

resolution (S. Con. Res. 6) authorizing flags located in the Capitol complex to be flown at half-staff in memory of R. Scott Bates, Legislative Clerk of the United States Senate, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The Clerk will report the Senate concurrent resolution.

The Clerk read as follows:

S. CON. RES. 6

Resolved by the Senate (the House of Representatives concurring). That, as a mark of respect to the memory of R. Scott Bates, Legislative Clerk of the United States Senate, all flags of the United States located on Capitol Buildings or on the Capitol grounds shall be flown at half-staff on the day of his interment.

□ 1800

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. HOYER. Mr. Speaker, reserving my right to object, obviously I will not object, but under my reservation, I am pleased to yield to the gentleman from California (Mr. THOMAS), chairman of the House Committee on Administration.

Mr. THOMAS. Mr. Speaker, I thank the ranking member, the gentleman from Maryland (Mr. HOYER), for yielding.

Obviously, the purpose of the reservation is to let all Members understand that, at the request of the Senate, and quite properly so, Senate Concurrent Resolution 6 requests that we lower to half mast the flags on the Capitol, and it is to recognize the service of Scott Bates to the Senate and, as a matter of fact, to the United States of America.

Mr. Bates, at the time of his tragic death, was struck by an automobile on February 5th. Incidentally, his wife was also seriously injured, but she is expected to recover.

Scott was 50 at the time that he died, and for 30 years he served the United States Senate. The recognition of the service to the Senate over those 30 years is indeed not nearly enough but entirely appropriate that we lower the flags around the Capitol in memory and in recognition of R. Scott Bates.

Mr. HOYER. Mr. Speaker, reclaiming my time under my reservation, I certainly join the chairman, the gentleman from California (Mr. THOMAS), in his remarks.

It is entirely appropriate that the House join the Senate, expressing its regrets to the Senate, expressing its profound regret to the family of Scott Bates, who, as the chairman indicated, served with distinction for over three decades the United States Senate and this country. It is a loss not only for the Senate, not only for the Congress, but for our country as well.

Mr. Speaker, reserving my right to object, I am pleased to yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, the Bateses were constituents of mine. They were dedicated to this institution and, most importantly, what they knew this institution can do for this country. They were terrific people, fully involved in their community. They gave and they did not take.

This is a true tragedy, and I appreciate the fact that it is being recognized by the Senate and now by the House. I will not delay it any further but to say that there are a great many of us who knew Scott Bates and what he stood for and are very proud that he chose to serve this institution.

Mr. HOYER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from California?

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA MANAGEMENT RESTORATION ACT OF 1999

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 433) to restore the management and personnel authority of the Mayor of the District of Columbia, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Ms. NORTON. Mr. Speaker, reserving the right to object, although I do not intend to object, I yield to the gentleman from Virginia (Mr. DAVIS) for the purpose of explaining the bill.

Mr. DAVIS of Virginia. Let me say, Mr. Speaker, this is a new era in the District of Columbia; and it is my strong belief that the time has come to shift substantial authority from the Control Board back to the city's elected mayor and give the elected mayor the greater flexibility he has sought over top personnel. This bill gives Mayor Williams the tools he needs to do the job.

H.R. 433 does not alter the time period or the conditions for the Control Board to function in an active phase. The bill takes nothing away from the Control Board's ability to intervene if necessary during a control period which still exists, but it does give the mayor direct control over the reporting and the hiring authority of some of his top personnel.

If we want democracy to succeed, we need to allow the elected leadership in the cities to start making decisions, standing behind those decisions, without being second-guessed every step of the way.

My thanks also to the gentlewoman from Maryland (Mrs. MORELLA) for being the original cosponsor in the legislation, along with the gentlewoman from the District of Columbia (Ms. NORTON), and of course to my friend the gentleman from Virginia (Mr. MORAN) and the gentleman from California (Mr. HORN) and the gentleman from Florida (Mr. SCARBOROUGH), who I am requesting be added as sponsors today.

