To amend the District of Columbia Home Rule Act to provide the District of Columbia with autonomy over its budgets, and for other purposes.

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 2005”.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
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 56 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
(c) 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(e) 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:

“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)”;

and

(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)”. 

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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 fol-
lowing: “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 con-
sistent 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 fol-
 lows:

“(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.

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.

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, 2006.