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APPROVED

AUG 14 1976

88/14/76

THE WHITE HOUSE
WASHINGTON

ACTION

Last Day: August 21

August 13, 1976

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *Jimi*

SUBJECT:

H.R. 13121 - District of Columbia Code

*Posted
8/16/76*

Attached for your consideration is H.R. 13121, sponsored by Representative Diggs and Representative Gude.

*archives
8/16/76*

The enrolled bill would direct the House of Representatives Law Revision Counsel to continue to prepare and publish the District of Columbia Code through publication of Supplement V to the 1973 edition. The Council of the District of Columbia would be responsible for preparation and publication thereafter.

A discussion of the provisions of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 13121 at Tab B.





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

AUG 12 1976

To:
J. Casper
8-12-76 6:00 p.m.

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13121 - District of Columbia Code
Sponsors - Rep. Diggs (D) Michigan and Rep. Gude (R) Maryland

Last Day for Action

August 21, 1976 - Saturday

Purpose

To direct the House of Representatives Law Revision Counsel to continue to prepare and publish the District of Columbia Code through publication of Supplement V to the 1973 edition. The Council of the District of Columbia would be responsible for preparation and publication thereafter.

Agency Recommendations

Office of Management and Budget	Approval
District of Columbia Government	Approval

Discussion

Public Law 93-554, approved December 27, 1974, created the Office of the Law Revision Counsel in the House of Representatives to develop and keep current a codification of U.S. laws. One of its responsibilities was to prepare and publish new editions of the District of Columbia Code with annual supplements until the effective date of the Home Rule Act (January 2, 1975). As a result, although Federal funds were already appropriated for it, the House Law Revision Counsel ceased work on the District of Columbia Code in the middle of the supplements to the 1973 edition, completing only Supplements I and II; supplements III, IV and V remain to be compiled and published.

The District of Columbia Government (and, in particular, the Council of the District of Columbia) has not begun the preparation, codification, and publication of the District of Columbia Code and supplements since assuming office on January 2, 1975. As a result, continuation of this work by the House Law Revision Counsel was formally requested by the Council of the District of Columbia on February 6, 1976.

In order to insure codification of measures previously enacted by Congress on behalf of the District, and to complete this edition speedily, the enrolled bill reinstates the House Law Revision Counsel as the agent of Congress for continuing publication of the District of Columbia Code through the remaining supplements to the 1973 edition. It also directs that the Council of the District of Columbia will be responsible for preparation and publication of the Code thereafter.

To assure continuity of preparing and printing the Code, as well as protecting the already very considerable investment of the U.S. Government in type and plates, the enrolled bill also directs that after the remaining supplements are published, the Government Printing Office furnish the type to the Council or make appropriate arrangements for the continued printing by GPO of future editions of the Code, as prepared under the Council's directions.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures



THE DISTRICT OF COLUMBIA

WALTER E. WASHINGTON
MAYOR

WASHINGTON, D. C. 20004

AUG 10 1976

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

Dear Mr. Frey:

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

H.R. 13121 -- To direct the Law Revision Counsel to prepare and publish the District of Columbia Code through publication of supplement V to the 1973 edition, with the Council of the District of Columbia to be responsible for preparation and publication of such Code thereafter.

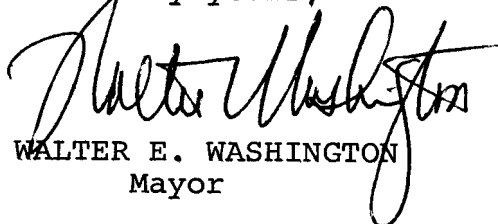
H.R. 13121 reinstates the Law Revision Counsel of the House of Representatives as the agent of Congress for continuing codification and publication of the District of Columbia Code through the remaining supplements to the 1973 edition of said Code.

