

The original documents are located in Box 21, folder “1975/01/03 HR16925 Amend Laws of the District of Columbia” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

APPROVED
JAN 3-1975

THE WHITE HOUSE
WASHINGTON

ACTION

Last Day: January 4

Posted 1/4/75
TO REKLVBS
1/6/75

January 2, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: KEN COLE

SUBJECT: Enrolled Bill H.R. 16925
Amend Laws of the District
of Columbia

Attached for your consideration is H.R. 16925, sponsored by Representative Diggs, which makes technical amendments to several District of Columbia Acts relating to police, firemen and teachers pay, real estate property taxes and for other purposes

Most of the amendments were proposed by the District Government and no additional costs are expected as a result of the bill's enactment.

OMB recommends approval and provides additional information in its enrolled bill report (Tab A).

Treasury, CSC, Friedersdorf and Areeda recommend approval.

RECOMMENDATION

That you sign H.R. 16925

DECISION - H.R. 16925

Sign (Tab B)

DKF

Pocket Veto _____
(Prepare memorandum
of disapproval)

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

DEC 29 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 16925 - Amend laws of the District
of Columbia
Sponsor - Rep. Diggs (D) Michigan

Last Day for Action

January 4, 1975 - Saturday

Purpose

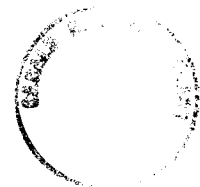
To amend several District of Columbia Acts relating to police,
firemen and teachers pay, real estate property taxes and for
other purposes.

Agency Recommendations

Office of Management and Budget	Approval
District of Columbia	Approval
Department of the Treasury	Approval
Civil Service Commission	Approval
Department of the Interior	No objection

Discussion

H.R. 16925 would correct technical errors and substantive defects
in the following Acts: D.C. omnibus pay bill for police, firemen
and teachers (approved September 3, 1974); D.C. Campaign Finance
Reform and Conflict of Interest Act; D.C. Elections Act; D.C.
Real Property Tax Revision Act; D.C. Code relating to the "no-
knock" provisions; and the D.C. Self-Government and Governmental
Reorganization Act.



With one exception, sections 1-5, 10, 11, and 18 of the enrolled bill make no substantive changes in the law but merely correct technical defects and errors relating to police', firemen's and teachers' salaries established in P.L. 93-407. Both the Civil Service Commission and the D.C. Government concur in these provisions. The one exception is section 10 which would amend the Police and Fireman's Retirement and Disability Act to have benefits based on a weighted average compensation over the past 12 consecutive months, rather than the salary at the time of retirement. This would deter employees from retiring immediately after receiving a raise or promotion.

Sections 6-9 and section 15 of the enrolled bill would amend the D.C. Real Property Tax Revision Act to clarify the basis upon which the tax rate is established. It was the intent of the law to calculate the property tax rate to yield revenues equal to the previous year's revenues. These clarifying amendments are retroactive, to assure continuity in the rate setting process already in progress. In addition, sections 6-9 would substitute the words "historic buildings" for "historic property" wherever it appears in connection with the Joint Committee on Landmarks of the National Capitol.

Sections 12 and 13 of the enrolled bill would specify the term of the Director of Campaign Finance in connection with the D.C. Campaign Finance Reform and Conflict of Interest Act. H.R. 16925 would set a term of four years, subject to removal for cause by the Mayor.

The D.C. Board of Elections would be authorized to hire any employees needed by the Director to carry out his duties under the Act. The Board would furthermore prescribe regulations to insure that employees will not engage in partisan political activities.

Section 14 would clarify the Conflict of Interest provisions of the D.C. Campaign Finance Reform Act which limits, to \$100 any "gift, favor, service, loan, gratuity, discount,...or promise of future employment," to public officials to influence or which could reasonably be inferred to influence their actions. The provision would be amended by the enrolled bill to make it clear that duly reported political contributions and "transactions made in the normal course of business of the person offering...the thing of value" are not covered by this section.



Section 16 of H.R. 16925 would correct a technical error in the Controlled Substances Act amendments which you signed into law on October 26, 1974.

Section 17 would clarify the intent of existing law to assure the continuity of incumbent members of the Public Utilities Commission by providing that duly appointed members in office on January 1, 1975 would continue to serve their appointed terms.

Section 19 is of some concern to the D.C. Government and Civil Service Commission. It would, in all retirement or disability cases concerning Executive Protective Service or Secret Service, add one member to the Police and Fireman's Retirement and Relief Board from that Service. The additional member, as designated by the bill, must be a contributor to the D.C. Police and Fireman's Relief Fund. Civil Service discusses three problems with this provision. They state in their views letter on the enrolled bill that:

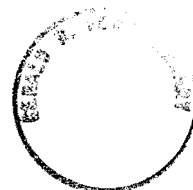
- the U.S. Park Police should have a similar representation when one of its member's cases is being heard. They, too, are subject to the D.C. retirement system
- an eight-member panel presents the possibility of a tie vote and the bill makes no provision for breaking a tie
- there is no such fund as the D.C. Police and Fireman's Relief Fund. All contributions are made to the General Fund of D.C.

Civil Service further states, in conclusion that their:

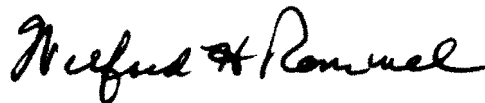
"objections to these three defects of section 19 are not so strong...as to cause us to recommend a veto..."

The District of Columbia states in conclusion in its views letter on the enrolled bill that:

"Most of the amendments in the enrolled bill were proposed by the District Government. The enactment of this bill is not expected to result in any

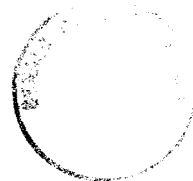


any additional costs to the District of Columbia.
The District Government, therefore, recommends
the approval of H.R. 16925."



Assistant Director for
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 916

Date: December 30, 1974

Time: 5:00 p.m.

FOR ACTION:

Andre Buckles *no obj* cc (for information): Warren Hendriks
 Max Friedersdorf *ok* Jerry Jones
 Phil Areeda *no obj* Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

Tuesday, December 31

Time:

2:00 p.m.

SUBJECT:

Enrolled Bill H.R. 16925 - Amend Laws of the District of Columbia

ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor 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



THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

WALTER E. WASHINGTON
Mayor-Commissioner

December 27, 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. 16925 — To make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes.

The enrolled bill undertakes to correct manifest technical errors and substantive defects in the following Acts of Congress: The District of Columbia Campaign Finance Reform and Conflict of Interest Act; the District of Columbia Election Act; the District of Columbia Real Property Tax Revision Act of 1974; the Act of October 26, 1974, relating to the so-called "no-knock" provisions of the District of Columbia Code; the District of Columbia Self-Government and Governmental Reorganization Act; and title I of the Act of September 3, 1974. In general, the amendments provide technical corrections, remove what are believed to be ambiguities in certain provisions of these statutes, and are basically self-explanatory.

The significant changes contained in the amendments are those which correctly reflect the salary increases in



each class for police, firemen and teachers and correct other inaccuracies in titles I and II as well as in title IV, the Property Tax Revision Act; prescribe the term of office for the Director of Campaign Finance and clarify his authority with respect to the employment of his staff; clarify the provision in section 601(c) of the Campaign Finance Reform Act which appeared to limit the receipt by persons standing for election to political office of campaign contributions to an amount not in excess of \$100; correct a number of inaccuracies in the provisions of the Tax Reform Act relating to tax relief for certain historic properties; provide a term of office for the member of the Public Service Commission who will replace the Commissioner of the District of Columbia on this body after January 2, 1975, and provide continuity in the terms of office of the incumbent members of the Commission who were appointed by the President; and authorize the appearance of a member of the Executive Protective Service and the United States Secret Service to sit as a member of the Police and Firemen's Retirement and Relief Board in matters involving members of these respective services.

It should be noted that, in connection with Section 19 of the enrolled bill, while the Policemen and Firemen's Retirement and Disability Act applies to the United States Park Police force, no provision has been made by the bill for inclusion of representatives of the Park Police to sit on the Police and Firemen's Retirement and Relief Board.

We call your attention to the following technical corrections which we pointed out in a report to the Chairman of the House District Committee, dated December 19, 1974, but which were not acted upon because of the Congressional adjournment schedule:

(1) In Section 3(c), strike out "122, 123, and 124" and insert "122 and 123".

(2) In Section 10(a), strike out "521" and insert "526".

(3) In Section 10(a) strike out everything beginning at line 3 thereof and insert in lieu thereof:

"ing out 'basic salary at time of retirement' each place it occurs and inserting in lieu thereof 'average pay' at each such place".

(4) In Section 18(d), strike out "101" and insert "101(b)".

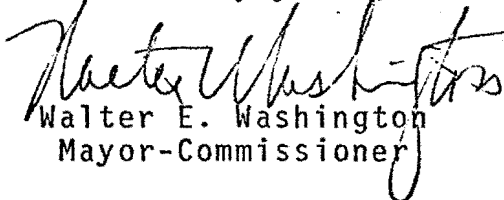
(5) In Section 19(d), in line 5 thereof, strike out "contribute" and insert "are subject".

(6) In Section 18(d), in line 6 thereof, strike out "Relief Fund of the District of Columbia" and insert "Retirement and Disability Act".

We think these technical errors which were not included in the enrolled bill can be overcome in most instances by interpretation.

Most of the amendments in the enrolled bill were proposed by the District Government. This enactment of this bill is not expected to result in any additional costs to the District of Columbia. The District Government, therefore, recommends the approval of H.R. 16925.

Sincerely yours,


Walter E. Washington
Mayor-Commissioner

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 916

Date: December 30, 1974

Time: 5:00 p.m.

FOR ACTION: Andre Buckles
Max Friedersdorf
Phil Areeda

cc (for information): Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 31

Time: 2:00 p.m.

SUBJECT:

Enrolled Bill H.R. 16925 - Amend Laws of the District
of Columbia

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

___ For Your Comments

___ Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection - *WHM*

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.

Warren K. Hendriks
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 916

Date: December 30, 1974

Time: 5:00 p.m.

FOR ACTION: Andre Buckles
Max Friedersdorf
Phil Areeda ✓

cc (for information): Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 31

Time: 2:00 p.m.

SUBJECT:

Enrolled Bill H.R. 16925 - Amend Laws of the District
of Columbia

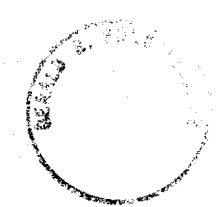
ACTION REQUESTED:

- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*No objection
P. Areeda*



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.

Staff Secretary

THE WHITE HOUSE

WASHINGTON

December 31, 1974

MEMORANDUM FOR:

WARREN HENDRIKS

FROM:

Ken L. Friedersdorf

MAX L. FRIEDERSDORF

SUBJECT:

Action Memorandum - Log No. 916

The Office of Legislative Affairs concurs with the Agencies that the enrolled bill should be signed.

Attachments



THE UNDER SECRETARY OF THE TREASURY

WASHINGTON, D.C. 20220

DEC 26 1974

Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

Attention: Assistant Director for Legislative
Reference

Sir:

Your office has requested the views of this Department on the enrolled enactment of H.R. 16925, "To make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes."

Section 19 is the only provision of the enrolled enactment of interest to this Department. That section would provide Executive Protective Service and United States Secret Service participation on the Police and Firemen's Retirement and Relief Board in cases of retirement, disability, or other relief involving a member of the Executive Protective Service or the United States Secret Service.

Insofar as section 19 is concerned, the Department recommends that the enrolled enactment be approved by the President.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Edward C. Schmults".

Edward C. Schmults



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

CHAIRMAN

December 27, 1974

Honorable Roy L. Ash
Director
Office of Management and Budget

Attention: Assistant Director for
Legislative Reference

Dear Mr. Ash:

This is in response to your request for the views and recommendation of the Civil Service Commission on enrolled bill H.R. 16925, a bill "To make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes." These two acts together comprised Public Law 93-407.

Sections 1 through 5, and sections 10, 11, and 18 of enrolled bill H.R. 16925 make no substantive change to the personnel provisions of P.L. 93-407, but merely correct technical defects and errors in that law as passed. We agree with these provisions.

Sections 6 through 9, and sections 12 through 17 deal with the real estate tax laws, and the political campaign and election laws of the District of Columbia, and with other matters with which the Civil Service Commission is not concerned. We have no comments on these provisions.

The only section of the enrolled bill which concerns us is section 19. Public Law 93-407 established the Police and Firemen's Retirement and Relief Board as a seven-member panel to make individual retirement and disability determinations. Five of the members represent various instrumentalities of the D. C. Government, while two (one of whom must be a physician) are drawn from the general public. Section 19 of the enrolled bill modifies the composition of this board by providing that, when the retirement, disability, or relief claim pertains to a member of the Executive Protective Service or a member of the Secret Service (who is subject to the D. C. retirement system), an eighth member representing that particular service be added.

We agree with the general intent of this amendment, but have three concerns about its specific provisions:

1. The occasional convening of an eight-member panel raises the possibility of a tie vote. It is our understanding that, when a predecessor panel had five members, 3 to 2 votes were not unusual. This could be remedied by providing that the Federal agency member replace one of the D. C. members when a Federal employee's case is to be heard.
2. We believe that similar representation should also be provided to the U. S. Park Police when one of its member's cases is being heard, since they too are subject to the D. C. retirement system.
3. The language which attempts to identify those members of the Secret Service who belong to the D. C. retirement system specifies those "who contribute to the Policemen and Firemen's Relief Fund of the District of Columbia." This is technically defective since there is no such fund; all such contributions are made to the General Fund of the District of Columbia.

Our objections to these three defects of section 19 are not so strong, however, as to cause us to recommend a veto of the enrolled bill on these grounds alone.

The Civil Service Commission recommends therefore, from the standpoint of the Federal personnel system, that the President sign enrolled bill H.R. 16925 into law.

By direction of the Commission.

Sincerely yours,



Arthur H. Schlesinger, Jr.
Chairman



THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

WALTER E. WASHINGTON
Mayor-Commissioner

December 27, 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. 16925 — To make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes.

The enrolled bill undertakes to correct manifest technical errors and substantive defects in the following Acts of Congress: The District of Columbia Campaign Finance Reform and Conflict of Interest Act; the District of Columbia Election Act; the District of Columbia Real Property Tax Revision Act of 1974; the Act of October 26, 1974, relating to the so-called "no-knock" provisions of the District of Columbia Code; the District of Columbia Self-Government and Governmental Reorganization Act; and title I of the Act of September 3, 1974. In general, the amendments provide technical corrections, remove what are believed to be ambiguities in certain provisions of these statutes, and are basically self-explanatory.

The significant changes contained in the amendments are those which correctly reflect the salary increases in

each class for police, firemen and teachers and correct other inaccuracies in titles I and II as well as in title IV, the Property Tax Revision Act; prescribe the term of office for the Director of Campaign Finance and clarify his authority with respect to the employment of his staff; clarify the provision in section 601(c) of the Campaign Finance Reform Act which appeared to limit the receipt by persons standing for election to political office of campaign contributions to an amount not in excess of \$100; correct a number of inaccuracies in the provisions of the Tax Reform Act relating to tax relief for certain historic properties; provide a term of office for the member of the Public Service Commission who will replace the Commissioner of the District of Columbia on this body after January 2, 1975, and provide continuity in the terms of office of the incumbent members of the Commission who were appointed by the President; and authorize the appearance of a member of the Executive Protective Service and the United States Secret Service to sit as a member of the Police and Firemen's Retirement and Relief Board in matters involving members of these respective services.

It should be noted that, in connection with Section 19 of the enrolled bill, while the Policemen and Firemen's Retirement and Disability Act applies to the United States Park Police force, no provision has been made by the bill for inclusion of representatives of the Park Police to sit on the Police and Firemen's Retirement and Relief Board.

We call your attention to the following technical corrections which we pointed out in a report to the Chairman of the House District Committee, dated December 19, 1974, but which were not acted upon because of the Congressional adjournment schedule:

(1) In Section 3(c), strike out "122, 123, and 124" and insert "122 and 123".

(2) In Section 10(a), strike out "521" and insert "526".

(3) In Section 10(a) strike out everything beginning at line 3 thereof and insert in lieu thereof:

"ing out 'basic salary at time of retirement' each place it occurs and inserting in lieu thereof 'average pay' at each such place".

(4) In Section 18(d), strike out "101" and insert "101(b)".

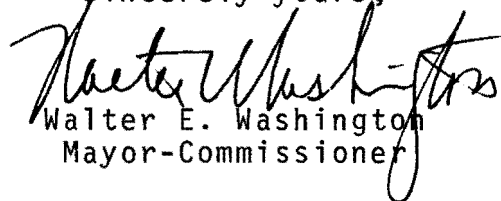
(5) In Section 19(d), in line 5 thereof, strike out "contribute" and insert "are subject".

(6) In Section 18(d), in line 6 thereof, strike out "Relief Fund of the District of Columbia" and insert "Retirement and Disability Act".

We think these technical errors which were not included in the enrolled bill can be overcome in most instances by interpretation.

Most of the amendments in the enrolled bill were proposed by the District Government. This enactment of this bill is not expected to result in any additional costs to the District of Columbia. The District Government, therefore, recommends the approval of H.R. 16925.

Sincerely yours,


Walter E. Washington
Mayor-Commissioner



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 27 1974

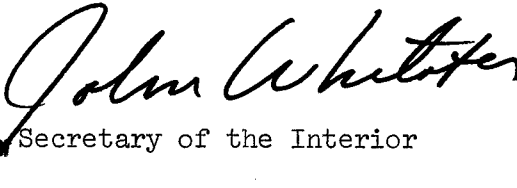
Dear Mr. Ash:

This responds to your request for the views of this Department on the enrolled bill H.R. 16925, "To make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes."

We would have no objection to approval of the bill by the President.

H.R. 16925 corrects manifest technical errors in several instances in the printing and reporting of the omnibus pay bill, H.R. 15842, thereafter approved on September 3, 1974, and now Public Law 93-407. The amendments were requested by the District of Columbia Government to assist in its administration of the various pertinent provisions of law.

