,090	61,327	.....
TOTAL HUMAN SUPPORT SERVICES .....	2,642,174	2,820,657	(107,308)	2,713,349	2,820,657	(107,308)	2,713,349	178,482	.....

**PUBLIC WORKS**  
[In thousands of dollars]

Agency/activity	Approved fis- cal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommenda- tion	Intra-District	Committee recommenda- tion	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
DEPARTMENT OF PUBLIC WORKS .....	105,220	115,530	(20,488)	95,043	115,530	(20,488)	95,043	10,310	.....
DEPARTMENT OF TRANSPORTATION .....	31,579	39,005	(214)	38,791	39,005	(214)	38,791	7,426	.....

DEPARTMENT OF MOTOR VEHICLES .....	40,790	46,530	(162)	46,530	(162)	46,530	5,740	.....
D.C. TAXI CAB COMMISSION .....	1,258	1,362	.....	1,362	.....	1,362	104	.....
WASHINGTON METRO AREA TRANSIT COMMISSION .....	95	110	.....	110	.....	110	15	.....
WASHINGTON METRO AREA TRANSIT AUTHORITY .....	166,633	187,632	.....	187,632	.....	187,632	20,999	.....
SCHOOL TRANSIT SUBSIDY .....	4,670	5,169	.....	5,169	.....	5,169	499	.....
TOTAL, PUBLIC WORKS .....	350,245	395,339	(20,863)	374,476	(20,863)	374,476	45,094	.....

**FINANCING AND OTHER**  
[In thousands of dollars]

Agency/activity	Approved fis- cal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less intra-district	Committee recommenda- tion	Intra-District	Committee recommenda- tion	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
RESERVE .....	.....	370,778	.....	370,778	370,778	.....	370,778	23,078	.....
REPAYMENT OF LOANS AND INTEREST .....	347,700	.....	.....	.....	.....	.....	.....	.....	.....
REPAYMENT OF GENERAL FUND DEFICIT .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
SHORT-TERM BORROWINGS .....	4,000	5,500	.....	5,500	5,500	.....	5,500	1,500	.....
INAUGURAL EXPENSES .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
CERTIFICATES OF PARTICIPATION .....	15,252	15,000	(4,000)	11,000	15,000	(4,000)	11,000	(252)	.....
SETTLEMENTS AND JUDGMENTS .....	20,270	20,655	.....	20,655	20,655	.....	20,655	385	.....
WILSON BUILDING .....	3,633	3,740	.....	3,740	3,740	.....	3,740	107	.....
WORKFORCE INVESTMENTS .....	38,114	61,110	.....	61,110	61,110	.....	61,110	22,996	.....
TOBACCO TRUST FUND .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
NON-DEPARTMENTAL .....	13,946	36,286	.....	36,286	36,286	.....	36,286	22,340	.....
EMERGENCY PLANNING AND SECURITY FUND .....	14,880	.....	.....	.....	.....	.....	.....	(14,880)	.....
ONE-TIME EXPENDITURES .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
TAX INCREMENT FINANCING (TIF) PROGRAM .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
CASH RESERVE .....	50,000	50,000	.....	50,000	50,000	.....	50,000	.....	.....
GRANT DISALLOWANCE .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
EQUIPMENT LEASE OPERATING .....	23,109	35,441	(8,000)	27,441	35,441	(8,000)	27,441	12,332	.....
EMERGENCY AND CONTINGENCY RESERVE FUNDS .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
PAY-GO CONTINGENCY .....	43,137	.....	.....	.....	.....	.....	.....	(43,137)	.....
PAY-GO CAPITAL .....	6,531	260,883	.....	260,883	260,883	.....	260,883	254,352	.....
DEBT SERVICE—ISSUANCE COSTS .....	.....	40,000	.....	40,000	40,000	.....	40,000	40,000	.....
SCHOOLS MODERNIZATION FUND .....	.....	12,208	.....	12,208	12,208	.....	12,208	12,208	.....
DISTRICT RETIREE HEALTH CONTRIBUTION .....	.....	138,000	.....	138,000	138,000	.....	138,000	138,000	.....

