

113TH CONGRESS
1ST SESSION

H. R. 2793

To amend the District of Columbia Home Rule Act to permit the Government of the District of Columbia to determine the fiscal year for the Government of the District of Columbia, to amend such Act to make local funds of the District of Columbia available for use by the District at the beginning of the District's fiscal year at the rate of operations provided under the local budget act for the fiscal year if neither the regular District of Columbia appropriation bill nor a District of Columbia continuing resolution for the year does not become law prior to the beginning of such fiscal year, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ISSA introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend the District of Columbia Home Rule Act to permit the Government of the District of Columbia to determine the fiscal year for the Government of the District of Columbia, to amend such Act to make local funds of the District of Columbia available for use by the District at the beginning of the District's fiscal year at the rate of operations provided under the local budget act for the fiscal year if neither the regular District of Columbia appropriation bill nor a District of Columbia continuing resolution for the year does not become law prior to the beginning of such fiscal year, 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 “District of Columbia
 5 Financial Efficiency Act of 2013”.

6 **TITLE I—FISCAL AND BUDGET**
 7 **EFFICIENCY**

8 **SEC. 101. FISCAL YEAR FOR DISTRICT OF COLUMBIA.**

9 Section 441(b) of the District of Columbia Home
 10 Rule Act (sec. 1–204.41, D.C. Official Code) is amended
 11 to read as follows:

12 “(b) AUTHORIZATION TO ESTABLISH FISCAL YEAR
 13 BY ACT OF COUNCIL.—The District may change the fiscal
 14 year of the District by an Act of the Council. If a change
 15 occurs, such fiscal year shall also constitute the budget
 16 and accounting year.”.

17 **SEC. 102. AVAILABILITY OF DISTRICT OF COLUMBIA LOCAL**
 18 **FUNDS UPON FAILURE BY CONGRESS TO**
 19 **ENACT LOCAL BUDGET.**

20 (a) IN GENERAL.—Subpart 1 of part D of title IV
 21 of the District of Columbia Home Rule Act is amended
 22 by inserting after section 446B the following new section:

23 “AVAILABILITY OF LOCAL FUNDS UPON FAILURE BY
 24 CONGRESS TO ENACT BUDGET

25 “SEC. 446C. (a) AVAILABILITY OF LOCAL FUNDS AT
 26 RATE ESTABLISHED BY LOCAL LAW IF NO BUDGET EN-

1 ACTED PRIOR TO BEGINNING OF DISTRICT OF COLUMBIA
2 FISCAL YEAR.—

3 “(1) IN GENERAL.—If, as of the first day of a
4 fiscal year of the District of Columbia (as estab-
5 lished under section 441), neither the regular Dis-
6 trict of Columbia appropriation bill for the fiscal
7 year nor a District of Columbia continuing resolu-
8 tion for the fiscal year is in effect, there is appro-
9 priated, out of any moneys of the government of the
10 District of Columbia not otherwise appropriated, and
11 out of applicable corporate or other revenues, re-
12 ceipts, and funds, the amount provided for any
13 project or activity for which funds are provided in
14 the local budget act for such fiscal year.

15 “(2) RATE OF FUNDING.—An appropriation
16 and funds made available or authority granted for a
17 project or activity for a fiscal year pursuant to this
18 section shall be at the rate of operations provided
19 for such project or activity under the local budget
20 act for such fiscal year.

21 “(3) TERMINATION OF PERIOD OF AVAIL-
22 ABILITY.—An appropriation and funds made avail-
23 able or authority granted for a project or activity for
24 a fiscal year pursuant to this section shall cease to
25 be available—

1 “(A) during any period of the fiscal year in
2 which a District of Columbia continuing resolu-
3 tion for the fiscal year is in effect; or

4 “(B) upon the enactment into law of the
5 regular District of Columbia appropriation bill
6 for such fiscal year.

