

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers
FROM: Chairman Phil Mendelson
Committee of the Whole
DATE: May 24, 2022
SUBJECT: Report on Bill 24-715, the “Fiscal Year 2023 Federal Portion Budget Request Act of 2022”

The Committee of the Whole, to which Bill 24-715 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 2023.

The District’s annual budget is appropriated via local legislation.¹ For Fiscal Year 2023, that legislation is Bill 24-716, the Fiscal Year 2023 Local Budget Act of 2022, 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 24-715, 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,

¹ 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 24-716, the Fiscal Year 2023 Federal Portion Budget Request Act of 2022, as amended and approved by the Committee of the Whole, reflects the portion of the budget for Fiscal Year 2023 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 2022, the approved federal payments budget amounted to \$108.3 million or 0.9 percent of the District's gross funds budget.

Of the District's Fiscal Year 2023 budget of \$19.6 billion, the majority—\$13.9 billion—is locally raised through District taxes and fees or derived from other local sources. This means local dollars account for 70.9 percent of the District's total budget. Most of the rest—\$5.7 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 23.9 percent of the District's total budget. Overall, approximately 99.6 percent of the District's budget is derived from local revenue and federal formula grants not unique to the District. Only 0.5 percent 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. Our capital spending is disciplined, and our retirement funds are among the best in the nation (the Police/Fire/Teachers pension fund is approximately 129% funded and OPEB is 118% 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 24-715, the Fiscal Year 2023 Local Budget Act of 2022 and accompanying committee report.

The portion of the District’s Fiscal Year 2023 budget related to the federal budget request is contained in Bill 24-715. 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)
March 16, 2022	Bill 24-715, the “Fiscal Year 2023 Federal Portion Budget Request Act of 2022” is introduced by Chairman Mendelson at the request of the Mayor.
March 18, 2022	Committee of the Whole holds a public briefing on the Mayor’s Fiscal Year 2023 Proposed Budget and Financial Plan
March 25, 2022	Notice of Intent to Act on Bill 24-715 is published in the <i>District of Columbia Register</i>
April 5, 2022	Bill 24-715 is “read” at the April 5, 2022 Regular Legislative Meeting and referred to the Committee of the Whole
March 21 – April 7, 2022	Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2023 Budget Support Act of 2022 that were referred to each for comments
April 8, 2022	Committee of the Whole holds a public hearing on all budget bills.
April 20 – April 21, 2022	Committees mark up and approve their budget recommendations for Fiscal Year 2023.
May 10, 2022	Committee of the Whole marks up Bills 24-714 and 24-716.
May 24, 2022	Committee of the Whole marks up Bill 24-715.

III. POSITION OF THE EXECUTIVE

Bill 24-715 represents the federal portion of the Mayor's Fiscal Year 2023 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 24-715.

V. LIST OF WITNESSES

- | | | |
|-----|------------------------|--|
| 1. | Aretemis Whyte Neptune | Worker Owner, Vendors United Food Coop |
| 2. | Reyna Sosa | Worker Owner, Vendors United Food Coop |
| 3. | Noemi Lopez | Worker Owner, Dulce Hogar Cleaning Coop |
| 4. | Anjelica Lopez | Worker Owner Dulce Hogar Cleaning Coop |
| 5. | Margarita Crespo | Leader of Excluded Workers |
| 6. | Solomon Gebre Tekle | Member, African Communities Together |
| 7. | Reina Moreno | Worker Leader, DC Chapter of the National Domestic Workers Alliance |
| 8. | Karla Canales | Worker Leader, DC Chapter of the National Domestic Workers Alliance |
| 9. | Amber Harding | Washington Legal Clinic for the Homeless |
| 10. | Damon King | Director of Policy Advocacy, Legal Aid Society of the District of Columbia |
| 11. | Nancy Drane | Executive Director, DC Access to Justice Commission |
| 12. | Scott Goldstein | EmpowerEd |
| 13. | Liz DeBarros | Interim CEO, DC Building Industry Association |
| 14. | Maura Brophy | President & CEO, NoMa BID |
| 15. | Laura Hagood | Executive Director, DC History Center |