## FINANCING AND OTHER—Continued

[In thousands of dollars]

Agency/activity	Approved fiscal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommendation	Intra-District	Committee recommendation	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
TOTAL, FINANCING AND OTHER	580,572	1,049,600	(12,000)	1,037,600	1,049,600	(12,000)	1,037,600	469,028	.....

## ENTERPRISE FUNDS

[In thousands of dollars]

Agency/activity	Approved fiscal year 2005	Fiscal year 2006 request	Intra-District	Fiscal year 2006 less Intra-district	Committee recommendation	Intra-District	Committee recommendation	Bill compared with—	
								Fiscal year 2005 approved	Fiscal year 2006 request
WATER AND SEWER AUTHORITY	287,206	295,710	.....	295,710	295,710	.....	295,710	8,504	.....
WASHINGTON AQUEDUCT	47,972	50,512	.....	50,512	50,512	.....	50,512	2,540	.....
STORM WATER	3,792	6,673	.....	6,673	6,673	.....	6,673	2,881	.....
D.C. LOTTERY & CHARITABLE GAMES CONTROL BOARD	247,000	251,000	.....	251,000	251,000	.....	251,000	4,000	.....
SPORTS AND ENTERTAINMENT COMMISSION	7,322	339,630	.....	339,630	339,630	.....	339,630	332,308	.....
D.C. RETIREMENT BOARD	15,277	30,078	.....	30,078	30,078	.....	30,078	14,801	.....
CORRECTIONAL INDUSTRIES	.....	.....	.....	.....	.....	.....	.....	.....	.....
WASHINGTON CONVENTION CENTER AUTHORITY	77,176	78,900	.....	78,900	78,900	.....	78,900	1,724	.....
NATIONAL CAPITAL REVITALIZATION CORPORATION	7,849	52,731	.....	52,731	52,731	.....	52,731	44,882	.....
UNIVERSITY OF THE DISTRICT OF COLUMBIA	90,575	102,200	(5,730)	96,470	102,200	(5,730)	96,470	11,625	.....
D.C. OFFICE OF PERSONAL AGENCY TRUST FUND	953	1,100	.....	1,100	1,100	.....	1,100	147	.....
D.C. PUBLIC LIBRARY TRUST FUNDS	17	17	.....	17	17	.....	17	.....	.....
UNEMPLOYMENT COMPENSATION FUND	180,000	180,000	.....	180,000	180,000	.....	180,000	.....	.....
TOTAL, ENTERPRISE FUNDS	965,140	1,388,551	(5,730)	1,382,821	1,388,551	(5,730)	1,382,821	423,411	.....



## GENERAL PROVISIONS

The Committee has modified section 104 and section 105 to allow the District to use locally-generated funds for lobbying purposes. The Committee has included language to maintain a complete prohibition on the use of Federal funds for this purpose.

The Committee has modified section 117 to allow the District to use locally-generated revenues to support programs that provide individuals with sterile needles and syringes. This is consistent with a provision approved by the Senate and included in the Senate bill since fiscal year 2003. The Committee has included language that maintains a complete prohibition on the use of Federal funds for this purpose.

The Committee has included language (sec. 127) that allows the District, based upon revenue certified by the District's Chief Financial Officer, to increase by 25 percent, the amount appropriated for non-tax revenues or "Other-Type" funds and to increase by 6 percent the amount appropriated from all other fund sources within the District's operating budget. The language retains congressional oversight by requiring notification to the committees prior to the expenditure of any increased amount.

The Committee has included language (sec. 128) that would allow the District to borrow from its emergency and contingency reserve funds for cash flow management purposes. Among other restrictions, the provision allows for borrowing only when the amount in each fund is above 50 percent and then only to the extent that such borrowing does not deplete the fund below a 50 percent threshold. In addition, the provision requires the District to replenish any funds borrowed within 9 months or by the end of the fiscal year, whichever occurs earlier.

