

AMENDING TITLE 28, UNITED STATES CODE, TO ADD FLAGSTAFF AND YUMA TO THE LIST OF LOCATIONS IN WHICH COURT SHALL BE HELD IN THE JUDICIAL DISTRICT FOR THE STATE OF ARIZONA

JULY 9, 2019.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. NADLER, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 1569]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1569) to amend title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 1569 would amend section 82 of title 28 of the United States Code to add Flagstaff and Yuma as additional places where federal district court is held in the District of Arizona.

BACKGROUND AND NEED FOR THE LEGISLATION

Section 82 of title 28 of the United States Code requires federal district court in the District of Arizona to be held in Globe, Phoenix, Prescott, and Tucson. The statute has not been amended since it was enacted in 1948. Over the past 60 years, population growth patterns in Arizona have changed and many people who live in the vicinities of Flagstaff and Yuma must travel long distances if they have business before a federal district court, as currently authorized by section 82. Flagstaff and Yuma have federal courthouses with substantial judicial activity conducted by federal magistrate judges. H.R. 1569 would simply amend section 82 to add Flagstaff and Yuma as additional places where federal district court is held in the District of Arizona.

HEARINGS

No legislative hearings were held on H.R. 1569.

COMMITTEE CONSIDERATION

On June 12, 2019, the Committee met in open session and ordered the bill, H.R. 1569, favorably reported, without amendment, by voice vote, a quorum being present.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that no rollcall votes occurred during the Committee's consideration of H.R. 1569.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 1569, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 19, 2019.

Hon. JERROLD NADLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1569, a bill to amend title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jon Sperl.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 1569, A bill to amend title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona			
<small>As ordered reported by the House Committee on the Judiciary on June 12, 2019</small>			
<small>By Fiscal Year, Millions of Dollars</small>	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	n.e.
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

n.e. = not estimated, * = between -\$500,000 and zero

H.R. 1569 would allow federal district court judges serving in the District of Arizona to hold court proceedings in the cities of Flagstaff and Yuma. Under current law, district court proceedings are limited to being held in the cities of Globe, Phoenix, Prescott, and Tucson in Arizona. Using information provided by the Administrative Office of the United States Courts, CBO expects that allowing proceedings in the two additional cities would lead to improvements in case management throughout the court district, which could reduce administrative costs for the district. However, CBO estimates that any resulting savings would not be significant over the 2020–2024 period.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by Theresa Gullo, Assistant Director for Budget Analysis.

DUPLICATION OF FEDERAL PROGRAMS

No provision of H.R. 1569 establishes or reauthorizes a program of the Federal government known to be duplicative of another federal program, a program that was included in any report from the

Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

PERFORMANCE GOALS AND OBJECTIVES

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1569 would improve access to the federal court system by authorizing federal district judges to hear cases in Flagstaff and Tucson, Arizona.

ADVISORY ON EARMARKS

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1569 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

SECTION-BY-SECTION ANALYSIS

The following discussion describes the bill as reported by the Committee.

Sec. 1. District Courts in the Judicial District for the State of Arizona. Section 1 would amend section 82 of title 28 of the United States Code to add Flagstaff and Yuma as additional places where federal district court is held in the District of Arizona.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, H.R. 1569, 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 changes are proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) 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, and existing law in which no change is proposed is shown in roman):

TITLE 28, UNITED STATES CODE

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PART I—ORGANIZATION OF COURTS

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CHAPTER 5—DISTRICT COURTS

* * * * *

§ 82. Arizona

Arizona constitutes one judicial district.

Court shall be held at **【Globe, Phoenix, Prescott, and Tucson】**
Flagstaff, Globe, Phoenix, Prescott, Tucson, and Yuma.

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