16. Meghan Kissell Campaign for Tobacco-Free Kids
17. Liz Furgurson DC Tobacco Free Coalition
18. David Schwartzman Chair, Political Policy & Action Committee,
DC Statehood Green Party
19. Shellie Bressler Parents Against Vaping e-Cigarettes
20. Erica Williams DC Fiscal Policy Institute
21. Judith Sandalow Executive Direction of DC's Children's Law
Center
22. Kesh Ladduwahetty DC for Democracy, Operations Director
23. Judy Estey Executive Director, The Platform of Hope
24. Michael Zwick President, Assets International, L.L.C.
25. Qubilah Huddleston Policy, Analyst DC Fiscal Policy Institute
26. Trupti Patel Commissioner ANC 2A03
27. Jesse Rabinowitz Miriam's Kitchen
28. Leona Agouridis Executive Director, Golden Triangle BID
29. Gerren Price Acting President & CEO, DowntownDC
BID
30. Yemmy Wodneh Mother's Outreach Network
31. Maria Jackson DC Guaranteed Income Coalition/Mother's
Outreach Network
32. Lori Kaplan Coalition for Nonprofit Equity
33. Katharine Landfield Social worker & Advocate
34. Wilma Jones DC Guaranteed Income Coalition/Mother's
Outreach Network
35. Toni Harper The Federal City Alumnae Chapter, Delta
Sigma Theta Sorority, Inc.
36. Jane Feldmesser Policy Analyst, PAVE
37. Elizabeth Falcon DC Jobs With Justice

38. Drew Turner
Director, Development, Douglas
Development
39. Tom Wilbur
Senior Vice President, Akridge
40. Scott Moseley
Vice President, Investments & Real Estate,
Steuart Investment Company
41. Michael Stevens
President, Capitol Riverfront BID
42. Howard Templeman
Member of DC Guaranteed Income
Coalition / Mother's Outreach Network
43. Commissioner Salim K.T. Adofo
Chairperson ANC 8C
44. Kristin Connall
Vice President, Akridge
45. Lynn Amano
Director of Advocacy, Friendship Place
46. Raquel Wollaston
Staff Attorney, DC KinCare Alliance
47. Eliana Golding
Policy Analyst, DCFPI
48. Marquis Cotton
PAVE Ward 8 PLE Board Member
49. Stephanie Griffith-Richardson
PAVE Ward 7 PLE Board Member
50. Roger Marmet
Founder - Peace For DC
51. Jesse Lovell
Public Witness
52. Daniel del Pielago
Empower DC - Organizing Director
53. Rick Ammirato
DC BID Council
54. Emily Tatro
Deputy Director, Council for Court
Excellence
55. Sebrena Rhodes
ANC 5D01
56. Ariel Drehobl
Public Witness
57. Dawn Dalton
Executive Director, DC Coalition Against
Domestic Violence
58. Robert Warren
Founder and treasurer of People for Fairness
Coalition
59. Trish McFadden
Community Builder

60. Qaadir El-Amin A Right to Life A40
61. Debby Shore Executive Director, Sasha Bruce Youthwork, Inc.
62. Tariq Herencia Fair Budget Coalition
63. Jasmine Joyner Fair Budget Coalition
64. Andra Henderson Fair Budget Coalition
65. DaSean Jones Ward 8 Advocacy Captain, PAVE
66. Takiyah Worthy Ward 7 PLE Board Member, PAVE
67. Tawanda Clemons Ward 8 PLE Board Member, PAVE
68. Charnal Chaney Public Witness
69. Benjamin Sharp Jews United for Justice
70. Jair Lynch President/CEO; Jair Lynch Real Estate Partners
71. Rico Harris Executive Director Volunteer, Community for Creative Non Violence
72. Reginald Black Executive Director People for Fairness Coalition
73. Stuart Anderson Executive Director, Family & Friends Of Incarcerated People
74. Awad Bilal Tenant Organizer, Latino Economic Development Center
75. Karla Reid-Witt Ward 7 Citywide Board Member, PAVE
76. Rostina Miller Ward 8 PLE Board Member, PAVE
77. Tara Maxwell Latino Economic Development Center
78. Angela Franco CEO & President, DC Chamber of Commerce
79. Bill Mefford Executive Director, the Festival Center
80. Katie Hodge Public Witness

VI. IMPACT ON EXISTING LAW

Bill 24-715 represents the federal portion of District's proposed budget for Fiscal Year 2023. 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 24-715 is effective only insofar as it is adopted by Congress.

VII. FISCAL IMPACT

Bill 24-715 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 2023 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 24-715.

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, 2023, as follows:

Federal Payment to the District of Columbia Courts- \$365,125,000.

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 - \$20,000,000.

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 - \$2,450,000.

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 - \$30,000,000

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.

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 2023 budget.

Section 7 States the fiscal impact.

Section 8 States the effective date.