Sincerely yours,


Under Secretary of the Interior

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



Let's Clean Up America For Our 200th Birthday

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 29 1974

To -
H. Handrich
12-30-74
11:00 a.m.

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 16925 - Amend laws of the District of Columbia
Sponsor - Rep. Diggs (D) Michigan

Last Day for Action

January 4, 1975 - Saturday

Purpose

To amend several District of Columbia Acts relating to police, firemen and teachers pay, real estate property taxes and for other purposes.

Agency Recommendations

Office of Management and Budget	Approval
District of Columbia	Approval
Department of the Treasury	Approval
Civil Service Commission	Approval
Department of the Interior	No objection

Discussion

H.R. 16925 would correct technical errors and substantive defects in the following Acts: D.C. omnibus pay bill for police, firemen and teachers (approved September 3, 1974); D.C. Campaign Finance Reform and Conflict of Interest Act; D.C. Elections Act; D.C. Real Property Tax Revision Act; D.C. Code relating to the "no-knock" provisions; and the D.C. Self-Government and Governmental Reorganization Act.

TECHNICAL AMENDMENTS TO PUBLIC LAW 93-407

OCTOBER 7, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DIGGS, from the Committee on the District of Columbia, submitted the following

REPORT

[To accompany H.R. 16925]

The Committee on the District of Columbia to whom was referred the bill (H.R. 16925) to amend the District of Columbia Governmental Reorganization Act to provide for a People's Counsel at the Public Service Commission, to make technical amendments to the Act relating to police and firemen's salaries, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

The amendment to the text of the bill strikes out all after the enacting clause and inserts in lieu thereof a substitute text including only technical amendments, which appears in italic type in the reported bill.

Amend the title so as to read:

A bill to make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes.

PURPOSE OF THE BILL

The purpose of the bill, H.R. 16925, as amended, is to correct manifest technical errors in several instances in the printing and reporting of the omnibus pay bill, H.R. 15842, thereafter approved on September 3, 1974, and now Public Law 93-407.

These amendments are necessary and reported by the Committee so that the law will correctly reflect the salary increases in each class for police, firemen and teachers, and the Committee agreements and approval of other various items in the real property tax revisions referred to and described in the original bill, H.R. 15842.

PROVISIONS OF THE BILL

For the most part, the errors being corrected by this bill were in Titles I and II, the pay schedules of P.L. 93-407, which provided increased salaries for police, firemen and teachers. The new dollar amounts for the various schedules were correctly included in the individual pay bills as approved by the District of Columbia Committee, but in the reporting of same and inclusion thereof in the omnibus bill, H.R. 15842, some dollar amounts were transposed and references to subtitles and the like were erroneously stated.

Other amendments are clarifying ones, as is shown in H.R. 16925, to correctly renumber certain sections or subsections; correct title and section numbers in the D.C. Code; and the like.

Among corrective amendments in H.R. 16925 to the D.C. Real Property Tax Revision Act of 1974—which was Title IV of H.R. 15842—is one (Sec. 7(a)) to effectuate the intent of the Committee, as reflected in the Committee's report (House Report 93-1203), that the real property tax rate for the District—to take effect if the Council fails to act within 30 days of the Mayor's recommendations—will be the rate calculated to yield the same amount of revenue as was raised in the previous year.

Since the rate setting process under P.L. 93-407 is already underway for this fiscal year, the amendment of Section 7(a) has been made applicable beginning with fiscal year 1976.

Section 413(e) of P.L. 93-407 requires that the real property tax rate applicable in the District for fiscal year ending June 30, 1975, shall be applied "to the assessment roll for 1975", which means "to the assessment roll for fiscal year ending June 30, 1975".

DISTRICT GOVERNMENT RECOMMENDATION

These amendments were requested by the District of Columbia Government to assist it in the administration of the various provisions of law referred to.

VOTE

The bill, H.R. 16925, as amended, was ordered favorably reported on October 3, 1974, by a voice vote of the Committee.

COST

The enactment of this proposed legislation will involve no added cost to the government of the District of Columbia.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958

An act to fix and regulate the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, of the United States Park Police, and of the White House Police, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Police and Firemen's Salary Act of 1958".

TITLE I—SALARY SCHEDULES

SEC. 101. (a) Except as provided in subsection (b), the annual rate of basic compensation of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia shall be fixed in accordance with the following schedule of rates:

SALARY SCHEDULE

Salary class and title	Service step—								
	1	2	3	4	5	6	7	8	9
Class 1: Fire private, police private.....	\$11,600	\$11,950	\$12,530	\$13,110	\$14,035	\$14,965	\$15,545	\$16,125	\$16,705
Class 2: Fire inspector.....	13,225	14,085	14,850	15,660	16,470	17,285	18,095	.....	.....
Class 3: Detective, assistant pilot, assistant marine engineer.....	14,500	15,225	15,950	16,675	17,400	18,125	18,850	.....	.....
Class 4: Fire sergeant, police sergeant, detective sergeant.....	16,510	[16,510] 16,640	17,330	18,120	18,910	19,695	.....	.....	.....
Class 5: Fire lieutenant, police lieutenant.....	18,210	19,125	20,085	20,945	21,855	.....	.....	.....	.....
Class 6: Marine engineer, pilot.....	19,895	20,885	21,880	22,870	.....	.....	.....	.....	.....
Class 7: Fire captain, police captain.....	21,575	22,655	23,735	24,810	.....	.....	.....	.....	.....
Class 8: Battalion fire chief, police inspector.....	25,010	26,260	27,515	28,770	.....	.....	.....	.....	.....
Class 9: Deputy fire chief, deputy chief of police.....	29,350	31,335	33,325	35,315	.....	.....	.....	.....	.....
Class 10: Assistant chief of police, assistant fire chief, commanding officer of the Executive Protective Service, commanding officer of the U.S. Park Police.....	34,800	37,120	39,440	.....	.....	.....	.....	.....	.....
Class 11: Fire chief, chief of police.....	40,250	42,600	.....	.....	.....	.....	.....	.....	.....

TITLE III—METHOD OF APPOINTMENT, ADVANCEMENT,
PROMOTION AND DEMOTION

* * * * *

SEC. 302. (a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, are authorized to establish and determine, from time to time, the positions in salary classes 1, 2, and 4 to be included as technicians' positions.

(b) Each officer or member—

(1) who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972—

(A) was in a position assigned to subclass (b) of salary class 1 or 2 or subclass (c) of salary class 4, or

(B) was in salary class 4 and was performing the duty of a dog handler, or

(2) whose position is determined under subsection (a) to be included in salary class 1, 2, or 4 on or after such date as a technician's position.

shall on or after such date receive, in addition to his [schedule] *scheduled* rate of basic compensation, ~~[\$680]~~ \$735 per annum. An officer or member described in paragraph (1)(A) or (2) shall receive the additional compensation authorized by this subsection until his position is determined under subsection (a) not to be included in salary class 1, 2, or 4 as a technician's position or until he no longer occupies such position, whichever occurs first. An officer or member described in paragraph (1)(B) shall receive such compensation [so long as he performs the duty of a dog handler] *until the position of dog handler is determined under subsection (a) not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever first occurs.* If the position of dog handler is included under subsection (a) as a technician's position, an officer or member performing the duty of a dog handler may not receive both the additional compensation authorized for an officer or member occupying a technician's position and the additional compensation authorized for officers and members performing the duty of a dog handler.

(c) Each officer or member who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 was assigned as a detective sergeant in subclass (b) of salary class 4 shall on or after such date, receive, in addition to his scheduled rate of basic compensation, ~~[\$500]~~ \$540 per annum so long as he remains in such assignment. Each officer or member who is promoted after such date to the rank of detective sergeant shall receive, in addition to his scheduled rate of basic compensation, ~~[\$500]~~ \$540 per annum so long as he remains in such assignment.

(d) The additional compensation authorized by subsections (b) and (c) shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled.

(e) *Whenever any officer or member receiving additional compensation authorized by subsection (b) or (c) is no longer entitled to receive such additional compensation, without a change in salary class, he*

shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this Act, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his scheduled rate of basic compensation equals or exceeds such sum.

(f) *The loss of the additional compensation authorized by subsection (b) or (c) shall not constitute an adverse action for the purposes of section 7511 of title 5 of the United States Code.*

ACT OF SEPTEMBER 3, 1974

* * * * *
TITLE I—POLICE AND FIREMEN'S COMPENSATION

PART 1—SALARY ACT AMENDMENTS

SEC. 101. (a) * * *

* * * * *

[(5) Section 302 of that Act (D.C. Code, sec. 4-828) is amended to read as follows: "An officer or member described in paragraph (1)(B) shall receive such compensation until the position of dog handler is determined under section (a) not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever first occurs."]

[(6) Section 302 of that Act (D.C. Code, sec. 4-828) is further amended by adding at the end thereof the following:

[(e) Whenever any officer or member receiving additional compensation authorized by subsection (b) or (c) is no longer entitled to receive such additional compensation, without a change in salary class, he shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this Act, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his schedule rate of basic compensation equals or exceeds such sum.

[(f) The loss of the additional compensation authorized by subsection (b) or (c) shall not constitute an adverse action for the purposes of section 7511 of title 5 of the United States Code."]

[(7) Section 302 of that Act (D.C. Code, sec. 4-828) is further amended (1) by striking out "\$680" in subsection (a) thereof and inserting in lieu thereof "\$735"; and (2) by striking out "\$500" each time it appears in subsection (c) thereof and inserting in lieu thereof "\$540".]

* * * * *

SEC. 103. (a) Except as provided in subsections (b) and (c), the amendments made by [this title] *this part* and subsection (b) of the first section shall take effect on and after the first day of the first pay period beginning on or after July 1, 1974.

* * * * *

SEC. 124. (a) The amendments made by [subsections (a) (b), and (d)] *subsections (a) and (b)* of section 121 shall apply with respect to any annuity which begins on or after July 1, 1975.

* * * * *

(c) [Section 122] Sections 122, 123, and 124 shall take effect on the date of enactment of this title.

* * * * *

TITLE II—TEACHERS' COMPENSATION

SEC. 201. This title may be cited as the "Teachers' Salary Act Amendments of 1974".

SEC. 202. The District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31-1501 et seq.) is amended as follows:

* * * * *

(2) Effective on the first day of the first pay period beginning on or after January 1, 1975, that salary schedule is amended to read as follows, except that salary paid to class 1A shall not exceed the amount payable to level III of the Executive Schedule and that the salary paid to any other class shall not exceed the amount payable to level V of the Executive Schedule:

TEACHERS AND SCHOOL OFFICERS SALARY SCHEDULE

Salary class and group	Service step—													Lon-gevity step Y				
	1	2	3	4	5	6	7	8	9	10	11	12	13					
Class 15:																		
Group A—BA	9,940	10,385	10,780	11,125	11,520	11,915	12,415	12,915	13,415	13,915	14,415	14,915	15,415	15,915	16,415	16,615		
Group A-1—BA+15	10,436	10,880	11,226	11,620	12,016	12,410	12,910	13,410	13,910	14,410	14,910	15,410	15,910	16,410	16,610			
Group B—MA	10,935	11,435	11,935	12,435	12,935	13,435	14,055	14,675	15,295	15,915	16,535	17,155	17,775	18,395	19,015	19,390		
Group C—MA+30	11,435	11,935	12,435	12,935	13,435	13,935	14,555	15,175	15,795	16,415	17,035	17,655	18,275	18,895	19,515	19,990		
Group D, master's degree + 60 or Doctor's	11,935	12,435	12,935	13,435	13,935	14,435	15,055	15,675	16,295	16,915	17,535	18,155	18,775	19,395	20,015	20,590		

SEC. 202. The District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31-1501 et seq.) is amended as follows:

(1) * * *

4) Effective on the first day of the first pay period beginning on or after January 1, 1975, that schedule of pay rates is amended to read as follows:

SUMMER SCHOOL TEACHERS AND ADULT EDUCATION SCHOOLS SALARY SCHEDULE

Classification	Per period		
	Step 1	Step 2	Step 3
Summer school (regular):			
Teachers, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist; school psychologist.....	\$8.79	\$9.97	\$11.23
Psychiatric social worker.....	10.11	11.47	13.11
Veterans' summer school centers: Teachers.....	8.79	9.97	11.23
Adult education schools:			
Teacher.....	9.67	10.97	12.35
Assistant principal.....	13.54	15.36	17.29
Principal.....	14.99	17.00	19.14

DISTRICT OF COLUMBIA REAL PROPERTY TAX REVISION ACT OF 1974

* * * * *

PART 2—AUTHORITY AND PROCEDURE TO ESTABLISH REAL PROPERTY TAX RATES

SUBPART A—REAL PROPERTY TAX RATE

* * * * *

SEC. 413. (a)(1) Except as provided in paragraph (2), by July 15 of each year, the Commissioner shall calculate and submit to the Council a proposed real property tax rate for the tax year, and inform the Council of his certification of the assessment roll pursuant to section 426(g). The Commissioner may extend the period for submitting such recommendation.

(2) With respect to the real property tax rate for the fiscal year ending June 30, 1975, the Commissioner shall submit his recommendation to the Council within 30 days after the date of enactment of this title.

(b) At the time the Commissioner submits to the Council the proposed real property tax rate under subsection (a), he shall also submit the following:

(1) The total aggregate assessed value of taxable real property for the year preceding the tax year by major class or type of property.

(2) The estimated total aggregate assessed value of taxable real property for the tax year for which the property tax rate

recommendation is being made, by major class or type of property, indicating separately for each class or type the estimated value attributable to new construction.

(3) The real property tax rate (rounded to the nearest penny) calculated to yield in the tax year the same amount of revenue (exclusive of the revenue attributable to new construction) as was raised by that tax at the rate applicable during the year preceding the tax year.

(c) The real property tax rate submitted by the Commissioner pursuant to subsection [(a)] (b)(3) shall become the real property tax rate applicable during the tax year for which it is submitted unless the Council acts to set a different such rate pursuant to section 412.

(d) On or before February 1 of each year the Commissioner shall estimate as closely as possible the rate to be calculated in subsection [(a)] (b)(3) and shall so inform the Council.

(e) The real property tax rate applicable in the District for the fiscal year ending June 30, 1975, calculated according to the provisions of sections 411, 412, 413, and 461, shall be applied to the assessment roll for 1975 determined according to provisions of law in effect prior to the effective date of this [Act] title.

* * * * *

SUBPART B—ASSESSMENT AND ADMINISTRATION

SEC. 421. (a) The assessed value of all real property shall be listed on the assessment roll for real property taxation purposes annually as provided in this [part] subpart. The assessed value for all real property shall be the estimated market value of such property as of January 1 of the year preceding the tax year, as determined by the Commissioner. In determining estimated market value for various kinds of real property the Commissioner shall take into account any factor which might have a bearing on the market value of the real property including, but not limited to, sales information on similar types of real property, mortgage, or other financial considerations, reproduction cost less accrued depreciation because of age, condition, and other factors, income earning potential (if any), zoning, and government imposed restrictions. Assessments shall be based upon the sources of information available to the Commissioner which may include actual view.

(b) All real property shall be assessed no less frequently than once every two years, and as soon as practicable such assessment shall be made annually. The Council may authorize and direct assessments to be made annually for some or all classes of real property, except that for fiscal year 1978, and for each fiscal year thereafter, all real property shall be assessed on an annual basis.

(c) The Council may adopt regulations concerning the assessment and reassessment of real property and matters relating thereto which shall be consistent with the provisions of this title and other applicable provisions or law.

(d) The Council may adopt regulations regarding information to be furnished the Commissioner by owners of real property. Such regulations shall provide, under penalty of law, that all such information with respect to income derived from investment on income-producing real property shall be handled in the same confidential

manner as income tax returns and supporting data required to be submitted to the government of the District of Columbia under laws applicable in the District.

(e) The Commissioner shall submit to the Council, within forty-five days after the date of enactment of this title, proposed regulations to be adopted by the Council pursuant to subsection (c).

(f) Consistent with the provisions of this [Act] title and regulations of the Council, the Commissioner shall promulgate necessary regulations and administrative orders. If the Council shall not have adopted regulations concerning assessment pursuant to subsection (c) within ninety days after the date of enactment of this title, the Commissioner shall promulgate such regulations.

Sec. 422. (a) The Commissioner shall assess all real property, identifying separately the value of land and improvements thereon, and administer and collect the real property tax within the District. The Commissioner shall also notify owners of real property of assessments and of appeal procedures. In addition, he shall maintain adequate records relating to the administration of the real property tax in the District, and provide appropriate public information concerning such tax.

(b) The Commissioner shall appoint assessors competent to determine values of real property to carry out the provisions of this [title] *subpart* and other relevant portions of this title. Each person so appointed shall take and subscribe an oath to diligently, faithfully, and impartially assess all real property according to applicable law and regulation and otherwise perform the duties of office.

(c) The Commissioner shall assure that information regarding the characteristics of real property, sales and exchanges of all such property, building permits, land use plans, and any other information pertinent to the assessment process shall be made available to the assessors on a timely basis.

* * * * *

Sec. 426. (a) There is established a Board of Equalization and Review for the District (hereinafter in this title referred to as the "Board") which shall be composed of fifteen members, a majority of whom shall be residents of the District, appointed by the Commissioner, with the advice and consent of the Council. The Council may authorize a larger size if the caseload so requires. Members of the Board shall be persons having knowledge of the valuation of property, real estate transactions, building costs, accounting, finance, or statistics. The Commissioner shall name one member as Chairman. None of the members may be officers of the District of Columbia government. Each member shall serve for a term of five years, except of the members first appointed under this section, the Commissioner shall designate equal numbers for terms of one, two, three, four, and five years. The terms of the members first appointed under this section shall begin on January 1, 1975. Any person appointed to fill a vacancy shall be appointed to serve for the remainder of the term during which the vacancy arose. Each member shall receive compensation at a rate to be determined by the Council unless otherwise prohibited by law, but not to exceed one two-thousandth of the annual salary of the highest step of grade 15 of the General Schedule in section 5332 of title 5 of the United States Code for each hour such member is engaged in the actual performance of duties vested in the Board.

