

MAKING APPROPRIATIONS FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA AND OTHER ACTIVITIES CHARGEABLE IN WHOLE OR IN PART AGAINST THE REVENUES OF SAID DISTRICT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1992, AND FOR OTHER PURPOSES

JULY 31, 1991.—Ordered to be printed

Mr. DIXON, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 2699]

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2699) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 8, 9, 13, 14, 22, 29, 30, 33, and 34.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 11, 12, 16, 21, 27, 28, 31, and 32, and agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *\$9,500,000, of which \$8,500,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992;* and the Senate agree to the same.

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$875,033,000;* and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended as follows:

In lieu of the sum named, insert: \$8,500,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 7, 10, 15, 17, 18, 23, 24, 25, and 26.

JULIAN C. DIXON,
WILLIAM H. NATCHER,
LOUIS STOKES,
MARTIN OLAV SABO,
LES AU COIN,
STENY H. HOYER,
JAMIE L. WHITTEN,
DEAN GALLO,
RALPH REGULA,
JOSEPH M. MCDADE,

Managers on the Part of the House.

BROCK ADAMS,
WYCHE FOWLER, JR.,
BOB KERREY,
ROBERT C. BYRD,
CHRISTOPHER S. BOND,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2699) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the actions agreed upon by the managers and recommended in the accompanying conference report.

WATER AND SEWER SERVICES

The conferees are aware that the Blue Plains Intermunicipal Agreement of 1985 requires the District to limit inflows to the Blue Plains Wastewater Treatment Plant to 148 million gallons per day by 1996. Current inflows now exceed 160 million gallons per day. Since the Federal government is the largest water and sewer service customer of Blue Plains, Federal agencies must play a key role in reducing the inflow of wastewater as a part of the Federal and regional effort to protect the Chesapeake Bay.

The conferees urge Federal and District officials to begin discussions on ways to encourage Federal entities to become more accountable for their use of water and sewer services that will result in conserving water while at the same time reducing wastewater inflow into the Bay.

The conferees expect the Federal Office of Management and Budget to take a lead role in making Federal agencies more aware and accountable for their water and sewer use. This could very well be accomplished by apportioning, on a pro rata basis, the reductions that will assist in meeting the 1996 goals set forth in the Intermunicipal Agreement.

Federal and District officials should consider the issuance of government-wide directives to agencies requesting that plans be developed to reduce water consumption by certain percentages by dates certain or face requirements to absorb the costs of water usage that exceed the levels set in the directives.

The District government should adopt incentives for its largest customers, including the Federal government, to reduce water usage to ensure that these goals are met. These incentives could include surcharges on amounts of water used in excess of the pro rata reductions needed to meet the required 148 million gallons per day inflow limit that will become effective in 1996. A surcharge may be the most effective and quickest way to get the attention of

Federal agency heads and other large water consumers and encourage their voluntary cooperation in efforts to protect the Bay.

Federal and District officials should also consider requiring the installation of water saving devices and equipment in new construction or when renovating existing facilities.

The conferees believe that it is extremely important for Federal officials to take the lead in this effort and ask that District officials inform the Committees on Appropriations of the Senate and the House of Representatives of the level of cooperation and the status of these efforts on January 1, 1992 and on April 1, 1992.

EMERGENCY AMBULANCE SERVICE

The conferees share the concern of city officials over the state of the city's ambulance service. In a letter dated July 30, 1991, the Mayor states that she intends to announce and implement a new policy direction for the District's emergency medical service before the end of the year. The conferees encourage the Mayor to act without delay to implement short-term measures to improve EMS response time, and to propose long-term solutions to the EMS difficulties.

These actions will necessarily require decisions involving man-hours, overtime, training and effective delivery of emergency medical care. The conferees expect that the Mayor will work with all affected parties to formulate these plans, and that she will keep the conferees and the parties well informed of the status and progress of the decision-making. The conferees stand ready to be of whatever assistance the Mayor deems appropriate in implementing her proposals.

D.C. TAXICAB COMMISSION

The conferees continue to be concerned about the operation of the taxicab system in the District of Columbia which is administered by the D.C. Taxicab Commission. In earlier reports the conferees have expressed concern about the physical condition of the taxicabs as well as the quality of service being provided to the riding public by the local taxicab industry.

The conferees direct the District of Columbia Taxicab Commission to complete the analysis of its on-going study on the effectiveness and equity of the District of Columbia zone taxicab system in comparison to a metered taxicab system and issue a subsequent report no later than June 1, 1992.

