

be agreed to, the preamble agreed to, the motions to reconsider be laid upon the table en bloc, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 237) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 237

Whereas the President of Serbia and Montenegro and the President of the Republic of Croatia each issued on September 10, 2003, a public statement of apology for the crimes committed by citizens of each country against citizens of the other country; and

Whereas the countries of Southeast Europe are struggling to move beyond the problems of the past and toward a brighter future that includes membership in both the European Union and NATO: Now, therefore, be it

Resolved, That the Senate—

(1) welcomes the public apologies issued on September 10, 2003, by the President of Serbia and Montenegro and the President of the Republic of Croatia;

(2) commends the initiative and personal courage demonstrated by their actions;

(3) recognizes the value of such apologies in the important process of reconciliation in Southeast Europe;

(4) notes public support within the region for these efforts;

(5) calls upon the governments in the region to continue their efforts to encourage and advance reconciliation; and

(6) reiterates the importance of resolving post-conflict issues, including—

(A) by ensuring that refugees and internally displaced persons have the right to return home; and

(B) by bringing persons indicted for war crimes to justice, including through cooperation with the International Criminal Tribunal on the Former Yugoslavia.

CONGO BASIN FOREST
PARTNERSHIP ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of H.R. 2264, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2264) to authorize appropriations for fiscal years 2004 and 2005 to carry out the Congo Basin Forest Partnership (CBFP) program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the Alexander amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the title amendment be agreed to, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 2228 and 2229) were agreed to as follows:

AMENDMENT NO. 2228

(Purpose: To strike the authorization of appropriations for fiscal year 2005)

Beginning on page 5, strike line 24 and all that follows through page 6, line 11, and insert the following:

(a) IN GENERAL.—There are authorized to be appropriated to the President to carry out the Congo Basin Forest Partnership (CBFP) program \$18,600,000 for fiscal year 2004.

(b) CARPE.—Of the amounts appropriated pursuant to the authorization of appropriations in subsection (a), \$16,000,000 is authorized to be made available to the Central Africa Regional Program for the Environment (CARPE) of the United States Agency for International Development.

(c) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

AMENDMENT NO. 2229

(Purpose: To amend the title)

Amend the title so as to read: "To authorize appropriations for fiscal year 2004 to carry out the Congo Basin Forest Partnership program, and for other purposes."

The bill (H.R. 2264), as amended, was read the third time and passed.

DISTRICT OF COLUMBIA BUDGET
AUTONOMY ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 418, S. 1267.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1267) to amend the District of Columbia Home Rule Act to provide the District of Columbia with autonomy over its budgets, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Governmental Affairs with an amendment, as follows:

S. 1267

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Budget Autonomy Act of 2003".

SEC. 2. ENACTMENT OF DISTRICT OF COLUMBIA LOCAL BUDGET.

(a) IN GENERAL.—Section 446 of the District of Columbia Home Rule Act (sec. 1-204.46, D.C. Official Code) is amended to read as follows:

"ENACTMENT OF LOCAL BUDGET

"SEC. 446. (a) ADOPTION OF BUDGETS AND SUPPLEMENTS.—The Council, within 50 calendar days after receipt of the budget proposal from the Mayor, and after public hearing, shall by Act adopt the annual budget for the District of Columbia government. Any supplements thereto shall also be adopted by Act by the Council after public hearing.

"(b) TRANSMISSION TO PRESIDENT DURING CONTROL YEARS.—In the case of a budget for a fiscal year which is a control year, the budget so adopted shall be submitted by the Mayor to the President for transmission by him to the Congress, except that the Mayor shall not transmit any such budget, or amendments or supplements thereto, to the President until the completion of the budget procedures contained in this Act and the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

"(c) PROHIBITING OBLIGATIONS AND EXPENDITURES NOT AUTHORIZED UNDER BUDGET.—Except as provided in section 445A(b), section

467(d), section 471(c), section 472(d), section 475(e), section 483(d), and subsections (f), (g), (h)(3), and (i)(3) of section 490, no amount may be obligated or expended by any officer or employee of the District of Columbia government unless—

"(1) such amount has been approved by an Act of the Council (and then only in accordance with such authorization) and a copy of such Act has been transmitted by the Chairman to the Congress; or

"(2) in the case of an amount obligated or expended during a control year, such amount has been approved by an Act of Congress (and then only in accordance with such authorization).