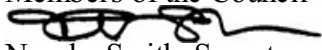
IX. COMMITTEE ACTION

X. ATTACHMENTS

1. Bill 24-715 as introduced.
2. Legal Sufficiency Determination for Bill 24-715.
3. Committee Print for Bill 24-715.

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

Memorandum

To : Members of the Council
From :  Nyasha Smith, Secretary to the Council
Date : Monday, March 21, 2022
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Wednesday, March 16, 2022. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Fiscal Year 2023 Federal Portion Budget Request Act of 2022", B24-0715

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



OFFICE OF THE SECRETARY

2022 MAR 16 PM 4: 57

MURIEL BOWSER
MAYOR

March 16, 2022

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 the Council of the District of Columbia my Fiscal Year 2023 Proposed Budget and Financial Plan, *A Fair Shot*.

We deliver our budget with spring just a few days away. What I know is that after a very difficult two years, our community is ready to feel the hope and renewal that spring—and the blooming Cherry Blossoms that accompany spring—symbolize. Residents are eager to shake the isolation that the pandemic ushered in and replace it with a stronger, more connected sense of community. And we already have good reason to be hopeful. Over the past year, family and friends have been reunited; our students have successfully returned to in-person learning; our workers are making their way back to the office; tourists are returning to DC, and our restaurants and hotels are once again filling up with customers who are excited to be in the company of other people enjoying DC.

This budget continues to make public safety a top priority. We have heard from residents that they want their government to make investments in long-term programs that address the root causes of violence; this budget includes those investments. But we have also heard loud and clear that residents want to know that the Metropolitan Police Department is properly staffed and resourced. Residents want to know that when they call 911, we will be able to quickly send help or that when a crime occurs in our city, we will have the resources necessary to solve it. Residents in neighborhoods hit hardest by gun violence consistently say they want a greater MPD presence. Through this budget, we invest approximately \$30 million in the Metropolitan Police Department to put us on a path to 4,000 sworn officers; we enhance our gun violence prevention programs through Building Blocks DC, and we provide new opportunities for at-risk youth to prevent them from entering the criminal justice system.

As residents got vaccinated, we were able to adjust our public health posture and set up a public health infrastructure that will support a long-term response. We have COVID Centers in all eight wards, giving residents robust and convenient access to vaccinations, tests, masks, and other necessary public health tools as we continue our recovery from the pandemic. Our collective success in responding to the pandemic has contributed to our local economy continuing to return to pre-pandemic levels. The resilience of our residents, our businesses, and our workers is inspiring and shows the strength of our shared DC Values.

This resilience was made possible by the investments we made over the last two years to provide relief, recovery, and growth for our residents and businesses. In my budget, we continue to focus on what we know to be the pillars of an equitable recovery: access to safe and affordable housing; high-quality job training; safe and healthy neighborhoods; enabling our children's educational success; increased access to quality childcare; expanded programs to reduce gun violence; accessible transportation options; and continued support for our businesses and residents hit hardest by the economic crisis of the past two years. And, with our recovery now underway, this budget will allow us to engage in a fundamental re-envisioning of our downtown, including investments to convert commercial properties into residential homes and innovative attractions to bring more customers downtown.

Of course, investing in stronger neighborhoods also means investing in safe and affordable housing and getting residents of every age connected to opportunities that allow them to thrive.

My budget addresses the very real anxieties that many Washingtonians have about whether or how long they will be able to afford to stay in DC. It continues our historic investments in affordable housing, but also specifically targets additional investments at longtime DC residents and business owners. We know, for example, the critical importance that homeownership plays in increasing Black wealth and being able to pass it on to future generations. That's why my budget creates a new \$10 million Black Homeownership Fund that will help increase access to homeownership for our longtime Black residents. And a new \$1 million investment in Heirs Property Legal Services will help ensure that when a homeowner passes on, their heirs can get the necessary legal assistance to inherit and maintain their family's homestead. An additional \$4 million investment will help our longtime businesses stay in place and advance racial equity by providing them with access to down payment and closing costs assistance in the purchase of their commercial property.

This year, I am also very proud to invest an unprecedented \$500 million in the Housing Production Trust Fund (HPTF). We have proved successful at getting HPTF dollars out the door and this investment will allow us to make significant progress on our goal to create 12,000 new units of affordable housing by 2025.

For our young people, we continue to make big investments in education and recreation. We are supporting our students and teachers with a historic 5.9% increase in UPSSF funding for DC Public Schools and public charter schools and enhance wraparound services to meet students' behavioral and physical health needs.