Section 2 of H.R. 13121 directs that after such publication, the District of Columbia Code shall be prepared and published under the direction of the Council of the District of Columbia. It is further provided that, after the completion of the printing of the fifth annual cumulative supplement to the 1973 edition, the Public Printer (in consultation with the Joint Committee on Printing) shall (1) furnish to the Council of the District of Columbia the type used in preparing the District of Columbia Code and the fifth annual supplement thereto, or (2) make appropriate arrangements for the continued printing of future editions of the District of Columbia Code by the Government Printing Office under the direction of the Council of the District of Columbia.

The Committee on the District of Columbia reports (No. 94-1096) that the costs of this legislation will be approximately \$40,000.00 to \$50,000.00 per year and that sufficient funds were previously appropriated. A much greater expenditure would be required by the District of Columbia Government if this legislation were not enacted and no such expenditure has been budgeted.

The District Government recommends the approval of H.R. 13121.

Sincerely yours,



WALTER E. WASHINGTON
Mayor



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

AUG 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13121 - District of Columbia Code
Sponsors - Rep. Diggs (D) Michigan and Rep. Gude (R) Maryland

Last Day for Action

August 21, 1976 - Saturday

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To direct the House of Representatives Law Revision Counsel to continue to prepare and publish the District of Columbia Code through publication of Supplement V to the 1973 edition. The Council of the District of Columbia would be responsible for preparation and publication thereafter.

Agency Recommendations

Office of Management and Budget	Approval
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Discussion

Public Law 93-554, approved December 27, 1974, created the Office of the Law Revision Counsel in the House of Representatives to develop and keep current a codification of U.S. laws. One of its responsibilities was to prepare and publish new editions of the District of Columbia Code with annual supplements until the effective date of the Home Rule Act (January 2, 1975). As a result, although Federal funds were already appropriated for it, the House Law Revision Counsel ceased work on the District of Columbia Code in the middle of the supplements to the 1973 edition, completing only Supplements I and II; supplements III, IV and V remain to be compiled and published.

The District of Columbia Government (and, in particular, the Council of the District of Columbia) has not begun the preparation, codification, and publication of the District of Columbia Code and supplements since assuming office on January 2, 1975. As a result, continuation of this work by the House Law Revision Counsel was formally requested by the Council of the District of Columbia on February 6, 1976.

In order to insure codification of measures previously enacted by Congress on behalf of the District, and to complete this edition speedily, the enrolled bill reinstates the House Law Revision Counsel as the agent of Congress for continuing publication of the District of Columbia Code through the remaining supplements to the 1973 edition. It also directs that the Council of the District of Columbia will be responsible for preparation and publication of the Code thereafter.

To assure continuity of preparing and printing the Code, as well as protecting the already very considerable investment of the U.S. Government in type and plates, the enrolled bill also directs that after the remaining supplements are published, the Government Printing Office furnish the type to the Council or make appropriate arrangements for the continued printing by GPO of future editions of the Code, as prepared under the Council's directions.


Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date:

August 12

Time:

700pm

FOR ACTION:

Steve McConahey *cc*

cc (for information):

Max Friederick *cc*

Ken Lazarus *cc*

Jack Marsh

Jim Cavanaugh

Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date:

August 13

Time:

200pm

SUBJECT:

H.R. 13121-District of Columbia Code

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



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 WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 12

Time: 700pm

FOR ACTION: Steve McConahey
Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Cavanaugh
Ed Schmults

M.B.

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 13121-District of Columbia Code

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



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 12

Time: 700pm

FOR ACTION: Steve McConahey
Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Cavanaugh
Ed Schmults

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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.

Ken Lazarus

DISTRICT OF COLUMBIA CODE

MAY 6, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

REPORT

[To accompany H.R. 13121]

The Committee on the District of Columbia, to whom was referred the bill (H.R. 13121) to direct the Law Revision Counsel to prepare and publish the District of Columbia Code through publication of supplement V to the 1973 edition; with the Council of the District of Columbia to be responsible for preparation and publication of such Code thereafter, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill, H.R. 13121, is to direct the Law Revision Counsel of the House to resume codification and publication of the remaining Supplements to the District of Columbia Code of 1973.