"(d) RESTRICTIONS ON REPROGRAMMING OF AMOUNTS.—After the adoption of the annual budget for a fiscal year (beginning with the annual budget for fiscal year 1995), no reprogramming of amounts in the budget may occur unless the Mayor submits to the Council a request for such reprogramming and the Council approves the request, but only if any additional expenditures provided under such request for an activity are offset by reductions in expenditures for another activity.

"(e) DEFINITION.—In this part, the term 'control year' has the meaning given such term in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995."

(b) LENGTH OF CONGRESSIONAL REVIEW PERIOD FOR BUDGET ACTS.—Section 602(c) of such Act (sec. 1-206.02(c), D.C. Official Code) is amended—

(1) in the second sentence of paragraph (1), by striking "paragraph (2)" and inserting "paragraphs (2) and (4)"; and

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

"(4) In the case of any Act transmitted under the first sentence of paragraph (1) to which section 446 applies and for which the fiscal year involved is not a control year, such Act shall take effect upon the expiration of the 30-calendar-day period beginning on the day such Act is transmitted, or upon the date prescribed by such Act, whichever is later, unless during such 30-day period, there has been enacted into law a joint resolution disapproving such Act. If such 30-day period expires on any day on which neither House is in session because of an adjournment sine die, a recess of more than three days, or an adjournment of more than three days, the period applicable under the previous sentence shall be extended for 5 additional days (excluding Saturdays, Sundays, and holidays, and any day on which neither House is in session because of an adjournment sine die, a recess of more than three days, or an adjournment of more than three days). In any case in which any such joint resolution disapproving such an Act has, within the applicable period, passed both Houses of Congress and has been transmitted to the President, such resolution, upon becoming law, subsequent to the expiration of such period, shall be deemed to have repealed such Act, as of the date such resolution becomes law. The provisions of section 604 shall apply with respect to any joint resolution disapproving any Act pursuant to this paragraph."

(c) CONFORMING AMENDMENTS.—(1) Sections 467(d), 471(c), 472(d)(2), 475(e)(2), and 483(d), and subsections (f), (g)(3), (h)(3), and (i)(3) of section 490 of such Act are each amended by striking "The fourth sentence of section 446" and inserting "Section 446(c)".

(2) The third sentence of section 412(a) of such Act (sec. 1-204.12(a), D.C. Official Code) is amended by inserting "for a fiscal year which is a control year described in such section" after "section 446 applies".

(3) Section 202(c)(2) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (sec. 47-

392.02(c)(2), D.C. Official Code) is amended by striking “the first sentence of section 446” and inserting “section 446(a)”.

(4) Section 202(d)(3)(A) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (sec. 47–392.02(d)(3)(A), D.C. Official Code) is amended by striking “the first sentence of section 446” and inserting “section 446(a)”.

(5) Section 11206 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–106, D.C. Official Code) is amended by striking “the fourth sentence of section 446” and inserting “section 446(c)”.

(d) CLERICAL AMENDMENT.—The item relating to section 446 in the table of contents of such Act is amended to read as follows:

“Sec. 446. Enactment of local budget.”.

SEC. 3. ACTION BY COUNCIL OF DISTRICT OF COLUMBIA ON LINE-ITEM VETOES BY MAYOR OF PROVISIONS OF BUDGET ACTS.

(a) IN GENERAL.—Section 404(f) of the District of Columbia Home Rule Act (sec. 1–204.4(f), D.C. Official Code) is amended by striking “transmitted by the Chairman to the President of the United States” both places it appears and inserting the following: “incorporated in such Act (or, in the case of an item or provision contained in a budget act for a control year, transmitted by the Chairman to the President)”.