(b) The Commissioner shall provide such other support as is needed for the efficient operation of the Board.

(c) The Board shall convene as business necessitates from the first Monday in January until the Commissioner shall be presented with the assessment roll for the fiscal year as provided in subsection (g). The Board shall also convene as business necessitates for a period of thirty days following any special assessment which shall be generally applicable to a class of real property, and as business in the Board otherwise makes necessary.

(d) A majority of the Board shall constitute a quorum for transacting business, except the Board may provide for the establishment of three member panels for hearing and deciding individual appeals. The Board shall adopt and publish necessary rules, and all applicable provisions of the District of Columbia Administrative Procedures Act (D.C. Code, secs. 1-1501-1-1510) shall apply to the rules and procedure of the Board.

(e) On or before April 15 of each year any taxpayer may appeal the amount of his assessment for the forthcoming fiscal year.

(f) Pursuant to applicable provisions of law, regulations adopted by the Council, or orders of the Commissioner, the Board shall attempt to assure that all real property is assessed at the estimated market value. Based on the record of complaints or of other information available to or solicited by the Board, the Board shall raise or lower the estimated market value of any real property which it finds to be more than 5 per centum above or below the estimated market value contained in the preliminary assessment roll prepared by the Commissioner according to section [423] 424 and shall revise the assessment roll accordingly.

(g) On or before June 1 the Board shall present the revised assessment roll for the forthcoming fiscal year to the Commissioner. The Commissioner shall make such further revisions to the assessment roll as are required under other applicable provisions of law, and shall approve such assessment roll not later than June 30. Except as otherwise provided by law, the approved assessment roll shall constitute the basis of assessment for the forthcoming fiscal year and until another assessment roll is made according to law.

(h) Neither the Board nor any court shall order the increase of the assessed value of any parcel of real property above its estimated market value, nor the decrease of the assessed value of any parcel of real property below its estimated market value solely on the basis of average ratio studies comparing sales and assessments, unless such studies are the primary basis for the assessment, or reassessment of the concerned property.

(i) Any person aggrieved by any assessment, equalization, or valuation made, may, by October 15 of the calendar year in which such assessment, equalization, or valuation is made, appeal from such assessment, equalization, or valuation in the same manner and to the same extent as provided in sections 3 and 14 of title IX of the Act of August 17, 1937 (D.C. Code, secs. 47-[2404]2403, 47-[24143]2413), if such person shall have first made his complaint to the Board respecting such assessment as herein provided, except that in any case where no notice in writing of such increase of valuation was given the taxpayer

prior to March 15 of the particular year, no such complaint shall be required for appeal.

* * * * *

SUBPART G—DISPOSAL OF TAX DELINQUENT PROPERTY TO ENCOURAGE HOMEOWNERSHIP

* * * * *

PART 3—REAL AND PERSONAL PROPERTY TAX EXEMPTIONS

SEC. 441. The first section of the Act of December 24, 1942 (D.C. Code, sec. [47-801(a)] 47-801a.) is amended, on and after July 1, 1974, by adding at the end thereof the following:

“(s) Buildings owned by and actually occupied and used for legitimate theater, music, or dance purposes by a corporation which is not organized or operated for commercial purposes or for private gain, which buildings are open to the public, generally, and for admission to which charges may be made to cover the cost of expenses.”

* * * * *

PART 4—PROPERTY TAX CREDIT FOR DISTRICT OF COLUMBIA RESIDENTS

SEC. 451. Effective January 1, 1975, title VI of article I of the District of Columbia Income and Franchise Tax Act of 1947 is amended by adding at the end thereof the following new section:

“SEC. 7. CREDIT FOR PROPERTY TAXES ACCRUED AND PAYABLE BY DISTRICT OF COLUMBIA RESIDENTS.—(a)(1) For purposes of providing relief to certain District of Columbia residents who own or rent their principal place of abode and who reside in same, a credit shall be allowed to the eligible claimant equal to the amount by which all or a portion of real property taxes the taxpayer pays, or rent paid constituting property taxes, on his principal place of residence for the taxable year, exceeds a percentage (determined under subsection (a)(2)) of his household gross income for that year.

“(2) The percentage required under paragraph (1) of this subsection to be determined under this subsection for taxpayers shall be the percentage specified in the following table:

“If household gross income is:	The percentage of property tax paid on the first \$400 of property tax, or rent constituting property tax, which shall constitute credit is:
Under \$3,000-----	80 per centum of tax in excess of 2 per centum of income.
\$3,000 to \$4,999-----	70 per centum of tax in excess of 3 per centum of income.
\$5,000 to \$6,999-----	60 per centum of tax in excess of 4 per centum of income.

* * * * *

PART 6—DELEGATION OF GENERAL TAXING AUTHORITY; AMENDMENTS TO DISTRICT SALES TAX ACT AND MISCELLANEOUS

SEC. 473. Section 114(a)(8) of the District of Columbia Sales Tax Act (D.C. Code, sec. [47-2601(a)(8)] 47-2601.14(a)(8)) is amended to read as follows:

“(8) The sale of or charges for admission to public events, except live performances of ballet, dance, or choral performances, concerts (instrumental and vocal), plays (with and without music), operas and readings and exhibitions of paintings, sculpture, photography, graphic and craft arts, but including movies, circuses, burlesque shows, sporting events, and performances or exhibitions of any other type or nature: *Provided*, That any casual or isolated sale of or charge for admission made by a semipublic institution not regularly engaged in asking such sales or charges shall not be considered a retail sale or sale at retail.”

SEC. 474. The following Acts or parts of Acts are repealed effective June 30, 1975:

(a) Title XV of the District of Columbia Public Works Act of 1954 (D.C. Code, sec. 47-501a.).

(b) The fourth and fifth paragraphs under the heading “General Expenses” of the Act of March 3, 1881 (D.C. Code, sec. [47-601] 47-301).

(c) The fifth paragraph under the paragraph headed “Militia” of the Act of July 7, 1898 (D.C. Code, sec. 47-602).

(d) Section 11 of the Act of June 25, 1938 (D.C. Code, sec. 47-603).

(e) The first paragraph of section 5 (D.C. Code, sec. 47-713), and the second unnumbered paragraph of section 6 (D.C. Code, sec. 47-605), of the Act of July 1, 1902.

(f) The first section, and sections 2, 3, 4, 6, 7, and 8 of the Act of August 14, 1894 (D.C. Code, secs. 47-604, 701, 702, 704, 707).

(g) The first five sentences, and the last two sentences, of section 5(a) of the Act of August 17, 1937 (D.C. Code, secs. 47-708—47-709).

(h) Section 5 of the Act of March 3, 1883 (D.C. Code, sec. 47-703).

* * * * *

SEC. 477. Except as specifically provided in this [Act] title or in other provisions of law applicable to the District of Columbia, the Council may by regulation establish penalties for violations of any provision of this title, including any regulation issued pursuant to this title. Such penalties may not exceed imprisonment for longer than one year, or a fine not to exceed \$10,000, or both, for each offense.

* * * * *

DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

ARTICLE I

TABLE OF CONTENTS

ARTICLE I—INCOME AND FRANCHISE TAX ACT

TITLE VI—TAX ON RESIDENTS AND NONRESIDENTS

- Sec. 1. Definitions.
- Sec. 2. Personal exemptions and credit for dependents.
- Sec. 3. Imposition and rates of tax.
- Sec. 4. Optional method of computation.
- Sec. 5. Credits against tax allowed residents.
- Sec. 6. Credit for sales tax paid.

SEC. 8. *Credit for property taxes accrued and payable by District of Columbia residents.*

TITLE VI—TAX ON RESIDENTS AND NONRESIDENTS

SEC. [7] 8. CREDIT FOR PROPERTY TAXES ACCRUED AND PAYABLE BY DISTRICT OF COLUMBIA RESIDENTS.—(a)(1) For purposes of providing relief to certain District of Columbia residents who own or rent their principal place of abode and who reside in same, a credit shall be allowed to the eligible claimant equal to the amount by which all or a portion of real property taxes the taxpayer pays, or rent paid constituting property taxes, on his principal place of residence for the taxable year, exceeds a percentage (determined under subsection (a)(2)) of his household gross income for that year.

(2) The percentage required under paragraph (1) of this subsection to be determined under this subsection for taxpayers shall be the percentage specified in the following table:

If household gross income is:	The percentage of property tax paid on the first \$400 of property tax, or rent constituting property tax, which shall constitute credit is:
Under \$3,000.....	80 per centum of tax in excess of 2 per centum of income.
\$3,000 to \$4,999.....	70 per centum of tax in excess of 3 per centum of income.
\$5,000 to \$6,999.....	60 per centum of tax in excess of 4 per centum of income.

(b) DEFINITIONS.—For purposes of this section:

(1)(A) The term “household gross income” means gains, profits, and income derived from salaries, wages, or compensation for personal services of whatever kind and in whatever form paid, including salaries, wages, and compensation paid by the United States to its officers and employees, or income derived from any trade or business or sales or dealings in property, whether real or personal, including capital assets as defined in this article growing out of the ownership or sale of or interest in such property; income from rent, royalties, interest, dividends, securities, or transactions of any trade or business carried on for gain or profit, or gains or profits and income derived from any source whatever, including but not limited to alimony, and separate maintenance payments (including amounts received under separate maintenance agreements), strike benefits, cash public assistance and relief (not including relief or credit granted under this section), sick pay, workmen’s compensation, proceeds of life insurance policies, the gross amount of any pension or annuity (including railroad retirement benefits, veterans’ disability pensions, or payment received under the Federal Social Security Act), State or District of Columbia unemployment compensation laws, and nontaxable interest received from the United States, a State or any agency or instrumentality thereof. The word “income” does not include gifts from non-governmental sources, food stamps, or food or other relief in kind supplied by a governmental agency.

(B) In determining household gross income the exclusions from gross income as provided by subsection (b) of section 2 of title III of this article shall not apply.

(2) The term “household income” shall have the same meaning as the words “adjusted gross income” are defined in subsection (c) of

section 2 of title III of this article. For purposes of determining adjusted gross income within the meaning of this section, gross income shall mean household income as defined in this section.

(3) The term “home” means the claimant’s dwelling house, whether owned or rented by the claimant, and so much of the land surrounding it as is reasonably necessary for use of the dwelling as a home, and may include a multiunit building or a multipurpose building and a part of the land upon which it is located.

(4) The term “claimant” means a person who has filed a claim under this section, was an owner of record of a home in the District, or a lessee, tenant at will or tenant at sufferance paying rent on a home in the District, during the entire calendar year preceding the year in which he files a claim for relief under this section. Only one claimant per home and per household per year shall be entitled to relief under this section.

(5)(A) The term “rent constituting property taxes accrued” means 15 per centum of the rent actually paid by a claimant in cash or its equivalent in the calendar year 1975 or any subsequent calendar year solely for the right to occupy his District home in such calendar year, and which rent constitutes the basis in the succeeding calendar year for the claim for relief made by the claimant under this section, exclusive of amounts which are paid as rent or other consideration for the providing by the landlord of furniture or furnishings of any kind, and exclusive of amounts included in the rent for utilities. Whenever the amount of rent includes charges for the providing by the landlord of furniture or furnishings or charges for utilities, and the charges therefor are not separately stated, then there shall be deducted from the rent as the charge for such furniture or furnishings 20 per centum of the rent, and for utilities 10 per centum of the rent, and the balance shall be deemed to be the amount paid by the claimant solely for the right to occupy his District home for the purposes of the credit allowed under this section.

(c) In the event that any installment of rent for a calendar year for which a claim is filed is paid prior to the beginning of or subsequent to the end of such calendar year, it shall be included as rent for the year for which the claim was made and for no other year, and shall not be included as rent for purposes of this section for the year in which the installment was paid.

(d) If the Commissioner determines that the rent paid was not the result of an agreement entered into at arm’s length between the tenant and his landlord, the Commissioner may adjust the rent to a reasonable amount for the purposes of this section.

(e)(1) Beginning with the calendar year 1975 and for each succeeding calendar year, if a claimant owns and occupies his home in the District on July 1 of any such year, “property taxes accrued” means property taxes (exclusive of special assessments, interest on a delinquency in payment of tax, and any penalties and service charges) assessed and paid to date against such home commencing January 1, 1975, and for succeeding years. If a home is an integral part of a larger unit such as a multipurpose building or a multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the home bears to the total value of the property.

(2) When a claimant rents two or more different homes in the District in the same calendar year, rent paid by the claimant during that year shall be determined by dividing the rent paid pursuant to the last rental agreement in force during that calendar year by the number of months during that calendar year for which this rent was paid and multiplying the result by twelve.

(f) The right to file under this section shall be personal to the claimant, but such right may be exercised by his legal guardian or attorney-in-fact. The right to file a claim shall not survive the death of a claimant. If a claimant dies after having filed a claim, any amount refunded as a result thereof shall be disbursed to his estate: *Provided*, That if no executor or administrator qualified therein within two years of the filing of the claim, or no petition for distribution of a small estate is filed pursuant to [the first section of the Act of September 14, 1965 (D.C. Code, secs. 20-2101 and 20-2102)] *sections 2101 and 2102 of title 20 of the District of Columbia Code*, the claim shall not be allowed.

(g) Subject to the limitations provided in this section, commencing with the taxable year beginning after December 31, 1974, and for succeeding taxable years, the claimant may claim as a credit against the District income taxes otherwise due on his income, property taxes accrued or rent constituting property taxes accrued for that year. If the allowable amount of such claim exceeds the income taxes otherwise due from the claimant, or other tax liabilities of the claimant to the District, or if there are no District income taxes due from the claimant, the amount of the claim not used as an offset against income taxes or other tax liabilities of the claimant to the District shall be paid or credited to the claimant. No interest shall be allowed on any payment made to a claimant pursuant to this section.

(h) No claim with respect to property taxes accrued or with respect to rent constituting property taxes accrued shall be allowed unless a District of Columbia individual income tax return or (if the claimant is not required to file such return) a claim for credit under this section is filed with the District on the forms and in such manner and with such information as the Commissioner may prescribe. Any claim for credit shall be filed on or before the time prescribed for the filing of a return of individual income under this article. The Commissioner may grant a reasonable extension of time, not to exceed six months, for the filing of a return or claim for credit under this section whenever in his judgment good cause exists therefor.

(i) The amount of any claim otherwise payable under this section may be applied by the District against any outstanding tax liability of the claimant to the District.

(j)(1) In determining eligibility for the credit allowable under this section, and for the purpose of determining outstanding tax liability (if any) of the claimant to the District household income for which the claim is filed and the claimant's outstanding tax liability (if any) shall be determined on the basis of the combined household income of all members present in the household, except there shall be excluded from the computation of gross household income the first \$1,000 earned by a dependent.

(2) In the case of husband and wife, who during the entire calendar year for which a claim is filed under this section, maintain separate homes, for the purpose of determining household income and the claimant's outstanding tax liability (if any), such husband and wife

shall be deemed to have been unmarried during the calendar year for which the claim is made.

(k) No credit shall be allowed under this title for any year during which the person claiming the credit was a dependent, under any State, Federal, or District law levying a tax on income, unless during that year such person is or becomes sixty-five years of age or older.

(l) In the case of persons whose incomes vary substantially from year to year, the District of Columbia Council shall adopt regulations concerning income averaging for purposes of calculating benefits.

(m) Each owner of a rental unit or his authorized agent shall, when requested in writing, furnish to the tenant making such written request a statement indicating the amount of rent paid by the tenant during the calendar year solely for the right of occupancy of the leased premises. Requests shall be made under this paragraph only by those persons entitled to file a claim under this section or who at the time of the making of the request deem themselves entitled to file a claim for credit under this section.

(n)(1) If, on an audit of any claim filed under this section, the Commissioner finds the amount to have been incorrectly computed, he shall determine the correct amount and notify the claimant in accordance with the procedures set forth in section 5 of title XII of this article.

(2) If it is determined that a claim was filed with fraudulent intent, it shall be disallowed in full. If the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid shall be assessed against the claimant and recovered in the same manner as provided for the collection of taxes under section 1601 of title XVI of the Act of May 18, 1954 (D.C. Code, sec. 47-312).

(o) No claim for relief under this section shall be allowed to any person who was not living in a home which was subject to District of Columbia real property taxation during the calendar year for which the claim is filed.

(p) Notwithstanding any other provision of law to the contrary, any person aggrieved by the denial in whole or in part of a claim for the credit authorized by this section, or an assessment of tax made pursuant to [paragraph (1)] *subsection (n)(1)* of this section, may appeal the denial within six months after notice of the denial of the claim or within six months after notice of assessment, to the Board which shall consider such appeal as a contested case under section 10 of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1509). In the case of an assessment of tax, the mailing to the claimant of a statement of taxes due shall be considered notice of assessment with respect to such taxes.

(q) The Commissioner is authorized to provide a table which will approximate, as closely as feasible, the amount of relief allowable under this section.

(r) If it is determined by the District that a claimant received title to his home in the District or became legally obligated to pay rent for his home in the District primarily for the purpose of receiving benefits under the provisions of this section, his claim shall be disallowed.

(s) The District of Columbia Council is empowered to make such changes in the amount of annual relief provided under [section 7(a) of this title] *subsection (a) of this section* as it may deem proper.