Upon completion thereof (c. 1978), new additions of the District of Columbia Code shall be prepared and published under the direction of the Council of the District of Columbia. At that time the Public Printer shall, in consultation with the Joint Committee on Printing, either (a) furnish to the District of Columbia Council the type used in the preparation of the 1973 edition, or (b) arrange with the District of Columbia Council for the printing by the Government Printing Office of future editions of the said Code and supplements thereto.

BACKGROUND

By Sec. 205(a) of reform legislation (H. Res. 988) amending House Rules X and XI, the House created the Office of the "Law Revision Counsel", theretofore under the Judiciary Committee. This Resolution was subsequently made public law by inclusion of the same as a rider to H.R. 16900 (Supplemental Appropriations Act), approved December 27, 1974 (Public Law 93-554; 88 Stat. 1777).

Sec. 205(6) of said H. Res. 988 directed the House Law Revision Counsel to continue to prepare and publish new editions of the District of Columbia Code with annual supplements, until January 2, 1975 when the District of Columbia Self-Government and Government Reorganization Act (Public Law 93-198; 87 Stat. 774) became effective.

As a consequence of that enactment, the Law Revision Counsel has not since that date prepared nor published Supplements III or IV of said District of Columbia Code, and is not working thereon. However, the plates and type for the current edition and supplements of the Code belong to the U.S. Government and still are in the hands of the Government Printing Office.

NEED FOR THIS LEGISLATION

As a result of the provisions of the Home Rule Act referred to above, the House Law Revision Counsel ceased work on the District of Columbia Code in the middle of the Supplements to the 1973 edition, having completed only Supplements I and II. Supplements III, IV and V remain to be done in order to complete the usual six-year cycle for such work.

The District of Columbia Government (and in particular the Council of the District of Columbia) has been unable to commence the preparation, codification and publication of the District of Columbia Code and supplements since assuming office on January 2, 1975. As a matter of fact, the Mayor and Council have not yet provided in the District budget for such work.

On January 13, 1976, the District of Columbia Council adopted Resolution 1-182 requesting that the Congress through the Law Revision Counsel continue the codification and publication of the District of Columbia Code through the completion of the current 1973 edition and supplements.

Copies of the said Resolution and transmittal thereof to the Speaker appear at the end of the report.

PROVISIONS OF THE BILL

Section 1. The effect of this section is to reinstate the Law Revision Counsel as the agent of Congress for continuing the codification and publication of the District of Columbia Code through the remaining supplements to the 1973 edition of said Code.

Section 2. Directs that after such publication, the District of Columbia Code shall be prepared and published under the direction of the Council of the District of Columbia. Because the Government Printing Office will have at hand all the plates and type used in the District of Columbia Code editions, it is provided in this section that the Public Printer (in consultation with the Joint Committee on Printing) shall (1) furnish the type to the Council, or (2) make appropriate arrangements for the continued printing by GPO of future editions of the District of Columbia Code, as prepared under the Council's directions.

This assures continuity of preparing and printing the District of Columbia Code, as well as protecting the already very considerable

investment of the U.S. Government in type and plates, the use of which would be invaluable to the District Government.

COMMITTEE ACTION

The Full Committee considered H.R. 13121 at its meeting of May 3, 1976. No objection to the bill was expressed at the meeting or otherwise to the Committee.

This legislation has been cleared with and has the approval of all parties in interest, including the Committee on House Administration, Joint Committee on Printing, Government Printing Office, and Law Revision Counsel.

COMMITTEE VOTE

The bill, H.R. 13121, was ordered favorably reported to the House on May 3, 1976 by unanimous voice vote of the Committee.

STATEMENTS REQUIRED BY RULE XI(1)(3) OF HOUSE RULES

OVERSIGHT FINDINGS AND RECOMMENDATIONS

The Committee's oversight findings with respect to the matters with which the bill is concerned remain as a part of its continuing Congressional oversight required by the Constitution and specifically provided for in the Home Rule Act (Sections 601, 602, 604 and 731 of Public Law 93-198; 87 Stat. 774).