(b) CONFORMING AMENDMENT.—Section 404(f) of such Act (sec. 1–204.04(f), D.C. Official Code) is amended—

(1) by striking “(f)” and inserting “(f)(1)”;

(2) in the fifth sentence, by striking “(as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995), this subsection” and inserting “this paragraph”; and

(3) by adding at the end the following new paragraph:

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

SEC. 4. PERMITTING EMPLOYEES TO BE HIRED IF POSITION AUTHORIZED BY ACT OF THE COUNCIL.

Section 447 of the District of Columbia Home Rule Act (sec. 1–204.47, D.C. Official Code) is amended—

(1) by striking “Act of Congress” each place it appears and inserting “act of the Council (or Act of Congress, in the case of a year which is a control year)”;

(2) by striking “Acts of Congress” and inserting “acts of the Council (or Acts of Congress, in the case of a year which is a control year)”.

SEC. 5. OTHER CONFORMING AMENDMENTS RELATING TO CHANGES IN FEDERAL ROLE IN BUDGET PROCESS.

(a) FEDERAL AUTHORITY OVER BUDGET-MAKING PROCESS.—Section 603(a) of the District of Columbia Home Rule Act (sec. 1–206.03, D.C. Official Code) is amended by inserting before the period at the end the following: “for a fiscal year which is a control year”.

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

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

(c) DEFINITION.—Section 603(f) of such Act (sec. 1–206.03(f), D.C. Official Code) is amended to read as follows:

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

SEC. 6. CONTINUATION OF GENERAL PROVISIONS IN APPROPRIATIONS ACTS AND TREATMENT OF AMENDMENTS.

(a) CONTINUATION.—Any general provision contained in a general appropriation bill which includes the appropriation of Federal payments to the District of Columbia for a fiscal year (or, in the case of such a bill which is included as a division, title, or other portion of another general appropriation bill, any general provision contained in such division, title, or other portion) in effect on the date of enactment of this Act shall remain in effect until the date of the enactment of a general appropriation bill which includes the appropriation of Federal payments to the District of Columbia for the following fiscal year.

(b) AMENDMENTS IN THE SENATE.—In the case of the consideration in the Senate of a general appropriations bill that includes the appropriations of Federal payments to the District of Columbia, an amendment proposing a limitation on the use of any District of Columbia funds by the District of Columbia shall not constitute general legislation under paragraphs 2 and 4 of Rule XVI of the Standing Rules of the Senate.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to budgets of the District of Columbia for fiscal years beginning on or after October 1, 2004.

TITLE II—DISTRICT OF COLUMBIA INDEPENDENCE OF THE CHIEF FINANCIAL OFFICER ACT OF 2003

SEC. 201. SHORT TITLE.

This title may be cited as the “District of Columbia Independence of the Chief Financial Officer Act of 2003”.

SEC. 202. AMENDMENTS TO THE HOME RULE ACT.

(a) IN GENERAL.—Part B of title IV section 424 of the District of Columbia Home Rule Act is amended to read as follows:

“OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

“SEC. 424. (a) IN GENERAL.—

“(1) ESTABLISHMENT.—There is hereby established within the executive branch of the government of the District of Columbia an Office of the Chief Financial Officer of the District of Columbia (“Office”), which shall be headed by the Chief Financial Officer of the District of Columbia (“Chief Financial Officer”).

“(2) ORGANIZATIONAL ANALYSIS.—

“(A) OFFICE OF BUDGET AND PLANNING.—The name of the Office of Budget and Management, established by Commissioner’s Order 69–96, issued March 7, 1969, is changed to the Office of Budget and Planning.

“(B) OFFICE OF TAX AND REVENUE.—The name of the Department of Finance and Revenue, established by Commissioner’s Order 69–96, issued March 7, 1969, is changed to the Office of Tax and Revenue.

“(C) OFFICE OF FINANCE AND TREASURY.—The name of the Office of Treasurer, established by Mayor’s Order 89–244, dated October 23, 1989, is changed to the Office of Finance and Treasury.

