

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

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**TO:** All Councilmembers  
**FROM:** Chairman Phil Mendelson  
Committee of the Whole  
**DATE:** August 3, 2021  
**SUBJECT:** Report on Bill 24-276, the “Fiscal Year 2022 Federal Portion Budget Request Act of 2021”

The Committee of the Whole, to which Bill 24-276 was referred, reports favorably thereon with amendments and recommends approval by the Council. This legislation establishes the federal portion request of the District’s budget for Fiscal Year 2022.

The District’s annual budget is appropriated via local legislation.<sup>1</sup> For Fiscal Year 2022, that legislation is Bill 24-276, the Fiscal Year 2022 Local Budget Act of 2021, which is subject to the same congressional review as other Council acts. Further information on the District’s Fiscal Year 2022 budget and financial plan is set forth in the Committee’s report on that legislation. In addition to the Local Budget Act, the Council also adopts a budget request act for a small number of federal payments that Congress provides specifically to the District. Bill 24-276, the Federal Portion Budget Request Act, is that measure.

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**I. BACKGROUND AND NEED**

Section 442 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), requires the Mayor to prepare and submit to the Council an annual budget for the District. Section 446 provides that the Council, within 70 days after receipt of the Mayor’s proposed budget, shall by act adopt the annual budget for the District government,

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<sup>1</sup> Section 446(c) of the Home Rule Act.

with the federal portion of the budget being submitted thereafter as a request by the Mayor to the President for transmission to Congress.

Bill 24-276, the Fiscal Year 2022 Federal Portion Budget Request Act of 2021, as amended and approved by the Committee of the Whole, reflects the portion of the budget for Fiscal Year 2022 that is made up of federal payments exclusive to the District.

Since 1973, the District has had the authority to raise its own revenues. Prior to the enactment of the National Capital Revitalization and Self Government Improvement Act of 1997 (Revitalization Act), however, a significant portion of the District's budget was comprised of an annual payment from the United States government to the District. This payment was approximately \$660 million annually in the mid-1990s and constituted approximately 16 percent of the District's total budget. With the Revitalization Act, and because of the District's strong financial management, the federal payments to the District government have shrunk dramatically. In Fiscal Year 2021, the approved federal payments budget amounted to \$136.7 million or 0.9 percent of the District's gross funds budget. In response to the COVID-19 pandemic, Congress passed the CARES Act, which provided additional federal funding to all states, including the District of Columbia. Although the minimum amount provided to each of the 50 states was \$1.25 billion, the District received only \$495 million in CARES Act relief.

Of the District's Fiscal Year 2022 budget of \$16.7 billion, the majority—\$12.9 billion—is locally raised through District taxes and fees or derived from other local sources. This means local dollars account for 77.1 percent of the District's total budget. Most of the rest—\$3.6 billion—is federal formula spending that includes Medicaid and federal grants available to all jurisdictions and for which the federal government has no oversight responsibility unique to the District. Federal formula spending accounts for 21.8 percent of the District's total budget. Overall, approximately 98.9 percent of the District's budget is derived from local revenue and federal formula grants not unique to the District. The remainder, less than 1 percent of the budget, comes from federal payments specifically requested for programs or projects unique to the District.

Despite this foundation of local dollars, the District suffers from a constrained tax base, in part because a significant proportion of real property is federal or international and therefore tax exempt, and in part because the District is prohibited by the Home Rule Act from taxing income at its source. The so-called "commuter tax" prohibition not only deprives the District of the power of other municipalities and states to tax income earned within the jurisdiction by nonresidents; it also deprives the District of tax revenues that would otherwise inure to it because residents who work in other states can take a credit against the income tax they would otherwise pay to the District. These constraints are estimated to cost the District more than \$1.7 billion annually in lost tax revenue.

Nevertheless, the District maintains a strong economic record supported by adherence to responsible financial management and fiscal discipline. This is evidenced by the minimal reliance on a federal payment, as noted above, and the solid financial footing rooted in locally-sourced funding. The District is growing, and our tax base is growing. Our capital spending is disciplined, and our retirement funds are among the best in the nation (the Police/Fire/Teachers pension fund

is approximately 114% funded and OPEB is 111% funded). The District's minimal reliance on federal funding is also prudent given that cuts to federal spending have impacted state and local governments in recent years.

More evidence of the strong financial position of the District, and details of the responsible policymaking that contributes to that position, is found in Bill 24-275, the Fiscal Year 2022 Local Budget Act of 2021 and accompanying committee report.

The portion of the District's Fiscal Year 2022 budget related to the federal budget request is contained in Bill 24-276. The committee recommends adoption of the Print.

## II. LEGISLATIVE CHRONOLOGY

February 25, 2021	Notice of public hearings on the proposed Fiscal Year 2022 Budget and Financial Plan is published in the <i>District of Columbia Register</i> (updates to the schedule of budget oversight hearings published in later issues)
May 27, 2021	Bill 24-276, the "Fiscal Year 2022 Federal Portion Budget Request Act of 2021" is introduced by Chairman Mendelson at the request of the Mayor
June 1, 2021	Bill 24-276 is "read" at the June 1, 2021 Regular Legislative Meeting and referred to the Committee of the Whole
June 2, 2021	Committee of the Whole holds a public briefing on the Mayor's Fiscal Year 2022 Proposed Budget and Financial Plan
June 3 - June 24, 2021	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2022 Budget Support Act of 2021 that were referred to each for comments
June 11, 2021	Notice of Intent to Act on Bill 24-276 is published in the <i>District of Columbia Register</i>
June 25, 2021	Committee of the Whole holds a public hearing on Bill 24-275, Bill 24-285, Bill 24-276, Bill 24-279, and Bill 24-283
June 29 - July 1, 2021	Committees mark up and approve their budget recommendations for Fiscal Year 2022
July 20, 2021	Committee of the Whole marks up Bill 24-275 and Bill 24-285
August 3, 2021	Committee of the Whole marks up Bill 24-276

### III. POSITION OF THE EXECUTIVE

Bill 24-276 represents the federal portion of the Mayor's Fiscal Year 2022 Proposed Budget and Financial Plan.

### IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission on Bill 24-276.

### V. LIST OF WITNESSES<sup>2</sup>

#### WITNESS LIST

1.	Amber Harding	Washington Legal Clinic for the Homeless
2.	Matthew Hanson	Chief of Staff
3.	Scott Goldstein	EmpowerEd
4.	Kimberly Perry	DC Action
5.	Jarred Bowman	DC Action
6.	Angela Franco	DC Chamber of Commerce
7.	Emmanuel Caudillo	DECC
8.	Julia Keane	SPACES in Action
9.	Michael Havlin	Public Witness
10.	Patricia Stamper	Deanwood Citizens Association (Secretary)
11.	Emily Naber	Public Witness
12.	Rebecca Barson	Public Witness
13.	Greyson Mann	Friends of the DC Streetcar
14.	Judith Sandalow	Children's Law Center
15.	Kerry Savage	Director of Policy, Parents Amplifying Voices in Education (PAVE)
16.	Ariel Drehobl	Public Witness

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<sup>2</sup> Note: Written testimony and comments are included in the hearing record for Bill 24-285.

