

113TH CONGRESS
1ST SESSION

H. R. 345

To amend the District of Columbia Home Rule Act to eliminate all federally imposed mandates over the local budget process and financial management of the District of Columbia and the borrowing of money by the District of Columbia.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2013

Ms. NORTON 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 eliminate all federally imposed mandates over the local budget process and financial management of the District of Columbia and the borrowing of money by the District of Columbia.

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 Budget Autonomy Act of 2013”.

1 **SEC. 2. TERMINATION OF FEDERAL MANDATES OVER**
2 **LOCAL BUDGET PROCESS AND FINANCIAL**
3 **MANAGEMENT OF DISTRICT OF COLUMBIA.**

4 (a) TERMINATION OF MANDATES.—

5 (1) IN GENERAL.—Part D of title IV of the
6 District of Columbia Home Rule Act (sec. 1–204.41
7 et seq., D.C. Official Code) is amended by adding at
8 the end the following new subpart:

9 “Subpart 3—Termination of Federal Mandates

10 “TERMINATION OF FEDERAL MANDATES

11 “SEC. 458. (a) BUDGET AND FINANCIAL MANAGE-
12 MENT GOVERNED UNDER DISTRICT LAW.—Effective with
13 respect to fiscal year 2014 and each succeeding fiscal year
14 which is not a control year—

15 “(1) the provisions of subpart 1 and subpart 2
16 (other than sections 445A, 449, 453(c), and 455)
17 shall not apply; and

18 “(2) the process by which the District of Co-
19 lumbia develops and enacts the budget for the Dis-
20 trict government for a fiscal year, and the activities
21 carried out with respect to the financial management
22 of the District government for a fiscal year, shall be
23 established under such laws as may be enacted by
24 the District (except that nothing in this subsection
25 may be construed to permit the District to waive the

1 application of any other provision of this Act to such
 2 budget or such activities for the fiscal year).

3 “(b) SPECIAL RULE FOR DETERMINATION OF FIS-
 4 CAL YEAR.—Section 441 (relating to the fiscal year of the
 5 District) shall not apply with respect to fiscal year 2014
 6 or any succeeding fiscal year, without regard to whether
 7 or not the fiscal year is a control year.

8 “(c) NO EFFECT ON EXISTING OBLIGATIONS.—
 9 Nothing in this section may be construed to relieve the
 10 District of Columbia of any contractual or other financial
 11 obligations incurred by the District under a budget en-
 12 acted for a fiscal year prior to fiscal year 2014.

13 “(d) NO EFFECT ON OTHER PROVISIONS OF LAW.—
 14 Nothing in this section may be construed to waive the ap-
 15 plication of any provision of this Act with respect to the
 16 process and activities described in subsection (a)(2) for a
 17 fiscal year, other than the provisions which do not apply
 18 to the fiscal year pursuant to subsection (a)(1).”.

19 (2) CLERICAL AMENDMENT.—The table of con-
 20 tents of such Act is amended by adding at the end
 21 of the items relating to part D of title IV the fol-
 22 lowing:

“Subpart 3—Termination of Federal Mandates

“Sec. 458. Termination of Federal mandates.”.

1 (b) ELIMINATION OF CONGRESSIONAL REVIEW PE-
 2 RIOD FOR BUDGET ACTS.—Section 602(c) of such Act
 3 (sec. 1–206.02(c), D.C. Official Code) is amended—

4 (1) in the second sentence of paragraph (1), by
 5 striking “paragraph (2)” and inserting “paragraphs
 6 (2) and (4)”; and

7 (2) by adding at the end the following new
 8 paragraph:

9 “(4) In the case of any Act adopting the annual budg-
 10 et for the District of Columbia government for fiscal year
 11 2014 or any succeeding fiscal year which is not a control
 12 year, such Act shall take effect upon the date prescribed
 13 by such Act.”.