“(D) OFFICE OF FINANCIAL OPERATIONS AND SYSTEMS.—The Office of the Controller, established by Mayor’s Order 89–243, dated October 23, 1989, and the Office of Financial Information Services, established by Mayor’s Order 89–244, dated October 23, 1989, are consolidated into the Office of Financial Operations and Systems.

“(3) TRANSFERS.—Effective with the appointment of the first Chief Financial Officer under subsection (b), the functions and personnel of the following offices are established as subordi-

nate offices within the Office of the Chief Financial Officer:

“(A) The Office of Budget and Planning, headed by the Deputy Chief Financial Officer for the Office of Budget and Planning.

“(B) The Office of Tax and Revenue, headed by the Deputy Chief Financial Officer for the Office of Tax and Revenue.

“(C) The Office of Research and Analysis, headed by the Deputy Chief Financial Officer for the Office of Research and Analysis.

“(D) The Office of Financial Operations and Systems, headed by the Deputy Chief Financial Officer for the Office of Financial Operations and Systems.

“(E) The Office of Finance and Treasury, headed by the District of Columbia Treasurer.

“(F) The Lottery and Charitable Games Control Board, established by the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3–172; D.C. Official Code § 3–1301 et seq.).

“(4) SUPERVISOR.—The heads of the offices listed in paragraph (3) of this section shall serve at the pleasure of the Chief Financial Officer.

“(5) APPOINTMENT AND REMOVAL OF OFFICE EMPLOYEES.—The Chief Financial Officer shall appoint the heads of the subordinate offices designated in paragraph (3), after consultation with the Mayor and the Council. The Chief Financial Officer may remove the heads of the offices designated in paragraph (3), after consultation with the Mayor and the Council.

“(6) ANNUAL BUDGET SUBMISSION.—The Chief Financial Officer of the District of Columbia shall prepare and annually submit to the Mayor of the District of Columbia, for inclusion in the annual budget of the District of Columbia government for a fiscal year, annual estimates of the expenditures and appropriations necessary for the year for the operation of the Office of the Chief Financial Officer and all other District of Columbia accounting, budget, and financial management personnel (including personnel of executive branch independent agencies) that report to the Office of the Chief Financial Officer pursuant to this Act.

“(b) APPOINTMENT OF THE CHIEF FINANCIAL OFFICER.—

“(1) IN GENERAL.—The Chief Financial Officer shall be appointed by the Mayor with the advice and consent, by resolution, of the Council.

“(2) TERM.—

“(A) IN GENERAL.—All appointments made after June 30, 2007, shall be for a term of 5 years, except for appointments made for the remainder of unexpired terms. The appointments shall have an anniversary date of July 1.

“(B) TEMPORARY.—The term of office of the Chief Financial Officer first appointed pursuant to subsection (a) shall begin upon the date of enactment of the District of Columbia Independence of the Chief Financial Officer Act of 2003. The initial term shall end on June 30, 2007.

“(C) CONTINUANCE.—Any Chief Financial Officer may continue to serve beyond his term until a successor takes office.

“(D) VACANCIES.—Any vacancy in the Office of Chief Financial Officer shall be filled in the same manner as the original appointment under paragraph (1).

“(E) PAY.—The Chief Financial Officer shall be paid at an annual rate equal to the rate of basic pay payable for level I of the Executive Schedule.

“(c) REMOVAL OF THE CHIEF FINANCIAL OFFICER.—The Chief Financial Officer may only be removed for cause by the Mayor.

“(d) DUTIES OF THE CHIEF FINANCIAL OFFICER.—The Chief Financial Officer shall have the following duties and shall take such steps as are necessary to perform these duties:

“(1) Preparing the financial plan and the budget for the use of the Mayor for purposes of subpart B of subchapter VII of chapter 3 of title 47 of the D.C. Code and preparing the 5-year financial plan based upon the adopted budget for

submission with the District of Columbia budget by the Mayor to Congress.

