

DISTRICT OF COLUMBIA CHIEF FINANCIAL OFFICER SALARY HOME RULE ACT

OCTOBER 1 (legislative day, SEPTEMBER 30), 2021.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. CAROLYN B. MALONEY of New York, from the Committee on Oversight and Reform, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 1204]

[Including cost estimate of the Congressional Budget Office]

The Committee on Oversight and Reform, to whom was referred the bill (H.R. 1204) to amend the District of Columbia Home Rule Act to permit the District of Columbia to establish the rate of pay of the Chief Financial Officer of the District of Columbia, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

	Page
Summary and Purpose of Legislation	2
Background and Need for Legislation	2
Section-by-Section Analysis	3
Legislative History	3
Committee Consideration	3
Explanation of Amendments	3
List of Related Committee Hearings	4
Statement of Oversight Findings and Recommendations of the Committee	4
Statement of General Performance Goals and Objectives	4
Application of Law to the Legislative Branch	4
Duplication of Federal Programs	4
Disclosure of Directed Rule Makings	4
Federal Advisory Committee Act Statement	4
Unfunded Mandates Reform Act Statement	5
Earmark Identification	5
Committee Cost Estimate	5

New Budget Authority and Congressional Budget Office Cost Estimate	5
Changes in Existing Law Made by the Bill, as Reported	6
Additional Views	15

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “District of Columbia Chief Financial Officer Salary Home Rule Act”.

SEC. 2. PERMITTING DISTRICT OF COLUMBIA TO ESTABLISH RATE OF PAY OF CHIEF FINANCIAL OFFICER OF DISTRICT OF COLUMBIA.

Section 424(b)(2)(E) of the District of Columbia Home Rule Act (sec. 1–204.24b(b)(5), D.C. Official Code) is amended to read as follows:

“(E) PAY.—The Chief Financial Officer shall be paid at the greater of—

“(i) a rate such that the total amount of compensation paid during any calendar year is equal to the limit on total pay which is applicable during such year under section 5307 of title 5, United States Code, to an employee described in section 5307(d) of such title; or

“(ii) a rate established in law by the District of Columbia, except that any rate established under this clause which is applicable to any individual serving as the Chief Financial Officer shall not be reduced during any period of such individual’s service as the Chief Financial Officer.”.

SUMMARY AND PURPOSE OF LEGISLATION

The District of Columbia Chief Financial Officer Salary Home Rule Act would establish a minimum rate of pay of the Chief Financial Officer (CFO) of the District of Columbia and authorize D.C. to establish a rate of pay of the CFO in law above the minimum rate.

BACKGROUND AND NEED FOR LEGISLATION

In 1995, Congress established the CFO to manage D.C.’s financial operations.¹ The District’s CFO is paid with local funds, not federal funds, but by law, the CFO may not be paid at a rate greater than the maximum rate established by Congress.² Congress has established various rates of pay of the CFO. Initially, Congress established a maximum rate of pay.³ Congress then established a fixed rate of pay.⁴ Most recently, Congress again established a maximum rate of pay.⁵

Congress does not establish a maximum rate of pay of any other D.C. employee. Under the D.C. Home Rule Act, the D.C. Council does not have the authority to change the maximum rate of pay of the CFO.⁶

The District of Columbia Chief Financial Officer Salary Home Rule Act was introduced at the request of D.C. to enable the District to recruit and retain the best candidates for CFO. A number of government chief financial officers are paid more than the District’s CFO on a real basis. For example, adjusted for the cost of living, the chief financial officer of the City of San Antonio is paid approximately 70% more than the District’s CFO.⁷

¹ Pub. L. No. 104–8 (1995).

² Pub. L. No. 93–198 (1973).

³ *Id.*

⁴ Pub. L. No. 107–96 (2001).

⁵ Pub. L. No. 113–71 (2013).

⁶ *Id.*

⁷ City of San Antonio, *Total Compensation for All City of San Antonio Employees* (online at www.sanantonio.gov/Finance/bfi/CityComp2) (accessed July 6, 2021).

Congress established the CFO to be independent of the D.C. Mayor and Council. The CFO may only be removed for cause by the Mayor, subject to the approval of two-thirds of the members of the Council and a 30-day congressional review and comment period.⁸ The bill would preserve the independence of the CFO by establishing a minimum rate of pay, and, if the rate of pay is established by D.C., by prohibiting the Council from reducing the rate applicable to an individual serving as CFO during such individual's service.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

The short title is the "District of Columbia Chief Financial Officer Salary Home Rule Act."