Because sports and recreation are essential to a thriving city, our budget includes \$60 million to construct a new indoor sports complex that will provide expanded all-season recreation opportunities for our residents, especially our youth and young adults, at the Robert F. Kennedy Memorial Stadium site and \$18.5 million to build new pedestrian bridges connecting that site to Kingman Island. We are making a \$13.5 million investment in our core recreation programming so we can double the number of free Department of Parks and Recreation summer camp slots for low-income families and restore Sunday operations to many recreation centers. To increase equity across our city, my budget will allow DPR to establish new sports programs for girls and youth in volleyball, softball,

gymnastics, and golf – as well as creating a new senior Olympics program. We know our residents have a wide spectrum of recreational needs and our budget will expand e-sports, introduce state-of-the-art virtual reality programming, launch DPR's first water sports programming at Ward 8's Diamond Teague Park with boating, kayaking, and canoeing, and establish DPR's first outdoor teaching kitchens.

We also know that our residents expect outstanding government services. That's why we are making significant investments in improving residents' experience in accessing government services. Through new self-service vehicle inspection stations, increased staffing at the Department of Public Works, establishing a dedicated bike lane cleaning team, and overhauling our DC.gov website, my budget will make it easier for our residents and businesses to get the municipal services they need.

Lastly, my budget recognizes that our city's response to the pandemic has not ended. To match our response matches our community's ongoing needs, we are investing \$26 million to continue our COVID-19 testing, vaccination, isolation and quarantine sites, cleaning, personal protective equipment (PPE) purchases, and other critical programs and services that helped us successfully navigate the pandemic.

There is a lot to be proud of in the FY 2023 budget. I want to highlight some of those critical investments.

Health and Human Services

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

- **\$31 million** for new permanent supportive housing vouchers and other initiatives to end chronic homelessness and make homelessness rare, brief, and non-recurring
- **\$31 million** in renovations of the District's permanent and temporary supportive housing and shelter services
- **\$11.5 million** to retain direct support professionals—who care for our most vulnerable residents—by raising wages over a three-year period
- **\$4.5 million** to expand school nursing services at additional school health services programs in public and public charter schools
- **\$4.2 million** to extend Alliance enrollment to 12 months and end the required in-person 6-month re-certification for District residents
- **\$2.8 million** to enhance programs and services at the 801 East Shelter
- **\$2.6 million** to continue operating the DC animal shelter
- **\$750,000** to enforce a new ban on flavored tobacco sales
- **\$500,000** to expand eligibility for individuals with developmental disabilities to provide the same services as are provided to people with intellectual disabilities
- For seniors, this budget will deliver:
 - Free **dental services** (\$500,000)
 - Greater community connection and wellness through technology by distributing **personal tablets** (\$2.6 million)
 - Expanded city-wide mobility through increasing the **Connector Card program**

(\$1 million)

- Increased nutrition support through **grocery card distribution** for eligible seniors (\$750,000)

Affordable Housing

Producing, preserving, and protecting affordable housing remains a top priority. My budget makes the following historic investments in affordable housing:

- **Historic \$500 million** contribution to the Housing Production Trust Fund (HPTF) and **\$41 million** for project-sponsor vouchers to make housing deeply affordable to low-income residents
- **\$329 million** to rehabilitate or replace more than 1,500 units of public housing over three years, much of it for seniors
- **\$120 million** in rent and utility assistance across two years, plus **\$12 million** for a new Housing Provider fund
- **\$26 million** to help low-income first-time homebuyers with down payment and closing cost assistance
- The budget also includes several new and expanded initiatives to help longtime DC residents stay in DC:
 - **Heirs Property Legal Services:** \$1 million to assist multi-generational families in maintaining their family property after the death of the original homeowner
 - **Black Homeownership Fund and Strikeforce:** New \$10 million fund to increase access to homeownership for longtime DC residents
 - **2% Senior Property Tax Cap:** Lowers the cap on annual increases in property taxes for seniors from 5% to 2%
 - **Single Family Residential Rehab Program:** Additional \$3 million over two years to assist low-income homeowners fix and maintain their home
 - **FloodSmart Homes:** \$2.6 million to help residents in flood prone areas, especially in Wards 7 and 8, retrofit their homes to reduce risk of damage
 - **Home Weatherization and Lead and Mold Remediation:** \$10 million to make energy-efficiency improvements and remediate lead and mold hazards to improve both the health and comfort of residents

High-Quality Education

Our community continues to recognize the important role our 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 the 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:

- A **5.87-percent** increase in the base amount of the Uniform Per Student Funding Formula (UPSFF)
- **\$18 million** to provide stability to schools through the Pandemic Supplement fund
- **Historic \$43.6 million investment** to replace aging HVACs and boilers in schools

- **\$15 million** for preventative maintenance of HVACs and boilers to ensure systems work year-round
- **\$3.8 million** to safeguard students' mental health with additional supports through the school-based mental health program
- **\$35 million** to stand up a community-based program at Winston education campus with state-of-the-art laboratory equipment for hands-on learning
- **\$5 million** to extend out-of-school time grant opportunities and preserve continuity to youth
- **\$3.9 million** to expand out-of-school-time recreation programs provided by DPR and community-based organizations, focusing on athletics, visual arts, performing arts, e-sports, culinary arts, and more
- **\$6.4 million** to extend the Marion S. Barry Summer Youth Employment Expansion for an additional year
- **\$294 million** over the 6-year CIP to preserve and maintain recreation, library, and school facilities
 - **Fields and Parks:** Replace fields in need of repair such as Hardy and Francis fields
 - **Technology:** Fund 1,500 smart board and classroom technology replacements
 - **ADA compliance:** Continuing our commitment to ensure facilities reach ADA compliance
- **\$45 million** to equip a new high school on MacArthur Boulevard with dedicated citywide seats
- **\$71 million** to add four new PACE schools to the CIP for full modernizations—Simon, Hendley, Bunker Hill, and Langley Elementary Schools
- **\$434 million** over the next six years to construct and modernize parks, recreation facilities, and libraries, including:
 - **Libraries:** Fully fund all remaining library modernizations
 - **Recreation facilities:** new funding to fully modernize the Rita Bright Recreation Center, establish a premier dog park at Oxon Run, a new recreation center for the River Terrace community, a new indoor pool at the Hillcrest Recreation Center, and a brand-new indoor sports complex at RFK Stadium.
- **\$13.5 million** for Recreation for A.L.L. to double summer camp slots, restore Sunday operations to certain recreation centers, establish new sports programs for girls, expand e-sports, launch DPR's first water sports programming at Diamond Teague Park – and much more!

Public Safety and Justice

Our work to build safer, stronger neighborhoods across all eight wards continues, and my budget includes critical investments that support our collective commitment to public safety and justice, including:

- **\$1.7 million** and 23 personnel to support high-quality care coordination, including life coaches, to provide critical violence intervention services for at-risk individuals
- **\$30 million** for hiring, recruitment and retention incentives to put the District back on the path to 4,000 sworn officers at MPD
- **\$1.1 million** for a pilot program to provide up to five years in rental assistance and matched

- savings for those at risk of violence
- **\$6 million** to support violence prevention and diversion among at-risk, non-incarcerated youth, including \$350,000 for dedicated bilingual credible messengers and **\$2.8 million** for expanded out-of-school-time programming
- **\$7.3 million** for grants for victims of sexual assault and other victim services, including crisis intervention, advocacy, and trauma-informed mental health services
- **\$26 million** to replace Fire and EMS emergency response vehicles, including ambulances and ladder trucks.
- **\$251 million** for a reimagined treatment and residential facility to build a new annex to the District's Correctional Treatment Facility (CTF) that will provide a new, modernized facility for up to 600 inmates. The annex will be a major step toward eventually closing the aging Central Detention Facility (CDF) and moving all inmates to the CTF. The budget also includes capital investments of **\$25 million** to maintain safe, secure, and humane conditions for inmates at the CDF until the new CTF annex can be completed.

Transportation and the Environment

My 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 include:

- **\$10 million** a year for "quick-build" traffic calming measures and to begin replacing temporary measures with permanent ones
- **\$200 million** over six years for longer-term streetscape projects to redesign our most dangerous roads and intersections
- **\$36 million** over six years to add 10 new miles of protected bike lanes per year to the District's growing bike lane network
- **\$9.4 million** to add 100+ full-time school crossing guard positions to ensure coverage of all schools in need of guards
- **\$9.4 million** to add 170 new speed cameras to enforce traffic laws critical to the safety of pedestrians and bicyclists
- **\$752,000** to triple DPW's vehicle booting team to locate and immobilize vehicles with outstanding safety citations
- **\$334,000** to add dedicated data analysis and communications capacity to DDOT's Vision Zero office
- **\$57 million** to complete the K Street Transitway, providing protected bus and bike lanes through downtown
- **\$102 million** over six years to continue a transformative, multi-year plan to make bus transit faster and more reliable
- **\$15 million** over six years to continue expanding Capital Bikeshare so that every resident has a station with a quarter-mile of their home
- **\$125 million** over six years for new and rehabilitated trails to improve connectivity to the regional trail network
- **\$21 million** to build a new pedestrian and bicycle bridge connecting Barry Farm to the Anacostia Metro and **\$18.5 million** for a new pedestrian and bicycle bridge to Kingman Island