17. Michelle Engelmann Jews United for Justice (JUFJ)
18. Glenn Engelmann Jews United for Justice
19. Gail Lelyveld Retired
20. Lauren Spokane Jews United for Justice
21. Dawn Dalton DC Coalition Against Domestic Violence
22. Katharine Landfield JUFJ
23. Nitza Albino MSSPA / Latinas en Poder
24. Louis Perwien Public Witness
25. Jeff Credit Washington Association of Child Care Centers
26. Laura Hagood DC History Center
27. Diana Mayhew National Cherry Blossom Festival
28. Lisa Mallory District of Columbia Building Industry Association
29. Erica Williams DC Fiscal Policy Institute
30. Wren Patton Sunrise DC
31. David Schwartzman DC Statehood Green Party
32. Martine Sadarangani Gordon Washington Area Women's Foundation
33. Tonja Hollis City Year Washington, DC
34. Cristina Encinas MSSPA
35. Denisha Hall Educare DC
36. Jamal Berry Educare DC / DC Head Start Association / Under 3 DC
37. Judy Estey The Platform of Hope
38. Kathy Hollowell-Makle District of Columbia Association for the Education of Young Children
39. Daniel Michelson-Horowitz Public Witness
40. Elliott Becker Public Witness
41. Brendan Williams-Kief On Behalf of DC Association of Beverage Alcohol Wholesalers
42. Andrew Flagel Consortium of Universities of the Washington Metropolitan Area
43. Erin Palmer ANC 4B02
44. Max Pastore Public Witness

45. Julia Ruiz MSSPA
46. Marilyn Medrano MSSPA / Estrellitas
47. Damaris Mejia MSSPA / Arco Iris ABCD
48. Rashida Taylor It Takes A Village DC / Spaces In Action / Under 3 DC Coalition
49. Bill Mefford The Festival Center
50. Jamar Day DC Action
51. Tahjai Peterson Public Witness
52. Sia Barbara Kamara DC Early Learning Collaborative
53. Maria Romano MSSPA / Love of Learning Child Development Home
54. Artilie Wright Parkside Resident
55. Dan Mauer Public Witness
56. Harish Ramroop Public Witness
57. Thalia Washington Higher Achievement
58. Shannon Hodge Founding Executive Director, DC Charter School Alliance
59. Audrey Walker Jubilee Housing
60. Gina Daye-Williams Jubilee Housing
61. Jim Knight Jubilee Housing
62. Martin Mellett Jubilee Housing
63. Daniel Essrow Jews United for Justice
64. Jamie Holloway Bright Beginnings, Inc.
65. Ebony Tuzon Bright Beginnings, Inc.
66. Denise Day Bright Beginnings, Inc.
67. Sylvia Guerrero Bright Beginnings, Inc.
68. Lynn Amano Friendship Place
69. Alana Eichner DC Chapter of the National Domestic Workers Alliance
70. Darius Sivin Public Witness
71. Jack McCarthy Appletree Institute
72. Zachary Teutsch Public Witness
73. Nikko Bilitza DC Jobs with Justice

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|------|-----------------------|--|
| 74.  | Alexis Stoumbelis     | Public Witness   |
| 75.  | David Stephen         | Metropolitan Washington Council                              |
| 76.  | Michael Wilson        | UFCW Local 400   |
| 77.  | Whitney Tucker        | Center on Budget and Policy Priorities                       |
| 78.  | Sara Tennen           | DC Volunteer Lawyers Project                                 |
| 79.  | Tanza Terrell         | Roots ALC  |
| 80.  | Trupti Patel          | ANC Commissioner   |
| 81.  | Kiamesha Phillpotts   | Roots Activity Learning Center                               |
| 82.  | Andrew Lee            | DC Strings   |
| 83.  | Saliha Abd Al- Malik  | Sunshine Early Learning Center / Southeast Children's Fund   |
| 84.  | Natasha Riddle Romero | Under 3 DC   |
| 85.  | Lorna Julien          | CAIR Coalition   |
| 86.  | Carrie Thornhill      | DC Early Learning Collaborative Inc                          |
| 87.  | Amy Gellatly          | Bread for the City   |
| 88.  | Kate Coventry         | DC Fiscal Policy Institute                                   |
| 89.  | Beonca Garnett        | Public Witness   |
| 90.  | Brian Morrison        | DCPS   |
| 91.  | Dr. Patricia Mabry    | AsA Early Learning Academy at The Mary Elizabeth House, Inc. |
| 92.  | Laura Kleinmann       | DCPS   |
| 93.  | Scott Morrow          | Public Witness   |
| 94.  | Allison Kokkoros      | Carlos Rosario Public Charter School                         |
| 95.  | Yessenia Garcia       | La Clinica del Pueblo  |
| 96.  | Lauren Vaughan        | Samaritan Inns   |
| 97.  | Selene Lara           | La Clínica del Pueblo  |
| 98.  | Dara Davis            | Washington Urban Debate League                               |
| 99.  | Bicky Corman          | Tesla  |
| 100. | Kristin Sinclair      | Georgetown University  |
| 101. | Teddi Bescel          | Public Witness   |
| 102. | Kenyattah Robinson    | Mount Vernon Triangle Community Improvement District         |
| 103. | Jenna Gerry           | National Employment Law Project                              |

104.	Latoya Robinson	Kiddie University University for Kids
105.	Danielle Martin	Kiddie University University for Kids
106.	NaShayla Williams	Kiddie University University for Kids
107.	Katara Summers	Kiddie University University for Kids
108.	Sherice Muhammad	Public Witness
109.	Norma Byrd	Business Promotion Consultants, Inc.
110.	Yannik Omictin	ANC 2A
111.	Melody Webb	Mother's Outreach Network
112.	Judy Alden	HLAA-DC chapter
113.	Coy McKinney	SW Action
114.	Carolene Charles	UDC FANEA
115.	Ruth Gonzalez	Parkside resident
116.	Carol Rosenblatt	Coalition of Labor Union Women
117.	Evan Loukadakis	DC Association of Realtors

## VI. IMPACT ON EXISTING LAW

Bill 24-276 represents the federal portion of District's proposed budget for Fiscal Year 2021. Pursuant to section 446 of the Home Rule Act, this legislation is a request to Congress and does not amend existing District law. As set forth in the Home Rule Act, Bill 24-276 is effective only insofar as it is adopted by Congress.

## VII. FISCAL IMPACT

Bill 24-276 comprises the Council's adoption of the federal portion of the annual budget for the District government and establishes the level of funding for certain operations of the District for Fiscal Year 2022 as set forth in the legislation.

## VIII. SECTION-BY-SECTION ANALYSIS

### DISTRICT OF COLUMBIA FEDERAL FUNDS APPROPRIATION REQUEST

Section 1 States the short title of Bill 24-275.

Section 2 Sets forth the requested federal portion expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 2022, as follows:



Federal Payment to the District of Columbia Courts- \$357,804,000.

This amount supports the District of Columbia Courts, including the District of Columbia Court of Appeals, the Superior Court of the District of Columbia, and the District of Columbia Court System.

Federal Payment for Defender Services in the District of Columbia Courts - \$46,005,000.

This amount supports payments for representation and appointed counsel in certain proceedings.

Federal Payment for Resident Tuition Support - \$40,000,000.

This amount supports the program known as DC Tuition Assistance Grants or “DCTAG” and is used to pay tuition assistance to individual District residents based on the difference between in-State and out-of-State tuition at public institutions of higher education.

Federal Payment for School Improvement - \$52,500,000.

This amount supports the payments for primary and secondary education in three sectors (DCPS, DC Public Charter Schools, and vouchers) authorized under the Scholarship for Opportunity and Results Act.

Federal Payment to the Criminal Justice Coordinating Council - \$2,150,000.

This amount, as requested by the Criminal Justice Coordinating Council, supports initiatives related to the coordination of federal and local criminal justice resources.