SECTION 5 OF THE ACT OF AUGUST 17, 1937

[SEC. 5. (a) The Assessor and Deputy Assessor of the District and the board of all of the assistant assessors, with the Assessor as chairman, shall compose a Board of Equalization and Review, and as such Board of Equalization and Review they shall convene in a room to be provided for them by the Commissioners, on the first Monday of January of each year, and shall remain in session until the first Monday in April of each year, after which date no complaint as to valuation as herein provided shall be received or considered by such Board of Equalization and Review. Public notice of the time and place of such session shall be given by publication for two successive days in two daily newspapers in the District not more than two weeks or less than ten days before the beginning of said session. It shall be the duty of said Board of Equalization and Review to fairly and impartially equalize the value of real property made by the board of assistant assessors as the basis for assessment. Any five of said Board of Equalization and Review shall constitute a quorum for business, and, in the absence of the Assessor, a temporary chairman may be selected. They shall immediately proceed to equalize the valuations made by the board of assistant assessors so that each lot and tract and improvements thereon shall be entered upon the tax list at their value in money; and for this purpose they shall hear such complaints as may be made in respect of said assessments, and in determining them they may raise the valuation of such tracts or lots and improvements as in their opinion may have been returned below their value and reduce the valuation of such as they may believe to have been returned above their value to such sum as in their opinion may be the value thereof. The valuation of the real property made and equalized as aforesaid shall be completed not later than the first Monday of May annually. The valuation of said real property made and equalized as aforesaid shall be approved by the Commissioners not later than July 1, annually, and when approved by the Commissioners shall constitute the basis of taxation for the next succeeding year and until another valuation is made according to law, except as hereinafter provided. Any person aggrieved by any assessment, equalization, or valuation made may within six months after October 1 of the year in which such assessment, equalization, or valuation is made, appeal from such assessment, equalization, or valuation in the same manner and to the same extent as provided in sections 3 and 4 of this title: *Provided, however,* That such person shall have first made his complaint to the Board of Equalization and Review respecting such assessment as herein provided, except that, in case of increase of valuation of real property over that for the immediately preceding year, where no notice in writing of such increase of valuation is given the taxpayer prior to March 1 of the particular year, no such complaint shall be required for appeal.]

SECTION 4 OF THE ACT OF JULY 3, 1926

[SEC. 4. That hereafter all real estate and personal property in the District of Columbia subject to taxation shall be listed and assessed at not less than the full and true value thereof in lawful money.]

SUBSECTION (f) OF THE POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT

RETIREMENT FOR DISABILITY NOT INCURRED IN PERFORMANCE OF DUTY

(f) Whenever any member coming under this section completes five years of police or fire service and is found by the Commissioners to have become disabled due to injury received or disease contracted other than in the performance of duty, which disability precludes further service with his department, such member shall be retired on an annuity computed at the rate of 2 per centum of his average pay for each year or portion thereof of his service; *Provided,* That such annuity shall not exceed 70 per centum of his [basic salary at time of retirement] *average pay*; *Provided further,* That the annuity of a member retiring under this subsection shall be at least 40 per centum of his [basic salary at time of retirement] *average pay*.

TECHNICAL AMENDMENTS TO PUBLIC LAW 93-407

DECEMBER 13, 1974.—Ordered to be printed

Mr. EAGLETON, from the Committee on the District of Columbia,
submitted the following

REPORT

[To accompany H.R. 16925]

The Committee on the District of Columbia, to which was referred the bill (H.R. 16925) to make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

On page 7, beginning with line 17, strike out all through line 19 and insert in lieu thereof the following:

(g) Section 426 (i) of that Act is amended by deleting “sections 3 and 14 of title IX of the Act of August 17, 1937 (D.C. Code, sec. 47-2404, 47-24143)” and inserting in lieu thereof “sections 3 and 4 of title IX of the Act of August 17, 1937 (D.C. Code, secs. 47-2403, 47-2404)”.

On page 9, line 20, delete “47-2061.14(a)(8)” and insert in lieu thereof “47-2601.14(a)(8)”.

On page 9, line 23, strike out “D.C. Code, sec. 47-301” and insert in lieu thereof “(D.C. Code, secs. 47-301, 47-601)”.

On page 10, line 3, immediately after “section 5(a)” insert “of title IX”.

On page 10, line 4, strike out “(D.C. Code, sec. 47-709)” and insert “(D.C. Code, secs. 47-708, 47-709)”.

At the end of the bill, add the following new sections:

SEC. 12. The second sentence of section 301(a) of the District of Columbia Campaign Finance Reform and Conflict of Interest Act is amended to read as follows: “The Commis-

sioner of the District of Columbia shall appoint, by and with the advice and consent of the Senate, the Director, except that on and after January 2, 1975, appointments to the office of Director, including vacancies therein, shall be made by the Mayor, with the advice and consent of the Council. The Director shall serve for a term of four years, subject to removal for cause by the Commissioner or the Mayor, as the case may be, and may be reappointed for a like term or terms, with the advice and consent of the Council, except that in the case of the Director serving as such on January 1, 1975, such Director's term shall terminate upon the expiration of June 1, 1979, unless sooner so removed for cause. Any appointment to fill a vacancy in the Office of Director shall be for the unexpired portion of the term.

SEC. 13. (a) Section 5 (e) of the District of Columbia Election Act, D.C. Code, sec. 1-1105) is amended by adding at the end thereof the following new sentences: "The Board, at the request of the Director of Campaign Finance, shall provide such employees, subject to the compensation provisions of this subsection, as requested to carry out the powers and duties of the Director. Employees so assigned to the Director shall, while so assigned, be under the direction and control of the Director.

(b) Section 5 of such Act is further amended by adding at the end thereof the following new subsection:

"(g) The Board shall prescribe such regulations as may be necessary to insure that all persons responsible for the proper administration of this Act maintain a position of strict impartiality and refrain from any activity which would imply support of or opposition to (1) a candidate or group of candidates for office in the District of Columbia, or (2) any political party or political committee. As used in this subsection, the terms "office", "political party" and "political committee" shall have the same meaning as that prescribed in section 102 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act".

SEC. 14. (a) Section 306 (b) (2) of the Act of August 14, 1974, is amended by deleting "chapter 5 of title 5, United States Code" and inserting "the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1501 et. seq.)"

(b) Section 601(c) of the Act of August 14, 1974, is amended by inserting immediately before the period at the end thereof a comma and the following: "except for political contributions publicly reported pursuant to section 206 of this Act and transactions made in the ordinary course of business of the person offering or giving the thing of value".

SEC. 15. (a) Section 431(a) of the District of Columbia Real Property Tax Revision Act of 1974 is amended by deleting "historic property" and inserting in lieu thereof "historic buildings".

(b) Section 431(b) of such Act is amended by deleting "historic property" and inserting "historic buildings".

(c) Section 432 of such Act is amended by deleting "property" wherever it appears therein and inserting in lieu thereof "buildings".

(d) Section 433 of such Act is amended to read as follows:

SEC. 433. To be eligible for historic property tax relief, real property must be an historic building designated by the Joint Committee on Landmarks of the National Capital and, in addition, must be approved by the Commissioner under section 434.

(e) Section 434 of such Act is amended to read as follows:

SEC. 434. The Council may provide that the owners of historic buildings which have been so designated by the Joint Committee on Landmarks of the National Capital may enter into agreements with the government of the District of Columbia for periods of at least twenty years which will assure the continued maintenance of historic buildings in return for property tax relief. Such a provision shall, as a condition for tax relief, require reasonable assurance that such buildings will be used and properly maintained and such other conditions as the Council finds to be necessary to encourage the preservation of historic buildings. The Council shall also provide for the recovery of back taxes, with interest, which would have been due and payable in the absence of the exemption, if the conditions for such exemption are not fulfilled.

SEC. 16. Section 4(a) of the Act entitled "An Act to amend the Controlled Substances Act to extend for three fiscal years the authorization of appropriations for the administration and enforcement of that Act", approved October 26, 1974 (Public Law 93-481), is amended by striking out "chapter 6" and inserting in lieu thereof "chapter 5".

SEC. 17. Section 493(b) of the Act of December 24, 1973, is amended to read as follows:

(b) Paragraph 97(a) of section 8 of the Act of March 4, 1913 (making appropriations for the government of the District of Columbia) (D.C. Code, sec. 43-201), is amended as follows:

(1) The first sentence of such paragraph is amended to read as follows: "The Public Service Commission of the District of Columbia shall be composed of three commissioners appointed by the Mayor, by and with the advice and consent of the Council, except that the members (other than the Commissioner of the District of Columbia) serving as commissioners of such Commission on January 1, 1975, by virtue of their appointment by the President, by and with the advice and consent of the Senate, shall continue to serve until the expiration of the terms for which they were so appointed. The member first appointed by the Mayor, by and with the advice and consent of the Council, on or after January 2, 1975, shall serve until June 30, 1978."

(2) The third sentence of such paragraph is repealed.

(3) The sixth sentence of such paragraph is amended to read as follows: "No Commissioner shall, during his term of office, hold any other public office."

(4) The seventh sentence of such paragraph is amended by deleting "The Commissioners of the District of Columbia" and inserting in lieu thereof "The Mayor".

(5) The eighth sentence of such paragraph is amended to read as follows: "No person shall be eligible to the office of Commissioner of the Public Service Commission of the District of Columbia who has not been a bona fide resident of the District of Columbia for a period of at least three years next preceding his appointment or who has voted or claimed residence elsewhere during such period."

SEC. 18. (a) Section 103(a) of the Act of September 3, 1974 (88 Stat. 1036), relating to police and firemen's compensation, is amended by deleting "subsections (b) and (c)" and inserting in lieu thereof "subsections (b), (c), and (d)".

(b) Section 103 (a) of such Act is further amended by adding at the end thereof the following:

(d) The amendment made by paragraph (4) of section 101 shall take effect on and after the first day of the first pay period beginning on or after June 1, 1974.

SEC. 19. Section 122 of the Act of September 3, 1974 (relating to police and firemen's compensation), is amended by adding at the end thereof the following new subsection:

(d) In addition to the members and alternates of the Board designated by subsection (a) of this section, in all cases of retirement, disability, or other relief involving a member of the Executive Protective Service or a member of the United States Secret Service, who contribute to the Policemen and Firemen's Relief Fund of the District of Columbia, a member and alternate of the Executive Protective Service or a member and alternate of the United States Secret Service, as designated by the Director, United States Secret Service, as appropriate shall sit as a member of the Police and Firemen's Retirement and Relief Board.

PURPOSE OF THE BILL

The purpose of the bill, H.R. 16925, as amended, is to correct manifest technical errors in several instances in the printing and reporting of the omnibus pay bill, H.R. 15842, thereafter approved on September 3, 1974, and now Public Law 93-407.

These amendments are necessary and reported by the Committee so that the law will correctly reflect the salary increases in each class for police, firemen and teachers, and the Committee agreements and approval of other various items in the real property tax revisions referred to and described in the original bill, H.R. 15842.

PROVISIONS OF THE BILL

For the most part, the errors being corrected by this bill were in Titles I and II, the pay schedules of P.L. 93-407, which provided increased salaries for police, firemen and teachers. The new dollar amounts for the various schedules were correctly included in the individual pay bills as approved by the District of Columbia Committee, but in the reporting of same and inclusion thereof in the omnibus bill, H.R. 15842, some dollar amounts were transposed and references to subtitles and the like were erroneously stated.

Other amendments are clarifying ones, as is shown in H.R. 16925, to correctly renumber certain sections or subsections; correct title and section numbers in the D.C. Code; and the like.

Among corrective amendments in H.R. 16925 to the D.C. Real Property Tax Revision Act of 1974—which was Title IV of H.R. 15842—is one (Sec. 7(a)) to effectuate the intent of the Committee, as reflected in the Committee's report (House Report 93-1203), that the real property tax rate for the District—to take effect if the Council fails to act within 30 days of the Mayor's recommendations—will be the rate calculated to yield the same amount of revenues as was raised in the previous year.

Since the rate setting process under P.L. 93-407 is already underway for this fiscal year, the amendment of Section 7(a) has been made applicable beginning with fiscal year 1976.

Section 413(e) of P.L. 93-407 requires that the real property tax rate applicable in the District for fiscal year ending June 30, 1975, shall be applied "to the assessment roll for 1795", which means "to the assessment roll for fiscal year ending June 30, 1975".

The Committee has added three amendments to the Campaign Reform and Conflict of Interest Act which are technical and clarifying in nature.

The first group of amendments sets the term of the Director of the Office of Campaign Finance at four years and gives him discretion to require the hiring of employees and when such employees are assigned to the Director they will be under his sole direction and control. It also allows the Board of Elections and Ethics to prescribe regulations to insure that persons working for it will not engage in partisan political activities while so employed.

The second amendment clarifies section 601(c) of the Act which insures against conflicts of interest by making certain that an individual running for political office may receive such political contributions in the amounts authorized by the Act rather than limiting them to \$100. It also allows individuals who are public officials to obtain loans for such things as automobiles, or mortgages for houses which they actually live in, in the same manner as other individuals and at the same rates. Accordingly, the Committee wishes to make clear that it does not believe that section 601(c) should be construed in such a fashion as to deny to a public official any consumer loan which he would obtain were he not a public official.

The third amendment clarifies the continuing nature of the Public Service Commission and provides that the third Public Service Commissioner will also have a three-year term of office.

DISTRICT GOVERNMENT RECOMMENDATION

These amendments were requested by the District of Columbia Government to assist it in the administration of the various provisions of law referred to.

U.S. SECRET SERVICE,
EXECUTIVE PROTECTIVE SERVICE,
Washington, D.C., December 5, 1974.

Mr. ROBERT HARRIS,
*Staff Director, Senate District Committee, Dirksen Senate Office
Building, Washington, D.C.*

DEAR MR. HARRIS: Reference is made to our telephone conversation on Wednesday, December 4, 1974, concerning the language in P.L. 93-407 (Sec. 122 (a)) which prevents the Executive Protective Service and the U.S. Secret Service from having a representative on the Police and Firemen's Retirement and Relief Board whenever a member from these departments is considered for retirement.

It is respectfully requested that the following amendment be added to the pending legislation for Technical Amendments to P.L. 93-407 (H.R. 16925) to permit the Executive Protective Service and U.S. Secret Service to sit as a member of the Board, when appropriate.

Sec. 122 (a) In all cases of relief and retirement of members of the Executive Protective Service, or members of the U.S. Secret Service, who contribute to the Policemen and Firemen's Relief Fund of the District of Columbia; a member and alternate of the Executive Protective Service, or a member and alternate of the U.S. Secret Service as appropriate, designated by the Director, U.S. Secret Service, will sit as a member of the Police and Firemen's Retirement and Relief Board.

Sincerely yours,

EARL L. DRESCHER,
Chief, Executive Protective Service.

VOTE

The bill, H.R. 16925, as amended, was ordered favorably reported on December 13, 1974, by a unanimous vote of the Committee.

COST

The enactment of this proposed legislation will involve no added cost to the government of the District of Columbia.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with subsection (4) of Rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958

An act to fix and regulate the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, of the United States Park Police, and of the White House Police, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Police and Firemen's Salary Act of 1958".

TITLE I—SALARY SCHEDULES

SEC. 101. (a) Except as provided in subsection (b), the annual rate of basic compensation of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia shall be fixed in accordance with the following schedule of rates:

SALARY SCHEDULE

Salary class and title	Service step—								
	1	2	3	4	5	6	7	8	9
Class 1: Fire private, police private.....	\$11,600	\$11,850	\$12,530	\$13,110	\$14,085	\$14,965	\$15,545	\$16,125	\$16,705
Class 2: Fire inspector.....	13,225	14,085	14,850	15,660	16,470	17,285	18,095	-----	-----
Class 3: Detective, assistant pilot, assistant marine engineer.....	14,500	15,225	15,950	16,675	17,400	18,125	18,850	-----	-----
Class 4: Fire sergeant, police sergeant, detective sergeant.....	16,510	[16,510] 16,540	17,330	18,130	18,910	19,695	-----	-----	-----
Class 5: Fire lieutenant, police lieutenant.....	18,210	19,125	20,085	20,945	21,855	-----	-----	-----	-----
Class 6: Marine engineer, pilot.....	19,895	20,885	21,880	22,870	-----	-----	-----	-----	-----
Class 7: Fire captain, police captain.....	21,575	22,655	23,735	24,810	-----	-----	-----	-----	-----
Class 8: Battalion fire chief, police inspector.....	25,010	26,260	27,515	28,770	-----	-----	-----	-----	-----
Class 9: Deputy fire chief, deputy chief of police.....	29,350	31,335	33,325	35,315	-----	-----	-----	-----	-----
Class 10: Assistant chief of police, assistant fire chief, commanding officer of the Executive Protective Service, commanding officer of the U.S. Park Police.....	34,800	37,120	39,440	-----	-----	-----	-----	-----	-----
Class 11: Fire chief, chief of police.....	40,250	42,600	-----	-----	-----	-----	-----	-----	-----

SEC. 103. (a) Except as provided in subsections (b), (c), and (d) [subsections (b) and (c)], the amendments made by this title and subsection (b) of the first section shall take effect on and after the first day of the first pay period beginning on or after July 1, 1974.

(b) The amendment made by paragraph (6) of section 101 shall take effect on and after the first day of the first pay period beginning on or after January 1, 1974.

(c) The amendments made by paragraphs (8) and (9) of section 101 shall take effect on and after the first day of the first pay period beginning on or after May 1, 1972.

(d) *The amendment made by paragraph (4) of section 101 shall take effect on and after the first day of the first pay period beginning on or after June 1, 1974.*

* * * * *

SEC. 122 (a) In order to carry out his responsibilities under the Policemen and Firemen's Retirement and Disability Act (D.C. Code, secs. 4-521 et seq.) with respect to retirement and disability determinations, and related functions, the Commissioner of the District of Columbia shall establish a Police and Firemen's Retirement and Relief Board (hereinafter in this section referred to as the "Board"). The Board shall be composed of—

(1) members and alternates appointed from among persons who are employees of the District of Columbia, one member and alternate each from the District of Columbia Personnel Office, Corporation Counsel, Department of Human Resources, Metropolitan Police Force, and the Fire Department of the District of Columbia; and

(2) two members, one of whom shall be a physician, appointed from among persons who are not officers or employees of the District of Columbia.

The member, and alternate, appointed to the Board from among employees of the Department of Human Resources shall both be medical officers. All appointments shall be made by the Commissioner.