Jobs and Economic Opportunity

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

- **\$20 million** to raise the training wages for all DOES job training participants and MBSYEP participants
- **\$5 million** in new competitive grants to create or enhance attractions for families to visit the city
- **\$5 million** for a new marketing campaign to attract leisure and business travelers
- **\$1.25 million** to sponsor large events and festivals
- **\$750,000** to pay DC musicians to play music at key destinations to activate and enliven public spaces
- **\$100,000** for a Cherry Blossom bus tour to promote the Cherry Blossom Festival and attract visitors in Spring 2023
- **\$7.5 million** to attract transformative businesses
- **\$233,000** to plan for a new downtown residential conversions incentive program
- **\$5 million** to help businesses renovate office space
- **\$22 million** to add fresh food access points east of the Anacostia River
- **\$6 million** to help equity impact enterprises buy commercial property and receive more flexible financing options
- **\$3.4 million** to help small and medium business growth
- **\$1.5 million** to pilot activations in vacant commercial spaces
- **\$500,000** to increase employer spending with minority led firms
- **\$100,000** to expand the Shop in the District campaign
- **\$8 million** to continue the Bridge Fund, enabling arts and entertainment venues to reopen and recover post-pandemic
- **\$1.5 million** to continue waiving public space fees for neighborhood festivals and community-driven special events

Government Operations

The budget provides investments in bolstering core city services and improved customer experience:

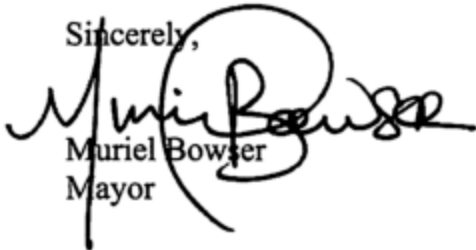
- **DPR Park and Field Improvement Team:** \$680,000 for a team responsible for responding quickly to needed repairs and other issues at DPR facilities to ensure they remain safe and welcoming
- **DC.gov Redesign:** \$1 million for the first step in a complete overhaul of the District government website to streamline resident services and make it easier to find information
- **Licensing and Permitting Live Agents:** \$3 million to add new live-agent video chat support, remote assistance, and extended hours of operations for licensing and permitting services
- **Bike Lane Cleaning Team:** \$1.3 million for a team dedicated to keeping protected bike

- lanes clear of debris and snow
- **DMV Mobile App:** \$350,000 to make more DMV transactions available for residents to complete on their mobile devices
 - **Self-Service Vehicle Inspection Kiosks:** \$658,000 to add two new kiosks so residents can satisfy inspection requirements without driving to the District's one inspection station

Included in this submission are the "Fiscal Year 2023 Local Budget Act of 2022," the "Fiscal Year 2023 Federal Portion Budget Request Act of 2022," and the "Fiscal Year 2023 Budget Support Act of 2022." In addition, I am submitting the following accompanying measures: the "Fiscal Year 2022 Revised Local Budget Act of 2022," the "Fiscal Year 2022 Revised Local Budget Temporary Act of 2022," the "Fiscal Year 2022 Revised Local Budget Emergency Declaration Resolution of 2022," the "Fiscal Year 2022 Second Revised Local Budget Emergency Act of 2022," the "Fiscal Year 2022 Second Revised Local Budget Temporary Act of 2022," and the "Fiscal Year 2022 Second Revised Local Budget Emergency Declaration Resolution of 2022."

Two years ago, I told DC that we are in this together and that we will get through it together. Today, as we get ready for our comeback, that remains true. I am proud to deliver a budget that meets the unique moment we are in – a budget that will help more Washingtonians build a future in a safer, stronger, healthier, and more equitable DC.

Sincerely,



Muriel Bowser
Mayor



Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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, 2023.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2023 Federal Portion Budget Request Act of 2022".

Sec. 2. Adoption of the federal portion of the Fiscal Year 2023 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, 2023.