"(2) Preparing the budgets of the District of Columbia for the year for the use of the Mayor for purposes of sections 441-444, 446, 448-452, 455 of the District of Columbia Home Rule Act, approved (87 Stat. 798-803; D.C. Official Code §§ 1-204.41 through 1-204.44, 1-204.46, 1-204.48 through 1-204.52, 1-204.55), section 445a of the District of Columbia Home Rule Act, approved August 6, 1996 (110 Stat. 1698; D.C. Official Code § 1-204.45a), section 453 of the District of Columbia Home Rule Act, approved April 17, 1991 (105 Stat. 539; D.C. Official Code § 1-204.53), sections 456(a) through 456(d) of the District of Columbia Home Rule Act, approved October 19, 1994 (108 Stat. 3488; D.C. Official Code §§ 1-204.56a through 1-204.56d), and section 456(e) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 140; D.C. Official Code § 1-204.56e).

"(3) Implementing appropriate procedures and instituting such programs, systems, and personnel policies within the Officer's authority, to ensure that budget, accounting, and personnel control systems and structures are synchronized for budgeting and control purposes on a continuing basis and to ensure that appropriations are not exceeded.

"(4) Preparing and submitting to the Mayor and the Council and making public—

"(A) annual estimates of all revenues of the District of Columbia (without regard to the source of such revenues), including proposed revenues, which shall be binding on the Mayor and the Council for purposes of preparing and submitting the budget of the District government for the year under sections 441 through 444, 446, 448 through 452, and 455 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798-803; D.C. Official Code §§ 1-204.41 through 1-204.44, 1-204.46, 1-204.48 through 1-204.52, 1-204.55), section 445a of the District of Columbia Home Rule Act, approved August 6, 1996 (110 Stat. 1698; D.C. Official Code § 1-204.45a), section 453 of the District of Columbia Home Rule Act, approved April 17, 1991 (105 Stat. 539; D.C. Official Code § 1-204.53), sections 456(a) through 456(d) of the District of Columbia Home Rule Act, approved October 19, 1994 (108 Stat. 3488; D.C. Official Code §§ 1-204.56a through 1-204.56d), and section 456(e) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 140; D.C. Official Code § 1-204.56e), except that the Mayor and the Council may prepare the budget based on estimates of revenues which are lower than those prepared by the Chief Financial Officer; and

"(B) quarterly re-estimates of the revenues of the District of Columbia during the year.

"(5) Supervising and assuming responsibility for financial transactions to ensure adequate control of revenues and resources.

"(6) Maintaining systems of accounting and internal control designed to provide—

"(A) full disclosure of the financial impact of the activities of the District government;

"(B) adequate financial information needed by the District government for management purposes;

"(C) accounting for all funds, property, and other assets of the District of Columbia; and

"(D) reliable accounting results to serve as the basis for preparing and supporting agency budget requests and controlling the execution of the budget.

"(7) Submitting to the Council a financial statement of the District government, containing such details and at such times as the Council may specify.

"(8) Supervising and assuming responsibility for the assessment of all property subject to assessment and special assessments within the corporate limits of the District of Columbia for taxation, preparing tax maps, and providing such notice of taxes and special assessments (as may be required by law).

"(9) Supervising and assuming responsibility for the levying and collection of all taxes, spe-

cial assessments, licensing fees, and other revenues of the District of Columbia (as may be required by law), and receiving all amounts paid to the District of Columbia from any source (including the District of Columbia Financial Responsibility and Management Assistance Authority).

"(10) Maintaining custody of all public funds belonging to or under the control of the District government (or any department or agency of the District government), and depositing all amounts paid in such depositories and under such terms and conditions as may be designated by the Council.

"(11) Maintaining custody of all investment and invested funds of the District government or in possession of the District government in a fiduciary capacity, and maintaining the safekeeping of all bonds and notes of the District government and the receipt and delivery of District government bonds and notes for transfer, registration, or exchange.

"(12) Apportioning the total of all appropriations and funds made available during the year for obligation so as to prevent obligation or expenditure in a manner which would result in a deficiency or a need for supplemental appropriations during the year, and (with respect to appropriations and funds available for an indefinite period and all authorizations to create obligations by contract in advance of appropriations) apportioning the total of such appropriations, funds, or authorizations in the most effective and economical manner.