(b) The members appointed under subsection (a)(2) shall be appointed for two years, and shall be entitled to receive compensation for each day they are actually engaged in carrying out duties vested in the Board in the same manner as persons employed intermittently under section 3109 of title 5 of the United States Code. Such members shall be appointed within ninety days after the date of enactment of this title.

(c) The Commissioner shall establish rules for the Board to assure that the Board functions fairly and equitably. The Commissioner shall provide the staff necessary for the Board.

(d) *In addition to the members and alternates of the Board designated by subsection (a) of this section, in all cases of retirement, disability, or other relief involving a member of the Executive Protective Service or a member of the United States Secret Service, who contribute to the Policemen and Firemen's Relief Fund of the District of Columbia, a member and alternate of the Executive Protective Service or a member and alternate of the United States Secret Service, as designated by the Director, United States Secret Service, as appropriate shall sit as a member of the Police and Firemen's Retirement and Relief Board.*

TITLE III—METHOD OF APPOINTMENT, ADVANCEMENT,
PROMOTION AND DEMOTION

* * * * *

SEC. 302. (a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, are authorized to establish and determine, from time to time, the positions in salary classes 1, 2, and 4 to be included as technicians' positions.

(b) Each officer or member—

(1) who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972—

(A) was in a position assigned to subclass (b) of salary class 1 or 2 or subclass (c) of salary class 4, or

(B) was in salary class 4 and was performing the duty of a dog handler, or

(2) whose position is determined under subsection (a) to be included in salary class 1, 2, or 4 on or after such date as a technician's position.

shall on or after such date receive, in addition to his [schedule] *scheduled* rate of basic compensation, ~~[\$680]~~ \$735 per annum. An officer or member described in paragraph (1)(A) or (2) shall receive the additional compensation authorized by this subsection until his position is determined under subsection (a) not to be included in salary class 1, 2, or 4 as a technician's position or until he no longer occupies such position, whichever occurs first. An officer or member described in paragraph (1)(B) shall receive such compensation [so long as he performs the duty of a dog handler] *until the position of dog handler is determined under subsection (a) not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever first occurs.* If the position of dog handler is included under subsection (a) as a technician's position, an officer or member performing the duty of a dog handler may not receive both the additional compensation authorized for an officer or member occupying a technician's position and the additional compensation authorized for officers and members performing the duty of a dog handler.

(c) Each officer or member who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 was assigned as a detective sergeant in subclass (b) of salary class 4 shall on or after such date, receive, in addition to his scheduled rate of basic compensation, ~~[\$500]~~ \$540 per annum so long as he remains in such assignment. Each officer or member who is promoted after such date to the rank of detective sergeant shall receive, in addition to his scheduled rate of basic compensation, ~~[\$500]~~ \$540 per annum so long as he remains in such assignment.

(d) The additional compensation authorized by subsections (b) and (c) shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled.

(e) *Whenever any officer or member receiving additional compensation authorized by subsection (b) or (c) is no longer entitled to receive such additional compensation, without a change in salary class, he*

shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this Act, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his scheduled rate of basic compensation equals or exceeds such sum.

(f) *The loss of the additional compensation authorized by subsection (b) or (c) shall not constitute an adverse action for the purposes of section 7511 of title 5 of the United States Code.*

ACT OF SEPTEMBER 3, 1974

* * * * *

TITLE I—POLICE AND FIREMEN'S COMPENSATION

PART 1—SALARY ACT AMENDMENTS

SEC. 101. (a) * * *

* * * * *

[(5) Section 302 of that Act (D.C. Code, sec. 4-828) is amended to read as follows: "An officer or member described in paragraph (1)(B) shall receive such compensation until the position of dog handler is determined under section (a) not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever first occurs."]

[(6) Section 302 of that Act (D.C. Code, sec. 4-828) is further amended by adding at the end thereof the following:

["(e) Whenever any officer or member receiving additional compensation authorized by subsection (b) or (c) is no longer entitled to receive such additional compensation, without a change in salary class, he shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this Act, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his schedule rate of basic compensation equals or exceeds such sum.

["(f) The loss of the additional compensation authorized by subsection (b) or (c) shall not constitute an adverse action for the purposes of section 7511 of title 5 of the United States Code."]

[(7) Section 302 of that Act (D.C. Code, sec. 4-828) is further amended (1) by striking out "\$680" is subsection (a) thereof and inserting in lieu thereof "\$735"; and (2) by striking out "\$500" each time it appears in subsection (c) thereof and inserting in lieu thereof "\$540".]

* * * * *

SEC. 103. (a) Except as provided in subsections (b) and (c), the amendments made by [this title] *this part* and subsection (b) of the first section shall take effect on and after the first day of the first pay period beginning on or after July 1, 1974.

* * * * *

SEC. 124. (a) The amendments made by [subsections (a) (b), and (d)] *subsections (a) and (b)* of section 121 shall apply with respect to any annuity which begins on or after July 1, 1975.

* * * * *

(c) [Section 122] Sections 122, 123, and 124 shall take effect on the date of enactment of this title.

TITLE II—TEACHERS' COMPENSATION

SEC. 201. This title may be cited as the "Teachers' Salary Act Amendments of 1974".

SEC. 202. The District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31-1501 et seq.) is amended as follows:

(2) Effective on the first day of the first pay period beginning on or after January 1, 1975, that salary schedule is amended to read as follows, except that salary paid to class 1A shall not exceed the amount payable to level III of the Executive Schedule and that the salary paid to any other class shall not exceed the amount payable to level V of the Executive Schedule:

TEACHERS AND SCHOOL OFFICERS SALARY SCHEDULE

Salary class and group	Service step—													Longevity step Y			
	1	2	3	4	5	6	7	8	9	10	11	12	13				
Class 15:																	
Group A—BA.....	9,940	10,335	10,730	11,125	11,520	11,915	12,415	12,915	13,415	13,915	14,415	14,915	15,415	15,910	16,415	16,915	17,415
Group A-1—BA+15.....	10,435	10,830	11,225	11,620	12,015	12,410	12,910	13,410	13,910	14,410	14,910	15,410	15,910	16,410	16,910	17,410	17,910
Group B—MA.....	10,935	11,435	11,935	12,435	12,935	13,435	14,035	14,535	15,035	15,535	16,035	16,535	17,035	17,535	18,035	18,535	19,035
Group C—MA+30.....	11,435	11,935	12,435	12,935	13,435	13,935	14,535	15,035	15,535	16,035	16,535	17,035	17,535	18,035	18,535	19,035	19,535
Group D, master's degree + 60 or Doctor's.....	11,935	12,435	12,935	13,435	13,935	14,435	15,035	15,535	16,035	16,535	17,035	17,535	18,035	18,535	19,035	19,535	20,035

SALARY SCHEDULE IN SECTION 1 OF THE DISTRICT OF COLUMBIA
TEACHERS' SALARY ACT OF 1955

TEACHERS AND SCHOOL OFFICERS SALARY SCHEDULE

Salary class and group	Service step—													13 Longevity step Y				
	1	2	3	4	5	6	7	8	9	10	11	12						
Class 1A.....	\$45,500																	
Class 1B.....	40,000																	
Class 2A.....	38,000																	
Class 2B.....	36,000																	
Class 3.....	27,390	\$28,040	\$28,690	\$29,340	[\$29,900] \$29,990	\$30,640	\$31,290	\$31,940	\$32,590									
Class 4.....	24,050	24,620	25,190	25,760	26,330	26,900	27,470	28,040	28,620									
Class 5:																		
Group B, master's degree.....	22,750	23,290	23,830	24,370	24,910	25,450	25,990	26,530	27,070									
Group C, master's degree +30.....	23,285	23,775	24,315	24,855	25,395	25,935	26,475	27,015	27,555									
Group D, doctor's.....	23,715	24,255	24,795	25,335	25,875	26,415	26,955	27,495	28,035									
Class 6:																		
Group B, master's degree.....	21,740	22,255	22,770	23,285	23,800	24,315	24,830	25,345	25,860									
Level IV principal.....	21,740	22,255	22,770	23,285	23,800	24,315	24,830	25,345	25,860									
Level III principal.....	21,100	21,615	22,130	22,645	23,160	23,675	24,190	24,705	25,220									
Level II principal.....	20,465	20,980	21,495	22,010	22,525	23,040	23,555	24,070	24,585									
Level I principal.....	19,830	20,345	20,860	21,375	21,890	22,405	22,920	23,435	23,950									
Group C, master's degree +30.....	22,160	22,675	23,190	23,705	24,220	24,735	25,250	25,765	26,280									
Level IV principal.....	22,160	22,675	23,190	23,705	24,220	24,735	25,250	25,765	26,280									
Level III principal.....	21,520	22,035	22,550	23,065	23,580	24,095	24,610	25,125	25,640									
Level II principal.....	20,885	21,400	21,915	22,430	22,945	23,460	23,975	24,490	25,005									
Level I principal.....	20,250	20,765	21,280	21,795	22,310	22,825	23,340	23,855	24,370									
Group D, doctor's degree.....	22,575	23,090	23,605	24,120	24,635	25,150	25,665	26,180	26,695									
Level IV principal.....	22,575	23,090	23,605	24,120	24,635	25,150	25,665	26,180	26,695									
Level III principal.....	21,935	22,450	22,965	23,480	23,995	24,510	25,025	25,540	26,055									
Level II principal.....	21,300	21,815	22,330	22,845	23,360	23,875	24,390	24,905	25,420									
Level I principal.....	20,665	21,180	21,695	22,210	22,725	23,240	23,755	24,270	24,785									
Class 7:																		
Group B, master's degree.....	20,000	20,475	20,950	21,425	21,900	22,375	22,850	23,325	23,800									
Group C, master's degree +30.....	20,485	20,960	21,435	21,910	22,385	22,860	23,335	23,810	24,285									
Group D, doctor's.....	20,965	21,440	21,915	22,390	22,865	23,340	23,815	24,290	24,765									
Class 8:																		
Group B-MA.....	18,395	18,855	19,315	19,775	20,235	20,695	21,155	21,615	22,075									
Group C-MA+30.....	18,880	19,340	19,800	20,260	20,720	21,180	21,640	22,100	22,560									
Group D-doctor's.....	19,360	19,820	20,280	20,740	21,200	21,660	22,120	22,580	23,040									
Class 9:																		
Group B, master's degree.....	17,960	18,410	18,860	19,310	19,760	20,210	20,660	21,110	21,560									
Group C, master's degree +30.....	18,445	18,895	19,345	19,795	20,245	20,695	21,145	21,595	22,045									
Group D, doctor's.....	18,925	19,375	19,825	20,275	20,725	21,175	21,625	22,075	22,525									
Class 10:																		
Group B, master's degree.....	17,385	17,820	18,255	18,690	19,125	19,560	19,995	20,430	20,865									
Group C, master's degree +30.....	17,870	18,305	18,740	19,175	19,610	20,045	20,480	20,915	21,350									
Group D, doctor's.....	18,350	18,785	19,220	19,655	20,090	20,525	20,960	21,395	21,830									
Class 11:																		
Group B, master's degree.....	16,815	17,235	17,655	18,075	18,495	18,915	19,335	19,755	20,175									
Group C, master's degree +30.....	17,300	17,720	18,140	18,560	18,980	19,400	19,820	20,240	20,660									
Group D, doctor's.....	17,780	18,200	18,620	19,040	19,460	19,880	20,300	20,720	21,140									
Class 12:																		
Group B, master's degree.....	16,240	16,645	17,050	17,455	17,860	18,265	18,670	19,075	19,480									
Group C, master's degree +30.....	16,720	17,125	17,530	17,935	18,340	18,745	19,150	19,555	19,960									
Group D, doctor's.....	17,205	17,610	18,015	18,420	18,825	19,230	19,635	20,040	20,445									
Class 13:																		
Group B, master's degree.....	14,920	15,405	15,890	16,375	16,860	17,345	17,830	18,315	18,800									
Group C, master's degree +30.....	15,405	15,890	16,375	16,860	17,345	17,830	18,315	18,800	19,285									
Group D, doctor's.....	15,885	16,370	16,855	17,340	17,825	18,310	18,795	19,280	19,765									
Class 14:																		
Group A, bachelor's degree.....	11,415	11,920	12,425	12,930	13,435	13,940	14,445	14,950	15,455	\$15,960	\$16,465	\$16,970	\$17,475					
Group B, master's degree.....	12,375	12,880	13,385	13,890	14,395	14,900	15,405	15,910	16,415	16,920	17,425	17,930	18,435					
Group C, master's degree +30.....	12,865	13,370	13,875	14,380	14,885	15,390	15,895	16,400	16,905	17,410	17,915	18,420	18,925					
Group D, doctor's.....	13,345	13,850	14,355	14,860	15,365	15,870	16,375	16,880	17,385	17,890	18,395	18,900	19,405					
Class 15:																		
Group A, bachelor's degree.....	9,650	10,085	10,420	10,810	11,195	11,580	12,065	12,550	13,035	13,520	14,005	14,490	14,975	15,460	15,945	16,430	16,915	17,395
Group A-1, bachelor's degree +15.....	10,130	10,515	10,900	11,290	11,675	12,060	12,550	13,035	13,520	14,005	14,490	14,975	15,460	15,945	16,430	16,915	17,395	17,880
[Group B, master's degree] Group B, bachelor's degree +30 or master's degree.....	10,615	11,100	11,585	12,070	12,555	13,040	13,640	14,240	14,845	15,445	16,045	16,645	17,245	17,845	18,445	19,045	19,645	20,245
Group C, master's degree +30.....	11,100	11,585	12,070	12,555	13,040	13,625	14,225	[14,780]	15,330	15,930	16,530	[17,130]	17,730	18,330	18,930	19,530	20,130	20,730
Group D, master's degree +60 or doctor's.....	11,585	12,070	12,555	13,040	13,525	14,010	14,615	15,215	15,815	16,415	17,015	17,615	18,215	18,815	19,415	20,015	20,615	21,215

SEC. 202. The District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31-1501 et seq.) is amended as follows:

(1) * * *

4) Effective on the first day of the first pay period beginning on or after January 1, 1975, that schedule of pay rates is amended to read as follows:

SUMMER SCHOOL TEACHERS AND ADULT EDUCATION SCHOOLS SALARY SCHEDULE

Classification	Per period		
	Step 1	Step 2	Step 3
Summer school (regular):			
Teachers, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist; school psychologist.....	\$8.79	\$9.97	\$11.23
Psychiatric social worker.....	10.11	11.47	13.11
Veterans' summer school centers: Teachers.....	8.79	9.97	11.23
Adult education schools:			
Teacher.....	9.67	10.97	12.35
Assistant principal.....	13.54	15.36	17.29
Principal.....	14.99	17.00	19.14

DISTRICT OF COLUMBIA REAL PROPERTY TAX REVISION ACT OF 1974

PART 2—AUTHORITY AND PROCEDURE TO ESTABLISH REAL PROPERTY TAX RATES

SUBPART A—REAL PROPERTY TAX RATE

SEC. 413. (a)(1) Except as provided in paragraph (2), by July 15 of each year, the Commissioner shall calculate and submit to the Council a proposed real property tax rate for the tax year, and inform the Council of his certification of the assessment roll pursuant to section 426(g). The Commissioner may extend the period for submitting such recommendation.

(2) With respect to the real property tax rate for the fiscal year ending June 30, 1975, the Commissioner shall submit his recommendation to the Council within 30 days after the date of enactment of this title.

(b) At the time the Commissioner submits to the Council the proposed real property tax rate under subsection (a), he shall also submit the following:

(1) The total aggregate assessed value of taxable real property for the year preceding the tax year by major class or type of property.

(2) The estimated total aggregate assessed value of taxable real property for the tax year for which the property tax rate

recommendation is being made, by major class or type of property, indicating separately for each class or type the estimated value attributable to new construction.

(3) The real property tax rate (rounded to the nearest penny) calculated to yield in the tax year the same amount of revenue (exclusive of the revenue attributable to new construction) as was raised by that tax at the rate applicable during the year preceding the tax year.

(c) The real property tax rate submitted by the Commissioner pursuant to subsection [(a)] (b) (3) shall become the real property tax rate applicable during the tax year for which it is submitted unless the Council acts to set a different such rate pursuant to section 412.

(d) On or before February 1 of each year the Commissioner shall estimate as closely as possible the rate to be calculated in subsection [(a)] (b) (3) and shall so inform the Council.

(e) The real property tax rate applicable in the District for the fiscal year ending June 30, 1975, calculated according to the provisions of sections 411, 412, 413, and 461, shall be applied to the assessment roll for 1975 determined according to provisions of law in effect prior to the effective date of this [Act] title.

* * * * *

SUBPART B—ASSESSMENT AND ADMINISTRATION

SEC. 421. (a) The assessed value of all real property shall be listed on the assessment roll for real property taxation purposes annually as provided in this [part] subpart. The assessed value for all real property shall be the estimated market value of such property as of January 1 of the year preceding the tax year, as determined by the Commissioner. In determining estimated market value for various kinds of real property the Commissioner shall take into account any factor which might have a bearing on the market value of the real property including, but not limited to, sales information on similar types of real property, mortgage, or other financial considerations, reproduction cost less accrued depreciation because of age, condition, and other factors, income earning potential (if any), zoning, and government imposed restrictions. Assessments shall be based upon the sources of information available to the Commissioner which may include actual view.

(b) All real property shall be assessed no less frequently than once every two years, and as soon as practicable such assessment shall be made annually. The Council may authorize and direct assessments to be made annually for some or all classes of real property, except that for fiscal year 1978, and for each fiscal year thereafter, all real property shall be assessed on an annual basis.

(c) The Council may adopt regulations concerning the assessment and reassessment of real property and matters relating thereto which shall be consistent with the provisions of this title and other applicable provisions or law.

(d) The Council may adopt regulations regarding information to be furnished the Commissioner by owners of real property. Such regulations shall provide, under penalty of law, that all such information with respect to income derived from investment on income-producing real property shall be handled in the same confidential

manner as income tax returns and supporting data required to be submitted to the government of the District of Columbia under laws applicable in the District.