The report should contain a specific recommendation regarding whether or not the District should change to a metered taxicab system. If the Commission recommends retention of the zone system, the Commission is required to provide a detailed explanation of the underlying reasons for this recommendation, including an analysis of why a metered system is not more cost-effective, convenient and fair to the riding public. Copies of the report and accompanying recommendation should be sent to the Mayor and Council of the District of Columbia and to the appropriate committees of the Congress.

TITLE I—FISCAL YEAR 1992 APPROPRIATIONS

FEDERAL FUNDS

OFFICE OF THE MAYOR

Amendment No. 1: Deletes heading and appropriation of \$52,000 proposed by the House and stricken by the Senate to fund one of four vacant positions in the Office of the Mayor. The conferees direct that existing funds be used to fill the position and that the position be filled as soon as possible but no later than October 15, 1991.

BOARD OF EDUCATION

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: \$3,205,000 of which \$2,125,000 shall be for renovations to public school athletic and recreational grounds and facilities; \$330,000 shall be for the Options Program; \$250,000 shall be for the Parents as Teachers Program; and \$500,000 shall be for maintenance, improvements, and repairs to public school facilities under the Direct Activity Purchase System (DAPS): Provided, That the \$500,000 provided for DAPS shall be returned to the United States Treasury on October 1, 1992, if the amount spent by the District of Columbia out of its own funds under DAPS and for maintenance, improvements, and repairs to public school facilities in fiscal year 1992 is less than the amount spent by the District out of its own funds for such purposes in fiscal year 1991: Provided further, That of the \$3,205,000 appropriated under this heading, \$1,500,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Public Schools.—The conference agreement appropriates a Federal contribution of \$3,205,000 of which \$2,125,000 is for renovations to public school athletic and recreational grounds and facilities, \$330,000 is for the Options Program, \$250,000 is for the Parents as Teachers Program and \$500,000 is for maintenance, improvements, and repairs to public school facilities under the Direct Activity Purchase System (DAPS) instead of \$1,100,000 of which \$600,000 is for renovations to public school athletic and recreational grounds and facilities and \$500,000 is for the Direct Activity Purchase System (DAPS) as proposed by the House and \$1,130,000 of which \$550,000 is for renovations, maintenance, improvements and repairs to public school facilities, including athletic and recreational grounds, \$330,000 is for the Options Program, and \$250,000 is for the Parents as Teachers Program as proposed by the Senate. The conference agreement also restores language proposed by the House and stricken by the Senate requiring that the \$500,000 for DAPS be returned to the United States Treasury on October 1, 1992 if the amount spent by the District out of its own funds under

DAPS and for maintenance, improvements, and repairs to public school facilities in fiscal year 1992 is less than the amount spent by the District out of its own funds for such purposes in fiscal year 1991. The conference agreement provides that \$1,500,000 of the \$3,205,000 appropriated under this heading shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992.

DISTRICT OF COLUMBIA GENERAL HOSPITAL

Amendment No. 3: Appropriates a Federal contribution of \$9,500,000 of which \$8,500,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992 instead of \$12,000,000 of which \$10,000,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992 as proposed by the House and \$900,000 as proposed by the Senate.

The conferees note that various recommendations were made in the Report of the Commission on Budget and Financial Priorities (the Rivlin Commission) concerning improvements in the utilization of hospital facilities through consolidation at D.C. General Hospital. The Commission recommends that cost-saving initiatives be implemented at D.C. General and St. Elizabeths hospitals.

Hospital administrators reportedly told the Commission that the conditions of the facilities at D.C. General Hospital are major contributors to the high operating costs and inefficiencies at the hospital. D.C. General's maintenance and repair costs were twice as high as the average of 57 similarly sized government-run urban hospitals. Maintenance and repair costs represent nearly 40 percent of non-personnel expenses. With the opening of the new Ambulatory and Critical Care Center, the Commission found that the hospital will now be able to consolidate its 45 out-patient clinics and its trauma center into one building resulting in lower costs for leasing and other expenses.

In addition, the Commission found that D.C. General is losing revenue because of its ineffective charge capture system. They found that 35 percent of the medical records of in-patients contained no listing of physician visits. Unless charges for all items and services provided to patients is captured and billed to third party payors or the patient it is impossible to determine the true cost of care for uninsured patients. The Commission estimated that improvements in capturing appropriate charges would result in a minimum of \$3.2 million and possibly as much as \$6.5 million in additional revenue.

The conferees also note that no annual report or audit has been produced for fiscal year 1990 as required by D.C. Code, secs. 32-243 and 32-252. The conferees request that the D.C. General Hospital Commission rectify those omissions at the earliest possible opportunity.

TRAUMA CARE FUND

Amendment No. 4: Deletes heading and appropriation of \$10,000,000 proposed by the Senate to establish a Trauma Care Fund for indigent patients at District hospitals.

