

104TH CONGRESS
1ST SESSION

H. R. 2661

To amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the District of Columbia to expend its own funds during any portion of a fiscal year for which Congress has not enacted the budget of the District of Columbia for the fiscal year, and to provide for the appropriation of a monthly pro-rated portion of the annual Federal payment to the District of Columbia for such fiscal year during such portion of the year.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 1995

Ms. NORTON introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the District of Columbia to expend its own funds during any portion of a fiscal year for which Congress has not enacted the budget of the District of Columbia for the fiscal year, and to provide for the appropriation of a monthly pro-rated portion of the annual Federal payment to the District of Columbia for such fiscal year during such portion of the year.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “District of Columbia
3 Fiscal Protection Act of 1995”.

4 **SEC. 2. PERMITTING DISTRICT OF COLUMBIA TO EXPEND**
5 **DISTRICT FUNDS DURING PERIOD OF DELAY**
6 **IN CONGRESSIONAL ENACTMENT OF DIS-**
7 **TRICT OF COLUMBIA APPROPRIATIONS ACT.**

8 (a) IN GENERAL.—Subpart 1 of part D of title IV
9 of the District of Columbia Self-Government and Govern-
10 mental Reorganization Act is amended by inserting after
11 section 446 (sec. 47–304, D.C. Code) the following new
12 section:

13 “EXPENDITURE OF DISTRICT FUNDS DURING DELAY IN
14 CONGRESSIONAL ENACTMENT OF BUDGET

15 “SEC. 446A. (a) EXPENDITURE PERMITTED.—

16 “(1) IN GENERAL.—Notwithstanding section
17 446, if the District of Columbia Appropriations Act
18 for a fiscal year has not been enacted by the first
19 day of the fiscal year, during the period described in
20 subsection (c) an officer or employee of the District
21 of Columbia government may obligate or expend
22 amounts out of the general fund, enterprise funds,
23 and other non-Federal funds of the District of Co-
24 lumbia for the fiscal year under the authority and
25 conditions provided in such Act for continuing the
26 operations of the government of the District of Co-

1 lumbia and other activities chargeable in whole or in
2 part against the revenues of the District that were
3 conducted in the previous fiscal year and for which
4 appropriations, funds, or other authority would be
5 available in such Act.

6 “(2) NOTIFICATION OF FINANCIAL RESPON-
7 SIBILITY AND MANAGEMENT ASSISTANCE AUTHOR-
8 ITY.—In the case of a fiscal year which is a control
9 year (as defined in section 305(4) of the District of
10 Columbia Financial Responsibility and Management
11 Assistance Act of 1995), no obligations or expendi-
12 tures may be made pursuant to this subsection until
13 the Mayor of the District of Columbia has provided
14 to the District of Columbia Financial Responsibility
15 and Management Assistance Authority prior written
16 notification regarding such obligations and expendi-
17 tures.

18 “(b) APPLICABLE RATE OF OBLIGATIONS AND EX-
19 PENDITURES.—

20 “(1) COMPARISON TO PREVIOUS FISCAL
21 YEAR.—No amount made available for obligation or
22 expenditure for a project or activity under subsection
23 (a) for a fiscal year may be greater than the amount
24 or authority provided in the previous fiscal year for
25 such project or activity.

1 “(2) DIFFERENCES IN AMOUNTS PROVIDED IN
2 HOUSE AND SENATE LEGISLATION.—If an amount
3 or authority made available for obligation or expend-
4 iture for a project or activity for a fiscal year under
5 the District of Columbia Appropriations Act for the
6 fiscal year as passed by the House of Representa-
7 tives is different from the amount made available
8 under such Act as passed by the Senate, the amount
9 made available for obligation or expenditure for the
10 project or activity under subsection (a) shall be the
11 lesser of—

12 “(A) the amount or authority made avail-
13 able as permitted by the action of the House;

14 “(B) the amount or authority made avail-
15 able as permitted by the action of the Senate;

16 or

17 “(C) the amount or authority provided in
18 the previous fiscal year.

19 “(c) PERIOD DESCRIBED.—The period described in
20 this subsection with respect to a fiscal year is the period
21 which begins on the first day of the fiscal year and ends
22 on the date of enactment of the District of Columbia Ap-
23 propriations Act for the fiscal year.”.

1 (b) CONFORMING AMENDMENT.—The fourth sen-
 2 tence of section 446 of such Act (sec. 47–304, D.C. Code)
 3 is amended—

4 (1) by striking “and subsections” and inserting
 5 “subsections”; and

6 (2) by inserting “and section 446A,” after “sec-
 7 tion 490.”.

8 (c) CLERICAL AMENDMENT.—The table of contents
 9 for subpart 1 of part D of title IV of such Act is amended
 10 by inserting after the item relating to section 446 the fol-
 11 lowing new item:

“Sec. 446A. Expenditure of District funds during delay in Congressional
 enactment of budget.”.

12 **SEC. 3. AUTOMATIC MONTHLY PRO-RATED APPROPRIA-**
 13 **TION OF FEDERAL PAYMENT DURING PERIOD**
 14 **OF DELAY IN ENACTMENT OF DISTRICT OF**
 15 **COLUMBIA APPROPRIATIONS ACT.**

16 (a) IN GENERAL.—Title V of the District of Colum-
 17 bia Self-Government and Governmental Reorganization
 18 Act (sec. 47–3405 et seq., D.C. Code) is amended by add-
 19 ing at the end the following new section:

20 “PRO-RATED APPROPRIATION OF FEDERAL PAYMENT
 21 DURING PERIOD OF DELAY IN CONGRESSIONAL EN-
 22 ACTMENT

23 “SEC. 504. (a) IN GENERAL.—For each fiscal year
 24 for which the annual Federal payment is authorized under

1 this title and for which there has not been enacted legisla-
2 tion appropriating the payment by the first day of the fis-
3 cal year, there is hereby appropriated to the District of
4 Columbia on the first day of each month which occurs dur-
5 ing the period described in subsection (b) an amount equal
6 to $\frac{1}{12}$ of the lesser of—

7 “(1) the amount proposed to be appropriated as
8 the annual Federal payment under this title in the
9 District of Columbia Appropriations Act for the fis-
10 cal year, as passed by the House of Representatives;

11 “(2) the amount proposed to be appropriated as
12 the annual Federal payment under this title in the
13 District of Columbia Appropriations Act for the fis-
14 cal year, as passed by the Senate; or

15 “(3) the amount appropriated as the annual
16 Federal payment under this title in the District of
17 Columbia Appropriations Act for the previous fiscal
18 year.

19 “(b) PERIOD DESCRIBED.—The period described in
20 this subsection with respect to a fiscal year is the period
21 which begins on the first day of the fiscal year and ends
22 on the date of enactment of the District of Columbia Ap-
23 propriations Act for the fiscal year.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 for title V of such Act is amended by inserting after the
3 item relating to section 503 the following new item:

 “Sec. 504. Pro-rated appropriation of Federal payment during period of
 delay in congressional enactment.”.

4 **SEC. 4. EFFECTIVE DATE.**

5 The amendments made by this Act shall apply with
6 respect to fiscal years beginning with fiscal year 1996.

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