



September 5, 2003

**Policy Brief.....FY 2004 District of Columbia Appropriations  
 (H.R. 2765)**

**Order of Business:** The bill is scheduled to be considered on Friday, September 5<sup>th</sup>, subject to a unanimous consent agreement propounded on July 25<sup>th</sup>. The order of the House provides an open rule and makes in order the amendment to be offered by Rep. Davis.

**BY THE NUMBERS:**

*Budget Authority in Millions of Dollars*

	<b>FY '03 Enacted</b>	<b>FY '04 Request</b>	<b>FY '04 House</b>
Federal Funds	508.7	420.6	466.0
DC Funds	7,304.0	7,430.9	7,430.9

For Federal Funds, H.R. 2765 is:

- \$42.7 million or 8.4% below last year; and
- \$45.4 million or 10.8% above the request.

For DC Funds, H.R. 2765 is:

- \$126.9 million or 1.7% above last year; and
- Equal to the request.

**Restrictions on Use of Funds:**

- **DOMESTIC PARTNERS BENEFITS:** Prohibits federal funds, but NOT District funds from being used to provide employment, health, or governmental benefits to unmarried (whether heterosexual or homosexual) domestic partners.
- **ABORTION:** Maintains the prohibition on the use of Federal or District funds for abortions (except for the life of the mother or in cases of rape or incest).

- CONGRESSIONAL VOTE: Maintains the prohibition on the use of federal or District funds to seek voting representation in Congress. Prohibits the use of federal funds for salaries, expenses, and other costs associated with the offices of U.S. Senator or Representative.
- COMPETITIVE BIDDING: Prohibits DC from renewing or extending sole source contracts without opening them to a competitive bidding process. *This provision is subject to a point of order under the Rule.*
- FIREARMS: Prohibits federal and District funds from being used to support DC’s lawsuit against firearms manufacturers in the case before the DC Court of Appeals.
- NEEDLE EXCHANGES: Maintains prohibition on the use of federal or District Funds for the operation of needle exchange programs.
- MARIJUANA: Maintains the prohibition on the use of federal or District Funds to implement any medical marijuana program.
- BOY SCOUTS: Prohibits Federal or D.C. Funds from being used to issue, administer, or enforce the D.C. Commission on Human Rights ruling that the Boy Scouts of America must reinstate two homosexual scout leaders and pay them \$50,000 each plus legal fees.
- LAWYERS FEES FOR IDEA CASES: Prohibits federal or District funds from being used to pay the fees of an attorney who represents any party in an action against the DC Public Schools under the Individuals with Disabilities Act (IDEA) in excess of \$4,000 for that action. The language also prohibits the paying of fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

## **Federal Funding:**

*Dollars in Thousands*

	FY 2003 Enacted	FY 2004 Request	FY 2004 Cmte	Cmte Vs. FY 2003	Cmte Vs. Request	Cmte Vs. FY 2003	Cmte Vs. Request
<b>District of Columbia--Federal Funds</b>							
Resident Tuition Support	16,889	17,000	17,000	111	0	0.66%	0.00%
Emergency Planning and Security	14,902	15,000	15,000	98	0	0.66%	0.00%
DC Courts	160,890	163,819	163,819	2,929	0	1.82%	0.00%
Defender Services in DC Courts	16,989	32,000	32,000	15,011	0	88.36%	0.00%
Court Services and Offender Supervision Agency	153,701	166,525	163,081	9,380	-3,444	6.10%	-2.07%
DC Water and Sewer Authority	49,675	15,000	35,000	-14,675	20,000	-29.54%	133.33%
Anacostia Waterfront Initiative	4,968	10,000	4,300	-668	-5,700	-13.45%	-57.00%
Criminal Justice Coordinating Council	0	1,300	1,300	1,300	0		0.00%
Capital development	10,084	0	8,000	-2,084	8,000	-20.67%	
Public school facilities	0	0	4,500	4,500	4,500		
Family Literacy Program	3,974	0	2,000	-1,974	2,000	-49.67%	
DC Scholarship Program (subject to authorization)	0	0	10,000	10,000	10,000		

DC Chief Financial Officer	40,535	0	10,000	-30,535	10,000	-75.33%	
Hospital Bioterrorism Preparedness	9,935	0	0	-9,935	0	-100.00%	
DC Department of Transportation	993	0	0	-993	0	-100.00%	
Waterfront improvements	2,285	0	0	-2,285	0	-100.00%	
Asbestos remediation	993	0	0	-993	0	-100.00%	
Fire and Emergency Medical Services Department	1,987	0	0	-1,987	0	-100.00%	
Special education	2,981	0	0	-2,981	0	-100.00%	
Public charter school facilities	16,889	0	0	-16,889	0	-100.00%	
<b>TOTAL, Federal funds to DC</b>	<b>508,670</b>	<b>420,644</b>	<b>466,000</b>	<b>-42,670</b>	<b>45,356</b>	<b>-8.39%</b>	<b>10.78%</b>

The Committee Report (#108-214) notes that, since the District participates as a state, county, and city in various federal grant programs, the District plans to receive \$1.788 billion in federal grants in FY2004 primarily for health and education activities.

**Committee Action:** The Appropriations Committee reported the bill on July 17, 2003.

**Does the Bill Create New Federal Programs or Rules?:** No, as reported. However, the rule may protect an amendment that would authorize a school choice program for the District.

**Constitutional Authority:** The Appropriations Committee, in House Report 108-214, cites constitutional authority in Article I, Section 8, Clause 17 (congressional power to “exercise exclusive Legislation in all Cases whatsoever, over such District...”) and Article I, Section 9, Clause 7 (“No money shall be drawn from the Treasury but in consequence of Appropriations made by law.”).

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