In deleting this provision, the conferees are not expressing the view that this is an unnecessary element in the city's health care system, but rather acknowledging the legislation that is pending before the District Council in the form of Bill 9-193, the District of Columbia Health Insurance and Health Care Coverage Act of 1991. The Act includes a provision establishing an uncompensated care trust fund similar to the one proposed by this amendment.

While Bill 9-193 is broader than the uncompensated care trust fund, the conferees encourage early action on this portion of the legislation and will carefully follow its progress.

The conferees are also concerned about the proportion of resources that are consumed in emergency rooms for nonemergency care. Patients who seek primary care in an emergency room do so for many reasons, the foremost being lack of access to appropriate primary health care. In addition, because these patients do not receive any continuity of care, their overall care remains substandard. This in itself is a serious problem, but it is drastically compounded because essential resources are diverted to provide primary care in this manner. The conferees are aware that this situation is a nationwide problem and is not unique to the District. The conferees hope that the Mayor, the City Council, and hospital administrators will work together to develop legislation that will reduce the amount of nonemergency primary care currently provided in emergency rooms. Further, the conferees urge the Mayor and hospital administrators to study the extent of this problem and its costs to hospitals and develop a proposal for a long-term solution. The study on this issue should be forwarded to the Committees on Appropriations of the House and the Senate and the District Council with the budget submission for fiscal year 1993.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Amendment No. 5: Deletes heading and appropriation of \$200,000 proposed by the Senate for a site-specific study of the Municipal Fish Wharf. The conferees reaffirm their support for the continued operation and maintenance of the municipal fish wharf as a seafood marketplace. A study of the southwest waterfront area has been completed by a consultant and is presently being reviewed by District officials who expect to make their recommendations by December 31, 1991, after which public hearings involving all interested parties, including the current lessees will be held. Following these hearings, the District will draft an implementation plan which will require most of fiscal year 1992 to complete. The conferees have been advised by District officials that additional funds are not required in fiscal year 1992. However, should this situation change and a determination is made that funds are needed for preliminary architectural and design work on the wharf, the conferees will consider a request to reprogram existing capital funds.

The conferees look forward to the report to be submitted by December 1, 1991, on any plans for further improvements and/or enhancements to the wharf and the area surrounding it. The conferees expect the report to include specific guidance regarding moderate safety, traffic and appearance improvements to the property. The District should work with residents and the establishments op-

erating on and near the wharf to develop plans for the immediate future for enhancing an improving auto and pedestrian access, parking, and any improvements to structures on the wharf.

D.C. Habitat for Humanity.—The conferees are aware of the D.C. Habitat for Humanity's plans to sponsor the Jimmy Carter Work Project in the District of Columbia in June 1992. The conferees urge the District to work with D.C. Habitat to identify and make available suitable property so that low-income housing which is in very short supply can be constructed.

Each year, former President Carter participates in a week-long, intensive home construction project sponsored by one of the Habitat for Humanity affiliates in the United States. The Jimmy Carter Work Project in Washington will produce 10 homes with the first phase of up to 70 homes to be developed over the following two years.

As with all Habitat projects, each low-income family selected to live in the development will have an active role in constructing the homes and will receive a zero-interest mortgage which will be held by Habitat for Humanity.

FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

Amendment No. 6: Deletes heading and appropriation of \$799,000 proposed by the Senate for overtime costs for the operation of Engine Company No. 3 during fiscal year 1992. The conferees direct that Engine Company No 3 remain open and that the operating costs be absorbed within existing funds. This issue is discussed further under amendment number 14.

DEPARTMENT OF HUMAN SERVICES

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates \$500,000 in Federal funds for an early detection program for breast and cervical cancer for low-income women who are not covered by insurance or do not qualify for Medicare or other health programs.

DISTRICT OF COLUMBIA INSTITUTE FOR MENTAL HEALTH

Amendment No. 8: Appropriates a Federal contribution of \$1,000,000 as proposed by the House instead of \$426,000 as proposed by the Senate. This appropriation will assist the Institute in providing low-cost professional mental health care to low-income, underinsured, and indigent children, adults, and families in the District of Columbia. The conferees request a report by April 15, 1992, from the Institute showing the use of these funds and the level of services provided to District residents.

The conferees urge the District's Commission on Mental Health to develop a local funding mechanism to support quality mental health care through the competitive bid process.

CHILDREN'S NATIONAL MEDICAL CENTER

Amendment No. 9: Deletes advance Federal appropriation of \$6,000,000 to become available October 1, 1992 proposed by the

Senate for a cost-shared National Child Protection, Trauma and Research Center.

