

INTRODUCING DISTRICT OF COLUMBIA LEGISLATIVE AND BUDGET AUTONOMY ACT OF 1998, THE FIRST BILL IN A SERIES OF DEMOCRACY TRANSITION BILLS

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Ms. NORTON. Mr. Speaker, today I introduce the District of Columbia Legislative and Budget Autonomy Act of 1998, the first in a series of bills that I will introduce this session to ensure a process of transition to democracy and self-government for the residents of the District of Columbia.

The National Capital Revitalization and Self-Government Improvement Act passed last summer eliminated the city's traditional stagnant Federal payment and replaced it with Federal assumption of escalating State costs including prisons, courts and Medicaid, as well as federally created pension liability. Federal funding of these State costs involve the jurisdiction of other appropriations subcommittees. The DC Subcommittee is put in the position largely of appropriating the District's own locally-raised revenue for its own taxpayers money! Any new federal money for the District will come on a targeted basis covered by other subcommittees. My bill corrects an untenable position in a democracy that operates under principles of federalism, namely a national legislature appropriating in whole the budget of a local city jurisdiction. The budget autonomy component of the bill would allow the District government to pass its own budget without congressional approval.

Congress has put in place two safeguards that duplicate the function of the appropriation subcommittees—the Chief Financial Officer and the District of Columbia Financial Responsibility and Management Assistance Authority (Financial Authority). Moreover, the District has already begun to demonstrate that it is capable of exercising prudent authority over its own budget. This year, an independent accounting firm certified the District's first year (FY 1997) of a balanced budget and surplus, and the District is scheduled to continue to run balanced budgets and surpluses into the future. Under the Financial Responsibility and Management Assistance Authority Act (FRMAA), the Financial Authority will remain in place for two more fiscal years (FY 1999, FY 2000) in any case, allowing the necessary monitoring and affording a period for the city to exercise the new authority while being monitored.

Budget autonomy will also serve to encourage more rapid and effective action by the District government and the Financial Authority to return the District to permanent solvency and to reform its budgetary governmental procedures. Budget autonomy facilitates the two indispensable goals of (1) streamlining the District's needlessly lengthy and expensive budget process in keeping with the congressional intent of the FRMAA to reform and simplify D.C. government procedures, and (2) facilitating more accurate budgetary forecasting. This bill inserts into the DC reform process a carrot where there have been only sticks. Incentives will help to hasten reform.

This bill would return the city's budget process to the simple approach proposed in the

Senate and the District of Columbia Committee during the 1973 consideration of the Home Rule Act. The Senate version, as well as the bill reported by the District of Columbia Committee, provided a simple procedure for enacting the city's budget into law. Under this procedure, the Mayor would submit a balanced budget for review by the City Council with only the federal payment subjected to congressional approval. A conference compromise, however, vitiated this approach treating the DC government as a federal agency (hence the 1996 very harmful shutdown of the DC government for a full week when the federal government was shut down). The Home Rule Act of 1973, as passed, requires the Mayor to submit a balanced budget for review by the City Council and then subsequently to Congress as part of the President's annual budget as if a jurisdiction of 540,000 residents were an agency of the federal government.

The D.C. budget process takes 18–22 months from start to finish. The usual time for comparable cities is six months. The necessity for a Financial Authority significantly extended an already uniquely lengthy budget process. Even without the addition of the Authority, the current budget process requires the city to navigate its way through a complex bureaucratic morass imposed upon it by the Congress. Under the current process, the Mayor is required to submit a financial plan and budget to the City Council and the Authority. The Authority reviews the Mayor's budget and determines whether it is approved or rejected. Following this determination, the Mayor and the City Council (which also hold hearings on the budget) each have two opportunities to gain Authority approval of the financial plan and budget. The Authority provides recommendations throughout this process. If the Authority does not approve the Council's financial plan and budget on second review, it forwards the Council's revised financial plan and budget (containing the Authority's recommendations) to the District government and to the President. If the Authority does approve the budget, that budget is then sent to the President without recommendations. The District budget includes proposed expenditures of locally raised revenues as well as a proposed federal payment. The proposed District budget is then included in the federal budget, which the President forwards to Congress for consideration. The DC subcommittee in both the House and Senate review the budget and present a Chairman's mark for consideration. Following markup and passage by both Houses, the DC appropriations bill is sent to the President for his signature. Throughout this process the bill is not only subject to considerations of fiscal soundness but individual and political considerations.

This procedure made a bad budgetary process much worse causing me to write a consensus budget amendment that allows the parties to sit at the same table and write one budget. Even so, instead of that budget becoming law now, the District is likely to be without a budget until close to the adjournment of Congress this year.