BUDGET AUTHORITY

This legislation for the District of Columbia creates no new budget authority or tax expenditure by the Federal Government. Therefore, a statement required by Section 308(a) of the Congressional Budget and Impoundment Control Act of 1974 is not necessary.

CONGRESSIONAL BUDGET OFFICE ESTIMATE AND COMPARISON

No estimate and comparison of costs has been received by the Committee from the Director of the Congressional Budget Office, pursuant to Section 403 of the Congressional Budget and Impoundment Control Act of 1974. (See cost estimate below by this Committee.)

COMMITTEE ON GOVERNMENT OPERATIONS SUMMARY

No oversight findings and recommendations have been received which relate to this measure from the Committee on Government Operations under Clause 2(b) (2) of Rule X.

COSTS

According to figures presented to the Committee, it is estimated that the costs of this legislation (preparing and publishing the remaining supplements to the 1973 D.C. Code) will be approximately \$40,000 to \$50,000 per year. Sufficient funds for this task were previously appropriated in Public Law 93-371 and Public Law 92-342.

INFLATIONARY IMPACT

The bill, if enacted into law, will have no foreseeable inflationary impact on prices or costs in the operation of the national economy.

DISTRICT REQUEST FOR THIS LEGISLATION

The request of the Council of the District of Columbia for the enactment of this legislation follows:

COUNCIL OF THE DISTRICT OF COLUMBIA,
Washington, D.C., February 6, 1976.

HON. CARL ALBERT,
Speaker of the House, U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: On January 13, 1976, the Council of the District of Columbia adopted Resolution 1-182, cited as "The D.C. Code Publication Resolution of 1975", which requests that the Office of the Law Revision Counsel of the Congress of the United States continue the publication of the District of Columbia Code in conjunction with the Council of the District of Columbia until the completion of the present edition.

Transmitted herewith is a copy of Resolution 1-182 for referral to the Office of the Law Revision Counsel of the Congress of the United States, pursuant to Section 5 of the Resolution.

Sincerely yours,

STERLING TUCKER, *Chairman.*

A RESOLUTION: 1-182

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA—JANUARY 13,
1976

To request that the Office of the Law Revision Counsel of the Congress of the United States continue the publication of the District of Columbia Code in conjunction with the Council of the District of Columbia until the completion of the present edition.

Resolved, by the Council of the District of Columbia, That this resolution may be cited as the "D.C. Code Publication Resolution of 1975".

SEC. 2. The Council of the District of Columbia urges that the Congress of the United States continue the codification and publication of the D.C. Code through the completion of the current edition (calendar year 1978). The Council finds this course of action would be appropriate for the following reasons:

(a) The District of Columbia Code has traditionally been printed in six-year cycles with annual supplements;

(b) The second supplement to the 1973 edition of said Code has been completed;

(c) The United States House of Representatives has resolved to discontinue compilation and publication of said

Code and the Congress has passed a law to discontinue its responsibility for such compilation and publication after January 2, 1975;

(d) The Charter directs that the Council provide for the codification of its acts and resolutions;

(e) The Council's activities in the areas of codification have been and will continue to be intensively directed to preparing and publishing the District of Columbia Municipal Code containing matters of law in the nature of municipal ordinances;

(f) The Council, in its desire for municipal austerity, has not budgeted for itself codification resources beyond those necessary to oversee the compilation and publication of said Municipal Code;

(g) By the provisions of the District of Columbia Self-Government and Governmental Reorganization Act, all Council acts which will have longstanding effect must layover before Congress for thirty (30) legislative days before becoming effective, and;

(h) Congress has available to it, through the Government Printing Office, the plates for the current edition and supplements of said Code.