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, \$357,804,000 to be allocated as follows: for the District of Columbia Court of Appeals, \$14,910,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, \$137,050,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the District of Columbia Court System, \$85,614,000, of which not to exceed \$2,500 is for official reception and representation expenses; and \$120,230,000, 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

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

54
55 **FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS**

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

71
72 **FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

73 For a Federal payment to the District of Columbia, to be deposited into a dedicated
74 account, for a nationwide program to be administered by the Mayor, for District of Columbia
75 resident tuition support, \$20,000,000, to remain available until expended; Provided, That such
76 funds, including any interest accrued thereon, may be used on behalf of eligible District of
77 Columbia residents to pay an amount based upon the difference between in-State and out-of-
78 State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible
79 private institutions of higher education; Provided further, That the awarding of such funds may
80 be prioritized on the basis of a resident's academic merit, the income and need of eligible
81 students, and such other factors as may be authorized; Provided further, That the District of
82 Columbia government shall maintain a dedicated account for the Resident Tuition Support
83 Program that shall consist of the Federal funds appropriated to the Program in this Act and any
84 subsequent appropriations, any unobligated balances from prior fiscal years, and any interest
85 earned in this or any fiscal year; Provided further, That the account shall be under the control of
86 the District of Columbia Chief Financial Officer, who shall use those funds solely for the
87 purposes of carrying out the Resident Tuition Support Program; Provided further, That the Office
88 of the Chief Financial Officer shall provide a quarterly financial report to the Committees on
89 Appropriations of the House of Representatives and the Senate for these funds showing, by
90 object class, the expenditures made, and the purpose therefor.

91
92 **FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT**

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

114
115 **FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL**

116 For a Federal payment to the Criminal Justice Coordinating Council, \$2,450,000, to
117 remain available until expended, to support initiatives related to the coordination of Federal and
118 local criminal justice resources in the District of Columbia.

119
120 **FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS**

121 For a Federal payment, to remain available until September 30, 2023, to the Commission
122 on Judicial Disabilities and Tenure, \$330,000, and for the Judicial Nomination Commission,
123 \$300,000.

124
125 **FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD**

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

129
130 **FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS**

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

134
135 **FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF**
136 **COLUMBIA**

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

139 jurisdictions, \$30,000,000, to remain available until expended, for the costs of providing public
140 safety at events related to the presence of the National Capital in the District of Columbia,
141 including support requested by the Director of the United States Secret Service in carrying out
142 protective duties under the direction of the Secretary of Homeland Security, and for the costs of
143 providing support to respond to immediate and specific terrorist threats or attacks in the District
144 of Columbia or surrounding jurisdictions.

145

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

147

148 For a Federal payment to the District of Columbia Water and Sewer Authority,
149 \$8,000,000, to remain available until expended, to continue implementation of the Combined
150 Sewer Overflow Long-Term Control Plan; Provided, that the District of Columbia Water and
151 Sewer Authority provides a 100 percent match for this payment.

151

152

152 Sec. 3. Federal portion of the budget.

153

154

155

156

153 The federal funds for which appropriation by Congress is requested by this act constitute
154 the federal portion of the Fiscal Year 2023 annual budget for the District of Columbia
155 government under section 446(a) of the District of Columbia Home Rule Act, approved
156 December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46(a)).

157

158

158 Sec.4. Fiscal impact statement.

159

160

161

162

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

163

163 Sec. 5. Effective date.

164

165

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

1 **DRAFT COMMITTEE PRINT**
2 **Committee of the Whole**
3 **May 24, 2022**

4
5
6 A BILL

7
8 24-715

9
10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
11
12 _____
13

14 To adopt, as a request to Congress for appropriation and authorization, the federal portion of the
15 budget of the government of the District of Columbia for the fiscal year ending
16 September 30, 2023.
17

18 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
19 act may be cited as the “Fiscal Year 2023 Federal Portion Budget Request Act of 2022”.
20

21 Sec. 2. Adoption of the federal portion of the Fiscal Year 2023 budget.

22 There is adopted, as a request to Congress for appropriation and authorization, the
23 following federal portion of the budget of the government of the District of Columbia for the
24 fiscal year ending September 30, 2023.
25