The Committee has included language (sec. 131) that conveys 15 acres of Federal Park Service land to the District of Columbia to be used for educational purposes. This conveyance of title for educational purposes reflects the mutual interest of the Committee and the District of Columbia to provide a suitable campus environment for a public boarding school to prepare more District students for success in college and the professional world. The Committee joins with District leaders in supporting public boarding school as a critical component of the District's education portfolio and an important contribution to national education reform. In addition, the Committee fully supports and encourages the District's commitment to collaborating closely with a community organization to develop the plan for a boarding school on the described land.

The Committee expects that the lease will be executed not later than 90 days after the date of enactment of this subsection; will lease the described land without consideration to a non-profit District of Columbia corporation to develop, manage, and administer a boarding school for the public welfare; will be for a long term,

and shall provide for a renewal of the initial term; and will be assignable by the lessee for the purpose of securing indebtedness of the lessee, except that any successor in interest to the lessee shall utilize the property for an educational institution for the public welfare.

The Committee bill includes provisions (sec. 132 and sec. 133) that extend through fiscal year 2006, the authority of the Office of the Chief Financial Officer [OCFO] over personnel, procurement, and the preparation of fiscal impact statements. The intent of the Committee is to exempt all aspects of the OCFO's contracting and procurement from the District of Columbia's Procurement Practices Act and to extend the OCFO's independent personnel authority and its authority to prepare fiscal impact statements during the post control board period.

The Committee bill includes language (sec. 134 and sec. 135) to ensure that annuitants retired from the Secret Service are entitled to receive appropriate annual pay increases.

The bill contains a provision (sec. 137) to authorize the District to establish a separate title for the Anacostia Waterfront Corporation from funds currently appropriated under the Economic Development title in the District's fiscal year 2006 appropriation. This provision does not increase the District's overall appropriation request.

# COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill “which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.”

Items providing funding for fiscal year 2006 which lack authorization are as follows:

Federal payment for emergency planning and security costs in the District of Columbia .....	\$12,000,000
Federal payment for the Water and Sewer Authority .....	5,000,000
Federal payment for the Anacostia Waterfront Initiative .....	3,000,000
Federal payment for transportation .....	1,000,000
Federal payment for foster care improvements .....	2,000,000
Federal payment for the Office of the Chief Financial Officer .....	16,500,000
Federal payment for bioterrorism and forensics lab .....	5,200,000
Federal payment for the National Guard Youth Challenge Program .....	500,000
Federal payment for marriage development .....	3,000,000
Federal payment for Latino Youth Initiative .....	2,000,000
Federal payment for prisoner reentrant housing .....	3,000,000

# COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI, OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on July 21, 2005, the Committee ordered reported, en bloc S. 1446, an original bill making appropriations for the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2006, and for other purposes, H.R. 2528, making appropriations for Military Construction and Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes with an amendment in the nature of a substitute and an amendment to the title; and H.R.3058, making appropriations for the Departments of Transportation, Treasury, the Judiciary, Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with an amendment in the nature of a substitute, provided that the bill be subject to further amendment and the bill be consistent with its budget allocation, by a recorded vote of 28–0, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Cochran	
Mr. Stevens	
Mr. Specter	
Mr. Domenici	
Mr. Bond	

Mr. McConnell  
 Mr. Burns  
 Mr. Shelby  
 Mr. Gregg  
 Mr. Bennett  
 Mr. Craig  
 Mrs. Hutchison  
 Mr. DeWine  
 Mr. Brownback  
 Mr. Allard  
 Mr. Byrd  
 Mr. Inouye  
 Mr. Leahy  
 Mr. Harkin  
 Ms. Mikulski  
 Mr. Reid  
 Mr. Kohl  
 Mrs. Murray  
 Mr. Dorgan  
 Mrs. Feinstein  
 Mr. Durbin  
 Mr. Johnson  
 Ms. Landrieu

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE  
 STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the Committee.”

