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APPROVED
AUG 29 1974

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 23 1974

Posted
8/29
To Archives
8/30

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 15791 - Home Rule Act amendments
Sponsor - Rep. Diggs (D) Michigan and 3 others

Last Day for Action

August 30, 1974 - Friday

Purpose

Amends the District of Columbia Self-Government and Governmental Reorganization Act to update it and to deal with several unforeseen problems.

Agency Recommendations

Office of Management and Budget	Approval
District of Columbia Government	Approval
Civil Service Commission	No objection (Informally)

Discussion

The Home Rule Act, which was enacted December 24, 1973, has been found to present several problems, and H.R. 15791 would respond to those problems by amending that Act in the following respects:

- (1) The Act provided that positions in the D.C. Manpower Administration would be removed from competitive service whenever any such position became vacant. H.R. 15791 would continue those positions in the competitive service, and thus treat all transferred employees alike.



(2) H.R. 15791 provides for a special election in the case of a vacancy in the position of Chairman of the City Council. Absent this amendment, a vacancy would continue for the unexpired balance of a 4-year term.

(3) The bill would change the District of Columbia Government's fiscal year from July 1st to October 1st, beginning on October 1, 1976, to conform with the new Federal year.

(4) It would authorize appropriations of \$70 million (one-fourth of the authorization for fiscal year 1977) to cover the 3-month transition period -- July 1, 1976 to September 30, 1976 -- occasioned by the change in the beginning of the fiscal year 1977 from July 1, 1976 to September 30, 1976.

(5) It would reduce the time relating to the issuance of general obligation bonds of the D.C. Government by authorizing the Mayor, rather than the D.C. Council, to issue such bonds (after D.C. Council approval) and to reject any bids relating to those bonds.

(6) It would authorize the D.C. Council, by regulation, to prohibit conversion of existing multiunit structures in the District into condominiums. The Home Rule Act gives condominium regulatory authority to the D.C. Council effective January 2, 1975. The enrolled bill will give the Council interim authority to deal with what it and the Mayor regard as a pressing problem because of the rapid rate of conversion in the past year.

(7) It would provide for filling Board of Education vacancies at the next general election rather than at the next election for members of the Board. Absent this amendment, elections for existing vacancies would not occur until November 1975; the amendment will move the election up to November 1974.

Alfred H. Powell

Assistant Director for
Legislative Reference

Enclosures





THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

WALTER E. WASHINGTON
Mayor-Commissioner

August 21, 1974

Mr. Wilfred H. Rommel
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Rommel:

This is in reference to a facsimile of an enrolled enactment of Congress entitled:

H.R. 15791 - To amend section 204(g) of the District of Columbia Self-Government and Governmental Reorganization Act, and for other purposes.

Section 1 of the enrolled bill makes a number of corrective and clarifying amendments to the District of Columbia Self-Government and Governmental Reorganization Act. Paragraph (1) of such section repeals section 204(g) of the Act thereby enabling positions in the District of Columbia Manpower Administration which were transferred from the Department of Labor to the District Government on July 1, 1974 to remain in the competitive service. Paragraph (2) authorizes the holding of a special election to fill a vacancy in the Office of Chairman of the Council of the District of Columbia in a manner similar to that authorized to fill a vacancy in the Office of Mayor.

Paragraph (3) changes the fiscal year of the District of Columbia, beginning on October 1, 1976, to correspond to the fiscal year of the Treasury of the United States as changed by section 501 of Public Law 93-344. Paragraphs (4) through (6) provide technical amendments relating to the borrowing



authority of the new District Government, and paragraph (7) makes changes in the annual Federal payment to the District to reflect the changed fiscal year. Paragraph (8) makes July 1, 1974 rather than January 2, 1975 the effective date for several sections of the Act to remove legal uncertainties in the transition of the present District Government to the new form of government.

Section 2 of the enrolled bill authorizes the District of Columbia to prohibit by regulation, and in accordance with section 406 of Reorganization Plan No. 3 of 1967 (incorrectly referred to in the bill as Reorganization Plan No. 2 of 1967), the establishment of condominium regimes. The effect of this amendment is to enable the Council to declare a moratorium on the conversion of real property units and projects into condominiums. Section 3 of the bill amends the District of Columbia Election Act to permit the filling of vacancies in the membership of the Board of Education in general elections of the District rather than general Board elections.

The approval of H.R. 15791 is not expected to result in any additional costs to the District of Columbia. The District Government recommends the approval of H.R. 15791.

Sincerely yours,



WALTER E. WASHINGTON
Mayor-Commissioner



THE WHITE HOUSE
WASHINGTON

8/28/74

TO: WARREN HENDRIKS

To be added to the

bill file, please.