The Congressional Budget Office has certified this bill would not affect the Federal budget. I would urge passage of H.R. 433.

Ms. NORTON. Mr. Speaker, reclaiming my time under my reservation, I would like to say a few words in support of this bill.

Mr. Speaker, my special thanks to the gentleman from Indiana (Mr. BURTON), the chairman, the gentleman from California (Mr. WAXMAN), the ranking member, and the gentleman from Virginia (Mr. DAVIS) for the priority they have each given to H.R. 433.

Our bill returns full legal authority over nine agencies to the Mayor and unfettered authority to confirm the Mayor's appointees to the City Council. Both Mayor Tony Williams and the council will be able to carry out their responsibilities as elected officials without risk of being overruled.

It is important to note that this House was not responsible for withdrawing this authority. A Senator's attachment to the President's all-important revitalization package that was incorporated into the 1997 Balanced Budget Act was responsible.

It is now appropriate for the House to initiate action to devolve democratic control to locally-elected officials, and all indications are that the Senate is prepared to do the same and empower the new Mayor and the revitalized City Council.

The gentleman from Virginia (Mr. DAVIS) deserves credit for carving H.R. 433 out of my D.C. Democracy 2000 Act. H.R. 433 is the first part of that act. The chairman and I are in agreement that the second part of the act to retire the Control Board a year early must await the building of a track record by the new Mayor and council.

I thank the House leadership and the gentleman from Indiana (Mr. BURTON) and the gentleman from Virginia (Mr. DAVIS) for bringing H.R. 433 to the floor as one of the first bills of the 106th Congress. In doing so, the House has shown, as nothing else could, that this body is prepared to build a new relationship with the District of Columbia.

I want to thank Speaker DENNIS HASTERT, Democratic Leader DICK GEPHARDT, and Chairman TOM DAVIS for their leadership in bringing the "District of Columbia Management Restoration Act of 1999" to the House floor today. This bill incorporates key provisions of my bill, H.R. 214, the District of Columbia Democracy 2000 Act (D.C. Democracy 2000),

which return to the Office of the Mayor authority over the city's nine largest agencies and the ability to hire and fire senior managers in the government, and return to the City Council full authority to approve mayoral appointees without control board intervention. I am especially grateful to Mr. DAVIS for taking Section 3 of D.C. Democracy 2000, the only section that is ripe for consideration at this time. The bill accomplishes this transfer of power through repeal of the Faircloth attachment to the District of Columbia Revitalization and Self-Government Improvement Act of 1997, which had vested control of the management reform of the city's nine largest agencies with the District of Columbia Financial Responsibility and Management Assistance Authority (Authority).

The purpose of the District of Columbia Management Restoration Act of 1999 is to ensure that the new city administration has sufficient control of the District government to be held accountable in preparation for the expiration of the control period. This bill carries out the purpose of the Authority Act "to ensure the most efficient and effective delivery of services, by the District government during a period of fiscal emergency." P.L. 104-8, Title I §2(b)(2). On January 2nd, Alice Rivlin, for the Authority, signed a memorandum of agreement (MOA) delegating authority to the Mayor to run the District government to the fullest extent allowed by existing law. Viewed from the front lines of the District government's present progress, the Authority's considered judgment was that a transition to Home Rule through the delegation of power to the new Mayor was necessary in advance of the transfer of ultimate power at the end of the control period; a clean line of reporting authority unmistakably identifying the responsible officials was necessary for efficient and effective government operational reform; and Mayor Williams, in his role as Chief Financial Officer, had already demonstrated his capacity to administer complicated operations.

This section amends existing law to complete a transfer of power that the Authority desired but could not make because of the wording of the statute and, in effect, to place in law the MOA. The Authority transferred to the Mayor its jurisdiction over nine operating agencies, but believed it was unable to return the authority to hire and fire department heads. In returning this power, the bill seeks to enhance and facilitate the Mayor's ability to control managers. It eliminates the possibility of an illusion of an appeal to a higher authority beyond the Mayor to acquire or retain a position.