Federal Payment for Judicial Commissions - \$630,000.

This amount funds the operations of the Commission on Judicial Disabilities and Tenure at \$330,000 and the Judicial Nomination Commission at \$300,000.

Federal Payment for the District of Columbia National Guard - \$600,000.

This amount supports the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

Federal Payment for Testing and Treatment of HIV/AIDS - \$5,000,000.

This amount contributes to the District’s efforts to test for and treat individuals with HIV and AIDS.

Federal Payment for Emergency Planning and Security Costs in the District of Columbia - \$25,000,000.

This amount defrays costs incurred by the District’s provision of public safety at events related to the status of the District as the nation’s capital, including support requested by the Secret Service in carrying out protective duties and support to respond to terrorist threats or attacks in the region. Included are costs for the January 2021 Presidential inauguration.

Federal Payment to the District of Columbia Water and Sewer Authority - \$8,000,000. This amount, which is the District's request, supports the continued implementation of the Combined Sewer Overflow Long-Term Control Plan. This Plan is court-ordered, results from federal Clean Water Act requirements, and remediates water pollution caused by the sewage system built and operated by the federal government before 1974.

Section 3      Compensation of the Chief Financial Officer

This section, if adopted by Congress, amends the District of Columbia Home Rule Act to state that the Chief Financial Officer shall be paid equal to the limit on total pay for certain federal employees pursuant to 5 U.S.C. § 5307(d), or at a rate established by law by the District of Columbia, except that the Chief Financial Officer's salary cannot be reduced during his or her service as Chief Financial Officer. Once enacted, this provision will enable the District government to increase the Chief Financial Officer's salary, just as it may raise the salaries of its Mayor, Chief of Police, Public Schools Chancellor, and other important officials.

Section 4      Contingency Cash

This section, if adopted by Congress, provides that withdrawals from the Contingency Cash Reserve Fund must be approved by the Council by resolution. Currently, under the Home Rule Act, withdrawals must be paid back to the Reserve Fund within two years, in essence an appropriation. The Council should have a role in the approval of the expenditures before being required to appropriate the repayments.

Section 5      Sales Tax

This section, if adopted by Congress, would expand the District's sales tax to places such as Smithsonian museum gift shops and government-building cafeterias. These businesses compete with the private sector and should not be favored by exemption from the sales tax. Moreover, this provision does not tax the federal government, but congressional approval is necessary.

Section 6      States that this legislation, once adopted, constitutes the federal portion of the District's Fiscal Year 2022 budget.

Section 7      States the fiscal impact.

Section 8      States the effective date.

**IX. COMMITTEE ACTION**

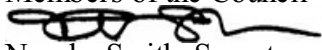
**X. ATTACHMENTS**

1. Bill 24-276 as introduced.
2. Legal Sufficiency Determination for Bill 24-276.
3. Committee Print for Bill 24-276.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council  
  
From : Nyasha Smith, Secretary to the Council  
Date : Friday, May 28, 2021  
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, May 27, 2021. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2022 Federal Portion Budget Request Act of 2021", B24-0276

INTRODUCED BY: Chairman Mendelson, at the request of Mayor

The Chairman is referring this legislation to Committee of the Whole.

Attachment  
cc: General Counsel  
Budget Director  
Legislative Services



MURIEL BOWSER  
MAYOR

May 27, 2021

The Honorable Phil Mendelson, Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Dear Chairman Mendelson:

On behalf of the residents of the District of Columbia, I am pleased to submit to you the proposed District of Columbia Fiscal Year 2022 Proposed Budget and Financial Plan, *A Fair Shot*. Included in this submission, you will find the "Fiscal Year 2022 Local Budget Act of 2021," the "Fiscal Year 2022 Federal Portion Budget Request Act of 2021," the "Fiscal Year 2022 Budget Support Act of 2021," the "Fiscal Year 2021 Revised Local Budget Emergency Act of 2021," the "Fiscal Year 2021 Revised Local Budget Temporary Act of 2021," and the "Fiscal Year 2021 Revised Local Budget Emergency Declaration Resolution of 2021." In addition, I am submitting the following accompanying emergency measures for consideration: the "Fiscal Year 2022 Local Budget Emergency Act of 2021," the "Fiscal Year 2022 Local Budget Temporary Act of 2021," the "Fiscal Year 2022 Local Budget Emergency Declaration Resolution of 2021," the "Fiscal Year 2021 Revised Federal Stimulus Local Budget Emergency Act of 2021," the "Fiscal Year 2021 Revised Federal Stimulus Local Budget Temporary Act of 2021," the "Fiscal Year 2021 Revised Federal Stimulus Local Budget Emergency Declaration Resolution of 2021," the "Fiscal Year 2021 Revised Local Budget Advance School Payment Emergency Amendment Act of 2021," the "Fiscal Year 2021 Revised Local Budget Advance School Payment Temporary Amendment Act of 2021," and the "Fiscal Year 2021 Revised Local Budget Advance School Payment Emergency Declaration Resolution of 2021."

The Fiscal Year 2022 budget marks the turning of a corner on a global public health crisis that has killed millions of people worldwide and led to a swift and deep global recession. The Fair Shot Budget makes significant investments to provide relief, recovery, and growth for residents and businesses across all eight wards. In this budget, we focus on what we know to be the pillars of an equitable recovery: access to safe and affordable housing, high-quality job training, healthy neighborhoods, academic acceleration, increased access to quality child care, programs to reduce gun violence, safe and accessible transportation options, and supports for businesses and residents hit hardest by the economic crisis over the past year.

During last year's budget cycle, we were very focused on providing our community a sense of hope. At the time, there was a significant amount of uncertainty, both in terms of the virus as well as our community's financial future. With so much uncertainty, we controlled what we could and made big investments in our DC Values and in keeping our community safe and healthy. Today, we have more hope. Everyone 12 and older is now eligible for the vaccine; more than 50% of all DC residents are at least partially vaccinated; and through the American Rescue Plan, DC received the CARES Act funding we were shortchanged along with access to hundreds of millions of dollars in federal relief funds.

The Fair Shot Budget continues investing in DC HOPE – in health care and housing, opportunity, prosperity, and equity. This budget also recognizes how the landscape has shifted over the past year and seizes on this once-in-a-lifetime opportunity to put our city on a trajectory toward a more equitable future. And this starts with recognizing that a strong recovery begins with ensuring everyone in our community has access to safe, stable, and affordable housing. To that end, I am investing a record-setting \$400 million in the Housing Production Trust Fund (HPTF), bringing our total investment in the HPTF since 2015 to more than \$1 billion. Furthermore, we paired this historic investment with Local Rent Supplement Program (LRSP) voucher funding to better target funds to deeply affordable units at or below 30% of the median family income.

We will also continue investing in the programs and supports that set families up for success. This means increased support for residents who do not qualify for unemployment insurance, families who face steep public benefit cliffs as their income climbs, and those who are returning citizens. We are investing \$68 million to increase access to high-quality affordable childcare and provide incentives and scholarships for early childhood education teachers. And after an extremely difficult school year, we are investing \$13 million for an evidence-based approach to learning acceleration—high impact tutoring—which will provide quality supports and infrastructure for our DC Public Schools and DC public charter schools.

This budget also recognizes that our response to the pandemic is not yet over. To ensure our response remains strong and matches the ongoing needs of our community, we are investing \$75 million to continue the District’s response to the COVID-19 pandemic through testing, vaccination, isolation and quarantine sites, cleaning, PPE purchases, and other critical programs and services that helped see the District through the pandemic.

