

Public Law 88-622

AN ACT

October 3, 1964

[S. 1082]

To establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes.

D.C.
Correctional in-
dustries fund.

D.C. Code 47-
131.
Availability and
use.

Funds from
products and serv-
ices, disposition.

Annual report.

Profits reten-
tion, limitation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Treasury a revolving fund for the government of the District of Columbia to be known as the correctional industries fund (hereinafter referred to as the "fund") to replace the working capital fund created by Public Law 493, Seventy-ninth Congress, approved July 9, 1946 (60 Stat. 514), as amended.

SEC. 2. The fund shall be available without fiscal-year limitation and shall be used for the performance of such services and the production of such commodities as, in the judgment of the Board of Commissioners of the District of Columbia (hereinafter referred to as "Commissioners"), will contribute to the rehabilitation, knowledge, and skill in trades and occupations of inmates of the institutions in the Department of Corrections of the District of Columbia, thereby equipping them with a means of livelihood upon release. The accounting for the fund shall be maintained on the accrual basis, including provision for employees' accrued annual leave and depreciation of fixed assets, and financial reports shall be prepared on the basis of such accounting.

SEC. 3. Products and services produced by utilization of the fund may be purchased, at fair market prices as determined by the Commissioners, by any department or agency of the District of Columbia government, the Federal Government, any State or subdivision of a State or any Commonwealth, territory, or possession of the United States. Receipts from the sales of products and services shall be deposited to the credit of the fund. The fund shall be used for all necessary expenses directly related to the fund, including personal services; payments to inmates, or payments to their dependents, of such pecuniary earnings as the Commissioners deem proper; purchase, repair, and maintenance of equipment; purchase of raw materials and supplies; payment of dues and expenses of attendance at meetings and conventions, as approved by the Commissioners; maintenance and repair of buildings used for fund purposes; alteration of existing facilities used for fund purposes where the total project cost does not exceed \$10,000; and, within the limits of amounts provided in annual appropriation Acts, acquisition and improvement of real property.

SEC. 4. Not later than six months after the end of each fiscal year, the Director of the Department of Corrections of the District of Columbia shall submit to the Commissioners a report of the financial condition of the fund and the results of operations for such fiscal year. The Commissioners shall review such report and determine the disposition to be made of realized profits. The Commissioners are empowered to authorize retention of accumulated profits for the purpose of acquiring or improving personal property, or to increase working capital to planned operating levels. In no case, however, shall such profits retained for these purposes increase the net worth of the fund beyond \$2,500,000. The Commissioners are also empowered to authorize retention of accumulated profits for payments to inmates, other than those employed in industrial operations, or for payments to their dependents, of such amounts as the Commissioners deem proper. Accumulated profits not retained or used for the aforementioned purposes, or which exceed the limitation imposed, shall be deposited to the credit of the general revenues of the District of Columbia.

SEC. 5. All assets except buildings and all liabilities or other obligations which at the time of enactment of this Act are components of the working capital fund, Workhouse and Reformatory, as created by Public Law 493, Seventy-ninth Congress, approved July 9, 1946 (60 Stat. 514, ch. 544, sec. 1), shall be transferred to the fund created by the first section of this Act.

Transfers to fund.

D.C. Code 47-131.

SEC. 6. The paragraph beginning with the caption "WORKING CAPITAL FUND" under the heading "ADULT CORRECTIONAL SERVICE" in the first section of the Act approved July 9, 1946 (60 Stat. 514, ch. 544), creating the working capital fund for the industrial enterprises at the Workhouse and Reformatory, and the proviso in the paragraph following the caption "OPERATING EXPENSES" under the heading "DEPARTMENT OF CORRECTIONS" in the first section of the Act approved July 5, 1952 (66 Stat. 380), authorizing the retention of not to exceed \$50,000 of accumulated profits in the working capital fund as additional working capital, are hereby repealed.

Repeal.

SEC. 7. Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners or in any office or agency under the jurisdiction and control of said Commissioners may be performed by the Commissioners or may be delegated by said Commissioners in accordance with section 3 of such plan.

D.C. Code title 1 app.

SEC. 8. This Act shall take effect July 1, 1963.

Effective date.

Approved October 3, 1964.

Public Law 88-623

AN ACT

To provide for the promulgation of rules of practice and procedure under the Bankruptcy Act, and for other purposes.

October 3, 1964
[H. R. 2859]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 of the United States Code is amended by inserting in chapter 131 thereof immediately following section 2074 of that chapter a new section reading as follows:

Bankruptcy Act.
Rules of practice and procedure.
28 USC 2071-2074.

"§ 2075. Bankruptcy rules

"The Supreme Court shall have the power to prescribe by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure under the Bankruptcy Act.

30 Stat. 544;
52 Stat. 840.
11 USC 1 note.

"Such rules shall not abridge, enlarge, or modify any substantive right.

"Such rules shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session thereof but not later than the first day of May and until the expiration of ninety days after they have been thus reported.

"All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect."

SEC. 2. The analysis of chapter 131 of title 28 of the United States Code, immediately preceding section 2071 of that chapter, is amended by inserting therein immediately after item 2074 thereof a new item reading as follows:

"2075. Bankruptcy rules."

SEC. 3. Section 30 of the Bankruptcy Act is repealed but its repeal shall not operate to invalidate or repeal rules, forms, or orders prescribed under the authority of that section by the Supreme Court prior to the enactment of this Act.

Repeal.
30 Stat. 554.

Approved October 3, 1964.