

"Prosecutions for violations of this Act shall be conducted in the name of the District of Columbia by the Corporation Counsel".

SEC. 8. Section 9 of the Act entitled "An Act to create a board of accountancy for the District of Columbia, and for other purposes", approved February 17, 1923 (D.C. Code, sec. 2-909), is amended by adding at the end thereof the following new sentence: "Prosecutions for violations of this Act shall be conducted in the name of the District of Columbia by the Corporation Counsel."

SEC. 9. Sections 425 to 428, inclusive, of the Act entitled "An Act to revise and consolidate the statutes of the United States, general and permanent in their nature, relating to the District of Columbia, in force on the first day of December, in the year of our Lord one thousand eight hundred and seventy three", approved June 22, 1874 (D.C. Code, secs. 4-168-171, inclusive), are hereby repealed.

SEC. 10. The last sentence of the first section of the Act entitled "An Act to provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes", approved April 8, 1935, as amended (D.C. Code, sec. 20-701), is amended by striking out "The United States Attorney in and for the District of Columbia" and inserting in lieu thereof "The Corporation Counsel of the District of Columbia".

SEC. 11. Sections 1, 2, and 3 of this Act shall apply to all conduct within the terms of said sections which shall occur subsequent to the approval of this Act. Sections 4, 5, 6, 7, 8, 9 and 10 of this Act shall take effect thirty days from the approval of this Act, but shall not in any case apply to proceedings instituted prior to the approval of this Act."

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., January 14, 1963.

The VICE PRESIDENT,
U.S. Senate, Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal to amend certain provisions of the Code of the District of Columbia. For the sake of clarity there is also attached a statement setting forth the need for each such amendment and how these amendments will resolve the problems created by the present statute.

An identical proposal was submitted to the 87th Congress on July 25, 1962, which was introduced as S. 3670. No action, however, was taken on this bill by the Senate Committee for the District of Columbia since it was received so late in the session.

This proposal was drafted with the assistance of the Corporation Counsel of the District of Columbia who indicated that he is in complete accord with the need for such legislation. The proposal will accomplish a number of things. It will strengthen certain criminal sections of the District of Columbia Code; it will broaden the immunity statute of the District of Columbia so that it will conform with other Federal statutes; it provides for certain procedural changes in matters which are essentially local in nature and permit the substitution of the Corporation Counsel of the District of Columbia as the moving party rather than the U.S. attorney.

It is the view of the Department that this legislation is highly desirable and it is urged that the Congress give favorable consideration to this matter.

The Bureau of the Budget has advised that there is no objection to the submission of this recommendation from the standpoint of the administration's program.

Sincerely,

ROBERT F. KENNEDY,
Attorney General.

Enclosure.

EXPLANATORY STATEMENT

A bill to amend certain criminal laws applicable to the District of Columbia, and for other purposes

SECTION 1. DESTRUCTION OF PROPERTY

This section would amend section 848 of the act approved March 3, 1901 (31 Stat. 1327, ch. 854), as amended by the act approved August 12, 1937 (50 Stat. 629 ch. 599) (District of Columbia Code, sec. 22-403), by—