Both the House and Senate bills contained \$3,000,000 in Federal funds for the Center to supplement appropriations of \$3,000,000 provided in this bill last year and \$1,750,000 provided in the Treasury, Postal Service, and General Government Appropriations Act last year bringing the total Federal commitment to date to \$7,750,000. The Center is requesting a total of \$19,800,000 in Federal funds which will equal 40 percent of the total estimated construction cost of \$50,000,000. The balance of approximately \$30,000,000 will be raised through private and other contributions.

The conferees remain committed to the programs and objectives of the Center and note that the District's child abuse and neglect caseload has increased dramatically in recent years creating a need for additional community resources. The Center is located adjacent to Children's National Medical Center and will be an important resource of child abuse prevention and protection programs, emergency trauma care in abuse cases, pediatric AIDS/HIV treatment, neonatology care for infants born to drug-abusing mothers and mothers receiving poor prenatal care, pediatric medical research and other related specialized programs.

The conferees agree to review the total project costs during the fiscal year 1993 hearings.

GEORGE WASHINGTON UNIVERSITY MEDICAL CENTER

Amendment No. 10: Reported in true disagreement.

DISTRICT FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

Amendment No. 11: Appropriates \$110,921,000 as proposed by the Senate instead of \$111,973,000 as proposed by the House.

Office of the Mayor.—The conference action provides \$1,499,000 as proposed by the Senate instead of \$1,551,000 as proposed by the House. The reduction of \$52,000 below the House allowance would have funded one of four vacant positions in the office. The conferees direct that existing funds be used to fill the position and that the position be filled as soon as possible but no later than October 15, 1991.

D.C. Retirement Board.—The conference agreement provides \$8,326,000 to pay legal, management, investment, and other fees and administrative expenses of the Board as proposed by both the House and the Senate and requires the total amount to be funded from earnings of the applicable retirement funds as proposed by the Senate instead of using \$1,000,000 from the general fund as proposed by the House. This amendment also involves amendment number 12 and amendment number 21.

Amendment No. 12: Deletes language proposed by the House and stricken by the Senate which provided \$1,000,000 from the general fund to partially fund the D.C. Retirement Board's expenses.

The conferees urge District officials and Board members to resolve the issue of how much of the Board's expenses will be paid

from investment earnings and how much will be financed with general fund revenues in fiscal year 1993 and future years.

ECONOMIC DEVELOPMENT AND REGULATION

Amendment No. 13: Appropriates \$106,430,000 as proposed by the House instead of \$106,630,000 as proposed by the Senate.

Municipal Fish Wharf.—The conferees have not approved the \$200,000 proposed by the Senate for a site-specific study of the Municipal Fish Wharf. As noted in the explanation of amendment number 5, the conferees reaffirm their support for the continued operation and maintenance of the municipal fish wharf as a seafood marketplace. A study of the southwest waterfront area has been completed by a consultant and is presently being reviewed by District officials who expect to make their recommendations by December 31, 1991, after which public hearings involving all interested parties, including the current lessees will be held. Following these hearings, the District will draft an implementation plan which will require most of fiscal year 1992 to complete. The conferees have been advised by District officials that additional funds are not required in fiscal year 1992. However, should this situation change and a determination is made that funds are needed for preliminary architectural and design work on the wharf, the conferees will consider a request to reprogram existing capital funds.

The conferees look forward to the report to be submitted by December 1, 1991, on any plans for further improvements and/or enhancements to the wharf and the area surrounding it. The conferees expect the report to include specific guidance regarding moderate safety, traffic and appearance improvements to the property. The District should work with residents and the establishments operating on and near the wharf to develop plans for the immediate future for enhancing and improving auto and pedestrian access, parking, and any improvements to structures on the wharf.

D.C. Habitat for Humanity.—The conferees are aware of the D.C. Habitat for Humanity's plans to sponsor the Jimmy Carter Work Project in the District of Columbia in June 1992. The conferees urge the District to work with D.C. Habitat to identify and make available suitable property so that low-income housing which is in very short supply can be constructed.

Each year, former President Carter participates in a week-long, intensive home construction project sponsored by one of the Habitat for Humanity affiliates in the United States. The Jimmy Carter Work Project in Washington will produce 10 homes with the first phase of up to 70 homes to be developed over the following two years.

As with all Habitat projects, each low-income family selected to live in the development will have an active role in constructing the homes and will receive a zero-interest mortgage which will be held by Habitat for Humanity.

PUBLIC SAFETY AND JUSTICE

Amendment No. 14: Appropriates \$930,836,000 as proposed by the House instead of \$931,636,000 as proposed by the Senate.