Under the legislation I introduce today, the District of Columbia still remains subject to the full appropriations process in the House and Senate for any federal funds. Nothing in this bill diminishes the power of the Congress to "exercise exclusive legislation in all cases

whatsoever" over the District of Columbia under Article I, section 8, clause 17 of the U.S. Constitution should it choose to revise what the District has done concerning locally raised revenue. Nothing in this legislation prevents any member of Congress from introducing a bill that addresses her specific concerns regarding the District. Once the District receives budget autonomy, the Financial Authority Act still mandates that the Authority review the District's budget. Granting the District the power to propose and enact its own budget containing its own revenue free from Congressional control during the period when the Authority is still the monitoring mechanism eliminates all risk in granting this power and provides an important incentive to help the District reach budget balance and ultimately meaningful Home Rule.

My bill also contains another important section. It eliminates the congressional review period of 30 days and 60 days respectively, for civil and criminal acts passed by the DC City Council. Under the current system, all acts of the council are subjected to this Congressional layover period. This unnecessary, unprecedented and undemocratic step adds yet another unnecessary layer of bureaucracy to an already overburdened city government.

My bill would eliminate the need for the District to engage in the byzantine process of enacting emergency and temporary legislation concurrently with permanent legislation. The Home Rule charter contemplates that if the District needs to pass legislation while Congress is out of session, it may do so if two-thirds of the Council determines that an emergency exists, a majority of the Council approves the law and the Mayor signs it. Emergency legislation, however, lasts for only 90 days, which would (in theory) force the Council to the pass permanent legislation by undergoing the usual congressional review process when Congress returns. Similarly, the Home Rule Charter contemplates that the Council may pass temporary legislation lasting 120 days without being subjected to the congressional review process, but must endure the congressional layover period for that legislation to become law.

In actual practice, however, most legislation approved by the City Council is passed concurrently on an emergency, temporary and permanent basis to ensure that a large, rapidly changing city like the District remains running. This process is cumbersome and inefficient, and would be eliminated by my bill.

It is important to emphasize that my bill does not prevent review of District laws by Congress. The DC Subcommittee would continue to scrutinize every piece of legislation passed by the City Council if it wishes and to change or strike that legislation under the plenary authority over the District that the Constitution affords to the Congress. My bill merely eliminates the automatic hold placed on local legislation and the need to pass emergency and temporary legislation to keep the District functioning.

Since the adoption of the Home Rule Act in 1973, over 2000 acts have been passed by the council and signed into law by the Mayor. Of that number, only thirty-nine acts have been challenged by a congressional disapproval resolution. Only three of those resolutions have ever passed Congress—two of which involved a distinct federal interest. Two bills, rather than a hold on 2000 bills, would

have served the purpose and saved considerable time and money for the District and the Congress.

I ask my colleagues who are urging the District government to pursue greater efficiency and savings to do your part in giving the city the tools to cut through the bureaucratic maze the Congress has imposed upon the District. Congress has been clear it wants to see the DC government taken apart and put back together again in an effort to eliminate redundancy and inefficiency. Congress should therefore eliminate the bureaucracy in DC that Congress is solely responsible for by granting the city budgetary and legislative authority.

Only through true budgetary and legislative autonomy can the District realize meaningful self-government and Home Rule. The President and the Congress took the first step in relieving the District of costly escalating state functions in the President's Plan. This bill takes the next logical step by granting the District control over its own budgetary and legislative affairs. I urge my colleagues to pass this important measure.

THE FEDERAL FINANCIAL ASSISTANCE MANAGEMENT IMPROVEMENT ACT OF 1998

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Mr. HOYER. Mr. Speaker, today Congressman PORTMAN and I have introduced The Federal Financial Assistance Management Improvement Act of 1998. This legislation eliminates duplicative paperwork for those individuals and groups attempting to get federal assistance. The bill also removes federal road blocks to coordinating service delivery for families receiving federal assistance. The Federal Financial Assistance Management Improvement Act of 1998 establishes the framework by which federal, state and local agencies can more efficiently deliver services to those in need.

We have asked families to get back on their feet so they can take care of themselves and their children but our maze of federal regulations makes it more difficult for community programs to assist families in doing this. We must help these families to help themselves. The Federal Financial Assistance Management Improvement Act of 1998 coordinates federal service programs to better serve our Nation's children and families and I am pleased to introduce it today with my colleagues ROB PORTMAN, JIM MORAN, CHRIS SHAYS, TOM DAVIS, STEVE HORN, GARY CONDIT, DENNIS KUCINICH, BOB WEYGAND, ROSA DELAURO, JIM MCGOVERN, CAROLYN KILPATRICK, JIM TALENT, MARK SANFORD, and JOHN SUNUNU.

IN TRIBUTE TO BOB CRANDALL

**HON. MARTIN FROST**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Mr. FROST. Mr. Speaker, today marks the retirement of one of the most prominent fig-

ures in American aviation. After twenty five years, the last thirteen as Chairman and CEO, Bob Crandall is leaving American Airlines. His legacy is immense.