SEC. 3. The Council of the District of Columbia hereby requests that the Office of the Law Revision Counsel of the Congress of the United States continue the preparation and publication of the supplements of the District of Columbia Code until the current cycle of such supplements is completed in consultation with the Committee on the Judiciary and Criminal Law of the Council, to which has been assigned matters of codification.

SEC. 4. This Resolution shall take effect upon adoption.

SEC. 5. The Chairman of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Speaker of the House of Representatives and to the President of the Senate for referral to the Office of the Law Revision Counsel of the Congress of the United States.

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 italic, existing law in which no change is proposed is shown in roman):

SECTION 205 OF H. RES. 998, NINETY-THIRD CONGRESS

OFFICE OF THE LAW REVISION COUNSEL

SEC. 205. (a) There is established in the House of Representatives an office to be known as the Office of the Law Revision Counsel, referred to hereinafter in this section as the "Office."

(b) The principal purpose of the Office shall be to develop and keep current an official and positive codification of the laws of the United States. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House.

(c) The functions of the Office shall be as follows:

(1) To prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.

(2) To examine periodically all of the public laws enacted by the Congress and submit to the Committee on the Judiciary recommendations for the repeal of obsolete, superfluous, and superseded provisions contained therein.

(3) To prepare and publish periodically a new edition of the United States Code (including those titles which are not yet enacted into positive law as well as those titles which have been so enacted), with annual cumulative supplements reflecting newly enacted laws.

(4) To classify newly enacted provisions of law to their proper positions in the Code where the titles involved have not yet been enacted into positive law.

(5) To prepare and submit periodically such revisions in the titles of the Code which have been enacted into positive law as may be necessary to keep such titles current.

(6) To prepare and publish periodically new editions of the District of Columbia Code, with annual cumulative supplements reflecting newly enacted laws, [until such time as the District of Columbia Self-Government and Governmental Reorganization Act becomes effective] through publication of the fifth annual cumulative supplement to the 1973 edition of such Code.

(7) To provide the Committee on the Judiciary with such advice and assistance as the committee may request in carrying out its functions with respect to the revision and codification of the Federal statutes.

* * * * *

○

In compliance with clause 8 of the XIII of the Rules of the House of Representatives, changes in existing law made by the bills reported to the House are shown as follows: (1) Existing law proposed to be amended is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman; (2) In the law in which no change is proposed, the words "as amended" are used to indicate that the law has been amended by the House. (3) There is established in the House of Representatives an office to be known as the Office of Law Revision Council, referred to hereinafter in this section as the "Office," to be headed by a Chief Counsel and to be composed of such other persons as may be appointed by the House. (4) There is established in the House of Representatives a committee to be known as the Committee on the Judiciary, to be composed of such members of the House as may be appointed by the House. (5) The Office shall be organized and shall function as provided in this section. (6) The Office shall be organized and shall function as provided in this section. (7) The Office shall be organized and shall function as provided in this section. (8) The Office shall be organized and shall function as provided in this section. (9) The Office shall be organized and shall function as provided in this section. (10) The Office shall be organized and shall function as provided in this section. (11) The Office shall be organized and shall function as provided in this section. (12) The Office shall be organized and shall function as provided in this section. (13) The Office shall be organized and shall function as provided in this section. (14) The Office shall be organized and shall function as provided in this section. (15) The Office shall be organized and shall function as provided in this section. (16) The Office shall be organized and shall function as provided in this section. 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DISTRICT OF COLUMBIA CODE

 AUGUST 3, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 13121]

The Committee on the District of Columbia, to whom was referred the bill (H.R. 13121) to direct the Law Revision Counsel to prepare and publish the District of Columbia Code through publication of supplement V to the 1973 edition, with the Council of the District of Columbia to be responsible for preparation and publication of such Code thereafter, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill, H.R. 13121, is to direct the Law Revision Counsel of the House to resume codification and publication of the remaining Supplements to the District of Columbia Code of 1973.