(e) The Commissioner shall submit to the Council, within forty-five days after the date of enactment of this title, proposed regulations to be adopted by the Council pursuant to subsection (c).

(f) Consistent with the provisions of this [Act] title and regulations of the Council, the Commissioner shall promulgate necessary regulations and administrative orders. If the Council shall not have adopted regulations concerning assessment pursuant to subsection (c) within ninety days after the date of enactment of this title, the Commissioner shall promulgate such regulations.

SEC. 422. (a) The Commissioner shall assess all real property, identifying separately the value of land and improvements thereon, and administer and collect the real property tax within the District. The Commissioner shall also notify owners of real property of assessments and of appeal procedures. In addition, he shall maintain adequate records relating to the administration of the real property tax in the District, and provide appropriate public information concerning such tax.

(b) The Commissioner shall appoint assessors competent to determine values of real property to carry out the provisions of this [title] subpart and other relevant portions of this title. Each person so appointed shall take and subscribe an oath to diligently, faithfully, and impartially assess all real property according to applicable law and regulation and otherwise perform the duties of office.

(c) The Commissioner shall assure that information regarding the characteristics of real property, sales and exchanges of all such property, building permits, land use plans, and any other information pertinent to the assessment process shall be made available to the assessors on a timely basis.

* * * * *

SEC. 426. (a) There is established a Board of Equalization and Review for the District (hereinafter in this title referred to as the "Board") which shall be composed of fifteen members, a majority of whom shall be residents of the District, appointed by the Commissioner, with the advice and consent of the Council. The Council may authorize a larger size if the caseload so requires. Members of the Board shall be persons having knowledge of the valuation of property, real estate transactions, building costs, accounting, finance, or statistics. The Commissioner shall name one member as Chairman. None of the members may be officers of the District of Columbia government. Each member shall serve for a term of five years, except if the members first appointed under this section, the Commissioner shall designate equal numbers for terms of one, two, three, four, and five years. The terms of the members first appointed under this section shall begin on January 1, 1975. Any person appointed to fill a vacancy shall be appointed to serve for the remainder of the term during which the vacancy arose. Each member shall receive compensation at a rate to be determined by the Council unless otherwise prohibited by law, but not to exceed one two-thousandth of the annual salary of the highest step of grade 15 of the General Schedule in section 5332 of title 5 of the United States Code for each hour such member is engaged in the actual performance of duties vested in the Board.

(b) The Commissioner shall provide such other support as is needed for the efficient operation of the Board.

(c) The Board shall convene as business necessitates from the first Monday in January until the Commissioner shall be presented with the assessment roll for the fiscal year as provided in subsection (g). The Board shall also convene as business necessitates for a period of thirty days following any special assessment which shall be generally applicable to a class of real property, and as business in the Board otherwise makes necessary.

(d) A majority of the Board shall constitute a quorum for transacting business, except the Board may provide for the establishment of three member panels for hearing and deciding individual appeals. The Board shall adopt and publish necessary rules, and all applicable provisions of the District of Columbia Administrative Procedures Act (D.C. Code, secs. 1-1501-1-1510) shall apply to the rules and procedure of the Board.

(e) On or before April 15 of each year any taxpayer may appeal the amount of his assessment for the forthcoming fiscal year.

(f) Pursuant to applicable provisions of law, regulations adopted by the Council, or orders of the Commissioner, the Board shall attempt to assure that all real property is assessed at the estimated market value. Based on the record of complaints or of other information available to or solicited by the Board, the Board shall raise or lower the estimated market value of any real property which it finds to be more than 5 per centum above or below the estimated market value contained in the preliminary assessment roll prepared by the Commissioner according to section [423] 424 and shall revise the assessment roll accordingly.

(g) On or before June 1 the Board shall present the revised assessment roll for the forthcoming fiscal year to the Commissioner. The Commissioner shall make such further revisions to the assessment roll as are required under other applicable provisions of law, and shall approve such assessment roll not later than June 30. Except as otherwise provided by law, the approved assessment roll shall constitute the basis of assessment for the forthcoming fiscal year and until another assessment roll is made according to law.

(h) Neither the Board nor any court shall order the increase of the assessed value of any parcel of real property above its estimated market value, nor the decrease of the assessed value of any parcel of real property below its estimated market value solely on the basis of average ratio studies comparing sales and assessments, unless such studies are the primary basis for the assessment, or reassessment of the concerned property.

(i) Any person aggrieved by any assessment, equalization, or valuation made, may, by October 15 of the calendar year in which such assessment, equalization, or valuation is made, appeal from such assessment, equalization, or valuation in the same manner and to the same extent as provided in sections 3 and 14 of title IX of the Act of August 17, 1937 (D.C. Code, secs. 47-[2404]2403, 47-[24143]2404, if such person shall have first made his complaint to the Board respecting such assessment as herein provided, except that in any case where no notice in writing of such increase of valuation was given the taxpayer

prior to March 15 of the particular year, no such complaint shall be required for appeal.

* * * * *

SUBPART D—TAX INCENTIVES FOR REHABILITATION OF PROPERTY AND NEW CONSTRUCTION IN AREAS OF THE CITY AND FOR THE PRESERVATION OF [HISTORIC PROPERTY] HISTORIC BUILDINGS

SEC. 431. (a) The Council shall, within one year after the date of enactment of this title, after public hearing, adopt regulations providing tax incentives for the rehabilitation of existing structures and for new construction, including rehabilitation or construction of commercial property, located in areas of the District as designated by the Council. The Council shall also adopt regulations providing tax incentives for the rehabilitation and maintenance of [historic property] *historic buildings*. Such tax incentives may include, but are not limited to—

- (1) establishing different tax rates for land and for improvements thereon; and
- (2) providing that any increase in assessed value of improvements resulting from rehabilitation or new construction be ignored for tax purposes for up to five years from the year of such reassessment.

(b) To be eligible for incentive under this section, [historic property] *historic buildings* must be property designated as an historic landmark and conform to the provisions of subpart E.

SUBPART E—TAX RELIEF FOR CERTAIN HISTORIC PROPERTIES

SEC. 432. For certain officially designated historic [property] *buildings* in the District, the Commissioner shall, in addition to assessing at full market value, assess land and improvement on the basis of current use and structures of the [property] *buildings*, which latter assessment, if it is less than full market value, shall be the basis of tax liability to the District.

SEC. 433. [To be eligible for historic property tax relief, real property must be historic property designated by the Joint Committee on Landmarks of the National Capital Planning Commission and the Commission on Fine Arts, and, in addition, must be approved by the Commissioner under section 434.]

To be eligible for historic property tax relief, real property must be an historic building designated by the Joint Committee on Landmarks of the National Capital and, in addition, must be approved by the Commissioner under section 434.

SEC. 434. [The Council may provide that the owners of properties which have been designated historic landmarks by the Joint Committee on Landmarks of the National Capital Planning Commission and the Commission of Fine Arts may enter into agreements with the government of the District of Columbia for periods of at least twenty years which will assure the continued maintenance of historic properties in return for property tax relief. Such a provision shall, as a condition for tax relief, require reasonable assurance that such property will be used and properly maintained and such other conditions

as the Council finds to be necessary to encourage the preservation of historic property. The Council shall also provide for the recovery of back taxes, with interest, which would have been due and payable in the absence of the exemption, if the conditions for such exemption are not fulfilled.]

The Council may provide that the owners of historic buildings which have been so designated by the Joint Committee on Landmarks of the National Capital may enter into agreements with the government of the District of Columbia for periods of at least twenty years which will assure the continued maintenance of historic buildings in return for property tax relief. Such a provision shall, as a condition for tax relief, require reasonable assurance that such buildings will be used and properly maintained and such other conditions as the Council finds to be necessary to encourage the preservation of historic buildings. The Council shall also provide for the recovery of back taxes, with interest, which would have been due and payable in the absence of the exemption, if the conditions for such exemption are not fulfilled.

* * * * *

SUBPART G—DISPOSAL OF TAX DELINQUENT PROPERTY TO ENCOURAGE
HOMEOWNERSHIP

* * * * *

PART 3—REAL AND PERSONAL PROPERTY TAX EXEMPTIONS

SEC. 441. The first section of the Act of December 24, 1942 (D.C. Code, sec. [47-801(a)] 47-801a.) is amended, on and after July 1, 1974, by adding at the end thereof the following:

“(s) Buildings owned by and actually occupied and used for legitimate theater, music, or dance purposes by a corporation which is not organized or operated for commercial purposes or for private gain, which buildings are open to the public, generally, and for admission to which charges may be made to cover the cost of expenses.”

* * * * *

PART 4—PROPERTY TAX CREDIT FOR DISTRICT OF
COLUMBIA RESIDENTS

SEC. 451. Effective January 1, 1975, title VI of article I of the District of Columbia Income and Franchise Tax Act of 1947 is amended by adding at the end thereof the following new section:

“SEC. 7. CREDIT FOR PROPERTY TAXES ACCRUED AND PAYABLE BY DISTRICT OF COLUMBIA RESIDENTS.—(a)(1) For purposes of providing relief to certain District of Columbia residents who own or rent their principal place of abode and who reside in same, a credit shall be allowed to the eligible claimant equal to the amount by which all or a portion of real property taxes the taxpayer pays, or rent paid constituting property taxes, on his principal place of residence for the taxable year, exceeds a percentage (determined under subsection (a)(2)) of his household gross income for that year.

“(2) The percentage required under paragraph (1) of this subsection to be determined under this subsection for taxpayers shall be the percentage specified in the following table:

“If household gross income is:	The percentage of property tax paid on the first \$400 of property tax, or rent constituting property tax, which shall constitute credit is:
Under \$3,000.....	80 per centum of tax in excess of 2 per centum of income.
\$3,000 to \$4,999.....	70 per centum of tax in excess of 3 per centum of income.
\$5,000 to \$6,999.....	60 per centum of tax in excess of 4 per centum of income.

* * * * *

PART 6—DELEGATION OF GENERAL TAXING AUTHORITY;
AMENDMENTS TO DISTRICT SALES TAX ACT AND MISCELLANEOUS

SEC. 473. Section 114(a)(8) of the District of Columbia Sales Tax Act (D.C. Code, sec. [47-2601(a)(8)] 47-2601.14(a)(8)) is amended to read as follows:

“(8) The sale of or charges for admission to public events, except live performances of ballet, dance, or choral performances, concerts (instrumental and vocal), plays (with and without music), operas and readings and exhibitions of paintings, sculpture, photography, graphic and craft arts, but including movies, circuses, burlesque shows, sporting events, and performances or exhibitions of any other type or nature: *Provided*, That any casual or isolated sale of or charge for admission made by a semipublic institution not regularly engaged in asking such sales or charges shall not be considered a retail sale or sale at retail.”

SEC. 474. The following Acts or parts of Acts are repealed effective June 30, 1975:

(a) Title XV of the District of Columbia Public Works Act of 1954 (D.C. Code, sec. 47-501a.).

(b) The fourth and fifth paragraphs under the heading “General Expenses” of the Act of March 3, 1881 (D.C. Code, sec. [47-601] 47-601).

(c) The fifth paragraph under the paragraph headed “Militia” of the Act of July 7, 1898 (D.C. Code, sec. 47-602).

(d) Section 11 of the Act of June 25, 1938 (D.C. Code, sec. 47-603).

(e) The first paragraph of section 5 (D.C. Code, sec. 47-713), and the second unnumbered paragraph of section 6 (D.C. Code, sec. 47-605), of the Act of July 1, 1902.

(f) The first section, and sections 2, 3, 4, 6, 7, and 8 of the Act of August 14, 1894 (D.C. Code, secs. 47-604, 701, 702, 704, 707).

(g) The first five sentences, and the last two sentences, of section 5(a) of the Act of August 17, 1937 (D.C. Code, secs. 47-708—47-709).

(h) Section 5 of the Act of March 3, 1883 (D.C. Code, sec. 47-703).

* * * * *

SEC. 477. Except as specifically provided in this [Act] title or in other provisions of law applicable to the District of Columbia, the Council may by regulation establish penalties for violations of any provision of this title, including any regulation issued pursuant to this title. Such penalties may not exceed imprisonment for longer than one year, or a fine not to exceed \$10,000, or both, for each offense.

* * * * *

DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

ARTICLE I

TABLE OF CONTENTS

ARTICLE I—INCOME AND FRANCHISE TAX ACT

TITLE VI—TAX ON RESIDENTS AND NONRESIDENTS

- Sec. 1. Definitions.
- Sec. 2. Personal exemptions and credit for dependents.
- Sec. 3. Imposition and rates of tax.
- Sec. 4. Optional method of computation.
- Sec. 5. Credits against tax allowed residents.
- Sec. 6. Credit for sales tax paid.

SEC. 8. *Credit for property taxes accrued and payable by District of Columbia residents.*

TITLE VI—TAX ON RESIDENTS AND NONRESIDENTS

SEC. [7] 8. CREDIT FOR PROPERTY TAXES ACCRUED AND PAYABLE BY DISTRICT OF COLUMBIA RESIDENTS.—(a) (1) For purposes of providing relief to certain District of Columbia residents who own or rent their principal place of abode and who reside in same, a credit shall be allowed to the eligible claimant equal to the amount by which all or a portion of real property taxes the taxpayer pays, or rent paid constituting property taxes, on his principal place of residence for the taxable year, exceeds a percentage (determined under subsection (a) (2)) of his household gross income for that year.

(2) The percentage required under paragraph (1) of this subsection to be determined under this subsection for taxpayers shall be the percentage specified in the following table:

	The percentage of property tax paid on the first \$400 of property tax, or rent constituting property tax, which shall constitute credit is:
If household gross income is:	
Under \$3,000-----	80 per centum of tax in excess of 2 per centum of income.
\$3,000 to \$4,999-----	70 per centum of tax in excess of 3 per centum of income.
\$5,000 to \$6,999-----	60 per centum of tax in excess of 4 per centum of income.

(b) DEFINITIONS.—For purposes of this section:

(1)(A) The term "household gross income" means gains, profits, and income derived from salaries, wages, or compensation for personal services of whatever kind and in whatever form paid, including salaries, wages, and compensation paid by the United States to its officers and employees, or income derived from any trade or business or sales or dealings in property, whether real or personal, including capital assets as defined in this article growing out of the ownership or sale of or interest in such property; income from rent, royalties, interest, dividends, securities, or transactions of any trade or business carried on for gain or profit, or gains or profits and income derived from any source whatever, including but not limited to alimony, and separate maintenance payments (including amounts received under separate maintenance agreements), strike benefits, cash public assistance and relief (not including relief or credit granted under this section), sick pay, workmen's compensation, proceeds of life insurance policies, the gross amount of any pension or annuity (including railroad retirement benefits, veterans' disability pensions, or payment received under the Federal Social Security Act), State or District of Columbia unemployment compensation laws, and nontaxable interest received from the United States, a State or any agency or instrumentality thereof. The word "income" does not include gifts from non-governmental sources, food stamps, or food or other relief in kind supplied by a governmental agency.

(B) In determining household gross income the exclusions from gross income as provided by subsection (b) of section 2 of title III of this article shall not apply.

(2) The term "household income" shall have the same meaning as the words "adjusted gross income" are defined in subsection (c) of

section 2 of title III of this article. For purposes of determining adjusted gross income within the meaning of this section, gross income shall mean household income as defined in this section.

(3) The term "home" means the claimant's dwelling house, whether owned or rented by the claimant, and so much of the land surrounding it as is reasonably necessary for use of the dwelling as a home, and may include a multiunit building or a multipurpose building and a part of the land upon which it is located.

(4) The term "claimant" means a person who has filed a claim under this section, was an owner of record of a home in the District, or a lessee, tenant at will or tenant at sufferance paying rent on a home in the District, during the entire calendar year preceding the year in which he files a claim for relief under this section. Only one claimant per home and per household per year shall be entitled to relief under this section.

(5)(A) The term "rent constituting property taxes accrued" means 15 per centum of the rent actually paid by a claimant in cash or its equivalent in the calendar year 1975 or any subsequent calendar year solely for the right to occupy his District home in such calendar year, and which rent constitutes the basis in the succeeding calendar year for the claim for relief made by the claimant under this section, exclusive of amounts which are paid as rent or other consideration for the providing by the landlord of furniture or furnishings of any kind, and exclusive of amounts included in the rent for utilities. Whenever the amount of rent includes charges for the providing by the landlord of furniture or furnishings or charges for utilities, and the charges therefor are not separately stated, then there shall be deducted from the rent as the charge for such furniture or furnishings 20 per centum of the rent, and for utilities 10 per centum of the rent, and the balance shall be deemed to be the amount paid by the claimant solely for the right to occupy his District home for the purposes of the credit allowed under this section.

(c) In the event that any installment of rent for a calendar year for which a claim is filed is paid prior to the beginning of or subsequent to the end of such calendar year, it shall be included as rent for the year for which the claim was made and for no other year, and shall not be included as rent for purposes of this section for the year in which the installment was paid.

(d) If the Commissioner determines that the rent paid was not the result of an agreement entered into at arm's length between the tenant and his landlord, the Commissioner may adjust the rent to a reasonable amount for the purposes of this section.

(e)(1) Beginning with the calendar year 1975 and for each succeeding calendar year, if a claimant owns and occupies his home in the District on July 1 of any such year, "property taxes accrued" means property taxes (exclusive of special assessments, interest on a delinquency in payment of tax, and any penalties and service charges) assessed and paid to date against such home commencing January 1, 1975, and for succeeding years. If a home is an integral part of a larger unit such as a multipurpose building or a multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the home bears to the total value of the property.

(2) When a claimant rents two or more different homes in the District in the same calendar year, rent paid by the claimant during that year shall be determined by dividing the rent paid pursuant to the last rental agreement in force during that calendar year by the number of months during that calendar year for which this rent was paid and multiplying the result by twelve.

