

COUNCIL OF THE DISTRICT OF COLUMBIA

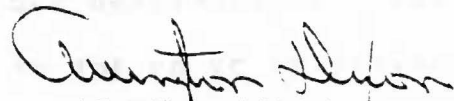
NOTICE

D.C. LAW 3-100

"Reprogramming Policy Act of 1980".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-298, on first and second readings, June 17, 1980 and July 1, 1980, respectively. Following the signature of the Mayor on July 16, 1980, this legislation was assigned Act No. 3-222, published in the August 22, 1980, edition of the D.C. Register, (Vol. 27 page 3617) and transmitted to Congress on July 22, 1980 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and, therefore, cites this enactment as D.C. Law 3-100 effective September 16, 1980.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	22,23,24,25,28,29,30,31
August	1,4,5,6,18,19,20,21,22,25,26,27,28
September	3,4,5,8,9,10,11,12,15

D.C. LAW 3-100

EFFECTIVE
DATE SEP 16 1980

AN ACT

D.C. ACT 3-222

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 16 1980

To establish reprogramming policies for the
District of Columbia government.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Reprogramming
Policy Act of 1980".

Sec. 2. Definitions.

As used in this act, the term:

(1) "agency" means the highest organizational
structure of the District of Columbia government
at which budgeting data is aggregated.

(2) "appropriated budget authority" means
authorization by an Act of the Congress that
permits the District of Columbia government to
incur obligations and make payments for specific
purposes against funds included in the annual
appropriations act for the District of Columbia.

CODIFICATION
D.C. Code,
title 47,
subchapter IV,

D.C. Code,
sec. 47-281

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(3) "control center" means the organizational authority subject to approval by Congress in the annual appropriations act for the District of Columbia.

(4) "Council" means the Council of the District of Columbia.

(5) "gross-obligation budget" means budget authority from all sources of funding.

(6) "non-appropriated budget authority" means the ability of the District of Columbia government to incur obligations and make payments for specified purposes against funds which are not subject to approval by the Congress in the annual appropriations act for the District of Columbia.

(7) "non-offsetting" means an increase or decrease that occurs in the gross-obligation budget.

(8) "offsetting" means an increase that is matched by a decrease such that no change occurs in the gross-obligation budget.

(9) "reprogramming" means any budget modification which results in an offsetting reallocation of funds from one (1) budget category

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to another, for purposes other than those originally planned.

(10) "responsibility center" means the organizational component below the control center level.

Sec. 3. Policy.

(a) A reprogramming shall be used only when an unforeseen situation develops, and then only if postponement until the next appropriations cycle would result in a serious hardship in the management of the city.

D.C. Code,
sec. 47-282

(b) Reprogrammings shall not be used to establish new programs or to change allocations specifically denied, limited, or increased by the Council in the budget act, or the accompanying budget report or mark-up sheets.

(c) Any program or project deferred through reprogramming shall not be later accomplished by means of further reprogramming. Funding for such action shall await the regular budget request.

(d) Should unusual circumstances require changes to the policies included in subsections (a) through (c), proposals shall be submitted to

the Council for approval regardless of the dollar amount involved.

Sec. 4. Approval of Budget Reprogrammings for Appropriated and Non-Appropriated Authorities.

D.C. Code,
sec. 47-283

(a) The Mayor shall submit to the Council for approval any reprogramming request(s) which individually or on a cumulative basis would result in a change to the original appropriated or estimated non-appropriated authority of any responsibility center of more than \$400,000 or ten per cent (10%) (whichever is less) of the original appropriated or estimated non-appropriated authority in any fiscal year: PROVIDED, HOWEVER, That Council approval shall not be required for any reprogramming of up to \$25,000. Council approval is required for any subsequent reprogrammings which individually or considered on a cumulative basis would result in additional changes of more than \$100,000 or ten per cent (10%) (whichever is less) of the original appropriated or estimated non-appropriated authority of any responsibility center.

(b) The Mayor shall submit to the Council for approval any shift(s) in funding among object

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categories within the same responsibility center which individually exceed \$50,000 in any fiscal year. Council approval is required for any subsequent actions which individually would move funds in excess of \$50,000 among object categories within the same responsibility center in any fiscal year.

(c) The Mayor shall submit to the Council for approval any reprogramming request(s) which individually or considered on a cumulative basis would result in a movement of funds from one (1) capital project to another of more than \$25,000 in any fiscal year.

(d) Notwithstanding the provisions of subsections (a) through (c), the Mayor shall submit to the Council for approval any reprogramming request(s) which individually or considered on a cumulative basis would result in change to the original appropriated or estimated non-appropriated authority of any responsibility or control centers within the Department of Human Services, by more than \$50,000 in any fiscal year. Additional Council approval shall be required for additional reprogrammings which individually or

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considered on a cumulative basis would result in additional changes of more than \$50,000 to the original appropriated or estimated non-appropriated authority of any responsibility centers within the Department of Human Services.

(e)(1) The Mayor shall transmit reprogramming requests as provided in subsections (a), (b), (c), and (d) and requests pursuant to section 5(a) to the Chairman of the Council, who shall immediately circulate the requests to the Members of the Council.