Upon completion thereof (c. 1978), new additions of the District of Columbia Code shall be prepared and published under the direction of the Council of the District of Columbia. At that time the Public Printer shall, in consultation with the Joint Committee on Printing, either (a) furnish to the District of Columbia Council the type used in the preparation of the 1973 edition, or (b) arrange with the District of Columbia Council for the printing by the Government Printing Office of future editions of the said Code and supplements thereto.

BACKGROUND

By Sec. 205(a) of reform legislation (H. Res. 988) amending House Rules X and XI, the House created the Office of the "Law Revision Counsel", theretofore under the Judiciary Committee. This Resolution was subsequently made public law by inclusion of the same as a rider

to H.R. 16900 (Supplemental Appropriations Act), approved December 27, 1974 (Public Law 93-554; 88 Stat. 1777).

Sec. 205(6) of said H. Res. 988 directed the House Law Revision Counsel to continue to prepare and publish new editions of the District of Columbia Code with annual supplements, until January 2, 1975 when the District of Columbia Self-Government and Government Reorganization Act (Public Law 93-198; 87 Stat. 774) became effective.

As a consequence of that enactment, the Law Revision Counsel has not since that date prepared nor published Supplements III or IV of said District of Columbia Code, and is not working thereon. However, the plates and type for the current edition and supplements of the Code belong to the U.S. Government and still are in the hands of the Government Printing Office.

NEED FOR THIS LEGISLATION

As a result of the provisions of the Home Rule Act referred to above, the House Law Revision Counsel ceased work on the District of Columbia Code in the middle of the Supplements to the 1973 edition, having completed only Supplements I and II. Supplements III, IV and V remain to be done in order to complete the usual six-year cycle for such work.

The District of Columbia Government (and in particular the Council of the District of Columbia) has been unable to commence the preparation, codification and publication of the District of Columbia Code and supplements since assuming office on January 2, 1975. As a matter of fact, the Mayor and Council have not yet provided in the District budget for such work.

On January 13, 1976, the District of Columbia Council adopted Resolution 1-182 requesting that the Congress through the Law Revision Counsel continue the codification and publication of the District of Columbia Code through the completion of the current 1973 edition and supplements.

Copies of the said Resolution and transmittal thereof to the Speaker appear at the end of the report.

PROVISIONS OF THE BILL

Section 1. The effect of this section is to reinstate the Law Revision Counsel as the agent of Congress for continuing the codification and publication of the District of Columbia Code through the remaining supplements to the 1973 edition of said Code.

Section 2. Directs that after such publication, the District of Columbia Code shall be prepared and published under the direction of the Council of the District of Columbia. Because the Government Printing Office will have at hand all the plates and type uses in the District of Columbia Code editions, it is provided in this section that the Public Printer (in consultation with the Joint Committee on Printing) shall (1) furnish the type to the Council, or (2) make appropriate arrangements for the continued printing by GPO of future editions of the District of Columbia Code, as prepared under the Council's directions.

This assures continuity of preparing and printing the District of Columbia Code, as well as protecting the already very considerable investment of the U.S. Government in type and plates, the use of which would be invaluable to the District Government.

COMMITTEE ACTION

The bill, H.R. 13121, was ordered favorable reported to the Senate on July 1, 1976, by unanimous voice vote of the Committee.

BUDGET AUTHORITY

This legislation for the District of Columbia creates no new budget authority or tax expenditure by the Federal Government. Therefore, a statement required by Section 308(a) of the Congressional Budget and Impoundment Control Act of 1974 is not necessary.

CONGRESSIONAL BUDGET OFFICE ESTIMATE AND COMPARISON

No estimate and comparison of costs has been received by the Committee from the Director of the Congressional Budget Office, pursuant to Section 403 of the Congressional Budget and Impoundment Control Act of 1974. (See cost estimate below by this Committee.)

COSTS

According to figures presented to the Committee, it is estimated that the costs of this legislation (preparing and publishing the remaining supplements to the 1973 D.C. Code) will be approximately \$40,000 to \$50,000 per year. Sufficient funds for this task were previously appropriated in Public Law 93-371 and Public Law 92-342.