14 **SEC. 3. TERMINATION OF FEDERAL MANDATES OVER BOR-**
 15 **ROWING OF MONEY.**

16 (a) TERMINATION OF MANDATES.—

17 (1) IN GENERAL.—Part E of title IV of the
 18 District of Columbia Home Rule Act (sec. 1–204.61
 19 et seq., D.C. Official Code) is amended by adding at
 20 the end the following new subpart:

21 “Subpart 6—Termination of Federal Mandates

22 “TERMINATION OF FEDERAL MANDATES

23 “SEC. 490A. (a) BORROWING GOVERNED UNDER
 24 DISTRICT LAW.—Except as provided in subsection (b), ef-

1 fective with respect to fiscal year 2014 and each suc-
2 ceeding fiscal year which is not a control year—

3 “(1) the provisions of subparts 1 through 5
4 shall not apply; and

5 “(2) the process and rules by which the District
6 of Columbia issues bonds or otherwise borrows
7 money shall be established under such laws as may
8 be enacted by the District.

9 “(b) EXCEPTION FOR CERTAIN PROVISIONS.—Sub-
10 section (a) does not apply with respect to the following
11 sections:

12 “(1) Section 482 (relating to the full faith and
13 credit of the District).

14 “(2) Section 484 (relating to the nonapplica-
15 bility of the full faith and credit of the United
16 States).

17 “(3) Section 485 (relating to the tax treatment
18 of bonds and notes).

19 “(4) Section 486 (relating to legal investment
20 in bonds and notes).

21 “(5) Section 487 (relating to payments for sani-
22 tary sewage water works, water pollution projects,
23 and waste treatment services).

24 “(6) Section 488 (relating to payments for res-
25 ervoirs on the Potomac River).

1 “(7) Section 489 (relating to contributions to
 2 the Washington Metropolitan Area Transit Author-
 3 ity).

4 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion may be construed—

6 “(1) to relieve the District of Columbia of any
 7 obligation incurred with respect to bonds or other
 8 forms of borrowing issued prior to fiscal year 2014;
 9 or

10 “(2) to waive the application to the District of
 11 Columbia of any other Federal law governing the
 12 borrowing of funds by States or units of local gov-
 13 ernment, including the Internal Revenue Code of
 14 1986.”.

15 (2) CLERICAL AMENDMENT.—The table of con-
 16 tents of such Act is amended by adding at the end
 17 of the items relating to part E of title IV the fol-
 18 lowing:

“Subpart 6—Termination of Federal Mandates

“Sec. 490A. Termination of Federal mandates.”.

19 (b) REPEAL OF CAP ON AMOUNT OF DISTRICT BOR-
 20 ROWING.—Section 603(b) of such Act (sec. 1–206.03(b),
 21 D.C. Official Code) is amended by adding at the end the
 22 following new paragraph:

1 “(4) Paragraphs (1) through (3) shall not apply with
 2 respect to fiscal year 2014 or any succeeding fiscal year
 3 which is not a control year.”.

4 **SEC. 4. REPEAL OF APPLICATION OF FEDERAL ANTI-DEFI-**
 5 **CIENCY ACT TO DISTRICT OF COLUMBIA GOV-**
 6 **ERNMENT.**

7 (a) REPEAL OF PROVISIONS RELATING TO LIMITA-
 8 TIONS ON APPROPRIATIONS.—Subchapter III of chapter
 9 13 of title 31, United States Code, is amended by striking
 10 “or of the District of Columbia government” each place
 11 it appears in the following sections:

12 (1) Section 1341(a)(1).

13 (2) Section 1342.

14 (3) Section 1349(a).

15 (4) Section 1350.

16 (5) Section 1351.

17 (b) REPEAL OF PROVISIONS RELATING TO APPOR-
 18 TIONMENT OF APPROPRIATIONS.—Subchapter II of chap-
 19 ter 15 of such title is amended by striking “or of the Dis-
 20 trict of Columbia government” each place it appears in
 21 the following sections:

22 (1) Section 1517(a).

23 (2) Section 1517(b).

24 (3) Section 1518.

25 (4) Section 1519.

1 (c) OTHER CONFORMING AMENDMENTS.—Such title
2 is further amended as follows:

3 (1) Section 1341 is amended by striking sub-
4 section (b).

5 (2) Section 1351 is amended by striking “or
6 the Mayor of the District of Columbia, as the case
7 may be,”.