"(13) Certifying all contracts and leases (whether directly or through delegation) prior to execution as to the availability of funds to meet the obligations expected to be incurred by the District government under such contracts and leases during the year.

"(14) Prescribing the forms of receipts, vouchers, bills, and claims to be used by all agencies, offices, and instrumentalities of the District government.

"(15) Certifying and approving prior to payment of all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government, and determining the regularity, legality, and correctness of such bills, invoices, payrolls, claims, demands, or charges.

"(16) In coordination with the Inspector General of the District of Columbia, performing internal audits of accounts and operations and records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the departments and agencies of the District government.

"(17) Exercising responsibility for the administration and supervision of the District of Columbia Treasurer (except that the Chief Financial Officer may delegate any portion of such responsibility as the Chief Financial Officer considers appropriate and consistent with efficiency).

"(18) Supervising and administering all borrowing programs secured by the full faith and credit of the District government for the issuance of long-term and short-term indebtedness.

"(19) Administering the cash management program of the District government, including the investment of surplus funds in governmental and non-governmental interest-bearing securities and accounts.

"(20) Administering the centralized District government payroll and retirement systems.

"(21) Governing the accounting policies and systems applicable to the District government.

"(22) Preparing appropriate annual, quarterly, and monthly financial reports of the accounting and financial operations of the District government.

"(23) Not later than 120 days after the end of each fiscal year, preparing the complete finan-

cial statement and report on the activities of the District government for such fiscal year, for the use of the Mayor under section 448(a)(4) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.48(a)(4)).

"(24) Preparing fiscal impact statements on regulations, multiyear contracts, contracts over \$1,000,000 and on legislation, as required by section 4a of the General Legislative Procedures Act of 1975.

"(25) Preparing under the direction of the Mayor, who has the specific responsibility for formulating budget policy using Chief Financial Officer technical and human resources, the budget for submission by the Mayor to the Council and to the public and upon final adoption to Congress and to public.

"(26) Certifying all collective bargaining agreements and nonunion pay proposals prior to submission to the Council for approval as to the availability of funds to meet the obligations expected to be incurred by the District government under such collective bargaining agreements and nonunion pay proposals during the year.

"(e) APPOINTMENT OF CERTAIN EXECUTIVE BRANCH AGENCY CHIEF FINANCIAL OFFICERS.—The chief financial officers of all District of Columbia executive branch subordinate and independent agencies not included in subsection a(3) and associate chief financial officers shall be appointed by the Chief Financial Officer, in consultation with the agency head, where applicable. The appointment shall be made from a list of qualified candidates developed by the Chief Financial Officer.

"(f) FUNCTIONS OF TREASURER.—At all times, the Treasurer shall have the following duties:

"(1) Assisting the Chief Financial Officer in reporting revenues received by the District government, including submitting annual and quarterly reports concerning the cash position of the District government not later than 60 days after the last day of the quarter (or year) involved which shall include—

"(A) comparative reports of revenue and other receipts by source, including tax, nontax, and Federal revenues, grants and reimbursements, capital program loans, and advances. Each source shall be broken down into specific components;

"(B) statements of the cash flow of the District government for the preceding quarter or year, including receipts, disbursements, net changes in cash inclusive of the beginning balance, cash and investment, and the ending balance, inclusive of cash and investment. Such statements shall reflect the actual, planned, better or worse dollar amounts and the percentage change with respect to the current quarter, year-to-date, and fiscal year;

"(C) quarterly cash flow forecast for the quarter or year involved, reflecting receipts, disbursements, net change in cash inclusive of the beginning balance, cash and investment, and the ending balance, inclusive of cash and investment with respect to the actual dollar amounts for the quarter or year, and projected dollar amounts for each of the 3 succeeding quarters;

"(D) monthly reports reflecting a detailed summary analysis of all District of Columbia government investments, including—

"(i) the total of long-term and short-term investments;

"(ii) a detailed summary analysis of investments by type and amount, including purchases, sales (maturities), and interest;

"(iii) an analysis of investment portfolio mix by type and amount, including liquidity, quality/risk of each security, and similar information;

