

109TH CONGRESS
1ST SESSION

H. R. 3813

To establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2005

Mr. SHADEGG introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Oversight of Vital
5 Emergency Recovery Spending Enhancement and En-
6 forcement Act of 2005”.

1 **SEC. 2. DEFINITIONS.**

2 (a) CHIEF FINANCIAL OFFICER.—The term “Chief
3 Financial Officer” means the Hurricane Katrina Recovery
4 Chief Financial Officer.

5 (b) OFFICE.—The term “Office” means the Office of
6 the Hurricane Katrina Recovery Chief Financial Officer.

7 **SEC. 3. ESTABLISHMENT AND FUNCTIONS.**

8 (a) ESTABLISHMENT.—There is established within
9 the Executive Office of the President, the Office of the
10 Hurricane Katrina Recovery Chief Financial Officer.

11 (b) CHIEF FINANCIAL OFFICER.—

12 (1) APPOINTMENT.—The Hurricane Katrina
13 Recovery Chief Financial Officer shall be the head
14 of the Office. The Chief Financial Officer shall be
15 appointed by the President, by and with the advice
16 and consent of the Senate.

17 (2) QUALIFICATIONS.—The Chief Financial Of-
18 ficer shall have the qualifications required under sec-
19 tion 901(a)(3) of title 31, United States Code.

20 (c) FUNCTIONS.—

21 (1) IN GENERAL.—The Chief Financial Officer
22 shall—

23 (A) be responsible for the efficient and ef-
24 fective use of Federal funds in all activities re-
25 lating to the recovery from Hurricane Katrina;

1 (B) have all authorities and perform all
2 functions of a Chief Financial Officer under
3 section 902 of title 31, United States Code,
4 with respect to all agencies and all Federal ac-
5 tivities relating to the recovery from Hurricane
6 Katrina in accordance with paragraph (2); and

7 (C) strive to ensure that—

8 (i) priority in the distribution of Fed-
9 eral relief funds is given to individuals and
10 organizations most in need of financial as-
11 sistance; and

12 (ii) priority in the distribution of Fed-
13 eral reconstruction funds is given to busi-
14 ness entities that are based in Louisiana,
15 Mississippi, and Alabama or business enti-
16 ties that hire workers who resided in those
17 States before August 29, 2005.

18 (2) COORDINATION OF AGENCIES.—In the per-
19 formance of the functions under paragraph (1)(B)
20 by the Chief Financial Officer—

21 (A) the President shall act as the head of
22 the agency and the Chief Financial Officer shall
23 have management and oversight of all agencies
24 performing activities relating to the recovery
25 from Hurricane Katrina for purposes of the ap-

1 plication of section 902 of title 31, United
2 States Code; and

3 (B) the Chief Financial Officer shall co-
4 ordinate and have management and oversight
5 responsibilities of each applicable Chief Finan-
6 cial Officer in the performance of functions
7 under section 902(a) (5) and (6) of title 31,
8 United States Code, instead of performing such
9 functions for each applicable agency.

10 (3) REGULAR REPORTS.—

11 (A) IN GENERAL.—Every month the Chief
12 Financial Officer shall submit a financial report
13 on the activities for which the Chief Financial
14 Officer has management and oversight respon-
15 sibilities to—

16 (i) the Committee on Homeland Secu-
17 rity and Governmental Affairs of the Sen-
18 ate;

19 (ii) the Committee on Homeland Se-
20 curity of the House of Representatives;

21 (iii) the Committees on Appropria-
22 tions of the Senate and House of Rep-
23 resentatives; and

24 (iv) the Committee on Government
25 Reform of the House of Representatives.

1 (B) CONTENTS.—Each report under this
2 paragraph shall include—

3 (i) the extent to which Federal relief
4 funds have been given to individuals and
5 organizations most in need of financial as-
6 sistance;

7 (ii) the extent to which Federal recon-
8 struction funds have been made available
9 to business entities that are based in Lou-
10 isiana, Mississippi, or Alabama or business
11 entities that hire workers who resided in
12 those States before August 29, 2005; and

13 (iii) the extent to which Federal agen-
14 cies have made use of sole source or cost-
15 plus contracts.

16 (C) FIRST REPORT.—The first report
17 under this paragraph shall be submitted for the
18 first full month for which a Chief Financial Of-
19 ficer has been appointed.

20 (d) RESPONSIBILITIES OF CHIEF FINANCIAL OFFI-
21 CERS.—Nothing in this Act shall be construed as to relieve
22 the responsibilities of any Chief Financial Officer under
23 section 902 of title 31, United States Code.

24 (e) AVAILABILITY OF RECORDS.—Upon request to
25 the Chief Financial Officer, the Office shall make the

1 records of the Office available to the Inspector General
2 of any Federal agency performing recovery activities relat-
3 ing to Hurricane Katrina for the purpose of performing
4 the duties of that Inspector General under the Inspector
5 General Act of 1978 (5 U.S.C. App.).

6 **SEC. 4. REPORTS OF THE GOVERNMENT ACCOUNTABILITY**
7 **OFFICE.**

8 The Office shall provide quarterly reports to the com-
9 mittees specified in section 3(c) (3) (A) relating to all ac-
10 tivities and expenses approved by the Office, including__

11 (1) the accuracy of reports submitted by the
12 Chief Financial Officer to Congress;

13 (2) the extent to which agencies performing ac-
14 tivities relating to the recovery from Hurricane
15 Katrina have made use of sole source or cost-plus
16 contracts;

17 (3) the appropriate use of Federal funds by
18 State and local government agencies;

19 (4) an analysis of whether Federal relief funds
20 have been distributed to individuals and organiza-
21 tions most in need of financial assistance and Fed-
22 eral reconstruction funds have been made available
23 to business entities that are based in Louisiana, Mis-
24 sissippi, and Alabama or business entities that hire

1 workers who resided in those States before August
2 29, 2005; and

3 (5) the extent to which waste, fraud, or abuse
4 exist in the use of Federal funds relating to the re-
5 covery from Hurricane Katrina.

6 **SEC. 5. ADMINISTRATIVE AND SUPPORT SERVICES.**

7 (a) IN GENERAL.—The President shall provide ad-
8 ministrative and support services (including office space)
9 for the Office and the Chief Financial Officer.

10 (b) PERSONNEL.—The President shall provide for
11 personnel for the Office through the detail of Federal em-
12 ployees. Any Federal employee may be detailed to the Of-
13 fice without reimbursement, and such detail shall be with-
14 out interruption or loss of civil service status or privilege.

15 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
17 as necessary to carry out this Act.

18 **SEC. 7. TERMINATION OF OFFICE.**

19 (a) IN GENERAL.—The Office and position of Chief
20 Financial Officer shall terminate 1 year after the date of
21 enactment of this Act.

22 (b) EXTENSION.—The President may extend the date
23 of termination under subsection (a) to any date occurring
24 before 2 years after the date of enactment of this Act.

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