Fire and Emergency Medical Services Department.—The conference action provides \$97,831,000 as proposed by the House instead of \$98,630,000 as proposed by the Senate. The conferees have not approved the increase of \$799,000 in Federal funds proposed by the Senate to cover most of the estimated \$949,000 in operating costs that will most likely be incurred at the station during fiscal year 1992. However, the conferees direct District officials to keep Engine Company No. 3 open for the 12 months of fiscal year 1992 and to absorb the total operating costs including overtime pay within the existing appropriation. The District had proposed closing Engine Company No. 3, which is located at 439 New Jersey Avenue, Northwest, within seconds of the United States Capitol, Union Station, and several hotels and office buildings in that part of the city. The conferees are somewhat reluctant to overrule the city administration on this matter. However, the conferees are not convinced that the decision to close Engine Company No. 3 was based solely on operational considerations. The conferees are supporting and permitting other cost-saving measures in this Act.

The conferees note the incident described on page 33 of Senate Report No. 102-105. On the morning of May 29, 1991, while Engine Company No. 3 and its ambulance crew were out of service at the training academy, an individual was struck by a car at Delaware Avenue and Columbus Circle, Northeast. Engine Company No. 6 arrived on the scene eight minutes after the call was received and was able to render limited medical care. However, it was a total of 21 minutes from the time the call was received by the Department until an ambulance arrived on the scene. The conferees agree that this level of response is inadequate for anywhere in the District, including an area where thousands of visitors congregate every day. The conferees do not believe the case has been made to reduce the level of service to this area.

The conferees are mindful of the condition of the physical structure of Engine Company No. 3 and request that during the coming year fire officials evaluate the structure and report to the Committees on Appropriations of the House and the Senate on the resources required to renovate the station.

The conferees concur in the Senate proposal to restore 75 fire fighter positions and provide the Department with 1,314 authorized fire fighter positions which is still less than the number required to fully staff the Department and eliminate overtime costs estimated to total over \$20,000,000 in fiscal year 1991. The conferees have been advised that the reduction in engine company staffing from five persons to four persons proposed by the District and agreed to by the conferees has reduced the number of positions required from 1,600 to 1,440 positions. However, the authorized ceiling is 1,314 positions or 126 positions less than the number required to adequately staff the Department. The conferees believe the restoration of the 75 fire fighter positions will allow the Mayor the flexibility necessary to staff the Department in the most efficient manner within the resources that are available.

PUBLIC EDUCATION SYSTEM

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: \$708,536,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates \$708,536,000 instead of \$706,431,000 as proposed by the House and \$706,461,000 as proposed by the Senate. The increase of \$2,105,000 above the House allowance is for the District's public schools and will be used for the Options Program (\$330,000), the Parents as Teachers Program (\$250,000), and for renovations to public school athletic and recreational grounds and facilities (\$1,525,000). These items are discussed under amendments numbered 16 and 17.

Amendment No. 16: Allocates \$519,344,000 for the public schools of the District of Columbia as proposed by the Senate instead of \$518,764,000 as proposed by the House.

Options Program.—The conference agreement provides \$750,000 as proposed by the Senate instead of \$420,000 as proposed by the House. The increase of \$330,000 above the House allowance includes \$180,000 to supplement the basic operations and to expand the Options Program for the September to June school year by adding such programs as performing arts, by providing for an overall evaluation which may be used as a basis for national replication, and to enhance the curriculum and provide for other related program development. The balance of \$150,000 will fund the summer school operations. The Options School program is an alternative full-day program for youths 12 to 15 years of age who are functioning at least two years behind grade level and are severely at-risk of dropping out. The students are given courses in basic skills, computers, science and technology.

Parents as Teachers.—The conference agreement provides \$250,000 as proposed by the Senate for a pilot program to encourage parental involvement in their child's education. Studies indicate that parental involvement is more important to the child's success in school than any other single factor. The program fosters the link between home and school early in life and provides assistance to families from the time of the child's birth to age three.