Section 2. Permitting District of Columbia to establish rate of pay of Chief Financial Officer of District of Columbia

This section provides that the CFO of the District of Columbia shall be paid at the greater of a rate equal to the limit on total pay for an employee described in 5 U.S.C. § 5307(d), or a rate established in law by D.C. If the rate of pay is established by D.C., the rate applicable to an individual serving as CFO may not be reduced during the period of such individual's service.

LEGISLATIVE HISTORY

On February 22, 2021, Congresswoman Eleanor Holmes Norton (D-DC) introduced H.R. 1204, and the bill was referred to the Committee on Oversight and Reform.

COMMITTEE CONSIDERATION

On June 29, 2021, the Committee on Oversight and Reform considered H.R. 1204 at a business meeting with a quorum present. Chairwoman Carolyn B. Maloney (D-NY) offered an amendment in the nature of a substitute (ANS). The ANS was adopted by voice vote, and the Committee ordered the bill, as amended, reported favorably by voice vote.

ROLL CALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that no roll call votes occurred during the Committee's consideration of H.R. 1204.

EXPLANATION OF AMENDMENTS

During Committee consideration of the bill, Chairwoman Carolyn B. Maloney (D-NY) offered an amendment in the nature of a substitute (ANS) that made minor technical changes to the bill. The ANS was adopted by voice vote.

⁸ Pub. L. No. 93-198 (1973).

LIST OF RELATED COMMITTEE HEARINGS

In accordance with section 103(i) of H. Res. 6, the Committee held a hearing to consider the proposals set forth in H.R. 1204 on March 22, 2021.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee finds that the rate of pay of the CFO of the District of Columbia should be changed to enable D.C. to recruit and retain the best candidates for the CFO, such that the Committee recommends the adoption of the bill (H.R. 1204) to establish a minimum rate of pay of the CFO and to authorize D.C. to establish a rate of pay of the CFO in law above the minimum rate.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goal or objective of the bill is to enable the District of Columbia to recruit and retain the best candidates for the CFO of the District of Columbia.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of the bill to the legislative branch where the bill relates to the terms and conditions of employment or access to public services and accommodations. The bill establishes a minimum rate of pay of the CFO of the District of Columbia and authorizes D.C. to establish a rate of pay of the CFO in law above the minimum rate. The bill does not relate to employment or access to public services and accommodations.

DUPLICATION OF FEDERAL PROGRAMS

In accordance with clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of the bill establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

The bill does not direct the completion of any specific rule makings within the meaning of section 551 of title 5, United States Code.

FEDERAL ADVISORY COMMITTEE ACT STATEMENT

The bill does not establish or authorize the establishment of an advisory committee within the definition of section 5(b) of the appendix to title 5, United States Code.

UNFUNDED MANDATES REFORM ACT STATEMENT

Pursuant to section 423 of the Congressional Budget Act of 1974, the Committee includes a letter received from the Congressional Budget Office.

EARMARK IDENTIFICATION

The bill does not include any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(2)(B) of rule XIII of the Rules of the House of Representatives, the Committee includes a cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

NEW BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 402 of the Congressional Budget Act of 1974 is as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 1, 2021.

Hon. CAROLYN B. MALONEY,
Chairwoman, Committee on Oversight and Reform,
House of Representatives, Washington, DC.

DEAR MADAM CHAIRWOMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1204, the District of Columbia Chief Financial Officer Salary Home Rule Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 1204, District of Columbia Chief Financial Officer Salary Home Rule Act As ordered reported by the House Committee on Oversight and Reform on June 29, 2021			
By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	0	0
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 1204 would amend the District of Columbia Home Rule Act to allow the District of Columbia to increase the pay for its chief financial officer (CFO). The salary of the District's CFO is paid with local funds raised by the District of Columbia. On that basis, CBO estimates that enacting H.R. 1204 would have no effect on the federal budget.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

DISTRICT OF COLUMBIA HOME RULE ACT

* * * * *

TITLE IV—THE DISTRICT CHARTER

* * * * *

PART B—THE MAYOR

* * * * *

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 (hereafter referred to as the “Office”), which shall be headed by the Chief Financial Officer of the District of Columbia (hereafter referred to as the “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 subordinate offices within the Office:

(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 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 esti-

mates of the expenditures and appropriations necessary for the year for the operation of the Office and all other District of Columbia accounting, budget, and financial management personnel (including personnel of executive branch independent agencies) that report to the Office pursuant to this Act.