INFLATIONARY IMPACT

The bill, if enacted into law, will have no foreseeable inflationary impact on prices or costs in the operation of the national economy.

DISTRICT REQUEST FOR THIS LEGISLATION

The request of the Council of the District of Columbia for the enactment of this legislation follows:

COUNCIL OF THE DISTRICT OF COLUMBIA,
Washington, D.C., February 6, 1976.

HON. NELSON ROCKEFELLER,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: On January 13, 1976, the Council of the District of Columbia adopted Resolution 1-182, cited as "The D.C. Code Publication Resolution of 1975", which requests that the Office of the Law Revision Counsel of the Congress of the United States continue the publication of the District of Columbia Code in conjunction with the Council of the District of Columbia until the completion of the present edition.

Transmitted herewith is a copy of Resolution 1-182 for referral to the Office of the Law Revision Counsel of the Congress of the United States, pursuant to Section 5 of the Resolution.

Sincerely yours,

STERLING TUCKER, *Chairman.*

A RESOLUTION: 1-182

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA—JANUARY 13,
1976

To request that the Office of the Law Revision Counsel of the Congress of the United States continue the publication of the District of Columbia Code in conjunction with the Council of the District of Columbia until the completion of the present edition.

Resolved, by the Council of the District of Columbia, That this resolution may be cited as the "D.C. Code Publication Resolution of 1975".

SEC. 2. The Council of the District of Columbia urges that the Congress of the United States continue the codification and publication of the D.C. Code through the completion of the current edition (calendar year 1978). The Council finds this course of action would be appropriate for the following reasons:

(a) The District of Columbia Code has traditionally been printed in six-year cycles with annual supplements;

(b) The second supplement to the 1973 edition of said Code has been completed;

(c) The United States House of Representatives has resolved to discontinue compilation and publication of said Code and the Congress has passed a law to discontinue its responsibility for such compilation and publication after January 2, 1975;

(d) The Charter directs that the Council provide for the codification of its acts and resolutions;

(e) The Council's activities in the areas of codification have been and will continue to be intensively directed to preparing and publishing the District of Columbia Municipal Code containing matters of law in the nature of municipal ordinances;

(f) The Council, in its desire for municipal austerity, has not budgeted for itself codification resources beyond those necessary to oversee the compilation and publication of said Municipal Code;

(g) By the provisions of the District of Columbia Self-Government and Governmental Reorganization Act, all Council acts which will have longstanding effect must layover before Congress for thirty (30) legislative days before becoming effective, and;

(h) Congress has available to it, through the Government Printing Office, the plates for the current edition and supplements of said Code.

SEC. 3. The Council of the District of Columbia hereby requests that the Office of the Law Revision Counsel of the Congress of the United States continue the preparation and publication of the supplements of the District of Columbia Code until the current cycle of such supplements is completed in consultation with the Committee on the Judiciary and Criminal Law of the Council, to which has been assigned matters of codification.

SEC. 4. This Resolution shall take effect upon adoption.

SEC. 5. The Chairman of the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Speaker of the House of Representatives and to the President of the Senate for referral to the Office of the Law Revision Counsel of the Congress of the United States.

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):

SECTION 205 OF H. RES. 998, NINETY-THIRD CONGRESS

OFFICE OF THE LAW REVISION COUNSEL

SEC. 205. (a) There is established in the House of Representatives an office to be known as the Office of the Law Revision Counsel, referred to hereinafter in this section as the "Office."

(b) The principal purpose of the Office shall be to develop and keep current an official and positive codification of the laws of the United States. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House.

(c) The functions of the Office shall be as follows:

(1) To prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.

(2) To examine periodically all of the public laws enacted by the Congress and submit to the Committee on the Judiciary recommendations for the repeal of obsolete, superfluous, and superseded provisions contained therein.

(3) To prepare and publish periodically a new edition of the United States Code (including those titles which are not yet enacted into positive law as well as those titles which have been so enacted), with annual cumulative supplements reflecting newly enacted laws.

