

109TH CONGRESS  
1ST SESSION

# S. 1700

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

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2005

Mr. COBURN (for himself, Mr. OBAMA, Mr. FRIST, Mr. REID, Mr. LAUTENBERG, Mr. CARPER, and Mr. DEMINT) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## 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, Alabama, or Florida or busi-  
16 ness entities that hire workers who resided  
17 in those States on August 24, 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, Alabama, or Florida or  
11 business entities that hire workers who re-  
12 sided in those States on August 24, 2005;  
13 and

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

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

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

1 (e) AVAILABILITY OF RECORDS.—Upon request to  
 2 the Chief Financial Officer, the Office shall make the  
 3 records of the Office available to the Inspector General  
 4 of any Federal agency performing recovery activities relat-  
 5 ing to Hurricane Katrina for the purpose of performing  
 6 the duties of that Inspector General under the Inspector  
 7 General Act of 1978 (5 U.S.C. App.).

8 **SEC. 4. REPORTS OF THE GOVERNMENT ACCOUNTABILITY**  
 9 **OFFICE.**

10 The Office shall provide quarterly reports to the com-  
 11 mittees specified in section 3(c)(3)(A) relating to all activi-  
 12 ties and expenses approved by the Office, including—

13 (1) the accuracy of reports submitted by the  
 14 Chief Financial Officer to Congress;

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

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

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

1       Mississippi, Alabama, or Florida or business entities  
2       that hire workers who resided in those States on Au-  
3       gust 24, 2005; and

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

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

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

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

16      **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

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

19      **SEC. 7. TERMINATION OF OFFICE.**

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

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

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