8 (3) Section 1513(a) and section 1514(a) are
9 each amended by striking “the United States Inter-
10 national Trade Commission, or the District of Co-
11 lumbia government” and inserting “or the United
12 States International Trade Commission”.

13 (4) Section 1517(b) is amended by striking “or
14 the Mayor of the District of Columbia, as the case
15 may be,”.

16 (d) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to fiscal year 2014
18 and each succeeding fiscal year.

19 **SEC. 5. OTHER CONFORMING AMENDMENTS TO HOME**
20 **RULE ACT RELATING TO CHANGES IN FED-**
21 **ERAL ROLE IN BUDGET PROCESS.**

22 (a) FEDERAL AUTHORITY OVER BUDGET-MAKING
23 PROCESS.—Section 603(a) of the District of Columbia
24 Home Rule Act (sec. 1–206.03, D.C. Official Code) is

1 amended by inserting before the period at the end the fol-
2 lowing: “for a fiscal year which is a control year”.

3 (b) RESTRICTIONS APPLICABLE DURING CONTROL
4 YEARS.—Section 603(d) of such Act (sec. 1–206.03(d),
5 D.C. Official Code) is amended to read as follows:

6 “(d) In the case of a fiscal year which is a control
7 year, the Council may not approve, and the Mayor may
8 not forward to the President, any budget which is not con-
9 sistent with the financial plan and budget established for
10 the fiscal year under subtitle A of title II of the District
11 of Columbia Financial Responsibility and Management
12 Assistance Act of 1995.”.

13 (c) DEFINITION.—Section 603(f) of such Act (sec. 1–
14 206.03(f), D.C. Official Code) is amended to read as fol-
15 lows:

16 “(f) In this section, the term ‘control year’ has the
17 meaning given such term in section 305(4) of the District
18 of Columbia Financial Responsibility and Management
19 Assistance Act of 1995.”.

20 (d) EFFECTIVE DATE.—The amendments made by
21 this section shall apply with respect to fiscal year 2014
22 and each succeeding fiscal year.

1 **SEC. 6. OTHER CONFORMING AMENDMENTS RELATING TO**
2 **FEDERALLY AUTHORIZED ADJUSTMENTS TO**
3 **LOCAL APPROPRIATIONS.**

4 (a) AUTHORITY GRANTED BY FEDERAL GOVERN-
5 MENT TO INCREASE SPENDING IN CASE OF GENERAL
6 FUND SURPLUS.—Section 816 of the Financial Services
7 and General Government Appropriations Act, 2009 (sec.
8 47–369.01, D.C. Official Code), is amended by striking
9 “Beginning in fiscal year 2009 and each fiscal year there-
10 after,” and inserting the following: “With respect to fiscal
11 years 2009 through 2013 and any fiscal year thereafter
12 which is a control year (as defined in section 305(4) of
13 the District of Columbia Financial Responsibility and
14 Management Assistance Act of 1995),”.

15 (b) AUTHORITY GRANTED BY FEDERAL GOVERN-
16 MENT TO INCREASE SPENDING IN CASE OF INCREASED
17 REVENUE COLLECTIONS.—Section 817(a) of such Act
18 (sec. 47–369.02(a), D.C. Official Code) is amended by
19 striking “Beginning in fiscal year 2009 and each fiscal
20 year thereafter,” and inserting the following: “With re-
21 spect to fiscal years 2009 through 2013 and any fiscal
22 year thereafter which is a control year (as defined in sec-
23 tion 305(4) of the District of Columbia Financial Respon-
24 sibility and Management Assistance Act of 1995),”.

25 (c) AUTHORITY GRANTED BY FEDERAL GOVERN-
26 MENT REGARDING USE OF FEDERALLY MANDATED RE-

1 SERVE FUNDS.—Section 818 of such Act (sec. 47–369.03,
2 D.C. Official Code) is amended by striking “Beginning in
3 fiscal year 2009 and each fiscal year thereafter,” and in-
4 serting the following: “With respect to fiscal years 2009
5 through 2013 and any fiscal year thereafter which is a
6 control year (as defined in section 305(4) of the District
7 of Columbia Financial Responsibility and Management
8 Assistance Act of 1995),”.

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