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

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

29 For salaries and expenses for the District of Columbia Courts, \$365,125,000 to be
30 allocated as follows: for the District of Columbia Court of Appeals, \$15,150,000, of which not to
31 exceed \$2,500 is for official reception and representation expenses; for the Superior Court of the
32 District of Columbia, \$142,112,000, of which not to exceed \$2,500 is for official reception and
33 representation expenses; for the District of Columbia Court System, \$90,263,000, of which not
34 to exceed \$2,500 is for official reception and representation expenses; and \$117,600,000, to
35 remain available until September 30, 2023, for capital improvements for District of Columbia
36 courthouse facilities; Provided, That funds made available for capital improvements shall be
37 expended consistent with the District of Columbia Courts master plan study and facilities
38 condition assessment; Provided further, That, in addition to the amounts appropriated herein,
39 fees received by the District of Columbia Courts for administering bar examinations and
40 processing District of Columbia bar admissions may be retained and credited to this
41 appropriation, to remain available until expended, for salaries and expenses associated with such
42 activities, notwithstanding section 450 of the District of Columbia Home Rule Act (section 1-
43 204.50, D.C. Official Code); Provided further, That notwithstanding any other provision of law,
44 all amounts under this heading shall be apportioned quarterly by the Office of Management and
45 Budget and obligated and expended in the same manner as funds appropriated for salaries and
46 expenses of Federal agencies; Provided further, That 30 days after providing written notice to the

47 Committees on Appropriations of the House of Representatives and the Senate, the District of
48 Columbia Courts may reallocate not more than \$9,000,000 of the funds provided under this
49 heading among the items and entities funded under this heading; Provided further, That the Joint
50 Committee on Judicial Administration in the District of Columbia may, by regulation, establish a
51 program substantially similar to the program set forth in subchapter II of chapter 35 of title 5,
52 United States Code, for employees of the District of Columbia Courts.

53
54 **FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS**

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

70
71 **FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT**

72 For a Federal payment to the District of Columbia, to be deposited into a dedicated
73 account, for a nationwide program to be administered by the Mayor, for District of Columbia
74 resident tuition support, \$20,000,000, to remain available until expended; Provided, That such
75 funds, including any interest accrued thereon, may be used on behalf of eligible District of
76 Columbia residents to pay an amount based upon the difference between in-State and out-of-
77 State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible
78 private institutions of higher education; Provided further, That the awarding of such funds may
79 be prioritized on the basis of a resident's academic merit, the income and need of eligible
80 students, and such other factors as may be authorized; Provided further, That the District of
81 Columbia government shall maintain a dedicated account for the Resident Tuition Support
82 Program that shall consist of the Federal funds appropriated to the Program in this Act and any
83 subsequent appropriations, any unobligated balances from prior fiscal years, and any interest
84 earned in this or any fiscal year; Provided further, That the account shall be under the control of
85 the District of Columbia Chief Financial Officer, who shall use those funds solely for the
86 purposes of carrying out the Resident Tuition Support Program; Provided further, That the Office
87 of the Chief Financial Officer shall provide a quarterly financial report to the Committees on
88 Appropriations of the House of Representatives and the Senate for these funds showing, by
89 object class, the expenditures made, and the purpose therefor.

90
91 **FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT**

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

114
115 **FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL**

116 For a Federal payment to the Criminal Justice Coordinating Council, \$2,450,000, to
117 remain available until expended, to support initiatives related to the coordination of Federal and
118 local criminal justice resources in the District of Columbia.

119
120 **FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS**

121 For a Federal payment, to remain available until September 30, 2023, to the Commission
122 on Judicial Disabilities and Tenure, \$330,000, and for the Judicial Nomination Commission,
123 \$300,000.

124
125 **FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD**

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

129
130 **FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS**

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

134
135 **FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF**
136 **COLUMBIA**

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

jurisdictions, \$30,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

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

Sec. 3. Compensation of the Chief Financial Officer.

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

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

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

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

Sec. 4. Contingency cash.

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

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

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

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

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

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

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

185 National Building Museum, Federal National Mortgage Association, and Federal Home Loan
186 Mortgage Corporation, if the federal enterprise or organization is otherwise exempt from such
187 taxation, to the extent such sales otherwise would be subject to the sales and use taxes of the
188 District of Columbia if the federal enterprise or organization were organized as a nonprofit
189 corporation established pursuant to Chapter 4 of Title 29 of the District of Columbia Official
190 Code, and exempt from federal income taxation pursuant to section 501(c)(3) of the Internal
191 Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).
192

193 Sec. 6. Federal portion of the budget.

194 The federal funds for which appropriation by Congress is requested by this act constitute
195 the federal portion of the Fiscal Year 2023 annual budget for the District of Columbia
196 government under section 446(a) of the District of Columbia Home Rule Act, approved
197 December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46(a)).
198

199 Sec. 7. Fiscal impact statement.

200 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
201 impact statement required by section 4a of the General Legislative Procedures Act of 1975.
202 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).
203

204 Sec. 8. Effective date.

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