Public Law 89-681

AN ACT

October 15, 1966
[H. R. 1665]

To amend title 28, entitled "Judiciary and Judicial Procedure", of the United States Code to provide for the reporting of congressional reference cases by commissioners of the United States Court of Claims.

U.S. Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1492 of title 28, United States Code, is amended to read as follows:

"§ 1492. Congressional reference cases

"Any bill, except a bill for a pension, may be referred by either House of Congress to the chief commissioner of the Court of Claims for a report in conformity with section 2509 of this title."

SEC. 2. Section 2509 of title 28, United States Code, is amended to read as follows:

"§ 2509. Congressional reference cases

Commissioners as reviewing body.

"(a) Whenever a bill, except a bill for a pension, is referred by either House of Congress to the chief commissioner of the Court of Claims pursuant to section 1492 of this title, the chief commissioner shall designate a trial commissioner for the case and a panel of three commissioners of the court to serve as a reviewing body. One member of the review panel shall be designated as presiding commissioner of the panel.

"(b) Proceedings in a congressional reference case shall be under rules and regulations prescribed for the purpose by the chief commissioner who is hereby authorized and directed to require the application of the pertinent rules of practice of the Court of Claims insofar as feasible. Each trial commissioner and each review panel shall have authority to do and perform any acts which may be necessary or proper for the efficient performance of their duties, including the power of subpena and the power to administer oaths and affirmations. None of the rules, rulings, findings, or conclusions authorized by this section shall be subject to judicial review.

"(c) The trial commissioner to whom a congressional reference case is assigned by the chief commissioner shall proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitation should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of fact conclusions sufficient to inform Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

Findings submitted to Congress and review panel.

"(d) The findings and conclusions of the trial commissioner shall be submitted by him, together with the record in the case, to the review panel of commissioners for review by it pursuant to such rules as may be provided for the purpose, which shall include provision for submitting the report of the trial commissioner to the parties for consideration, exception, and argument before the panel. The panel, by majority vote, shall adopt or modify the findings or the conclusions of the trial commissioner.

Report to Congress.

"(e) The panel shall submit its report to the chief commissioner for transmission to the appropriate House of Congress.

"(f) Any act or failure to act or other conduct by a party, a witness, or an attorney which would call for the imposition of sanctions under the rules of practice of the Court of Claims shall be noted by the panel or the trial commissioner at the time of occurrence thereof and upon failure of the delinquent or offending party, witness, or

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attorney to make prompt compliance with the order of the panel or the trial commissioner a full statement of the circumstances shall be incorporated in the report of the panel.

"(g) The Court of Claims is hereby authorized and directed, under such regulations as it may prescribe, to provide the facilities and services of the office of the clerk of the court for the filing, processing, hearing, and dispatch of congressional reference cases and to include within its annual appropriations the costs thereof and other costs of administration, including (but without limitation to the items herein listed) the salaries and traveling expenses of the commissioners serving as trial commissioners and panel members, mailing and service of process, necessary physical facilities, equipment, and supplies, and personnel (including secretaries and law clerks)." Provision of facilities and services.

SEC. 3. Section 792(a) of title 28, United States Code, is amended by adding at the end thereof the following new sentence: "The Court shall designate one of the commissioners to serve at the will of the court as chief commissioner." Commissioners. 67 Stat. 226.

Approved October 15, 1966.

Public Law 89-682

AN ACT

October 15, 1966
[H. R. 3314]

To require premarital examinations in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all applications for marriage licenses shall be open to inspection as public records. All such applications upon which licenses have not yet been issued shall be kept together in a separate file readily accessible to public examination. D.C. Premarital examinations, requirement.

SEC. 2. No application for a marriage license shall be received unless there shall be filed therewith a statement or statements, upon a form prescribed by the Board of Commissioners of the District of Columbia, signed by (1) a person in the District of Columbia certified by the Department of Public Health as duly qualified to administer and interpret a standard laboratory blood test, (2) a physician licensed to practice medicine or osteopathy in the District of Columbia, a State, or a territory or possession of the United States, or (3) a commissioned medical officer in the military service or in Public Health Service of the United States, that the applicant has submitted to a standard laboratory blood test within thirty days prior to the filing of such application, and that, in the opinion of such certified person, physician, or medical officer, based upon the result of that test, the applicant is not infected with syphilis in a stage of that disease in which it can be transmitted to another person. Such statement shall not disclose the technical data upon which it is based. Any such statement shall include the name of the person or laboratory administering the test, the name of the test administered, the exact name of the applicant, and the date of the test.

SEC. 3. If a judge of the United States District Court for the District of Columbia determines that public policy or the physical condition of either of the persons applying for a marriage license requires the intended marriage to be celebrated without delay, he may waive the provisions of section 2 of this Act and section 2 of the Act of August 12, 1937 (D.C. Code, sec. 30-109), and a license may be issued without regard to such sections. Waiver. 50 Stat. 626.

SEC. 4. In any case in which a person is unable for financial reasons to obtain the services of— Financial disability provision.

(1) a private physician, or