(2) The Council shall consider the request(s) according to its rules. Should no written notice of disapproval of such request(s) be filed with the Secretary to the Council within fourteen (14) calendar days of the receipt of a request from the Mayor, or no oral notice of disapproval is given during a meeting of the Council during such fourteen (14) calendar day period, the request shall be deemed to be approved. Should notice of disapproval be given during such initial fourteen (14) calendar day period, the Council shall dispose of such notice of disapproval within thirty (30) calendar days of

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the initial receipt of the request from the Mayor, or such request shall be deemed to be approved.

(3) No request may be submitted to the Chairman of the Council under this subsection during such time as the Council is on recess, according to its rules, nor shall any time period provided in this subsection or in the Council's rules with respect to the requests continue to run during such time as the Council is on recess.

(f) If the Council disapproves a reprogramming request the Mayor may, on a clear showing of changed circumstances, new information, or additional administrative hardship, ask for a reconsideration of the previous action of the Council. The Council may at its discretion reconsider its previous action.

(g) All reprogrammings which occur, regardless of amount, shall be reported by the Mayor to the Council on a monthly basis. A Monthly Reprogramming Summary shall set forth clearly and concisely each reprogramming activity by original object category and new object category. It shall specify the amount of funds shifted and other consequences where appropriate

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(such as personnel shifts, equipment transfers, etc.). The Monthly Reprogramming Summary shall also include a brief explanation of the administrative necessity that was served by the reprogramming activity. The Mayor shall be responsible for assembling and transmitting the Monthly Reprogramming Summary. The Council committee staff responsible for the budget process shall receive and analyze the Monthly Reprogramming Summary.

(h) The District of Columbia Board of Education, the District of Columbia Courts, and the Board of Trustees of the University of the District of Columbia shall be excluded for appropriated authority and the District of Columbia Board of Education, the District of Columbia Courts, the Board of Trustees of the University of the District of Columbia and the D. C. General Hospital Commission for estimated non-appropriated authority shall be excluded from the provisions of this section: PROVIDED, That reprogramming requests in excess of \$50,000 at the control center level shall be submitted to the

Mayor and the Council for review and comment prior to their transmittal to the Congress.

Sec. 5. Approval of other Budget Modifications.

D.C. Code,
sec. 47-284

(a) Absent any determination by the Mayor pursuant to section 449(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 802; D.C. Code, sec. 47-227(b)) that appropriations or funds are not available for payment of District of Columbia government obligations and therefore an apportionment of all appropriations and funds available with respect to a particular fiscal year is necessary under section 448(9) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 801; D.C. Code, sec 47-226(9)), the Mayor shall submit to the Council for approval, any non-offsetting budget modifications which may occur subsequent to the initial budget transmittal establishing the gross-obligation budget. The Council shall consider requests for approval under this section in the same manner as provided in section 4(e).

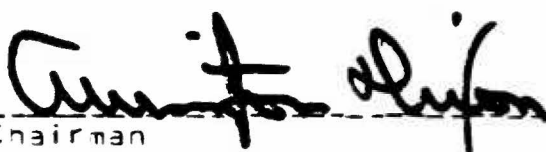
All such determinations made by the Mayor pursuant to section 448(9) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 801; D.C. Code, sec. 47-226(9)) shall be submitted to the Council in writing at least ten (10) days in advance of the implementation of any non-offsetting budget modification.

(b) The District of Columbia Board of Education, the District of Columbia Courts, the Board of Trustees of the University of the District of Columbia, and the D.C. General Hospital Commission shall be excluded from the provisions of this section.

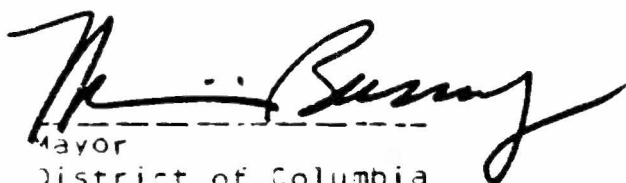
Sec. 6. Effective Date

This act shall take effect after a thirty (30) day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 502(c)(1) of the District of Columbia

Self-Government and Governmental Reorganization
Act, approved December 24, 1973 (87 Stat. 813;
D.C. Code, sec. 1-147(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: July 16, 1980

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: B 3-298

ACTION: Adopted First Reading 6-17-80

VOICE VOTE: Unanimous

Absent: Moore

ROLL CALL VOTE:

COUNCIL MEMBER	AGE	SEX	PARTY	RES.	COUNCIL MEMBER	AGE	SEX	PARTY	RES.	COUNCIL MEMBER	AGE	SEX	PARTY	RES.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
HARVTS					ROTARK									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: Adopted Final Reading 7-1-80

VOICE VOTE: Unanimous

Absent: Wilson

ROLL CALL VOTE:

COUNCIL MEMBER	AGE	SEX	PARTY	RES.	COUNCIL MEMBER	AGE	SEX	PARTY	RES.	COUNCIL MEMBER	AGE	SEX	PARTY	RES.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
HARVTS					ROTARK									

CERTIFICATION OF RECORD

John P. Brown
Secretary to the Council

ACTION: _____

VOICE VOTE: _____

Absent: _____

ROLL CALL VOTE:

COUNCIL MEMBER	AGE	SEX	PARTY	RES.	COUNCIL MEMBER	AGE	SEX	PARTY	RES.	COUNCIL MEMBER	AGE	SEX	PARTY	RES.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPALDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
HARVTS					ROTARK									

CERTIFICATION OF RECORD