7 “(b) TERMS AND CONDITIONS.—An appropriation
8 and funds made available or authority granted for a
9 project or activity for a fiscal year pursuant to this section
10 shall be subject to the terms and conditions imposed with
11 respect to the appropriation made and funds made avail-
12 able for the preceding fiscal year, or the authority granted
13 for such project or activity under the applicable law in ef-
14 fect at the time.

15 “(c) PERIOD OF COVERAGE.—An appropriation and
16 funds made available or authority granted for a project
17 or activity for a fiscal year pursuant to this section shall
18 cover all obligations or expenditures incurred for such
19 project or activity during the portion of such fiscal year
20 for which this section applies to such project or activity.

21 “(d) RESTRICTIONS ON PROGRAMS OR ACTIVITIES
22 SUBJECT TO OTHER APPROPRIATIONS ACTS.—This sec-
23 tion shall not apply to a project or activity during any
24 period of a fiscal year if any other provision of law (other
25 than an authorization of appropriations)—

1 “(1) makes an appropriation, makes funds
2 available, or grants authority for such project or ac-
3 tivity to continue for such period, or

4 “(2) specifically provides that no appropriation
5 shall be made, no funds shall be made available, or
6 no authority shall be granted for such project or ac-
7 tivity to continue for such period.

8 “(e) PROTECTION OF OTHER OBLIGATIONS.—Noth-
9 ing in this section shall be construed to effect obligations
10 of the government of the District of Columbia mandated
11 by other law.

12 “(f) DEFINITIONS.—In this section—

13 “(1) the term ‘District of Columbia continuing
14 resolution’ means, with respect to a fiscal year, any
15 joint resolution making continuing appropriations
16 for the fiscal year which includes continuing appro-
17 priations for the government of the District of Co-
18 lumbia and other activities chargeable in whole or in
19 part against the revenues of the District;

20 “(2) the term ‘local budget act’ means, with re-
21 spect to a fiscal year, the act of the Council adopt-
22 ing the annual budget for the District of Columbia
23 government for such fiscal year, as submitted by the
24 Mayor to the President for transmission to Congress
25 pursuant to section 446; and

1 “(3) the term ‘regular District of Columbia ap-
 2 propriation bill’ means, with respect to a fiscal year,
 3 an annual appropriation bill making appropriations,
 4 otherwise making funds available, or granting au-
 5 thority, for the fiscal year for the government of the
 6 District of Columbia and other activities chargeable
 7 in whole or in part against the revenues of the Dis-
 8 trict.

9 “(g) EFFECTIVE DATE.—This section shall apply
 10 with respect to fiscal year 2015 and each succeeding fiscal
 11 year.”.

12 (b) CONFORMING AMENDMENT.—Section 446 of
 13 such Act (sec. 1–204.46, D.C. Official Code) is amended
 14 by inserting “section 446C,” after “section 446B,”.

15 (c) CLERICAL AMENDMENT.—The table of contents
 16 of subpart 1 of part D of title IV of the District of Colum-
 17 bia Home Rule Act is amended by inserting after the item
 18 relating to section 446B the following:

 “446C. Availability of local funds upon failure by Congress to enact budget.”.

19 **TITLE II—COMPENSATION OF** 20 **CHIEF FINANCIAL OFFICER**

21 **SEC. 201. INCREASE IN MAXIMUM COMPENSATION.**

22 (a) MAXIMUM COMPENSATION.—Section
 23 424(b)(2)(E) of the District of Columbia Home Rule Act
 24 (sec. 1–204.24(b)(2)(E), D.C. Official Code) is amended
 25 to read as follows:

1 “(E) PAY.—The Chief Financial Officer
2 shall be paid at a rate such that the total
3 amount of compensation paid during any cal-
4 endar year does not exceed an amount equal to
5 the limit on total pay which is applicable during
6 the year under section 5307 of title 5, United
7 States Code, to an employee described in sec-
8 tion 5307(d) of such title.”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall apply with respect to pay periods be-
11 ginning on or after the date of the enactment of this Act.

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