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: \$2,625,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement allocates \$2,625,000 for pay-as-you-go capital projects for public schools instead of \$1,100,000 as proposed by the House and \$550,000 as proposed by the Senate. The increase of \$1,525,000 is for renovations to public school athletic and recre-

ational grounds and facilities and will not be available for obligation until September 30, 1992 and will not be expended prior to October 1, 1992. This item is discussed under amendment number 18.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment amended to read as follows: , of which \$2,125,000 shall be for renovations to public school athletic and recreational grounds and facilities and \$500,000 shall be for maintenance, improvements, and repairs to public school facilities under the Direct Activity Purchase System (DAPS): Provided, That the \$500,000 provided for DAPS shall be returned to the United States Treasury on October 1, 1992, if the amount spent by the District of Columbia out of its own funds under DAPS and for maintenance, improvements, and repairs to public school facilities in fiscal year 1992 is less than the amount spent by the District out of its own funds for such purposes in fiscal year 1991: Provided further, That of the \$708,536,000 appropriated under this heading and the \$2,625,000 allocated for pay-as-you-go capital projects for public schools, \$1,500,000 shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992: Provided further, That of the \$519,344,000 allocated for the public schools of the District of Columbia under this heading, \$3,050,000 shall be paid within fifteen (15) days of the enactment of this Act directly to the District of Columbia Public Schools Foundation for a series of demonstration projects including Project ACCORD (\$800,000 of which \$200,000 shall be paid directly to the Foundation when the Foundation certifies that an equal amount of private contributions has been received); the Anacostia Project (\$1,000,000); the Cooperative Employment Education Project (\$500,000); and the Options Program (\$750,000).

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference action provides \$2,625,000 for pay-as-you-go capital projects for public schools of which \$2,125,000 is for renovations to athletic and recreational grounds and facilities and \$500,000 is for maintenance and improvements under the Direct Activity Purchase System (DAPS) instead of \$600,000 for renovations to athletic and recreational grounds and facilities and \$500,000 is for maintenance and improvements under the Direct Activity Purchase System (DAPS) as proposed by the House and \$550,000 as proposed by the Senate. The conferees have also approved language that provides for the administration and coordination of certain demonstration and education programs through the District of Columbia Public Schools Foundation with a designated program coordinator to monitor and coordinate the programs and provide the necessary semiannual reports and evaluations to the Board of Education and the Committees on Appropriations of the House and Senate. These demonstration education programs include Project ACCORD, the Anacostia Project (including Learning Logic), the Options Program and the Cooperative Employment Education Program.

The conferees believe this change will create a more effective monitoring and evaluation system for these programs.

The District of Columbia Public Schools Foundation was formed in 1985 to provide leadership in developing, securing and directing resources for educational and training projects on behalf of the public school system. The Foundation is governed by an 18 member board of independent business and community leaders.

The May 1991 issue of *Child* magazine carried a description of the 10 best schools in America. Among these schools is the Key School in Indianapolis, Indiana. District school officials have visited this school and are impressed with its curriculum that is formulated to recognize the different needs of children and help foster their innate skills to build self-confidence in school as well as in other areas. The conferees believe that innovative approaches to education have application in the District and encourage school officials, in conjunction with the Anacostia and Options programs, to pursue the Key School model and others that may be beneficial to District students.

HUMAN SUPPORT SERVICES

Amendment No. 19: Appropriates \$875,033,000 instead of \$877,033,00 as proposed by the House and \$866,433,000 as proposed by the Senate.

Department of Human Services.—The conference action provides \$727,108,000 as proposed by the Senate instead of \$726,608,000 as proposed by the House. The increase of \$500,000 above the House allowance will allow the District to continue to contract with the D.C. Cancer Consortium which provides breast and cervical cancer screening to low-income women who are not covered by insurance or do not qualify for Medicare or other health programs. The screening program consists of a physical examination, a mammography, and a pap smear. The conferees are concerned that it took District officials seven months to enter into a contract with the D.C. Cancer Consortium to provide these basic services in fiscal year 1991. The Consortium consists of the District of Columbia Hospital Association, national and local cancer organizations, and other health organizations with seven District hospitals providing the services. D.C. General Hospital serves the greatest number of patients and provides follow-up referrals and treatment.

D.C. General Hospital.—The conference action provides \$69,010,000 instead of \$71,510,000 as proposed by the House and \$60,410,000 as proposed by the Senate. The conference allowance provides an increase of \$9,500,000 above the District government's request and includes \$8,500,000 which will not become available until October 1, 1992. This advance appropriation is discussed in amendment number 20. The conferees urge Hospital administrators to direct these funds to high priority areas such as the program to provide physical examinations and immunizations to 10,000 preschool and school age children and the establishment of an outpatient HIV service for infants and children. The conferees note the dramatic increase in emergency room services provided to obstetrics patients, many of whom have not had prenatal care, are

substance abusers, or are engaged in other destructive personal behavior.

Amendment No. 20: Restores matter proposed by the House and stricken by the Senate amended to provide that \$8,500,000 of this appropriation for the District of Columbia General Hospital shall not be available for obligation until September 30, 1992 and shall not be expended prior to October 1, 1992 instead of \$10,000,000 as proposed by the House.