Below are additional examples of important investments in the proposed FY 2022 Budget and Financial Plan that will allow us to recover and grow stronger together.

### **Health and Human Services**

The FY 2022 budget supports the health and well-being of District residents, and helps provide a pathway to the middle class, through the following investments:

- \$15 million to support small businesses and residents whose health insurance premiums are in arrears because of job losses and business slowdowns caused by the COVID-19 pandemic;
- \$12 million to launch a new pilot, Career Map, which will support the desire and ability of parents to pursue a career by ensuring that participating households’ costs do not exceed income, even as important benefits phase out with income growth. This initiative will promote equity and meaningful access to the middle class;
- \$8.4 million to continue our support for the five Centers of Excellence at Howard University Hospital, which will strengthen the hospital and improve the health outcomes of Washingtonians;
- \$8.5 million to support affordable food access through increased senior meal delivery, assistance to the Capital Area Food Bank, Produce Rx, and the Nourish DC fund;
- \$23 million for new families that need support during the pandemic through the Temporary Assistance for Needy Families (TANF) program and another \$14 million to support TANF families with cash assistance payments to smooth out the benefit cliff, establish a TANF diversion program, and provide small one-time payments to families dealing with the impacts of the pandemic;
- \$18 million to advance health equity, including the creation of a new sobering center, the expansion of telehealth services for Department of Behavioral Health and Department of Disability Services clients, and doula services for women enrolled in Medicaid;
- \$13 million to increase the local budget of the Department of Behavioral Health to provide increased supports and services to residents experiencing mental health crisis or substance abuse

issues;

- \$3 million for neighborhood-based Senior Socialization Hubs and expansion of Senior Villages;
- \$1 million to expand transportation access for seniors through ConnectorCard; and
- \$500,000 to launch a coordinated citywide virtual wellness model that will expand satellite virtual wellness programs to cover all citywide virtual programming needs for seniors.

### **Affordable Housing**

Producing, preserving, and protecting affordable housing remains a top priority. The FY 2022 budget makes the following investments in affordable housing:

- A historic contribution of \$400 million to the Housing Production Trust Fund and \$42 million of investment in project-sponsor based vouchers to make housing deeply affordable to low-income residents;
- \$352 million in rent and utility assistance to prevent evictions through the DC STAY program;
- \$35 million in Homeward DC to make homelessness rare, brief, and non-recurring, including 758 new permanent supportive housing units for singles, 347 new permanent supportive housing units for families, and expansion of Project Reconnect, shallow subsidies, and rapid re-housing for singles;
- \$17 million for the Housing Preservation Fund, including \$5 million to support limited equity cooperatives to purchase their buildings. This investment is matched 3:1 by the private sector for a total investment of \$68 million in housing preservation;
- \$67 million to acquire additional emergency and transitional shelter for victims of domestic violence and expand domestic violence services, and to acquire properties to convert to deeply affordable and/or permanent supportive housing;
- \$2 million to the Douglass Community Land Trust to acquire affordable commercial and residential properties;
- \$113 million in capital funding to rehabilitate and modernize public housing units;
- \$102 million to expand and renovate the District's permanent and temporary supportive housing and shelter services;
- \$23.5 million to help low-income first-time homebuyers with down payment and closing cost assistance;
- \$1.2 million to expand emergency shelter service for LGBTQ+ residents who are victims of domestic violence and create low-barrier shelter access for transgender residents;
- \$335,000 for the Office of the Tenant Advocate to help tenants navigate housing issues after the eviction moratorium is lifted;
- \$1.035 million to complete future small area plans across the District;
- \$5 million to restore vibrancy to previously disused properties in neighborhoods most affected by violence; and
- \$1.5 million for a pilot program to incentivize the construction of accessory dwelling units on properties owned by low- and moderate-income homeowners.

### **High-Quality Education**

Our community continues to recognize the important role public schools play in creating opportunity and helping us build a more equitable city. During the pandemic, many students experienced learning loss, which can have long-term consequences for their future. We know that investments in our public schools were the driving force behind the renaissance of our city, and our steadfast commitment to our students, families, and educators remains strong. In this Fair Shot Budget, we continue to make education a top priority, and introduce several new programs to advance learning acceleration, through a range of investments, including:

- 3.6 percent increase to the base amount of the Uniform Per Student Funding Formula and increased weights for English language learners and at-risk students;
- \$8 million to reimagine high schools and create work-based learning opportunities;
- \$8 million to expand school-based mental health services to all remaining DC Public Schools and DC public charter schools;
- \$10 million to provide additional facility grants to the DC public charter schools to help them re-open fully for in-person learning in school year 2021–2022;
- \$13 million for an evidence-based approach to learning acceleration, high impact tutoring, which will provide quality supports and infrastructure for our DC Public Schools and DC public charter schools;
- \$12.8 million to provide more students access to affordable bachelor and associate degrees;
- \$5.6 million to provide increased access to summer programming with academic enrichment;
- \$68 million to increase access to high-quality affordable childcare and provide incentives and scholarships for early childhood education teachers;
- More than \$1.57 billion over six years for DC Public Schools to fund school modernizations, small capital projects, and school expansions to address overcrowding and to support the acceleration of modernizations of the Truesdell and Whittier Education Campuses;
- \$420 million over six years for the District’s parks, recreation, and library projects, including the addition of four new library renovations or replacements, at Shepherd Park, Deanwood, Northwest, and Rosedale. This investment also adds new renovations at Duke Ellington Field, Emery Heights Recreation Center, Rumsey Aquatic Center, Randall Recreation Center, Harry Thomas Recreation Center, and a brand-new community center at the former Crummell School site. It also includes new additional funding to renovate the pool at Upshur Recreation Center, address site issues at Douglas Recreation Center, and bring all DPR facilities into ADA compliance; and
- \$114 million over six years for the University of the District of Columbia for university improvements.

### **Public Safety and Justice**

Our work to build safer, stronger neighborhoods across all eight wards continues, and the FY 2022 Fair Shot Budget includes critical investments that support our collective commitment to public safety and justice, including:

- \$5.7 million to divert some 911 calls for residents experiencing mental health distress to the Department of Behavioral Health’s Community Response Team;
- \$1.1 million to divert some 911 calls for minor traffic crashes (no injuries) and parking complaints to the District Department of Transportation and Department of Public Works, respectively;
- \$11.4 million for cash assistance for returning citizens, financial coaching, and the hiring of peer navigators to help returning citizens with the transition back into the community and on the path to economic opportunity;
- \$7.8 million for additional violence interrupters and \$400,000 for additional credible messengers;
- \$4.5 million to expand the DC Pathways program serving 100 more at-risk individuals per year;
- \$1.9 million to expand access to trauma-informed mental health services;
- \$1.1 million for intensive case coordination to assist those most at-risk of gun violence;
- \$450,000 for a violence interruption certificate program at UDC and \$200,000 for restorative justice training;
- \$5.6 million to create 278 dedicated employment opportunities through the Department of Public Works for residents most at-risk of gun violence;
- \$4.1 million to expand Project Empowerment with new wrap-around services for residents most at-risk of gun violence and the creation of new Pathways Champions positions at the Office of



#### Neighborhood Safety and Engagement;

- \$2.2 million for temporary safe housing for residents involved in gun violence;
- \$2 million for expanded offerings from the Department of Parks and Recreation to communities hardest hit by gun violence;
- \$1.5 million for community grants to carry out neighborhood action plans in communities hardest hit by gun violence;
- \$7 million for a new Ready Center facility, which will serve as a one-stop shop where returning citizens can access consolidated resources from community based organizations and District agencies, including the Department of Corrections, Department of Motor Vehicles, Department of Employment Services, Department of Human Services, Department of Behavioral Health, and the Mayor's Office on Returning Citizen Affairs, to ensure successful reintegration into the community;
- \$7.2 million for youth safety initiatives, including an expansion of Safe Passage, out-of-school-time activities for youth, and enhanced training for school resource officers;
- \$3.4 million to add 100 new slots for the Metropolitan Police Department's cadet program; and
- \$57 million for the renovation and relocation of fire and police stations, including MPD's 7th District headquarters, Engine Company 26, and Engine Company 7.