**DISTRICT OF COLUMBIA OFFICIAL CODE**

\* \* \* \* \*

**TITLE 3.**

**DISTRICT OF COLUMBIA BOARDS AND COMMISSIONS.**

**SUBTITLE I**

**GENERAL.**

\* \* \* \* \*

**Chapter 3**

**Armory Board.**

\* \* \* \* \*

## SUBCHAPTER II. ROBERT F. KENNEDY MEMORIAL STADIUM.

\* \* \* \* \*

§ 3-326. Title to Stadium to vest in United States; date; conveyance and lease to District of Columbia; non-transferability; uses of property; reversion for noncompliance.

(a) \* \* \*

\* \* \* \* \*

(d)(1) The instrument of conveyance and the lease referred to in subsection (c) of this section shall provide that all right, title, and interest conveyed to the District of Columbia pursuant to such instrument of conveyance shall revert to the United States and the lease shall terminate if:

\* \* \* \* \*

(4) Any property which reverts to the Secretary under this subsection shall be administered by the Secretary as part of the Park System of the Nation's Capital in accordance with the provisions of the Act of August 25, 1916 (16 U.S.C. §§ 1, 2-4), and other provisions of the law generally applicable to units of the national park system.

(e)(1) *Upon receipt of a written description from the District of Columbia of not more than 15 contiguous acres (hereinafter referred to as "the 15 acres"), with the longest side of the 15 acres abutting one of the roads bounding the property, within the area designated "D" on the revised map entitled "Map to Designate Transfer of Stadium and Lease of Parking Lots to the District" and bound by Oklahoma Avenue, NE, Benning Road, NE, the Metro line, and C Street, NE, and execution of a long-term lease that is contingent up the Secretary's conveyance of the 15 acres and for the purpose consistent with this paragraph, the Secretary shall convey the 15 acres described land to the District of Columbia for the purpose of siting, developing, and operating an educational institution for the public welfare, with first preference given to a pre-collegiate public boarding school.*

(2) *Upon conveyance, the portion of the stadium lease that affects the 15 acres on the property and all the conditions associated therewith shall terminate, and the 15 acres property shall be removed from the "Map to Designate Transfer of Stadium and Lease of Parking Lots to the District", and the long-term lease described in paragraph (1) shall take effect immediately.*

\* \* \* \* \*

## TITLE 5

### POLICE, FIREFIGHTERS, AND CHIEF MEDICAL EXAMINER

\* \* \* \* \*

## Chapter 7

### Police and Firefighters Retirement and Disability.

\* \* \* \* \*

**SUBCHAPTER I. RETIREMENT AND DISABILITY, 1916.**

\* \* \* \* \*

**§ 5-745. Pension relief allowance or retirement compensation increase.**

(a) \* \* \*

\* \* \* \* \*

(e) This section shall not apply with respect to officers and members of the Metropolitan Police force or the Fire Department of the District of Columbia who retire after the effective date of this subsection.

(f) *This section shall not apply with respect to any annuitant retired from the United States Secret Service Division, other than an annuitant retired from the United States Secret Service Uniformed Division.*

**§ 5-745A. Annuity Increase for United States Secret Service Division.**

(a) *Each annuitant retired from the United States Secret Service Division, other than an annuitant retired from the United States Secret Service Uniformed Division, shall be entitled to receive an increase annually equal to the General Schedule overall average pay increase that is effective in accordance with title 5 of the United States Code, section 5303.*

(b) *In the event that an annuity increase cannot be determined under subsection (a) because title 5 of the United States Code, section 5303, is superseded or nullified, then each annuitant retired from the United States Secret Service Division, other than an annuitant retired from the United States Secret Service Uniformed Division, shall be entitled to receive an increase annually under the provisions of title 5 of the District of Columbia Code, section 5-718 (c-1) and (c-2).*