PERSONAL AND NONPERSONAL SERVICES ADJUSTMENT

Amendment No. 21: Deletes heading and language proposed by the House and stricken by the Senate requiring the Mayor to reduce appropriations and expenditures in the amount of \$1,000,000 within one or more of the appropriations in this Act. The funds from this general reduction would have been used to finance part of the expenses of the D.C. Retirement Board under amendments numbered 11 and 12.

TRAUMA CARE FUND

Amendment No. 22: Deletes heading and appropriation of \$10,000,000 proposed by the Senate to establish a Trauma Care Fund to reimburse District hospitals for the actual costs of uncompensated care provided at Level I trauma centers in the District.

In deleting this provision, the conferees are not expressing the view that this is an unnecessary element in the city's health care system, but rather acknowledging the legislation that is pending before the District Council in the form of Bill 9-193, the District of Columbia Health Insurance and Health Care Coverage Act of 1991. The Act includes a provision establishing an uncompensated care trust fund similar to the one proposed by this amendment.

While Bill 9-193 is broader than the uncompensated care trust fund, the conferees encourage early action on this portion of the legislation and will carefully follow its progress.

The conferees are also concerned about the proportion of resources that are consumed in emergency rooms for nonemergency care. Patients who seek primary care in an emergency room do so for many reasons, the foremost being lack of access to appropriate primary health care. In addition, because these patients do not receive any continuity of care, their overall care remains substandard. This in itself is a serious problem, but it is drastically compounded because essential resources are diverted to provide primary care in this manner. The conferees are aware that this situation is a nationwide problem and is not unique to the District. The conferees hope that the Mayor, the City Council, and hospital administrators will work together to develop legislation that will reduce the amount of nonemergency primary care currently provided in emergency rooms. Further, the conferees urge the Mayor and hospital administrators to study the extent of this problem and its costs to hospitals and develop a proposal for a long-term solution. The study on this issue should be forwarded to the Committees on Appropriations of the House and the Senate and the District Council with the budget submission for fiscal year 1993.

CAPITAL OUTLAY

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: \$312,453,946.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement appropriates \$312,453,946 instead of \$310,928,946 as proposed by the House and \$310,378,946 as proposed by the Senate. The conference action provides \$2,625,000 for pay-as-you-go capital projects instead of \$1,100,000 as proposed by the House and \$550,000 as proposed by the Senate for various maintenance, improvements, and repairs to public school facilities including athletic and recreational grounds. The increase of \$580,000 above the House allowance is for pay-as-you-go capital projects and includes \$1,500,000 that will not be available until October 1, 1992 under amendment number 2.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted by said amendment, insert: \$2,625,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides that \$2,625,000 in pay-as-you-go capital projects for the public school system will be financed from general fund operating revenues instead of \$1,100,000 as proposed by the House and \$550,000 as proposed by the Senate. The increase of \$1,525,000 above the House allowance is explained under amendment number 23.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate that allows the District to use up to \$1,500,000 of funds under this heading to secure, from current owners, access, rights of way, easements or title to lands not now in public ownership for a proposed bicycle and pedestrian pathway known as the Metropolitan Branch Trail which roughly parallels the Metro Red Line from Silver Spring to Union Station. The conferees note that this language is permissive and does not mandate the District to use this \$1,500,000 for this purpose.

GENERAL PROVISIONS

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *Provided, That nothing herein is intended to prohibit the parties from negotiating a limited duty policy that is fair for all*

concerned and that does not impede the Department from carrying out its duties: Provided further, That whatever negotiations take place should also consider methods to prevent abuse of the program which drains scarce police resources.

(e) If less than the 75 officers or members excluded under subsection (a) are retired on disability, the actuary shall adjust accordingly the determinations made pursuant to section 142(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122)

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language proposed by the Senate modifying the language carried in last year's Act and this year's House bill concerning the limited duty policy of the Metropolitan Police Department. The language required that the limited duty policy in effect prior to July 8, 1990, remain in effect unless ordered by the relevant court. The bill language proposed by the Senate and agreed to by the conferees strikes the reference to the relevant court and allows the parties to negotiate a limited duty policy as long as the policy is fair to police officers as well as the Department and does not impede the Department in carrying out its duties. The second proviso states that whatever negotiations take place should also consider methods to prevent abuse of the limited duty program which drains scarce police resources.

The conference agreement also includes language under subsection (e) clarifying the intent of subsection (a) so that in the event less than the 75 officers or members are retired on disability, the actuary is to adjust the determinations made pursuant to section 142(d) of the D.C. Retirement Reform Act of 1979 (Public Law 96-122). The adjustment by the actuary will affect the amount of annual contributions to be made by the District government to the police and fire retirement system.