RLD
Robert D. Linder



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

CHAIRMAN

August 23, 1974

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503

Attention: Mr. Wilfred H. Rommel
Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in response to your request for the Commission's views on enrolled bill H. R. 15791, "To amend section 204(g) of the District of Columbia Self-Government and Governmental Reorganization Act, and for other purposes."

We are confining our comments to paragraph (1) of Section I which would repeal the second sentence of subsection (g) of section 204, Title II, of that Act, relating to the transfer of Labor Department employees to the District of Columbia Manpower Administration. Title II of the Act transferred 1400 employees of the Redevelopment Land Agency, National Capital Housing Authority, and the District of Columbia Manpower Administration to the D. C. Government effective July 1, 1974. General language in Section 713 of the Act protects the civil service rights and benefits of employees of these agencies:

"(d) No officer or employee shall, by reason of his transfer to the District Government under the Act or his separation from service under this Act, be deprived of any Civil Service rights, benefits, and privileges held by him prior to such transfer or any right of appeal or review he may have by reason of his separation from service."

This protection is qualified in the case only of Manpower Administration employees by the second sentence in section 204(g) as follows:



"When such an employee vacates a position into which he was transferred, such a position shall no longer be a position in such competitive service."

In other words, a transferred Manpower Administration employee could remain in the competitive service only if he retained the job in which he was transferred to the D. C. Government. If he were promoted or re-assigned to another Manpower Administration job, he would retain his competitive status but would no longer be in the competitive service. This limitation of rights does not apply to the Redevelopment Land Agency and the National Capital Housing Authority since all jobs in those agencies would remain in the competitive service after transfer. Repealing this sentence in section 204(g), therefore, would remove an inequity that currently exists between Manpower Administration employees and employees of the two other transferred agencies.

For this reason, the Commission has no objection to the enactment of Section 1, paragraph (1) of H. R. 15791. Insofar as this provision is concerned, the Commission recommends that the President sign the enrolled bill.

By the direction of the Commission:

Sincerely yours,



Chairman

THE WHITE HOUSE
WASHINGTON

ENROLLED BILL

SUBJECT: Enrolled Bill H. R. 15791 - Home

Rule Act Amendments

<u>Name</u>	<u>Approval</u>	<u>Date</u>
<u>Andre Buckles</u>	<u>Yes</u>	<u> </u>
<u>Phil Buchen</u>	<u>Yes</u>	<u> </u>
<u>Bill Timmons</u>	<u>Yes</u>	<u> </u>
<u>Ken Cole</u>		<u> </u>
<u> </u>	<u> </u>	<u> </u>
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Comments:

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 534

Date: August 26, 1974

Time: 9:30 a. m.

FOR ACTION: Andre Buckley
✓ Phil Buchen
✓ Bill Timmons

cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Wednesday, August 28, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 15791 - Home Rule Act amendments

ACTION REQUESTED:

___ For Necessary Action

XX For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

___ For Your Comments

___ Draft Remarks

REMARKS:

DPlease return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President



To
James Hendricks
8-23-74

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 23 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 15791 - Home Rule Act amendments
Sponsor - Rep. Diggs (D) Michigan and 3 others

Last Day for Action

August 30, 1974 - Friday

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District of Columbia Government	Approval
Civil Service Commission	No objection (Informally)

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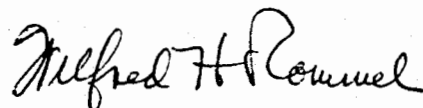
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Assistant Director for
Legislative Reference

Enclosures

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REMARKS:

Please return to Kathy Tindle - West Wing

*No objection
D.C.*

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If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.



Warren K. Hendriks
For the President

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 23 1974

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Approval

District of Columbia Government
Civil Service Commission

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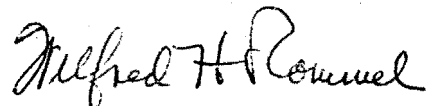
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Assistant Director for
Legislative Reference

Enclosures



THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

WALTER E. WASHINGTON
Mayor-Commissioner

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Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

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No Objection - HMB



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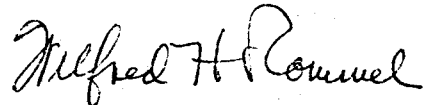
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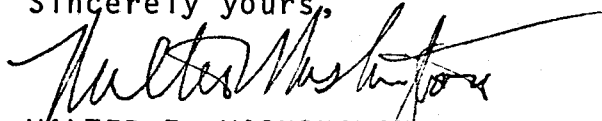
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