\* \* \* \* \*

**DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005,  
PUBLIC LAW 108-335**

\* \* \* \* \*

**TITLE I—FEDERAL FUNDS**

\* \* \* \* \*

**FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT**

For a Federal payment for a school improvement program in the District of Columbia, \$40,000,000, to be allocated as follows: for the District of Columbia Public Schools, \$13,000,000 to improve public school education in the District of Columbia; for the State Education Office, \$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2006; for the Secretary of the Department of Education, \$14,000,000 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 (Public Law 108-199; 118 Stat. 126), of which up to \$1,000,000 may be used to administer and fund assessments: *Provided*, That of the \$13,000,000

for the District of Columbia Public Schools, not less than \$2,000,000 shall be for a new incentive fund to reward high performing or significantly improved public schools; not less than \$2,000,000 shall be to support the Transformation School Initiative directed to schools in need of improvement: *Provided further*, That of the remaining amounts, the Superintendent of the District of Columbia Public Schools shall use such sums as necessary to provide grants to schools which are not eligible for other programs referenced under this heading, and to contract for management consulting services and implement recommended reforms: *Provided further*, That the Comptroller General shall conduct a financial audit of the District of Columbia Public Schools: *Provided further*, That of the \$13,000,000 provided for public charter schools in the District of Columbia, \$2,000,000 shall be for the City Build Initiative to create neighborhood-based charter schools; \$2,750,000 shall be for the Direct Loan Fund for Charter Schools; \$150,000 shall be for administrative expenses of the Office of Charter School Financing and Support to expand outreach and support of charter schools; \$100,000 shall be for the D.C. Public Charter School Association to enhance the quality of charter schools; ~~[\$4,000,000]~~ *\$4,000,000, to remain available until expended*, shall be for the development of an incubator facility for public charter schools; \$2,000,000 shall be for a charter school college preparatory program; and ~~[\$2,000,000 shall be for a new incentive fund]~~ *\$2,000,000, to remain available until expended, shall be for a new incentive fund* to reward high performing or significantly improved public charter schools: *Provided further*, That the District of Columbia government shall establish a dedicated account for the Office of Charter School Financing and Support (the Office) that shall consist of the Federal funds appropriated in this Act, any subsequent appropriations, any unobligated balances from prior fiscal years, any additional grants, and any interest and principal derived from loans made to Charter Schools, and repayment of dollars utilized to support credit enhancement 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 Credit Enhancement Program, Direct Loan Fund Grant Program, and any other charter school financing under the management of the Office: *Provided further*, That in this and subsequent fiscal years the Office of the Chief Financial Officer shall conduct an annual audit of the funds expended by the Office and provide an annual financial report to the Mayor, the Council of the District of Columbia, the Office of the District of Columbia Treasurer and the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further*, That not more than \$250,000 of the total amount appropriated for this program may be used for administrative expenses and training expenses related to the cost of the National Charter School Conference(s) to be hosted by December 2006; and no more than 5 percent of the funds appropriated for the direct loan fund may be used for administrative expenses related to the administra-

tion and annual audit of the direct loan, grant, and credit enhancement programs.

\* \* \* \* \*

#### BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.  
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the Budget Resolution for 2006: Subcommittee on the District of Columbia:				
Discretionary .....	593	593	581	<sup>1</sup> 580
Projections of outlays associated with the recommendation:				<sup>2</sup> 509
2006 .....				56
2007 .....				18
2008 .....				10
2009 .....				
2010 and future years .....				
Financial assistance to State and local governments for 2006 .....	NA	392	NA	366

<sup>1</sup> Includes outlays from prior-year budget authority.

<sup>2</sup> Excludes outlays from prior-year budget authority.

NA: Not applicable.