(4) To classify newly enacted provisions of law to their proper positions in the Code where the titles involved have not yet been enacted into positive law.

(5) To prepare and submit periodically such revisions in the titles of the Code which have been enacted into positive law as may be necessary to keep such titles current.

(6) To prepare and publish periodically new editions of the District of Columbia Code, with annual cumulative supplements reflecting newly enacted laws, [until such time as the District of Columbia Self-Government and Governmental Reorganization Act becomes effective] through publication of the fifth annual cumulative supplement to the 1973 edition of such Code.

(7) To provide the Committee on the Judiciary with such advice and assistance as the committee may request in carrying out its functions with respect to the revision and codification of the Federal statutes.

* * * * *



In compliance with subsection (a) of Rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill reported, are shown as follows: Existing law is shown in black type; new law is shown in red type; and changes in existing law in which no change is shown in red type are shown in black type. Section 205 of H. R. 982, Ninety-Tenth Congress, first session, is amended to read as follows: (a) There is established in the House of Representatives an office to be known as the Office of the Law Revision Counsel, to be headed by a Law Revision Counsel, to be appointed by the House. (b) The principal purpose of the Office shall be to develop and keep current all official and positive codifications of the laws of the United States. The Office shall maintain impartiality as to issues of legislative policy to be determined by the House. (c) The functions of the Office shall be as follows: (1) To prepare and submit to the Committee on the Judiciary one title at a time, a complete compilation, revision, and revision of the general and permanent laws of the United States which conform to the underlying policy, intent, and purpose of the Congress in the original enactment, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form separately stated, with a view to the enactment of such laws as positive law. (2) To examine periodically all of the public laws enacted by the Congress and submit to the Committee on the Judiciary recommendations for the repeal, obsolete, superseded, and superfluous provisions contained therein, and to prepare and publish periodically a new edition of the United States Code (including those titles which are not yet enacted into positive law as well as those titles which have been enacted) with annual cumulative supplements reflecting newly enacted laws, to be published at the end of each year.

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

To direct the Law Revision Counsel to prepare and publish the District of Columbia Code through publication of supplement V to the 1973 edition, with the Council of the District of Columbia to be responsible for preparation and publication of such Code thereafter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (6) of section 205(c) of H. Res. 988, Ninety-third Congress (2 U.S.C. 285b(6)), as made permanent law by the first paragraph under the heading "Administrative Provisions" in chapter III of title I of the Act of December 27, 1974 (Public Law 93-554; 88 Stat. 1777), is amended by striking out "until such time as the District of Columbia Self-Government and Governmental Reorganization Act becomes effective" and inserting in lieu thereof "through publication of the fifth annual cumulative supplement to the 1973 edition of such Code".

SEC. 2. (a) After publication by the Law Revision Counsel of the fifth annual cumulative supplement to the 1973 edition of the District of Columbia Code, new editions of the District of Columbia Code (and annual cumulative supplements thereto) shall be prepared and published under the direction of the Council of the District of Columbia and shall set forth the general and permanent laws relating to or in force in the District of Columbia, whether enacted by the Congress or by the Council of the District of Columbia, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in nature.

(b) After completion of the printing of the fifth annual cumulative supplement to the 1973 edition of the District of Columbia Code, the Public Printer shall, as the Council of the District of Columbia may request, either—

(1) furnish to the Council of the District of Columbia, on such terms as the Public Printer (in consultation with the Joint Committee on Printing) deems appropriate, the type used in preparing the 1973 edition of the District of Columbia Code and the fifth annual cumulative supplement to such edition; or

(2) make such arrangements with the Council of the District of Columbia as the Public Printer (in consultation with the Joint Committee on Printing) deems appropriate for the printing by the Government Printing Office of future editions of the District of Columbia Code, and annual cumulative supplements thereto, prepared under the direction of the Council of the District of Columbia.

Speaker of the House of Representatives.

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