#### **Transportation and the Environment**

The FY 2022 budget accelerates and expands numerous investments in transportation and infrastructure that will make moving throughout our city without a car safer and more convenient. The budget also includes investments that over time will make the District greener and more sustainable. Key investments in the District's transportation and environment budgets include:

- \$72 million to support healthy schools and affordable homes through weatherization improvements, solar installations, lead paint and mold remediation, lead pipe removal, and lead remediation in drinking water;
- \$375 million for streetscapes, trails, and Vision Zero safety improvements. This includes doubling the planned buildout of protected bike lanes to 10 new miles per year, a new bicycle and pedestrian bridge connecting the Barry Farm Community to the Anacostia Metro Station, implementation of numerous livability study recommendations, a deckover of Connecticut Ave NW to create Dupont Crown Park, a new South Capitol Street Trail that will create a full trail connection to Maryland's National Harbor, the completion of the Metropolitan Branch Trail, and the creation of the Shepherd Branch Trail in Ward 8;
- \$9 million to reclaim streets for public use through the creation of recurring monthly street closures in the downtown area, including on Black Lives Matter Plaza, Pennsylvania Ave. NW, 18th St. NW, 7th St. NW, and F St. NW plus one Open Streets event in each ward, and one signature Open Streets event on 7th Street from Florida Avenue to The Wharf;
- \$63 million for a transformative investment in over 50 priority bus lanes citywide, which will make bus transit easier and faster for thousands of riders throughout the District;
- \$19 million for the expansion of Capital Bikeshare, which will ensure that any District resident has access to a docking station within ¼ mile of their home, creation of a new Adaptive Bikeshare hub at Union Station, and the launch of over 1,000 more e-bikes as part of the fleet;
- \$100 million to accelerate the Benning Road Transfer Station modernization to begin in FY22, including fully remediating environmental and safety issues at the site, replacing the current facility, and creating new citywide composting capabilities;
- \$439 million invested in the District's local roadways, alleys, and sidewalks across all eight wards to ensure they are safe, reliable, and functional;
- \$1.7 billion to support capital infrastructure upgrades for the Washington Metropolitan Area Transit Authority;
- \$116 million to build the K Street Transitway by 2023, providing protected bus and bike lanes

through the District's downtown core;

- \$215 million for a full replacement of the H Street Bridge, a key piece in the overall redevelopment of Union Station. This replacement will eliminate safety concerns with the bridge, as well as facilitate the use of high-speed rail in and out of the train station; and
- \$1 million to conduct a feasibility study for a potential deckover project on North Capitol Street.

### **Jobs and Economic Opportunity**

The FY 2022 Fair Shot Budget provides relief, recovery, and growth for all residents and businesses, especially those most impacted by the pandemic. This Budget builds on efforts to spread prosperity and support residents, local businesses, and entrepreneurs with:

- \$168.2 million returned to businesses through a one-time reduction in the Paid Family Leave payroll tax from .62% to .27% in FY 2022 only;
- \$3 million to expand the Solar Works program, which trains residents for careers in the emerging solar industry;
- \$49 million to expand subsidized employment and training opportunities through the DC Infrastructure Academy, Project Empowerment, WIC training partnerships, and apprenticeships;
- \$6 million for a Rapid Reskilling Fund to provide 700 residents without a bachelor's degree the opportunity to pursue training programs which result in free workforce credentials in high-demand occupations;
- \$4.6 million for Career Coaches who will help connect residents to career advising and to education, training, and employment in high-demand industries;
- \$3.8 million to expand enrollment in DC's Opportunity Accounts to approximately 600 people each year, continuing with a 4:1 match up to \$6,000. Opportunity Accounts can be used for college, continuing education, job training, first-time home purchases, small business development, qualifying medical emergencies, or to leverage the cost of retirement;
- \$500,000 for a workforce training program to serve LGBTQ+ residents through the Department of Human Services;
- \$15 million to support workers with cash assistance who do not qualify for federal unemployment assistance;
- \$26.5 million to provide seniors, youth exiting foster care, families enrolled in TANF, returning citizens, and residents who are homeless, with a laptop, tablet, or smartphone. Smartphones and tablets will come with one year of free data. This investment also funds a call center to help residents troubleshoot technology issues.
- \$57.7 million over three years to significantly expand access to grocery stores and sit-down restaurants in Wards 7 and 8 through targeted incentives, including \$2 million over two years to increase the DC Nourish Fund.
- \$9.2 million over two years to create a new technical assistance hub to coordinate small business capacity building efforts across the District;
- \$8.1 million to increase funding for Great Streets and commercial ownership opportunities for small businesses. This investment also supports the Shop in the District app to help residents and visitors shop at local District businesses;
- \$8 million for a Bridge Fund for arts venues in the District to support their successful re-opening;
- \$2 million to double the investment in the Inclusive Innovation Equity Impact Fund;
- \$1.4 million to develop an actionable plan for a complete overhaul of the District's license and permitting system to make it easier for business owners to start and maintain their business in the District;
- \$12.8 million to increase the number of permit reviewers and inspectors in anticipation of increased demand;
- \$990,000 to create a new Tax Revision Commission;

- \$14 million to support improvements in the Anacostia, Golden Triangle, and Southwest BIDs to promote placemaking and vibrancy;
- \$5 million to Events DC/Destination DC to support show attraction and promote DC as a destination to live, work, and play;
- \$10.6 million to attract high-impact employers to the District to increase employment opportunities;
- \$3 million to waive all DC government fees for community organizations to host events across the District;
- \$900,000 for live event )0across all four quadrants of the District in summer 2021;
- \$5.9 million to waive fees that taxi and limousine drivers, vehicle owners, and limo companies pay to operate their vehicles for two years;
- \$6.2 million to permanently reduce several classes of business fees down to \$99, including: formation filing fees, general business license fees, fees to obtain or renew a general business license, fees to start or renew an employment agency, employer paid personnel service or employment counseling business, and a two-year reduction to \$99 to obtain or renew non-health occupational and professional licenses;
- \$500,000 for Dream Grants to support small business owners in Wards 7 and 8;
- \$250,000 for ASPIRE to provide entrepreneurship opportunities to returning citizens;
- \$300,000 to provide financial and technical assistance through grants and direct assistance to medical cannabis certified business enterprises, veteran-owned business enterprises, and other District residents who own medical cannabis businesses;
- \$900,000 to support Go-Go, the official music of Washington, DC, through events and education; and
- \$1 million to support a community center for LGBTQ+ residents.