(b) APPOINTMENT OF THE CHIEF FINANCIAL OFFICER.—

(1) APPOINTMENT.—

(A) IN GENERAL.—The Chief Financial Officer shall be appointed by the Mayor with the advice and consent, by resolution, of the Council. Upon confirmation by the Council, the name of the Chief Financial Officer shall be submitted to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate for a 30-day period of review and comment before the appointment takes effect.

(B) SPECIAL RULE FOR CONTROL YEARS.—During a control year, the Chief Financial Officer shall be appointed by the Mayor as follows:

(i) Prior to the appointment, the Authority may submit recommendations for the appointment to the Mayor.

(ii) In consultation with the Authority and the Council, the Mayor shall nominate an individual for appointment and notify the Council of the nomination.

(iii) After the expiration of the 7-day period which begins on the date the Mayor notifies the Council of the nomination under clause (ii), the Mayor shall notify the Authority of the nomination.

(iv) The nomination shall be effective subject to approval by a majority vote of the Authority.

(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) TRANSITION.—For purposes of this section, the individual serving as Chief Financial Officer as of the date of enactment of the 2005 District of Columbia Omnibus Authorization Act shall be deemed to have been appointed under this subsection, except that such individual's initial term of office shall begin upon such date and 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.—Subject to paragraph (3), 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 a rate such that the total amount of compensation paid during any calendar year does not exceed an amount equal to the limit on total pay which is applicable during the

year under section 5307 of title 5, United States Code, to an employee described in section 5307(d) of such title.】

(E) *PAY.—The Chief Financial Officer shall be paid at the greater of—*

(i) a rate such that the total amount of compensation paid during any calendar year is equal to the limit on total pay which is applicable during such year under section 5307 of title 5, United States Code, to an employee described in section 5307(d) of such title; or

(ii) a rate established in law by the District of Columbia, except that any rate established under this clause which is applicable to any individual serving as the Chief Financial Officer shall not be reduced during any period of such individual's service as the Chief Financial Officer.

(3) AUTHORIZING TREASURER OR DEPUTY CFO TO PERFORM DUTIES IN ACTING CAPACITY IN EVENT OF VACANCY IN OFFICE.—

(A) SERVICE AS CFO.—

(i) IN GENERAL.—Except as provided in clause (ii), if there is a vacancy in the Office of Chief Financial Officer because the Chief Financial Officer has died, resigned, or is otherwise unable to perform the functions and duties of the Office—

(I) the District of Columbia Treasurer shall serve as the Chief Financial Officer in an acting capacity, subject to the time limitation of subparagraph (B); or

(II) the Mayor may direct one of the Deputy Chief Financial Officers of the Office referred to in subparagraphs (A) through (D) of subsection (a)(3) to serve as the Chief Financial Officer in an acting capacity, subject to the time limitation of subparagraph (B).

(ii) EXCLUSION OF CERTAIN INDIVIDUALS.—Notwithstanding clause (i), an individual may not serve as the Chief Financial Officer under such clause if the individual did not serve as the District of Columbia Treasurer or as one of such Deputy Chief Financial Officers of the Office of the Chief Financial Officer (as the case may be) for at least 90 days during the 1-year period which ends on the date the vacancy occurs.

(B) TIME LIMITATION.—A vacancy in the Office of the Chief Financial Officer may not be filled by the service of any individual in an acting capacity under subparagraph

(A) after the expiration of the 210-day period which begins on the date the vacancy occurs.

(c) REMOVAL OF THE CHIEF FINANCIAL OFFICER.—

(1) IN GENERAL.—The Chief Financial Officer may only be removed for cause by the Mayor, subject to the approval of the Council by a resolution approved by not fewer than $\frac{2}{3}$ of the members of the Council. After approval of the resolution by the Council, notice of the removal shall be submitted to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security

and Governmental Affairs of the Senate for a 30-day period of review and comment before the removal takes effect.