(f) The right to file under this section shall be personal to the claimant, but such right may be exercised by his legal guardian or attorney-in-fact. The right to file a claim shall not survive the death of a claimant. If a claimant dies after having filed a claim, any amount refunded as a result thereof shall be disbursed to his estate: *Provided*, That if no executor or administrator qualified therein within two years of the filing of the claim, or no petition for distribution of a small estate is filed pursuant to [the first section of the Act of September 14, 1965 (D.C. Code, secs. 20-2101 and 20-2102)] *sections 2101 and 2102 of title 20 of the District of Columbia Code*, the claim shall not be allowed.

(g) Subject to the limitations provided in this section, commencing with the taxable year beginning after December 31, 1974, and for succeeding taxable years, the claimant may claim as a credit against the District income taxes otherwise due on his income, property taxes accrued or rent constituting property taxes accrued for that year. If the allowable amount of such claim exceeds the income taxes otherwise due from the claimant, or other tax liabilities of the claimant to the District, or if there are no District income taxes due from the claimant, the amount of the claim not used as an offset against income taxes or other tax liabilities of the claimant to the District shall be paid or credited to the claimant. No interest shall be allowed on any payment made to a claimant pursuant to this section.

(h) No claim with respect to property taxes accrued or with respect to rent constituting property taxes accrued shall be allowed unless a District of Columbia individual income tax return or (if the claimant is not required to file such return) a claim for credit under this section is filed with the District on the forms and in such manner and with such information as the Commissioner may prescribe. Any claim for credit shall be filed on or before the time prescribed for the filing of a return of individual income under this article. The Commissioner may grant a reasonable extension of time, not to exceed six months, for the filing of a return or claim for credit under this section whenever in his judgment good cause exists therefor.

(i) The amount of any claim otherwise payable under this section may be applied by the District against any outstanding tax liability of the claimant to the District.

(j)(1) In determining eligibility for the credit allowable under this section, and for the purpose of determining outstanding tax liability (if any) of the claimant to the District household income for which the claim is filed and the claimant's outstanding tax liability (if any) shall be determined on the basis of the combined household income of all members present in the household, except there shall be excluded from the computation of gross household income the first \$1,000 earned by a dependent.

(2) In the case of husband and wife, who during the entire calendar year for which a claim is filed under this section, maintain separate homes, for the purpose of determining household income and the claimant's outstanding tax liability (if any), such husband and wife

shall be deemed to have been unmarried during the calendar year for which the claim is made.

(k) No credit shall be allowed under this title for any year during which the person claiming the credit was a dependent, under any State, Federal, or District law levying a tax on income, unless during that year such person is or becomes sixty-five years of age or older.

(l) In the case of persons whose incomes vary substantially from year to year, the District of Columbia Council shall adopt regulations concerning income averaging for purposes of calculating benefits.

(m) Each owner of a rental unit or his authorized agent shall, when requested in writing, furnish to the tenant making such written request a statement indicating the amount of rent paid by the tenant during the calendar year solely for the right of occupancy of the leased premises. Requests shall be made under this paragraph only by those persons entitled to file a claim under this section or who at the time of the making of the request deem themselves entitled to file a claim for credit under this section.

(n)(1) If, on an audit of any claim filed under this section, the Commissioner finds the amount to have been incorrectly computed, he shall determine the correct amount and notify the claimant in accordance with the procedures set forth in section 5 of title XII of this article.

(2) If it is determined that a claim was filed with fraudulent intent, it shall be disallowed in full. If the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid shall be assessed against the claimant and recovered in the same manner as provided for the collection of taxes under section 1601 of title XVI of the Act of May 18, 1954 (D.C. Code, sec. 47-312).

(o) No claim for relief under this section shall be allowed to any person who was not living in a home which was subject to District of Columbia real property taxation during the calendar year for which the claim is filed.

(p) Notwithstanding any other provision of law to the contrary, any person aggrieved by the denial in whole or in part of a claim for the credit authorized by this section, or an assessment of tax made pursuant to [paragraph (1)] *subsection (n)(1)* of this section, may appeal the denial within six months after notice of the denial of the claim or within six months after notice of assessment, to the Board which shall consider such appeal as a contested case under section 10 of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1509). In the case of an assessment of tax, the mailing to the claimant of a statement of taxes due shall be considered notice of assessment with respect to such taxes.

(q) The Commissioner is authorized to provide a table which will approximate, as closely as feasible, the amount of relief allowable under this section.

(r) If it is determined by the District that a claimant received title to his home in the District or became legally obligated to pay rent for his home in the District primarily for the purpose of receiving benefits under the provisions of this section, his claim shall be disallowed.

(s) The District of Columbia Council is empowered to make such changes in the amount of annual relief provided under [section 7(a) of this title] *subsection (a) of this section* as it may deem proper.

SECTION 5 OF THE ACT OF AUGUST 17, 1937

[SEC. 5. (a) The Assessor and Deputy Assessor of the District and the board of all of the assistant assessors, with the Assessor as chairman, shall compose a Board of Equalization and Review, and as such Board of Equalization and Review they shall convene in a room to be provided for them by the Commissioners, on the first Monday of January of each year, and shall remain in session until the first Monday in April of each year, after which date no complaint as to valuation as herein provided shall be received or considered by such Board of Equalization and Review. Public notice of the time and place of such session shall be given by publication for two successive days in two daily newspapers in the District not more than two weeks or less than ten days before the beginning of said session. It shall be the duty of said Board of Equalization and Review to fairly and impartially equalize the value of real property made by the board of assistant assessors as the basis for assessment. Any five of said Board of Equalization and Review shall constitute a quorum for business, and, in the absence of the Assessor, a temporary chairman may be selected. They shall immediately proceed to equalize the valuations made by the board of assistant assessors so that each lot and tract and improvements thereon shall be entered upon the tax list at their value in money; and for this purpose they shall hear such complaints as may be made in respect of said assessments, and in determining them they may raise the valuation of such tracts or lots and improvements as in their opinion may have been returned below their value and reduce the valuation of such as they may believe to have been returned above their value to such sum as in their opinion may be the value thereof. The valuation of the real property made and equalized as aforesaid shall be completed not later than the first Monday of May annually. The valuation of said real property made and equalized as aforesaid shall be approved by the Commissioners not later than July 1, annually, and when approved by the Commissioners shall constitute the basis of taxation for the next succeeding year and until another valuation is made according to law, except as hereinafter provided. Any person aggrieved by any assessment, equalization, or valuation made may within six months after October 1 of the year in which such assessment, equalization, or valuation is made, appeal from such assessment, equalization, or valuation in the same manner and to the same extent as provided in sections 3 and 4 of this title: *Provided, however,* That such person shall have first made his complaint to the Board of Equalization and Review respecting such assessment as herein provided, except that, in case of increase of valuation of real property over that for the immediately preceding year, where no notice in writing of such increase of valuation is given the taxpayer prior to March 1 of the particular year, no such complaint shall be required for appeal.]

SECTION 4 OF THE ACT OF JULY 3, 1926

[SEC. 4. That hereafter all real estate and personal property in the District of Columbia subject to taxation shall be listed and assessed at not less than the full and true value thereof in lawful money.]

SUBSECTION (f) OF THE POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT

RETIREMENT FOR DISABILITY NOT INCURRED IN PERFORMANCE OF DUTY

(f) Whenever any member coming under this section completes five years of police or fire service and is found by the Commissioners to have become disabled due to injury received or disease contracted other than in the performance of duty, which disability precludes further service with his department, such member shall be retired on an annuity computed at the rate of 2 per centum of his average pay for each year or portion thereof of his service; *Provided,* That such annuity shall not exceed 70 per centum of his [basic salary at time of retirement] *average pay*: *Provided further,* That the annuity of a member retiring under this subsection shall be at least 40 per centum of his [basic salary at time of retirement] *average pay*.

ACT OF AUGUST 14, 1974, to regulate certain political campaign finance practices in the District of Columbia, and for other purposes

SEC. 301. (a) There is established within the District of Columbia Board of Elections and Ethics the office of Director of Campaign Finance (hereinafter in this Act referred to as the "Director"). [The Commissioner of the District of Columbia shall appoint, by and with the advice and consent of the Senate, the Director, except that on and after January 2, 1975, any vacancy in the office of Director shall be filled by appointment by the Mayor, with the advice and consent of the Council.]

The Commissioner of the District of Columbia shall appoint, by and with the advice and consent of the Senate, the Director, except that on and after January 2, 1975, appointments to the office of Director, including vacancies therein, shall be made by the Mayor, with the advice and consent of the Council. The Director shall serve for a term of four years, subject to removal for cause by the Commissioner or the Mayor, as the case may be, and may be reappointed for a like term or terms, with the advice and consent of the Council, except that in the case of the Director serving as such on January 1, 1975, such Director's term shall terminate upon the expiration of June 1, 1979, unless sooner so removed for cause. Any appointment to fill a vacancy in the Office of Director shall be for the unexpired portion of the term.

* * * * *
SEC. 306. (a) On and after the date of the enactment of this Act, the Board of Elections of the District of Columbia established under the District of Columbia Election Act (D.C. Code, sec. 1-1101 et seq.), shall be known as the "District of Columbia Board of Elections and Ethics" and shall have the powers, duties, and functions as provided in such Act, in any other law in effect on the date immediately preceding the date of the enactment of this Act, and in this Act. Any reference in any law or regulation to the Board of Elections for the District of Columbia or the District of Columbia Board of Elections shall, on and after the date of the enactment of this Act, be held and considered to refer to the District of Columbia Board of Elections and Ethics.

(b)(1) Any person who violates any provision of this Act or of the District of Columbia Election Act may be assessed a civil penalty by the District of Columbia Board of Elections and Ethics under paragraph (2) of this subsection of not more than \$50 for each such violation. Each occurrence of a violation of this Act and each day of noncompliance with a disclosure requirement of this Act or an order of the Board shall constitute a separate offense.

(2) A civil penalty shall be assessed by the Board by order only after the person charged with a violation has been given an opportunity for a hearing, and the Board has determined, by decision incorporating its findings of facts therein, that a violation did occur, and the amount of the penalty. Any hearing under this section shall be of record and shall be held in accordance with [chapter 5 of title 5, United States Code] *the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1501 et. seq.)*.

* * * * *

TITLE VI—CONFLICT OF INTEREST AND DISCLOSURE

CONFLICT OF INTEREST

SEC. 601. (a) The Congress declares that elective and public office is a public trust, and any effort to realize personal gain through official conduct is a violation of that trust.

(b) No public official shall use his official position or office to obtain financial gain for himself, any member of his household, or any business with which he or a member of his household is associated, other than that compensation provided by law for said public official.

(c) No person shall offer or give to a public official or a member of a public official's household, and no public official shall solicit or receive anything of value, including a gift, favor, service, loan, gratuity, discount, hospitality, political contribution, or promise of future employment, based on any understanding that such public official's official actions or judgment or vote would be influenced thereby, or where it could reasonably be inferred that the thing of value would influence the public official in the discharge of his duties, or as a reward, or which would cause the total value of such things received from the same person not a member of such public official's household to exceed \$100 during any single calendar year [], *except for political contributions publicly reported pursuant to section 206 of this Act and transactions made in the ordinary course of business of the person offering or giving the thing of value*".

DISTRICT OF COLUMBIA CODE

§ 1-1105. **Functions and authority of Board—Presidential preference primary election.**

* * * * *

(e) The Board may employ necessary personnel, at such rates of compensation as may be fixed by the Commissioner of the District of Columbia, without reference to the provisions of chapter 51 and chapter III of chapter 53 of title 5, U.S. Code [relating to the classification of government employees and related matters]. *The Board, at*

the request of the Director of Campaign Finance, shall provide such employees, subject to the compensation provisions of this subsection, as requested to carry out the powers and duties of the Director. Employees so assigned to the Director shall, while so assigned, be under the direction and control of the Director.

* * * * *

(g) *The Board shall prescribe such regulations as may be necessary to insure that all persons responsible for the proper administration of this Act maintain a position of strict impartiality and refrain from any activity which would imply support of or opposition to (1) a candidate or group of candidates for office in the District of Columbia, or (2) any political party or political committee. As used in this subsection, the terms 'office', 'political party' and 'political committee' shall have the same meaning as that prescribed in section 102 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act.*

ACT OF OCTOBER 26, 1974, to amend the Controlled Substances Act to extend for three fiscal years the authorizations of appropriations for the administration and enforcement of that Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 709 of the Controlled Substances Act (21 U.S.C. 904) is amended to read as follows:

"AUTHORIZATIONS OF APPROPRIATIONS

"SEC. 709. (a) There are authorized to be appropriated \$105,000,000 for the fiscal year ending June 30, 1975, \$175,000,000 for the fiscal year ending June 30, 1976, and \$200,000,000 for the fiscal year ending June 30, 1977, for the expenses of the Department of Justice (other than its expenses incurred in connection with carrying out section 103(a)) in carrying out its functions under this title.

"(b) No funds appropriated under any other provision of this Act may be used for the expenses of the Department of Justice for which funds are authorized to be appropriated by subsection (a) of this section."

SEC. 2. Section 702 of the Controlled Substances Act is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding subsection (a) of this section or section 1103, section 4202 of title 18, United States Code, shall apply to any individual convicted under any of the laws repealed by this title or title III without regard to the terms of any sentence imposed on such individual under such law."

SEC. 3. Section 509 of the Controlled Substances Act (21 U.S.C. 879) is amended by striking out "(a)" and subsection (b).

SEC. 4. (a) Subchapter VI of [chapter 6] *chapter 5* of title 23 of the District of Columbia Code is repealed and the analysis of such chapter is amended by striking out the item relating to such subchapter.

(b) Section 23-521 (f) of such title 23 is amended—

- (1) by inserting "and" at the end of paragraph (5), and
- (2) by striking out paragraph (6) and redesignating paragraph (7) as paragraph (6).

(c) Section 23-522(c) of such title 23 is amended to read as follows:

"(c) The application may also contain a request that the search warrant be made executable at any hour of the day or night upon the ground that there is probable cause to believe that (1) it cannot be executed during the hours of daylight, (2) the property sought is likely to be removed or destroyed if not seized forthwith, or (3) the property sought is not likely to be found except at certain times or in certain circumstances. Any request made pursuant to this subsection must be accompanied and supported by allegations of fact supporting such request."

ACT OF DECEMBER 24, 1973, to reorganize the governmental structure of the District of Columbia, to provide a charter for local government in the District of Columbia subject to acceptance by a majority of the registered qualified electors in the District of Columbia, to delegate certain legislative powers to the local government, to implement certain recommendations of the Commission on the Organization of the Government of the District of Columbia, and for other purposes

* * * * *

PUBLIC SERVICE COMMISSION

SEC. 493. (a) There shall be a Public Service Commission whose function shall be to insure that every public utility doing business within the District of Columbia is required to furnish service and facilities reasonably safe and adequate and in all respects just and reasonable. The charge made by any such public utility for any facility or services furnished, or rendered, or to be furnished or rendered, shall be reasonable, just, and nondiscriminatory. Every unjust or unreasonable or discriminating charge for such facility or service is prohibited and is hereby declared unlawful.

[(b) The first sentence of paragraph 97(a) of section 8 of the Act of March 4, 1913 (making appropriations for the government of the District of Columbia) (D.C. Code, sec. 43-201), is amended to read as follows: "The Public Service Commission of the District of Columbia shall be composed of three Commissioners appointed by the Mayor by and with the advice and consent of the Council.".]

(b) Paragraph 97(a) of section 8 of the Act of March 4, 1913 (making appropriations for the government of the District of Columbia) (D.C. Code, sec. 43-201), is amended as follows:

(1) *The first sentence of such paragraph is amended to read as follows: "The Public Service Commission of the District of Columbia shall be composed of three commissioners appointed by the Mayor, by and with the advice and consent of the Council, except that the members (other than the Commissioner of the District of Columbia) serving as commissioners of such Commission on January 1, 1975, by virtue of their appointment by the President, by and with the advice and consent of the Senate, shall continue to serve until the expiration of the terms for which they were so appointed. The member first appointed by the Mayor, by and with the advice and consent of the Council, on or after January 2, 1975, shall serve until June 30, 1978."*

D.C. CODE

§ 43-201. Members—Eligibility of Commissioners—Oath.

The Public Service Commission of the District of Columbia shall be composed of three commissioners as follows: (1) The Commissioner of the District of Columbia, and (2) two persons appointed by the President, by and with the advice and consent of the Senate. Each of the appointed commissioners shall receive a salary at the rate of \$7,500 per annum. [Of the two commissioners first appointed after December 15, 1926, one shall be appointed for a term of two years, and one for a term of three years, commencing July 1, 1926.] The terms of office of all successors shall expire three years after the expiration of the terms for which their predecessors were appointed; but any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor. The commission shall at least biennially elect a chairman by a majority vote of its members. No commissioner [other than the said Commissioner of the District of Columbia,] shall, during his term of office, hold any other public office. [The Commissioner of the District of Columbia] the Mayor shall furnish the Public Service Commission with suitable offices and quarters. No person[, other than the said Commissioner of the District of Columbia,] shall be eligible to the office of commissioner of the Public Service Commission who has not been a bona fide resident of the District of Columbia for a period of at least three years next preceding his appointment or who has voted or claimed residence elsewhere during such period.

○



Ninety-third Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-first day of January, one thousand nine hundred and seventy-four

An Act

To make technical amendments to the Act of September 3, 1974, relating to salary increases for District of Columbia police, firemen, and teachers, and to the District of Columbia Real Property Tax Revision Act of 1974, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective on the first day of the first pay period beginning on or after July 1, 1974, the salary schedule in section 101(a) of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823(a)) is amended by striking out "16,510" in service step 2 of class 4 of such schedule and inserting in lieu thereof "16,540".

SEC. 2. (a) Effective on and after the first day of the first pay period beginning on or after July 1, 1974, subsections (a), (b), (c), and (d) of section 302 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-828) are amended to read as follows:

"SEC. 302. (a) The Commissioner of the District of Columbia, in the case of the Metropolitan Police force and the Fire Department of the District of Columbia, the Secretary of the Treasury, in the case of the Executive Protective Service, and the Secretary of the Interior, in the case of the United States Park Police force, are authorized to establish and determine, from time to time, the positions in salary classes 1, 2, and 4 to be included as technicians' positions.