### **Government Operations**

The FY 2022 Fair Shot Budget provides needed pay raises for our hardworking DC government employees, and investments in accountability, oversight, monitoring and evaluation of the significant increase in federal resources and investments that support our DC Values, including:

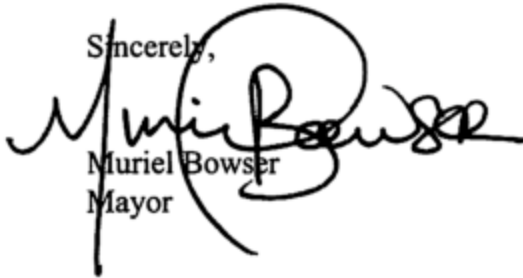
- \$1 million increase for the Immigrant Justice Legal Services grant program;
- Increased funding for interpreter services (\$200,000); veteran services (\$100,000) and AAPI anti-hate education (\$50,000);
- \$2.3 million to promote and increase access to voting by providing funding for technology upgrades to improve the voting process, implementation of Restore the Vote Act and increased staffing;
- \$15.7 million to fund the Fair Elections Act.
- \$8 million to protect the District against cybersecurity threats;
- \$9.5 million to enhance oversight, accountability, tracking, evaluation and monitoring, and processing of the District's \$3.4 billion in stimulus funds through the Office of the Inspector General, Office of the Chief Financial Officer, Office of the City Administrator, Office of Contracting and Procurement, and Office of the Chief Technology Officer;
- \$450,000 to the Department of General Services, Department of Human Resources, and Office of the Chief Technology Officer to study how the District might adapt its physical spaces, management training, and technology needs in a new virtual hybrid work environment;
- \$32 million, annually, to provide promised pay raises to Compensation Units 1 and 2 and members of AFSCME 2921 whose pay raises were paused during the pandemic;
- \$5.6 million, annually, to provide a two percent cost of living adjustment to non-union employees;
- New funds set aside so that the District can begin compensation negotiations with all unions that

were put on pause during the pandemic; and

- \$75 million to continue the District's response to the COVID-19 pandemic through testing, vaccination, isolation and quarantine sites, cleaning, PPE purchases, and other critical programs and services that helped see the District through the pandemic; and

Since the start of the pandemic, you have heard me say many times: We are all in this together, and we will all get through this together. Time and again, I have seen this value come to life – in residents joining us for two Days of Action to help neighbors get vaccinated; in hospitality workers passing out meals to colleagues in need; in our health care workers, sanitation workers, and so many others who never stopped reporting in-person to serve their communities. The Fair Shot Budget builds on this sense of togetherness and is a budget that reflects our DC Values and the belief that we can work together to do more with more and build a stronger, more equitable DC.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is fluid and cursive, with a large loop at the end. It is positioned to the right of the typed name and title.

Muriel Bowser  
Mayor

  
Chairman Phil Mendelson  
at the request of the Mayor

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A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To adopt, as a request to Congress for appropriation and authorization, the federal portion of the budget of the government of the District of Columbia for the fiscal year ending September 30, 2022.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2022 Federal Portion Budget Request Act of 2021".

Sec. 2. Adoption of the federal portion of the Fiscal Year 2022 budget.

There is adopted, as a request to Congress for appropriation and authorization, the following federal portion of the budget of the government of the District of Columbia for the fiscal year ending September 30, 2022.

**DISTRICT OF COLUMBIA FEDERAL FUNDS APPROPRIATION REQUEST**

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

For salaries and expenses for the District of Columbia Courts, \$267,838,000 to be allocated as follows: for the District of Columbia Court of Appeals, \$14,887,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, \$129,726,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the District of Columbia Court System, \$79,155,000, of which not to exceed \$2,500 is for official reception and representation expenses; and \$44,070,000, to remain available until September 30, 2023, for capital improvements for District of Columbia courthouse facilities; Provided, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment; Provided further, That, in addition to the amounts appropriated herein, fees received by the District of Columbia Courts for administering bar examinations and processing District of Columbia bar admissions may be retained and credited to this appropriation, to remain available until expended, for salaries and expenses associated with such activities, notwithstanding section 450 of the District of Columbia Home Rule Act (section 1-204.50, D.C. Official Code); Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and

1 expenses of Federal agencies; Provided further, That 30 days after providing written notice to the  
2 Committees on Appropriations of the House of Representatives and the Senate, the District of  
3 Columbia Courts may reallocate not more than \$9,000,000 of the funds provided under this  
4 heading among the items and entities funded under this heading; Provided further, That the Joint  
5 Committee on Judicial Administration in the District of Columbia may, by regulation, establish a  
6 program substantially similar to the program set forth in subchapter II of chapter 35 of title 5,  
7 United States Code, for employees of the District of Columbia Courts.

8  
9 **FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS**

10 For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code  
11 (relating to representation provided under the District of Columbia Criminal Justice Act),  
12 payments for counsel appointed in proceedings in the Family Court of the Superior Court of the  
13 District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual  
14 agreements to provide guardian ad litem representation, training, technical assistance, and such  
15 other services as are necessary to improve the quality of guardian ad litem representation,  
16 payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C.  
17 Official Code, and payments authorized under section 21-2060, D.C. Official Code (relating to  
18 services provided under the District of Columbia Guardianship, Protective Proceedings, and  
19 Durable Power of Attorney Act of 1986), \$46,005,000, to remain available until expended;  
20 Provided, That funds provided under this heading shall be administered by the Joint Committee  
21 on Judicial Administration in the District of Columbia; Provided further, That, notwithstanding  
22 any other provision of law, this appropriation shall be apportioned quarterly by the Office of  
23 Management and Budget and obligated and expended in the same manner as funds appropriated  
24 for expenses of Federal agencies.

25  
26 **FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

27 For a Federal payment to the District of Columbia, to be deposited into a dedicated  
28 account, for a nationwide program to be administered by the Mayor, for District of Columbia  
29 resident tuition support, \$40,000,000, to remain available until expended; Provided, That such  
30 funds, including any interest accrued thereon, may be used on behalf of eligible District of  
31 Columbia residents to pay an amount based upon the difference between in-State and out-of-  
32 State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible  
33 private institutions of higher education; Provided further, That the awarding of such funds may  
34 be prioritized on the basis of a resident's academic merit, the income and need of eligible  
35 students, and such other factors as may be authorized; Provided further, That the District of  
36 Columbia government shall maintain a dedicated account for the Resident Tuition Support  
37 Program that shall consist of the Federal funds appropriated to the Program in this Act and any  
38 subsequent appropriations, any unobligated balances from prior fiscal years, and any interest  
39 earned in this or any fiscal year; Provided further, That the account shall be under the control of  
40 the District of Columbia Chief Financial Officer, who shall use those funds solely for the  
41 purposes of carrying out the Resident Tuition Support Program; Provided further, That the Office  
42 of the Chief Financial Officer shall provide a quarterly financial report to the Committees on  
43 Appropriations of the House of Representatives and the Senate for these funds showing, by  
44 object class, the expenditures made, and the purpose therefor.

45  
46 **FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT**

1 For a Federal payment for a school improvement program in the District of Columbia,  
2 \$52,500,000, to remain available until expended, for payments authorized under the Scholarship  
3 for Opportunity and Results Act (division C of Public Law 112-10), as amended; Provided, That,  
4 to the extent that funds are available for opportunity scholarships and following the priorities  
5 included in section 3006 of such Act, the Secretary of Education shall make scholarships  
6 available to students eligible under section 3013(3) of such Act, including students who were not  
7 offered a scholarship during any previous school year; Provided further, That within funds  
8 provided for opportunity scholarships up to \$1,200,000 shall be for the activities specified in  
9 sections 3007(b) through 3007(d) of the Act and up to \$500,000 shall be for the activities  
10 specified in section 3009 of the Act; Provided further, That none of the funds made available  
11 under this heading may be used for an opportunity scholarship for a student to attend a school  
12 which does not certify to the Secretary of Education that the student will be provided with the  
13 same protections under the Federal laws which are enforced by the Office for Civil Rights of the  
14 Department of Education which are provided to a student of a public elementary or secondary  
15 school in the District of Columbia and which does not certify to the Secretary of Education that  
16 the student and the student's parents will be provided with the same services, rights, and  
17 protections under the Individuals With Disabilities Education Act (20 U.S.C. 1400 *et seq.*) which  
18 are provided to a student and a student's parents of a public elementary or secondary school in  
19 the District of Columbia, as enumerated in Table 2 of Government Accountability Office Report  
20 18-94 (entitled "Federal Actions Needed to Ensure Parents Are Notified About Changes in  
21 Rights for Students with Disabilities"), issued November 2017.