The advantage of having a government that knows that it and it alone will be fully accountable cannot be overestimated in a democracy. Whatever justification some may have found for the denial of self-government has been stripped away by the growing fiscal health of the District government and its prudence in management of its finances and operations. Beyond securing more revenue, city officials have already shown that they know what to do with it. Their decision to use surplus revenues to pay down the city's accumulated deficit demonstrates they can and will make tough financial choices. In the face of the sacrifices that District residents have made and the un-

anticipated surpluses that have been produced, there is no justification for delaying a return to coherent and fully accountable self-government.

I urge my colleagues to support this bill crucial to the continued revitalization of the nation's capital.

Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Virginia (Mr. MORAN) for a brief statement.

Mr. MORAN of Virginia. Mr. Speaker, this is the culmination really of years of determination and dedication on the part of the delegate and gentlewoman from the District of Columbia (Ms. NORTON) and of the chairman of the D.C. authorizing committee, the gentleman from Virginia (Mr. DAVIS).

This is in no way critical of the D.C. Financial Control Board, but it is the culmination of a vision. It had to start with fiscal responsibility. It had to be bolstered by economic opportunity. But it also had to include responsible stewardship.

We have that responsible stewardship, that leadership, in Mayor Williams. This is a reflection of the fact that those who have worked tirelessly for the District of Columbia truly believe in democracy, truly believe that the citizens of the District of Columbia are capable of governing themselves.

This gives them that opportunity, and if in the future we hope to hold the D.C. government responsible for its actions, we can only do that by giving them the authority to make those decisions. You cannot have one without the other. You cannot hold them responsible without giving them the authority to make decisions on their own. This gives them that authority.

This is the least we can do for the District of Columbia, and, again, this is what it was all about. It happened a lot sooner than many people expected, but I know that it is what the gentlewoman from the District of Columbia (Ms. NORTON) had every confidence would occur, as did the gentleman from Virginia (Mr. DAVIS).

I want to particularly thank them. As I started my remarks thanking them, I conclude my remarks by thanking them and I thank those who have worked along with them to ensure that the District of Columbia will one day be the jewel of our democracy, the true capital city of our great Nation.

Ms. NORTON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Management Restoration Act of 1999".

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Among the major problems of the District of Columbia government has been the failure to clearly delineate accountability.

(2) The statute establishing the District of Columbia Financial Responsibility and Management Assistance Authority proved necessary to enable the District to regain financial stability and management control.

(3) The District has performed significantly better than the Congress had anticipated at the time of the passage of the Authority statute.

(4) The necessity for a financial authority has resulted in a diffusion of responsibility between the Mayor, the Council, and the Authority pending the time when the District government would assume the home rule status quo ante.

(5) This lack of clear lines of reporting authority, in turn, has led to some redundancy and confusion about accountability and authority.

(6) The Authority statute requires the Authority to "ensure the most efficient and effective delivery of services, including public safety services, by the District government" and to "assist the District government in . . . ensuring the appropriate and efficient delivery of services".

(7) With the coming of a new administration led by Mayor Anthony Williams, the Authority has taken the first step to ensure the accountability that will be necessary at the expiration of the control period by delegating day-to-day operations over city agencies previously under control of the Authority to the Mayor.

(8) The Congress agrees that the best way to ensure clear and unambiguous authority and full accountability is for the Mayor to have full authority over city agencies so that citizens, the Authority, and the Congress can ascertain responsibility.

(9) The transition of authority to the new administration will take nothing from the Authority's power to intervene during a control period.

SEC. 3. RESTORATION OF MANAGEMENT AND PERSONNEL AUTHORITY OF MAYOR OF THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Subtitle B of title XI of the Balanced Budget Act of 1997 (DC Code, sec. 47-395.1 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—Section 1604(f)(2)(B) of the Taxpayer Relief Act of 1997 (Public Law 105-34; 111 Stat. 1099) is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PRESIDENTS SHOULD GET AUTHORITY FROM CONGRESS TO SEND TROOPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.