"(iv) an analysis of investment strategy, including near-term strategic plans and projects of investment activity, as well as forecasts of future investment strategies based on anticipated market conditions, and similar information; and

"(v) an analysis of cash utilization, including—

“(I) comparisons of budgeted percentages of total cash to be invested with actual percentages of cash invested and the dollar amounts;

“(II) comparisons of the next return on invested cash expressed in percentages (yield) with comparable market indicators and established District of Columbia government yield objectives; and

“(III) comparisons of estimated dollar return against actual dollar yield; and

“(E) monthly reports reflecting a detailed summary analysis of long-term and short-term borrowings inclusive of debt as authorized by §1-206.03, in the current fiscal year and the amount of debt for each succeeding fiscal year not to exceed 5 years; all such reports shall reflect—

“(i) the amount of debt outstanding by type of instrument;

“(ii) the amount of authorized and unissued debt, including availability of short-term lines of credit, United States Treasury borrowings, and similar information;

“(iii) a maturity schedule of the debt;

“(iv) the rate of interest payable upon the debt; and

“(v) the amount of debt service requirements and related debt service reserves.

“(2) Such other functions assigned to the Chief Financial Officer under subsection (d) as the Chief Financial Officer may delegate.

“(g) TRANSITION PROVISIONS.—

“(1) CFO.—Any Chief Financial Officer appointed by the Mayor prior to the date of enactment of the District of Columbia Independence of the Chief Financial Officer Act of 2003 may continue to serve in that capacity without reappointment until a new appointment under subsection (a) becomes effective.

“(2) EXECUTIVE BRANCH CFO.—Any executive branch agency chief financial officer appointed prior to the date of enactment of the District of Columbia Independence of the Chief Financial Officer Act of 2003 may continue to serve in that capacity without reappointment.”

SEC. 203. CLARIFICATION OF DUTIES OF CHIEF FINANCIAL OFFICER AND MAYOR.

(a) RELATION TO FINANCIAL DUTIES OF MAYOR.—Section 448(a) of such Act (section 1-204.48(a), D.C. Official Code) is amended by striking “section 603,” and inserting “section 603 and except to the extent provided under section 424(d).”

(b) RELATION TO MAYOR’S DUTIES REGARDING ACCOUNTING SUPERVISION AND CONTROL.—Section 449 of such Act (section 1-204.49, D.C. Official Code) is amended by striking “The Mayor” and inserting “Except to the extent provided under section 424(d), the Mayor”.

SEC. 204. RULE REGARDING PERSONNEL AUTHORITY.

(a) IN GENERAL.—The Home Rule Act is amended by adding after section 424g the following:

“AUTHORITY OVER PERSONNEL OF OFFICE AND OTHER FINANCIAL PERSONNEL

“SEC. 424h. (a) IN GENERAL.—Notwithstanding any provision of law or regulation, employees of the Office of the Chief Financial Officer, including personnel described in subsection (b), shall be appointed by, shall serve at the pleasure of, and shall act under the direction and control of the Chief Financial Officer of the District of Columbia, and shall be considered at-will employees, except that the Chief Financial Officer shall comply with any collective bargaining agreement entered into by the Office of the Chief Financial Officer.

(b) PERSONNEL.—The personnel described in this subsection are as follows:

“(1) The Office of the General Counsel within the Office of the Chief Financial Officer of the District of Columbia, such office shall include the General Counsel to the Chief Financial Officer and individuals hired or retained as attorneys by the Chief Financial Officer or any office under the personnel authority of the Office

of the Chief Financial Officer, all such attorneys shall act under the direction and control of the General Counsel to the Chief Financial Officer.

“(2) Personnel of the Office not described in paragraph (1).

“(3) The heads and all personnel of the offices described in subsection (c) and the Chief Financial Officers of all District of Columbia executive branch subordinate and independent agencies, Associate chief financial officers, together with all other District of Columbia accounting, budget, and financial management personnel (including personnel of executive branch independent agencies).

“(c) OFFICES DESCRIBED.—The offices referred to in this subsection are as follows:

“(1) The Office of Finance and Treasury (or any successor office).