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2005 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2006  
[In thousands of dollars]

Item	2005 appropria- tion	Budget estimate	House allowance <sup>1</sup>	Committee rec- ommendation	Senate Committee recommendation compared with (+ or -)		
					2005 appropria- tion	Budget estimate	House allowance <sup>1</sup>
<b>TITLE I</b>							
<b>FEDERAL FUNDS</b>							
Federal payment for Resident Tuition Support .....	25,395	33,200	33,200	33,200	+ 7,805	.....	.....
Federal payment for Emergency Planning and Security Costs in the District of Columbia .....	14,880	15,000	15,000	12,000	- 2,880	- 3,000	- 3,000
Federal payment to the District of Columbia Courts .....	189,274	221,693	221,693	218,912	+ 29,638	- 2,781	- 2,781
Defender Services in District of Columbia Courts .....	38,192	45,000	45,000	45,000	+ 6,808	.....	.....
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia .....	178,560	203,388	203,388	201,388	+ 22,828	- 2,000	- 2,000
Federal payment to the District of Columbia Water and Sewer Authority .....	4,762	.....	10,000	5,000	+ 238	+ 5,000	- 5,000
Federal payment for the Anacostia Waterfront Initiative <sup>2</sup> .....	2,976	5,000	5,000	3,000	+ 24	- 2,000	- 2,000
Federal payment to the Criminal Justice Coordinating Council .....	1,290	1,300	1,300	1,300	+ 10	.....	.....
Federal payment for the Unified Communications Center .....	5,952	.....	.....	.....	- 5,952	.....	.....
Federal payment for Public School Libraries .....	5,952	.....	.....	.....	- 5,952	.....	.....
Federal payment for the Family Literacy Program .....	992	.....	.....	.....	- 992	.....	.....
Federal payment for Transportation Assistance .....	2,480	.....	.....	1,000	- 1,480	+ 1,000	+ 1,000
Federal payment for Foster Care Improvements .....	4,960	.....	.....	2,000	- 2,960	+ 2,000	+ 2,000
Federal payment to the Office of the Chief Financial Officer of the District of Columbia .....	32,240	.....	20,000	16,500	- 15,740	+ 16,500	- 3,500
Federal payment for School Improvement .....	39,680	41,616	41,616	40,000	+ 320	- 1,616	- 1,616
Federal payment for Bioterrorism and Forensics Labs .....	7,936	7,200	7,200	5,200	- 2,736	- 2,000	- 2,000
Federal payment for the National Guard Youth Challenge in the District of Co- lumbia .....	.....	.....	.....	500	+ 500	+ 500	+ 500
Federal payment for Marriage Development Accounts .....	.....	.....	.....	3,000	+ 3,000	+ 3,000	+ 3,000
Federal payment for Latino youth Initiative .....	.....	.....	.....	2,000	+ 2,000	+ 2,000	+ 2,000
Federal payment for Prisoner Reentrant Housing .....	.....	.....	.....	3,000	+ 3,000	+ 3,000	+ 3,000
Total, Federal funds to the District of Columbia .....	555,521	573,397	603,397	593,000	+ 37,479	+ 19,603	- 10,397

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2005 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2006—Continued  
[In thousands of dollars]

Item	2005 appropria- tion	Budget estimate	House allowance <sup>1</sup>	Committee rec- ommendation	Senate Committee recommendation compared with (+ or -)		
					2005 appropria- tion	Budget estimate	House allowance <sup>1</sup>
DISTRICT OF COLUMBIA FUNDS							
Operating Expenses							
Operating expenses .....	(7,168,491)	(8,700,158)	(8,700,158)	(8,700,158)	(+ 1,531,667)	.....	.....
Total, District of Columbia funds .....	(7,168,491)	(8,700,158)	(8,700,158)	(8,700,158)	(+ 1,531,667)	.....	.....
Grand total:							
Federal Funds to the District of Columbia .....	555,521	573,397	603,397	593,000	+ 37,479	+ 19,603	- 10,397
District of Columbia funds .....	(7,168,491)	(8,700,158)	(8,700,158)	(8,700,158)	(+ 1,531,667)	.....	.....

<sup>1</sup> H.R. 3058.

<sup>2</sup> Funds are for the Anacostia Riverwalk and Trail construction.