22  
23 **FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL**

24 For a Federal payment to the Criminal Justice Coordinating Council, \$2,150,000, to  
25 remain available until expended, to support initiatives related to the coordination of Federal and  
26 local criminal justice resources in the District of Columbia.

27  
28 **FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS**

29 For a Federal payment, to remain available until September 30, 2023, to the Commission  
30 on Judicial Disabilities and Tenure, \$330,000, and for the Judicial Nomination Commission,  
31 \$300,000.

32  
33 **FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD**

34 For a Federal payment to the District of Columbia National Guard, \$600,000, to remain  
35 available until expended for the Major General David F. Wherley, Jr. District of Columbia  
36 National Guard Retention and College Access Program.

37  
38 **FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS**

39 For a Federal payment to the District of Columbia for the testing of individuals for, and  
40 the treatment of individuals with, human immunodeficiency virus and acquired  
41 immunodeficiency syndrome in the District of Columbia, \$5,000,000.

42  
43 **FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF**  
44 **COLUMBIA**

45 For a Federal payment of necessary expenses, as determined by the Mayor of the District  
46 of Columbia in written consultation with the elected county or city officials of surrounding

1 jurisdictions, \$25,000,000, to remain available until expended, for the costs of providing public  
2 safety at events related to the presence of the National Capital in the District of Columbia,  
3 including support requested by the Director of the United States Secret Service in carrying out  
4 protective duties under the direction of the Secretary of Homeland Security, and for the costs of  
5 providing support to respond to immediate and specific terrorist threats or attacks in the District  
6 of Columbia or surrounding jurisdictions.

7  
8 **FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

9 For a Federal payment to the District of Columbia Water and Sewer Authority,  
10 \$8,000,000, to remain available until expended, to continue implementation of the Combined  
11 Sewer Overflow Long-Term Control Plan; Provided, that the District of Columbia Water and  
12 Sewer Authority provides a 100 percent match for this payment.

13  
14 **Sec. 3. Federal portion of the budget.**

15 The federal funds for which appropriation by Congress is requested by this act constitute  
16 the federal portion of the Fiscal Year 2022 annual budget for the District of Columbia  
17 government under section 446(a) of the District of Columbia Home Rule Act, approved  
18 December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46(a)).

19  
20 **Sec.4. Fiscal impact statement.**

21 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
22 impact statement required by section 4a of the General Legislative Procedures Act of 1975.  
23 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

24  
25 **Sec. 5. Effective date.**

26 This act shall take effect as provided in section 446 of the District of Columbia Home  
27 Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46).



7 A BILL

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9 24-276

10  
11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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15 To adopt, as a request to Congress for appropriation and authorization, the federal portion of the  
16 budget of the government of the District of Columbia for the fiscal year ending  
17 September 30, 2022.  
18

19 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
20 act may be cited as the “Fiscal Year 2022 Federal Portion Budget Request Act of 2021”.  
21

22 Sec. 2. Adoption of the federal portion of the Fiscal Year 2022 budget.

23 There is adopted, as a request to Congress for appropriation and authorization, the  
24 following federal portion of the budget of the government of the District of Columbia for the  
25 fiscal year ending September 30, 2022.  
26

27 **DISTRICT OF COLUMBIA FEDERAL FUNDS APPROPRIATION REQUEST**  
28

29 **FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS**

30 For salaries and expenses for the District of Columbia Courts, \$357,804,000 to be  
31 allocated as follows: for the District of Columbia Court of Appeals, \$14,910,000, of which not to  
32 exceed \$2,500 is for official reception and representation expenses; for the Superior Court of the  
33 District of Columbia, \$137,050,000, of which not to exceed \$2,500 is for official reception and  
34 representation expenses; for the District of Columbia Court System, \$85,614,000, of which not  
35 to exceed \$2,500 is for official reception and representation expenses; and \$120,230,000, to  
36 remain available until September 30, 2023, for capital improvements for District of Columbia  
37 courthouse facilities; Provided, That funds made available for capital improvements shall be  
38 expended consistent with the District of Columbia Courts master plan study and facilities  
39 condition assessment; Provided further, That, in addition to the amounts appropriated herein,  
40 fees received by the District of Columbia Courts for administering bar examinations and  
41 processing District of Columbia bar admissions may be retained and credited to this  
42 appropriation, to remain available until expended, for salaries and expenses associated with such  
43 activities, notwithstanding section 450 of the District of Columbia Home Rule Act (section 1-  
44 204.50, D.C. Official Code); Provided further, That notwithstanding any other provision of law,  
45 all amounts under this heading shall be apportioned quarterly by the Office of Management and  
46 Budget and obligated and expended in the same manner as funds appropriated for salaries and

1 expenses of Federal agencies; Provided further, That 30 days after providing written notice to the  
2 Committees on Appropriations of the House of Representatives and the Senate, the District of  
3 Columbia Courts may reallocate not more than \$9,000,000 of the funds provided under this  
4 heading among the items and entities funded under this heading; Provided further, That the Joint  
5 Committee on Judicial Administration in the District of Columbia may, by regulation, establish a  
6 program substantially similar to the program set forth in subchapter II of chapter 35 of title 5,  
7 United States Code, for employees of the District of Columbia Courts.

8  
9 **FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS**

10 For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code  
11 (relating to representation provided under the District of Columbia Criminal Justice Act),  
12 payments for counsel appointed in proceedings in the Family Court of the Superior Court of the  
13 District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual  
14 agreements to provide guardian ad litem representation, training, technical assistance, and such  
15 other services as are necessary to improve the quality of guardian ad litem representation,  
16 payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C.  
17 Official Code, and payments authorized under section 21-2060, D.C. Official Code (relating to  
18 services provided under the District of Columbia Guardianship, Protective Proceedings, and  
19 Durable Power of Attorney Act of 1986), \$46,005,000, to remain available until expended;  
20 Provided, That funds provided under this heading shall be administered by the Joint Committee  
21 on Judicial Administration in the District of Columbia; Provided further, That, notwithstanding  
22 any other provision of law, this appropriation shall be apportioned quarterly by the Office of  
23 Management and Budget and obligated and expended in the same manner as funds appropriated  
24 for expenses of Federal agencies.