"(b) Each officer or member—

"(1) who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972—

"(A) was in a position assigned to subclass (b) of salary class 1 or 2 or subclass (c) of salary class 4, or

"(B) was in salary class 4 and was performing the duty of a dog handler, or

"(2) whose position is determined under subsection (a) to be included in salary class 1, 2, or 4 on or after such date as a technician's position,

shall on or after such date receive, in addition to his scheduled rate of basic compensation, \$735 per annum. An officer or member described in paragraph (1) (A) or (2) shall receive the additional compensation authorized by this subsection until his position is determined under subsection (a) not to be included in salary class 1, 2, or 4, as a technician's position or until he no longer occupies such position, whichever occurs first. An officer or member described in paragraph (1) (B) shall receive such compensation until the position of dog handler is determined under subsection (a) not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever first occurs. If the position of dog handler is included under subsection (a) as a technician's position, an officer or member performing the duty of a dog handler may not receive both the additional compensation authorized for an officer or member occupying a technician's position and the additional compensation authorized for officers and members performing the duty of a dog handler.

"(c) Each officer or member who immediately prior to the effective date of the District of Columbia Police and Firemen's Salary Act Amendments of 1972 was assigned as a detective sergeant in subclass (b) of salary class 4 shall on or after such date, receive, in addition to his scheduled rate of basic compensation, \$540 per annum so long

as he remains in such assignment. Each officer or member who is promoted after such date to the rank of detective sergeant shall receive, in addition to his scheduled rate of basic compensation, \$540 per annum so long as he remains in such assignment.

“(d) The additional compensation authorized by subsections (b) and (c) shall be paid to an officer or member in the same manner as he is paid the basic compensation to which he is entitled.”

(b) Effective on and after the first day of the first pay period beginning on or after January 1, 1974, section 302 of that Act is amended by adding at the end thereof the following:

“(e) Whenever any officer or member receiving additional compensation authorized by subsection (b) or (c) is no longer entitled to receive such additional compensation, without a change in salary class, he shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this Act, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his scheduled rate of basic compensation equals or exceeds such sum.

“(f) The loss of the additional compensation authorized by subsection (b) or (c) shall not constitute an adverse action for the purposes of section 7511 of title 5 of the United States Code.”

(c) Effective on and after the date of enactment of this Act paragraphs (5), (6), and (7) of section 101(a) of the Act of September 3, 1974 (relating to District of Columbia police and firemen's salaries) are repealed.

SEC. 3. (a) Section 103(a) of the Act of September 3, 1974 (relating to salary increases for District of Columbia police, firemen, and teachers), is amended by striking out “this title” and inserting in lieu thereof “this part”.

(b) Section 124(a) of that Act is amended by striking out “subsections (a), (b), and (d)” and inserting in lieu thereof “subsections (a) and (b)”.

(c) Section 124(c) of that Act is amended by striking out “Section 122” and inserting in lieu thereof “Sections 122, 123, and 124”.

(d) The amendments made by this section shall take effect on and after September 3, 1974.

SEC. 4. Effective on the first day of the first pay period beginning on or after September 1, 1974, the salary schedule contained in section 1 of the District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31-1501) is amended by

(1) striking out “\$29,900” in service step 5 of class 3 and inserting in lieu thereof “\$29,990”;

(2) striking out “13,620” in service step 9 of Group A-1 of class 15 and inserting in lieu thereof “13,520”;

(3) striking out “Group B, master's degree” in class 15 and inserting in lieu thereof “Group B, bachelor's degree + 30 or master's degree”;

(4) striking out “14,780” in service step 8 of Group C of class 15 and inserting in lieu thereof “14,730”; and

(5) striking out “17,180” in service step 12 of Group C of class 15 and inserting in lieu thereof “17,130”.

SEC. 5. Effective on and after September 3, 1974, the amendment made by section 202(2) of the Teachers' Salary Act Amendments of 1974 to the salary schedule contained in section 1 of the District of Columbia Teachers' Salary Act of 1955 is amended (1) by striking out “10,410” in service step 6 of Group A-1 of class 15 and inserting in lieu thereof “12,410”; and (2) by striking out “20,559” in Longevity step Y of Group D of class 15 and inserting in lieu thereof “20,550”.

SEC. 6. (a) (1) Subsections (c) and (d) of section 413 of the District of Columbia Real Property Tax Revision Act of 1974 are each amended by striking out "subsection (a)" and inserting in lieu thereof "subsection (b) (3)".

(2) The amendments made by paragraph (1) shall take effect January 2, 1975.

(b) Section 413(e) of that Act is amended by striking out "Act" and inserting in lieu thereof "title".

(c) The first sentence of section 421(a) of that Act is amended by striking out "this part" and inserting in lieu thereof "this subpart".

(d) The first sentence of section 421(f) of that Act is amended by striking out "Act" and inserting in lieu thereof "title".

(e) The first sentence of section 422(b) of that Act is amended by striking out "this title" the first place it appears and inserting in lieu thereof "this subpart".

(f) The last sentence of section 426(f) of that Act is amended by striking out "423" and inserting in lieu thereof "424".

(g) Section 426(i) of that Act is amended by deleting "sections 3 and 14 of title IX of the Act of August 17, 1937 (D.C. Code, sec. 47-2404, 47-24143)" and inserting in lieu thereof "sections 3 and 4 of title IX of the Act of August 17, 1937 (D.C. Code, secs. 47-2403, 47-2404)".

(h) The amendments made by subsections (b), (c), (d), (e), (f), and (g) shall take effect as provided in section 478 of that Act as if the sections (as amended) amended by such subsections had been included in Public Law 93-407 on the date of its enactment.

SEC. 7. (a) (1) Section 451 of the District of Columbia Real Property Tax Revision Act of 1974 is amended by (A) inserting "of article I" immediately after "title VI", and (B) inserting "Tax" immediately after "Franchise".

(2) The amendments made by paragraph (1) shall take effect on and after September 3, 1974.

(b) (1) Section 7 of title VI of article I of the District of Columbia Income and Franchise Tax Act of 1947, added by section 451 of the District of Columbia Real Property Tax Revision Act of 1974, is amended by striking out "SEC. 7", and inserting in lieu thereof "SEC. 8".

(2) The table of contents of such article I is amended by adding at the end of the part of such table relating to title VI the following:
"Sec. 8. Credit for property taxes accrued and payable by District of Columbia residents."

(3) The amendments made by paragraphs (1) and (2) shall take effect on and after January 1, 1975.

(c) Subsection (f) of section 8 of title VI of such article I (as redesignated by the amendment made by subsection (b) (1)) is amended by striking out "the first section of the Act of September 14, 1965 (D.C. Code, secs. 20-2101 and 20-2102), the claim shall not be allowed." and inserting in lieu thereof "sections 2101 and 2102 of title 20 of the District of Columbia Code, the claim shall not be allowed."

(d) Subsection (p) of such section 8 is amended by striking out "paragraph (1)" and inserting in lieu thereof "subsection (n) (1)".

(e) Subsection (s) of such section 8 is amended by striking out "section 7(a) of this title" and inserting in lieu thereof "subsection (a) of this section".

(f) The amendments made by subsections (c), (d), and (e) shall take effect as provided in section 451 of that Act as if the sections (as amended) amended by such subsections had been included in Public Law 93-407 on the date of its enactment.

H. R. 16925—4

SEC. 8. (a) Section 441 of the District of Columbia Real Property Tax Revision Act of 1974 is amended by striking out "(D.C. Code, sec. 47-801(a))" and inserting in lieu thereof "(D.C. Code, sec. 47-801a.)".

(b) Section 473 of that Act is amended by striking out "(D.C. Code, sec. 47-2601(a)(8))" and inserting in lieu thereof "(D.C. Code, sec. 47-2601.14(a)(8))".

(c) Section 474(b) of that Act is amended by striking out "(D.C. Code, sec. 47-601)" and inserting in lieu thereof "(D.C. Code, secs. 47-301, 47-601)".

(d) Section 477 of that Act is amended by striking out "this Act" and inserting in lieu thereof "this title".

(e) The amendments made by this section shall take effect on and after September 3, 1974.

SEC. 9. Effective June 30, 1975, section 5(a) of title IX of the Act of August 17, 1937 (D.C. Code, secs. 47-708, 47-709), and section 4 of the Act of July 3, 1926 (D.C. Code, sec. 47-713), are repealed.

SEC. 10. (a) Subsection (f) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4-521) is amended by striking out "basic salary at time of retirement" and inserting in lieu thereof "average pay".

(b) The amendment made by subsection (a) shall apply with respect to any annuity which begins on or after July 1, 1975.

SEC. 11. Effective on and after September 3, 1974, the amendment made by section 202(4) of the Teachers' Salary Act Amendments of 1974 to the schedule of pay rates in section 13(a) of the District of Columbia Teachers' Salary Act of 1955 is amended by striking out "9.61" in step 1 for Teachers in Adult Education Schools and inserting in lieu thereof "9.67".

SEC. 12. The second sentence of section 304(a) of the District of Columbia Campaign Finance Reform and Conflict of Interest Act is amended to read as follows: "The Commissioner of the District of Columbia shall appoint, by and with the advice and consent of the Senate, the Director, except that on and after January 2, 1975, appointments to the Office of Director, including vacancies therein, shall be made by the Mayor, with the advice and consent of the Council. The Director shall serve for a term of four years, subject to removal for cause by the Commissioner or the Mayor, as the case may be, and may be reappointed for a like term or terms, with the advice and consent of the Council, except that in the case of the Director serving as such on January 1, 1975, such Director's term shall terminate upon the expiration of June 1, 1979, unless sooner so removed for cause. Any appointment to fill a vacancy in the Office of Director shall be for the unexpired portion of the term."

SEC. 13. (a) Section 5(e) of the District of Columbia Election Act (D.C. Code, sec. 1-1105) is amended by adding at the end thereof the following new sentences: "The Board, at the request of the Director of Campaign Finance, shall provide such employees, subject to the compensation provisions of this subsection, as requested to carry out the powers and duties of the Director. Employees so assigned to the Director shall, while so assigned, be under the direction and control of the Director."

(b) Section 5 of such Act is further amended by adding at the end thereof the following new subsection:

"(g) The Board shall prescribe such regulations as may be necessary to insure that all persons responsible for the proper administration of this Act maintain a position of strict impartiality and refrain from any activity which would imply support of or opposition to (1) a candidate or group of candidates for office in the District of Columbia, or

(2) any political party or political committee. As used in this subsection, the terms 'office', 'political party', and 'political committee' shall have the same meaning as that prescribed in section 102 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act".

SEC. 14(a) Section 306(b)(2) of the Act of August 14, 1974, is amended by deleting "chapter 5 of title 5, United States Code" and inserting "the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1501 et seq.)".

(b) Section 601(c) of the Act of August 14, 1974, is amended by inserting immediately before the period at the end thereof a comma and the following: "except for political contributions publicly reported pursuant to section 206 of this Act and transactions made in the ordinary course of business of the person offering or giving the thing of value".

SEC. 15. (a) Section 431(a) of the District of Columbia Real Property Tax Revision Act of 1974 is amended by deleting "historic property" and inserting in lieu thereof "historic buildings".

(b) Section 431(b) of such Act is amended by deleting "historic property" and inserting "historic buildings".

(c) Section 432 of such Act is amended by deleting "property" wherever it appears therein and inserting in lieu thereof "buildings".

(d) Section 433 of such Act is amended to read as follows:

"SEC. 433. To be eligible for historic property tax relief, real property must be a historic building designated by the Joint Committee on Landmarks of the National Capital and, in addition, must be approved by the Commissioner under section 434."

(e) Section 434 of such Act is amended to read as follows:

"SEC. 434. The Council may provide that the owners of historic buildings which have been so designated by the Joint Committee on Landmarks of the National Capital may enter into agreements with the government of the District of Columbia for periods of at least twenty years which will assure the continued maintenance of historic buildings in return for property tax relief. Such a provision shall, as a condition for tax relief, require reasonable assurance that such buildings will be used and properly maintained and such other conditions as the Council finds to be necessary to encourage the preservation of historic buildings. The Council shall also provide for the recovery of back taxes, with interest, which would have been due and payable in the absence of the exemption, if the conditions for such exemption are not fulfilled."

SEC. 16. Section 4(a) of the Act entitled "An Act to amend the Controlled Substances Act to extend for three fiscal years the authorization of appropriations for the administration and enforcement of that Act", approved October 26, 1974 (Public Law 93-481), is amended by striking out "chapter 6" and inserting in lieu thereof "chapter 5".

SEC. 17. Section 493(b) of the Act of December 24, 1973, is amended to read as follows:

"(b) Paragraph 97(a) of section 8 of the Act of March 4, 1913 (making appropriations for the government of the District of Columbia) (D.C. Code, sec. 43-201), is amended as follows:

"(1) The first sentence of such paragraph is amended to read as follows: 'The Public Service Commission of the District of Columbia shall be composed of three commissioners appointed by the Mayor, by and with the advice and consent of the Council, except that the members (other than the Commissioner of the District of Columbia) serving as commissioners of such Commission on January 1, 1975, by virtue of their appointment by the President, by and with the advice and consent of the Senate, shall

continue to serve until the expiration of the terms for which they were so appointed. The member first appointed by the Mayor, by and with the advice and consent of the Council, on or after January 2, 1975, shall serve until June 30, 1978.

"(2) The third sentence of such paragraph is repealed.

"(3) The sixth sentence of such paragraph is amended to read as follows: 'No Commissioner shall, during his term of office, hold any other public office.'

"(4) The seventh sentence of such paragraph is amended by deleting 'The Commissioners of the District of Columbia' and inserting in lieu thereof 'The Mayor'.

"(5) The eighth sentence of such paragraph is amended to read as follows: 'No person shall be eligible to the office of Commissioner of the Public Service Commission of the District of Columbia who has not been a bona fide resident of the District of Columbia for a period of at least three years next preceding his appointment or who has voted or claimed residence elsewhere during such period.'"

SEC. 18. (a) Section 103(a) of the Act of September 3, 1974 (77 Stat. 1036), relating to police and firemen's compensation, is amended by deleting "subsections (b) and (c)" and inserting in lieu thereof "subsections (b), (c), and (d)".

(b) Section 103(a) of such Act is further amended by adding at the end thereof the following:

"(d) The amendment made by paragraph (4) of section 101 shall take effect on and after the first day of the first pay period beginning on or after June 1, 1974."

SEC. 19. Section 122 of the Act of September 3, 1974 (relating to police and firemen's compensation), is amended by adding at the end thereof the following new subsection:

"(d) In addition to the members and alternates of the Board designated by subsection (a) of this section, in all cases of retirement, disability, or other relief involving a member of the Executive Protective Service or a member of the United States Secret Service, who contribute to the Policemen and Firemen's Relief Fund of the District of Columbia, a member and alternate of the Executive Protective Service or a member and alternate of the United States Secret Service, as designated by the Director, United States Secret Service, as appropriate shall sit as a member of the Police and Firemen's Retirement and Relief Board."

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

December 24, 1974

Dear Mr. Director:

The following bills were received at the White House on December 24th:

S.J. Res. 40 ✓	B. 3481 ✓	H.R. 8958 ✓	H.R. 14600 ✓
S.J. Res. 133 ✓	B. 3548 ✓	H.R. 8981 ✓	H.R. 14689 ✓
S.J. Res. 262 ✓	B. 3934 ✓	H.R. 9182 ✓	H.R. 14718 ✓
✓S. 251 ✓	✓B. 3943 ✓	H.R. 9199 ✓	✓H.R. 15173 ✓
S. 356 ✓	S. 3976 ✓	H.R. 9588 ✓	✓H.R. 15223 ✓
S. 521 ✓	S. 4073 ✓	H.R. 9654 ✓	✓H.R. 15229 ✓
S. 544 ✓	✓S. 4206 ✓	H.R. 10212 ✓	✓H.R. 15322 ✓
S. 663 ✓	H.J. Res. 1178 ✓	✓H.R. 10701 ✓	H.R. 15977 ✓
✓B. 754 ✓	✓H.J. Res. 1180 ✓	✓H.R. 10710 ✓	✓H.R. 16045 ✓
S. 1017 ✓	✓H.R. 421 ✓	H.R. 10827 ✓	✓H.R. 16215 ✓
S. 1083 ✓	H.R. 1715 ✓	✓H.R. 11144 ✓	H.R. 16596 ✓
✓S. 1296 ✓	H.R. 1820 ✓	✓H.R. 11273 ✓	✓H.R. 16925 ✓
S. 1418 ✓	H.R. 2208 ✓	✓H.R. 11796 ✓	✓H.R. 17010 ✓
S. 2149 ✓	✓H.R. 2933 ✓	✓H.R. 11802 ✓	H.R. 17045 ✓
S. 2446 ✓	H.R. 3203 ✓	✓H.R. 11847 ✓	✓H.R. 17085 ✓
S. 2807 ✓	H.R. 3339 ✓	✓H.R. 11897 ✓	✓H.R. 17468 ✓
S. 2854 ✓	H.R. 5264 ✓	✓H.R. 12044 ✓	✓H.R. 17558 ✓
S. 2888 ✓	H.R. 5463 ✓	✓H.R. 12113 ✓	H.R. 17597 ✓
S. 2994 ✓	✓H.R. 5773 ✓	✓H.R. 12427 ✓	✓H.R. 17628 ✓
✓S. 3022 ✓	H.R. 7599 ✓	✓H.R. 12884 ✓	✓H.R. 17655 ✓
S. 3289 ✓	H.R. 7684 ✓	✓H.R. 13022 ✓	
S. 3358 ✓	H.R. 7767 ✓	✓H.R. 13296 ✓	
S. 3359 ✓	H.R. 8214 ✓	✓H.R. 13869 ✓	
S. 3394 ✓	H.R. 8322 ✓	H.R. 14449 ✓	
✓S. 3433 ✓	H.R. 8591 ✓	✓H.R. 14461 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

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