(2) SPECIAL RULE FOR CONTROL YEARS.—During a control year, the Chief Financial Officer may be removed for cause by the Authority or by the Mayor with the approval of the Authority.

(d) DUTIES OF THE CHIEF FINANCIAL OFFICER.—Notwithstanding any provisions of this Act which grant authority to other entities of the District government, the Chief Financial Officer shall have the following duties and shall take such steps as are necessary to perform these duties:

(1) During a control year, preparing the financial plan and the budget for the use of the Mayor for purposes of subtitle A of title II of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(2) Preparing the budgets of the District of Columbia for the year for the use of the Mayor for purposes of part D 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.

(3) During a control year, assuring that all financial information presented by the Mayor is presented in a manner, and is otherwise consistent with, the requirements of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(4) Implementing appropriate procedures and instituting such programs, systems, and personnel policies within the Chief Financial 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.

(5) Preparing and submitting to the Mayor and the Council, with the approval of the Authority during a control year, 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 part D of this title, 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.

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

(7) 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) effective control over, and accountability 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.

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

(9) 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).

(10) Supervising and assuming responsibility for the levying and collection of all taxes, special 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 Authority).

(11) 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 (or by the Authority during a control year).

(12) 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.

(13) 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.

(14) 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.

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

(16) 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.

(17) 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.

(18) Exercising responsibility for the administration and supervision of the District of Columbia Treasurer.

(19) Supervising and administering all borrowing programs for the issuance of long-term and short-term indebtedness, as well as other financing-related programs of the District government.

(20) 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.

(21) Administering the centralized District government payroll and retirement systems (other than the retirement system for police officers, fire fighters, and teachers).

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

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

(24) Not later than 120 days after the end of each fiscal year, preparing the complete financial 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).

(25) 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.

(26) 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 the public.

(27) Certifying all collective bargaining agreements and non-union 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.

(28) With respect to attorneys in special education cases brought under the Individuals with Disabilities Education Act in the District of Columbia during fiscal year 2006 and each succeeding fiscal year—

(A) requiring such attorneys to certify in writing that the attorney or representative of the attorney rendered any and all services for which the attorney received an award in such a case, including those received under a settlement agreement or as part of an administrative proceeding, from the District of Columbia;

(B) requiring such attorneys, as part of the certification under subparagraph (A), to disclose any financial, cor-

porate, legal, membership on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients in any such cases; and

(C) preparing and submitting quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to such attorneys.

(e) 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. Each such report shall include the following:

(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.

(E) Monthly reports reflecting a detailed summary analysis of long-term and short-term borrowings inclusive of debt as authorized by section 603, 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.

(f) DEFINITIONS.—For purposes of this section (and sections 424a and 424b)—

(1) the term “Authority” means the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995;

(2) the term “control year” has the meaning given such term under section 305(4) of such Act; and

(3) the term “District government” has the meaning given such term under section 305(5) of such Act.

* * * * *

ADDITIONAL VIEWS

The Chief Financial Officer (CFO) plays an essential role in managing the District of Columbia's multi-billion-dollar budget and the 1,700 staff responsible for the financial operations of the District. The CFO should be compensated at a competitive rate commensurate with the responsibilities for such a position. Committee on Oversight and Reform Republicans supported the advancement of H.R. 1204 at a June 29th Committee business meeting. The District, which is a recipient of federal grants, but exercises certain autonomous functions under the District of Columbia Home Rule Act, is responsible for managing and addressing its financial challenges. Republicans believe in a strong and efficient Washington, D.C., managed locally and overseen by Congress. Attracting talented officials to help in this mission is made possible by offering competitive compensation. As the CFO position is paid by local, and not federal funds, matters of compensation for the District's executive officials are best handled at a local level rather than dictated by Congress.

However, House Republicans are also rightfully skeptical of any effort by the Democrat majority to advance Home Rule reforms for the District after the repeated attempts by House Democrats to pass unconstitutional, and politically motivated, D.C. statehood legislation in the 116th and 117th Congresses. House Republicans are wise to question the intentions behind H.R. 1204 when the Democrat majority offers no assurances that the District's current CFO role will remain in its current independent structure and not be transformed into a State Treasurer position through the unconstitutional design of H.R. 51, the Washington, D.C. Admission Act. Despite these concerns, the District still requires a competent CFO, which this bill aims to accomplish.

JAMES COMER,
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on Oversight and Reform.*