“(2) The Office of Financial Operations and Systems (or any successor office).

“(3) The Office of the Budget and Planning (or any successor office).

“(4) The Office of Tax and Revenue (or any successor office).

“(5) The District of Columbia Lottery and Charitable Games Control Board.

“(d) INDEPENDENT AUTHORITY OVER LEGAL PERSONNEL.—Sections 851 through 862 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-260; D.C. Official Code §1-608.51-1-608.62) shall not apply to attorneys employed by the Office of the Chief Financial Officer.”

(b) CONFORMING AMENDMENT.—Section 862 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-260; D.C. Official Code §1-608.62) is amended by striking paragraph (2).

SEC. 205. PROCUREMENT AUTHORITY.

(a) MAINTENANCE OF A PROCUREMENT OFFICE INDEPENDENT OF THE MAYOR’S PROCUREMENT OFFICE.—Section 104(c) of the District of Columbia Procurement Practices Act of 1986, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code §2-301.04), is amended by striking beginning with “During a control year, as defined by §47-393(4),” through “Chief Financial Officer shall be bound by the provisions contained in this Act.”

(b) HOME RULE ACT.—The Home Rule Act is amended by adding after section 424h the following:

“PROCUREMENT AUTHORITY OF THE CHIEF FINANCIAL OFFICER

“SEC. 424i. The Office of the Chief Financial Officer’s procurement practices shall be governed by the provisions of chapter 3 of title 2 of the D.C. Official Code, except that the Office of the Chief Financial Officer shall maintain a procurement office or division that shall operate independent of, and shall not be governed by, the Office of Contracting and Procurement, established by section 2-301.05, or its successor office.”

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 6 months after the date of enactment of this Act.

SEC. 206. FISCAL IMPACT STATEMENTS.

The General Legislative Procedures Act of 1975, effective September 23, 1975 (D.C. Law 1-17; D.C. Official Code §§1-301.45 through 1-301.47), is amended by adding after section 4 the following:

“FISCAL IMPACT STATEMENTS

“SEC. 4a. (a) BILLS AND RESOLUTIONS.—

“(1) IN GENERAL.—Notwithstanding any other law, except as provided in subsection (c), all permanent bills and resolutions shall be accompanied by a fiscal impact statement before final adoption by the Council.

“(2) CONTENTS.—The fiscal impact statement shall include the estimate of the costs which will be incurred by the District as a result of the enactment of the measure in the current and each

of the first four fiscal years for which the act or resolution is in effect, together with a statement of the basis for such estimate.

“(b) APPROPRIATIONS.—Permanent and emergency acts which are accompanied by fiscal impact statements which reflect unbudgeted costs, shall be subject to appropriations prior to becoming effective.

“(c) APPLICABILITY.—Subsection (a) shall not apply to emergency declaration, ceremonial, confirmation, and sense of the Council resolutions.”

Mr. FRIST. Mr. President, I ask unanimous consent that the committee amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

Mr. FRIST. Mr. President, I understand that Senator LEVIN has an amendment at the desk. I ask that the amendment be considered and agreed to, the motion to reconsider be laid upon the table; that the bill, as amended, be read three times, passed, the motion to reconsider be laid upon the table without any intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2230) was agreed to as follows:

AMENDMENT NO. 2230

(Purpose: To provide for metered cabs in the District of Columbia)

At the appropriate place, insert the following: (p. 10, after l. 2)

SEC. . . METERED CABS IN THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Except as provided in subsection (b) and not later than 1 year after the date of enactment of this Act, the District of Columbia shall require all cabs licensed in the District of Columbia to charge fares by a metered system.

(b) DISTRICT OF COLUMBIA OPT OUT.—The District of Columbia may cancel the requirements of subsection (a) by adopting an ordinance that specifically states that the District of Columbia opts out of the requirement to implement a metered system under subsection (a).

The bill (S. 1267), as amended, was read the third time and passed.

THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2620, which is at the desk.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2620) to authorize appropriations for fiscal years 2004 and 2005 for the Trafficking Victims Protection Act of 2000, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.