A vehement opponent of deregulation in the 1970s, Bob Crandall guided American and, in turn, other airlines through the tumultuous 1980s. Bob Crandall's innovations—computer reservations systems, frequent flier programs, super saver fares and the hub and spoke system, to name a few—have become industry standards. American Airlines has tripled in size since moving its headquarters to Dallas-Fort Worth, which has grown with American to become one of the busiest airports in the United States.

We congratulate him as he leaves American and thank him for his visionary leadership both in the aviation community and in the Metroplex. We do not know exactly what his future holds, but we hope we have not heard the last of Bob Crandall.

INTRODUCTION OF THE "COMMUNITY EMPOWERMENT AND EMPLOYEE PROTECTION ACT"

**HON. TED STRICKLAND**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Mr. STRICKLAND. Mr. Speaker, I rise today to introduce legislation, along with my colleague Mr. ED WHITFIELD of Kentucky, which would guarantee that an amount equal to the tax windfall the federal government receives from the privatized United States Enrichment Corporation (USEC) would help to assist job creation and stimulate economic development in southern Ohio and western Kentucky. In the Energy Policy Act of 1992, the government-owned corporation USEC was created to assume responsibility for the Department of Energy's (DOE) uranium enrichment program. The 1992 Energy Policy Act not only transferred the Department's uranium enrichment program to USEC, but it also included a requirement that USEC prepare a strategic plan to privatize the corporation. On June 30, 1995, USEC issued its privatization plan. Today, that privatization plan is near completion and the transfer of this public asset will take place as soon as this summer.

Back in the 1950's the Department of Energy's gaseous diffusion plants in Piketon, Ohio and Paducah, Kentucky operated to supply enriched uranium for U.S. nuclear weapons and later for reactor fuel for nuclear submarines. Today, the Piketon and Paducah facilities provide an essential service in the production of fuel for commercial nuclear power plants operated by electric utilities. Unfortunately, the changes in DOE's mission have led to significant workforce reductions at the plant in southern Ohio, and this downsizing dramatically affects a region which has not experienced the unparalleled economic recovery so many other communities throughout the country have enjoyed. Under privatization, USEC intends to restructure its operation and there is a growing uncertainty about the security of existing jobs at the plant. Therefore, I believe the bill we are introducing today provides a reasonable approach to addressing the needs of the workers, their families and the communities of Ohio and Kentucky that supported our efforts during the Cold War.

Specifically, the bill directs the Department of Energy's Worker and Community Transition Office to set up and manage a fund dedicated to improve economic security of the communities which depend on and support the operation of the two uranium enrichment plants located in Piketon, Ohio and Paducah, Kentucky. The appropriation to this fund would be authorized at a level equal to the tax windfall received by the federal government from the privatized USEC. Under the management of DOE's Worker and Community Transition Office, the allocation of funds to the regions would be directly related to the economic distress factors in the local communities surrounding the facilities and could provide the resources necessary to improve the economic health in these regions. Those counties experiencing the highest unemployment rates would receive larger allocations than counties with unemployment rates closer to the state average unemployment rate. These financial resources would be used to help train displaced employees and market the region for future business opportunities. This dedicated fund would dissolve when the local unemployment rates of the affected counties reach the average unemployment rate of the respective states for a period equal to at least one year.

While I recognize that downsizing at DOE facilities adversely affects local communities across the country, I doubt whether many of these communities have the pressing need that exists near the Piketon, Ohio plant. Recent unemployment statistics indicate that the average unemployment rate of the four counties surrounding the Piketon, Ohio plant is greater than 10%. The average unemployment rate in the state of Ohio is 4.3%, seasonally adjusted, and the national adjusted average unemployment rate is 4.7%. This bill is designed to address this unacceptable disparity and help to ensure that southern Ohio has an equal opportunity to contribute to this nation's economic recovery.

HONORING LOU BOOKER ON THE OCCASION OF 20 YEARS OF EXEMPLARY SERVICE TO THE SANTA FE SPRINGS CHAMBER OF COMMERCE AND INDUSTRIAL LEAGUE

**HON. ESTEBAN EDWARD TORRES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 20, 1998*

Mr. TORRES. Mr. Speaker, I rise today to recognize Lou Booker for 20 years of outstanding service as Executive Director of the Santa Fe Springs Chamber of Commerce & Industrial League. Lou was recognized last week in Santa Fe Springs, California.

Lou Booker and her husband Vern have two children Steve and Lynn and six grandchildren. They reside in La Palma, California.

Lou began her career with the Santa Fe Springs Chamber of Commerce & Industrial League in 1978. Throughout her 20 years of service, she has implemented and maintained programs that have placed Santa Fe Springs Chamber of Commerce & Industrial League at the forefront of area chambers. One of the programs that Lou supports is the Rotary Club of Santa Fe Springs. Lou has also worked to expand the City of Santa Fe Springs' annual