Amendment No. 27: Deletes language proposed by the House and stricken by the Senate concerning requirements of the Buy American Act as codified under 41 U.S.C. 10a et seq. Subsequent to adoption to this provision on the House floor by voice vote, it was determined that the requirements of the Buy American Act, which subsection (f) of the provision adopted on the House floor defines as 41 U.S.C. 10a et seq., already applies to all procurements made by the District of Columbia government since 41 U.S.C. 5a, which defines the word "department", states, "The word 'department' as used in this Act shall be construed to include independent establishments, other agencies, wholly owned Government corporations * * * and the government of the District of Columbia * * *".

Amendment No. 28: Deletes language proposed by the House and stricken by the Senate which would have prohibited the use of funds in this Act for the renovation of Eastern Market located at 227 7th Street, Southeast. The conferees agree that the District government has proceeded as required by law and should be allowed to continue in an orderly manner.

Amendment No. 29: Deletes language proposed by the Senate which would have given the Mayor, with Council approval, the authority to reduce the spending authorization for any independent agency of the District of Columbia government, except the Council and the courts, whenever the Mayor determines that the reduction

is necessary to keep the budget for the District of Columbia government in balance. The conferees have been advised that the authorizing committees are proceeding on a "fast track" to send to the President a bill which will give the Mayor the authority she seeks.

Amendment No. 30: Deletes language proposed by the Senate which would have authorized the District of Columbia government to issue long-term general obligation bonds to finance its outstanding general fund accumulated deficit of \$331,589,000 as of September 30, 1990.

The conferees have been advised that the authorizing committees are proceeding expeditiously to send to the President a bill which will authorize the District to issue long-term general obligation bonds to finance either all or part of the accumulated deficit and give the District a cash reserve or working fund.

TITLE II—FISCAL YEAR 1991 SUPPLEMENTAL

DISTRICT FUNDS

GENERAL PROVISIONS

Amendment No. 31: Changes section number from "101" to "201" consistent with title II of the Act.

Amendment No. 32: Changes section number from "102" to "202" consistent with title II of the Act.

Amendment No. 33: Deletes language proposed by the Senate which would have given the Mayor, with Council approval, the authority to reduce the spending authorization for any independent agency of the District of Columbia government, except the Council and the courts, whenever the Mayor determines that the reduction is necessary to keep the budget for the District of Columbia government in balance. The conferees have been advised that the authorizing committees are proceeding on a "fast track" to send to the President a bill which will give the Mayor the authority she seeks.

Amendment No. 34: Deletes language proposed by the Senate which would have authorized the District of Columbia government to issue long-term general obligation bonds to finance its outstanding general fund accumulated deficit of \$331,589,000 as of September 30, 1990.

The conferees have been advised that the authorizing committees are proceeding expeditiously to send to the President a bill which will authorize the District to issue long-term general obligation bonds to finance either all or part of the accumulated deficit and give the District a cash reserve or working fund.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1992 recommended by the Committee of Conference, with comparisons to the fiscal year 1991 amount, the 1992 budget estimates, and the House and Senate bills for 1992 follow:

<i>Federal Funds</i>	
New budget (obligational) authority, fiscal year 1991	\$651,265,000
Budget estimates of new (obligational) authority, fiscal year 1992.....	682,570,000
House bill, fiscal year 1992	699,797,000

Senate bill, fiscal year 1992	755,600,000
Conference agreement, fiscal year 1992	699,850,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1991	+48,585,000
Budget estimates of new (obligational) authority, fiscal year 1992	+17,280,000
House bill, fiscal year 1992.....	+53,000
Senate bill, fiscal year 1992.....	-55,750,000

District of Columbia Funds

<i>New budget (obligational) authority, fiscal year 1991.....</i>	<i>3,860,574,000</i>
<i>Budget estimates of new (obligational) authority, fiscal year 1992.....</i>	<i>3,879,866,946</i>
<i>House bill, fiscal year 1992</i>	<i>3,894,193,946</i>
<i>Senate bill, fiscal year 1992.....</i>	<i>3,894,020,946</i>
<i>Conference agreement, fiscal year 1992</i>	<i>3,895,771,946</i>
<i>Conference agreement compared with:</i>	
<i>New budget (obligational) authority, fiscal year 1991</i>	<i>+35,197,946</i>
<i>Budget estimates of new (obligational) authority, fiscal year 1992.....</i>	<i>+15,905,000</i>
<i>House bill, fiscal year 1992.....</i>	<i>+1,578,000</i>
<i>Senate bill, fiscal year 1992.....</i>	<i>+1,751,000</i>

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Managers on the Part of the House.

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