

108TH CONGRESS
1ST SESSION

S. 1567

To amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1 (legislative day, JULY 21), 2003

Mr. FITZGERALD (for himself and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, 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 “Department of Home-
5 land Security Financial Accountability Act”.

1 **SEC. 2. CHIEF FINANCIAL OFFICER OF THE DEPARTMENT**
2 **OF HOMELAND SECURITY.**

3 (a) IN GENERAL.—Section 901(b)(1) of title 31,
4 United States Code, is amended—

5 (1) by redesignating subparagraphs (G)
6 through (P) as subparagraphs (H) through (Q), re-
7 spectively; and

8 (2) by inserting after subparagraph (F) the fol-
9 lowing:

10 “(G) The Department of Homeland Secu-
11 rity.”.

12 (b) APPOINTMENT OR DESIGNATION OF CFO.—The
13 President shall appoint or designate a Chief Financial Of-
14 ficer of the Department of Homeland Security under the
15 amendment made by subsection (a) by not later than 180
16 days after the date of the enactment of this Act.

17 (c) CONTINUED SERVICE OF CURRENT OFFICIAL.—
18 The individual serving as Chief Financial Officer of the
19 Department of Homeland Security immediately before the
20 enactment of this Act may continue to serve in that posi-
21 tion until the date of the confirmation or designation, as
22 applicable (under section 901(a)(1)(B) of title 31, United
23 States Code), of a successor under the amendment made
24 by subsection (a).

25 (d) CONFORMING AMENDMENTS.—

1 (1) HOMELAND SECURITY ACT OF 2002.—The
2 Homeland Security Act of 2002 (Public Law 107–
3 296) is amended—

4 (A) in section 103 (6 U.S.C. 113)—

5 (i) in subsection (d) by striking para-
6 graph (4), and redesignating paragraph
7 (5) as paragraph (4);

8 (ii) by redesignating subsection (e) as
9 subsection (f); and

10 (iii) by inserting after subsection (d)
11 the following:

12 “(e) CHIEF FINANCIAL OFFICER.—There shall be in
13 the Department a Chief Financial Officer, as provided in
14 chapter 9 of title 31, United States Code.”; and

15 (B) in section 702 (6 U.S.C. 342) by strik-
16 ing “shall report” and all that follows through
17 the period and inserting “shall perform func-
18 tions as specified in chapter 9 of title 31,
19 United States Code.”.

20 (2) FEMA.—Section 901(b)(2) of title 31,
21 United States Code, is amended by striking subpara-
22 graph (B), and by redesignating subparagraphs (D)
23 through (H) as subparagraphs (C) through (G), re-
24 spectively.

1 **SEC. 3. FUNCTIONS OF CHIEF FINANCIAL OFFICER OF THE**
2 **DEPARTMENT OF HOMELAND SECURITY.**

3 Section 3516 of title 31, United States Code, is
4 amended by adding at the end the following:

5 “(f) The Secretary of Homeland Security—

6 “(1) shall submit for fiscal year 2004, and for
7 each subsequent fiscal year, a performance and ac-
8 countability report under subsection (a) that incor-
9 porates the program performance report under sec-
10 tion 1116 of this title for the Department of Home-
11 land Security; and

12 “(2) shall include in each performance and ac-
13 countability report an audit opinion of the Depart-
14 ment’s internal controls over its financial report-
15 ing.”.

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