25  
26 **FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

27 For a Federal payment to the District of Columbia, to be deposited into a dedicated  
28 account, for a nationwide program to be administered by the Mayor, for District of Columbia  
29 resident tuition support, \$40,000,000, to remain available until expended; Provided, That such  
30 funds, including any interest accrued thereon, may be used on behalf of eligible District of  
31 Columbia residents to pay an amount based upon the difference between in-State and out-of-  
32 State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible  
33 private institutions of higher education; Provided further, That the awarding of such funds may  
34 be prioritized on the basis of a resident's academic merit, the income and need of eligible  
35 students, and such other factors as may be authorized; Provided further, That the District of  
36 Columbia government shall maintain a dedicated account for the Resident Tuition Support  
37 Program that shall consist of the Federal funds appropriated to the Program in this Act and any  
38 subsequent appropriations, any unobligated balances from prior fiscal years, and any interest  
39 earned in this or any fiscal year; Provided further, That the account shall be under the control of  
40 the District of Columbia Chief Financial Officer, who shall use those funds solely for the  
41 purposes of carrying out the Resident Tuition Support Program; Provided further, That the Office  
42 of the Chief Financial Officer shall provide a quarterly financial report to the Committees on  
43 Appropriations of the House of Representatives and the Senate for these funds showing, by  
44 object class, the expenditures made, and the purpose therefor.

45  
46 **FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT**

1 For a Federal payment for a school improvement program in the District of Columbia,  
2 \$52,500,000, to remain available until expended, for payments authorized under the Scholarship  
3 for Opportunity and Results Act (division C of Public Law 112-10), as amended; Provided, That,  
4 to the extent that funds are available for opportunity scholarships and following the priorities  
5 included in section 3006 of such Act, the Secretary of Education shall make scholarships  
6 available to students eligible under section 3013(3) of such Act, including students who were not  
7 offered a scholarship during any previous school year; Provided further, That within funds  
8 provided for opportunity scholarships up to \$1,200,000 shall be for the activities specified in  
9 sections 3007(b) through 3007(d) of the Act and up to \$500,000 shall be for the activities  
10 specified in section 3009 of the Act; Provided further, That none of the funds made available  
11 under this heading may be used for an opportunity scholarship for a student to attend a school  
12 which does not certify to the Secretary of Education that the student will be provided with the  
13 same protections under the Federal laws which are enforced by the Office for Civil Rights of the  
14 Department of Education which are provided to a student of a public elementary or secondary  
15 school in the District of Columbia and which does not certify to the Secretary of Education that  
16 the student and the student’s parents will be provided with the same services, rights, and  
17 protections under the Individuals With Disabilities Education Act (20 U.S.C. 1400 *et seq.*) which  
18 are provided to a student and a student’s parents of a public elementary or secondary school in  
19 the District of Columbia, as enumerated in Table 2 of Government Accountability Office Report  
20 18-94 (entitled “Federal Actions Needed to Ensure Parents Are Notified About Changes in  
21 Rights for Students with Disabilities”), issued November 2017.

22  
23 **FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL**

24 For a Federal payment to the Criminal Justice Coordinating Council, \$2,150,000, to  
25 remain available until expended, to support initiatives related to the coordination of Federal and  
26 local criminal justice resources in the District of Columbia.

27  
28 **FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS**

29 For a Federal payment, to remain available until September 30, 2023, to the Commission  
30 on Judicial Disabilities and Tenure, \$330,000, and for the Judicial Nomination Commission,  
31 \$300,000.

32  
33 **FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD**

34 For a Federal payment to the District of Columbia National Guard, \$600,000, to remain  
35 available until expended for the Major General David F. Wherley, Jr. District of Columbia  
36 National Guard Retention and College Access Program.

37  
38 **FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS**

39 For a Federal payment to the District of Columbia for the testing of individuals for, and  
40 the treatment of individuals with, human immunodeficiency virus and acquired  
41 immunodeficiency syndrome in the District of Columbia, \$5,000,000.

42  
43 **FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF**  
44 **COLUMBIA**

45 For a Federal payment of necessary expenses, as determined by the Mayor of the District  
46 of Columbia in written consultation with the elected county or city officials of surrounding

1 jurisdictions, \$25,000,000, to remain available until expended, for the costs of providing public  
2 safety at events related to the presence of the National Capital in the District of Columbia,  
3 including support requested by the Director of the United States Secret Service in carrying out  
4 protective duties under the direction of the Secretary of Homeland Security, and for the costs of  
5 providing support to respond to immediate and specific terrorist threats or attacks in the District  
6 of Columbia or surrounding jurisdictions.

7  
8 **FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

9 For a Federal payment to the District of Columbia Water and Sewer Authority,  
10 \$8,000,000, to remain available until expended, to continue implementation of the Combined  
11 Sewer Overflow Long-Term Control Plan; Provided, that the District of Columbia Water and  
12 Sewer Authority provides a 100 percent match for this payment.

13  
14 **Sec. 3. Compensation of the Chief Financial Officer.**

15 (a) Section 424(b)(2)(E) of the District of Columbia Home Rule Act, approved April 17,  
16 1995 (109 Stat. 142; D.C. Official Code § 1-204.24b(b)(5)), is amended to read as follows:

17 “(E) PAY.—The Chief Financial Officer shall be paid at the greater of:

18 “(i) A rate such that the total amount of compensation paid during  
19 any calendar year is equal to the limit on total pay which is applicable during the year under  
20 section 5307 of title 5, United States Code, to an employee described in section 5307(d) of such  
21 title; or

22 “(ii) A rate established in law by the District of Columbia;  
23 provided, that any rate established pursuant to this clause which is applicable to any individual  
24 serving as the Chief Financial Officer shall not be reduced during any period of that individual’s  
25 service as Chief Financial Officer.”.

26  
27 **Sec. 4. Contingency cash.**

28 (a) No funds in excess of \$500,000 shall be obligated or expended from the Contingency  
29 Cash Reserve Fund established by section 450A(b) of the District of Columbia Home Rule Act,  
30 approved November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a(b)), unless such  
31 expenditures have been approved by the Council by resolution.

32 (b) The Contingency Cash Reserve Transparency Amendment Act of 2008, enacted on  
33 January 29, 2008 (D.C. Act 17-278; 55 DCR 1530), is enacted into law.

34  
35 **Sec. 5. Notwithstanding any other law, the following sales shall be subject to the sales  
36 and use taxes of the District of Columbia:**

37 (1) Sales at gift shops, souvenir shops, kiosks, convenience stores, food shops,  
38 cafeterias, restaurants, and similar establishments in federal buildings, including memorials and  
39 museums, in the District of Columbia that make sales to:

40 (A) The general public, if operated by the federal government, an agent of  
41 the federal government, or a contractor; and

42 (B) Other than the general public, if operated by an agent of the federal  
43 government or a contractor; and

44 (2) Sales of goods and services by a government-sponsored enterprise or  
45 corporation, institution, or organization established by federal statute or regulation (“federal  
46 enterprise or organization”), including the Smithsonian Institution, National Gallery of Art,

1 National Building Museum, Federal National Mortgage Association, and Federal Home Loan  
2 Mortgage Corporation, if the federal enterprise or organization is otherwise exempt from such  
3 taxation, to the extent such sales otherwise would be subject to the sales and use taxes of the  
4 District of Columbia if the federal enterprise or organization were organized as a nonprofit  
5 corporation established pursuant to Chapter 4 of Title 29 of the District of Columbia Official  
6 Code, and exempt from federal income taxation pursuant to section 501(c)(3) of the Internal  
7 Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).  
8

9           Sec. 6. Federal portion of the budget.

10           The federal funds for which appropriation by Congress is requested by this act constitute  
11 the federal portion of the Fiscal Year 2022 annual budget for the District of Columbia  
12 government under section 446(a) of the District of Columbia Home Rule Act, approved  
13 December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46(a)).  
14

15           Sec. 7. Fiscal impact statement.

16           The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal  
17 impact statement required by section 4a of the General Legislative Procedures Act of 1975.  
18 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).  
19

20           Sec. 8. Effective date.

21           This act shall take effect as provided in section 446 of the District of Columbia Home  
22 Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46).