

Calendar No. 676

105TH CONGRESS
2D Session

S. 2516

A BILL

To make improvements in the operation and administration of the Federal courts, and for other purposes.

OCTOBER 1 (legislative day, SEPTEMBER 29), 1998
Reported without amendment

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To make improvements in the operation and administration of the Federal courts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 1998

Mr. GRASSLEY (for himself and Mr. DURBIN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

OCTOBER 1 (legislative day, SEPTEMBER 29), 1998

Reported by Mr. HATCH, without amendment

A BILL

To make improvements in the operation and administration
of the Federal courts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Federal Courts Improvement Act of 1998”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—JUDICIAL FINANCIAL ADMINISTRATION

- Sec. 101. Extension of Judiciary Information Technology Fund.
 Sec. 102. Bankruptcy fees.
 Sec. 103. Disposition of miscellaneous fees.

TITLE II—JUDICIAL PROCESS IMPROVEMENTS

- Sec. 201. Extension of statutory authority for magistrate judge positions to be established in the district courts of Guam and the Northern Mariana Islands.
 Sec. 202. Magistrate judge contempt authority.
 Sec. 203. Consent to magistrate judge authority in petty offense cases and magistrate judge authority in misdemeanor cases involving juvenile defendants.
 Sec. 204. Savings and loan data reporting requirements.
 Sec. 205. Membership in circuit judicial councils.
 Sec. 206. Sunset of civil justice expense and delay reduction plans.
 Sec. 207. Repeal of Court of Federal Claims filing fee.
 Sec. 208. Technical bankruptcy correction.
 Sec. 209. Technical amendment relating to the treatment of certain bankruptcy fees collected.

TITLE III—JUDICIAL PERSONNEL ADMINISTRATION, BENEFITS, AND PROTECTIONS

- Sec. 301. Judicial administrative officials retirement matters.
 Sec. 302. Travel expenses of judges.
 Sec. 303. Transfer of county to Middle District of Pennsylvania.
 Sec. 304. Payments to military survivors benefits plan.
 Sec. 305. Creation of certifying officers in the judicial branch.
 Sec. 306. Authority to prescribe fees for technology resources in the courts.

TITLE IV—FEDERAL PUBLIC DEFENDERS

- Sec. 401. Tort Claims Act amendment relating to liability of Federal public defenders.

1 **TITLE I—JUDICIAL FINANCIAL** 2 **ADMINISTRATION**

3 **SEC. 101. EXTENSION OF JUDICIARY INFORMATION TECH-** 4 **NOLOGY FUND.**

5 Section 612 of title 28, United States Code, is
 6 amended—

7 (1) by striking “equipment” each place it ap-
 8 pears and inserting “resources”;

1 (2) by striking subsection (f) and redesignating
2 subsequent subsections accordingly;

3 (3) in subsection (g), as so redesignated, by
4 striking paragraph (3); and

5 (4) in subsection (i), as so redesignated—

6 (A) by striking “Judiciary” each place it
7 appears and inserting “judiciary”;

8 (B) by striking “subparagraph (c)(1)(B)”
9 and inserting “subsection (c)(1)(B)”; and

10 (C) by striking “under (c)(1)(B)” and in-
11 serting “under subsection (c)(1)(B)”.

12 **SEC. 102. BANKRUPTCY FEES.**

13 Subsection (a) of section 1930 of title 28, United
14 States Code, is amended by adding at the end the follow-
15 ing new paragraph:

16 “(7) In districts that are not part of a United
17 States trustee region as defined in section 581 of
18 this title, the Judicial Conference of the United
19 States may require the debtor in a case under chap-
20 ter 11 of title 11 to pay fees equal to those imposed
21 by paragraph (6) of this subsection. Such fees shall
22 be deposited as offsetting receipts to the fund estab-
23 lished under section 1931 of this title and shall re-
24 main available until expended.”.

1 **SEC. 103. DISPOSITION OF MISCELLANEOUS FEES.**

2 For fiscal year 1999 and thereafter, any portion of
 3 miscellaneous fees collected as prescribed by the Judicial
 4 Conference of the United States pursuant to sections
 5 1913, 1914(b), 1926(a), 1930(b), and 1932 of title 28,
 6 United States Code, exceeding the amount of such fees
 7 in effect on September 30, 1998, shall be deposited into
 8 the special fund of the Treasury established under section
 9 1931 of title 28, United States Code.

10 **TITLE II—JUDICIAL PROCESS**
 11 **IMPROVEMENTS**

12 **SEC. 201. EXTENSION OF STATUTORY AUTHORITY FOR**
 13 **MAGISTRATE JUDGE POSITIONS TO BE ES-**
 14 **TABLISHED IN THE DISTRICT COURTS OF**
 15 **GUAM AND THE NORTHERN MARIANA IS-**
 16 **LANDS.**

17 Section 631 of title 28, United States Code, is
 18 amended—

19 (1) by striking the first two sentences of sub-
 20 section (a) and inserting the following: “The judges
 21 of each United States district court and the district
 22 courts of the Virgin Islands, Guam, and the North-
 23 ern Mariana Islands shall appoint United States
 24 magistrate judges in such numbers and to serve at
 25 such locations within the judicial districts as the Ju-
 26 dicial Conference may determine under this chapter.

1 In the case of a magistrate judge appointed by the
 2 district court of the Virgin Islands, Guam, or the
 3 Northern Mariana Islands, this chapter shall apply
 4 as though the court appointing such a magistrate
 5 judge were a United States district court.”; and

6 (2) by inserting in the first sentence of para-
 7 graph (1) of subsection (b) after “Commonwealth of
 8 Puerto Rico,” the following: “the Territory of Guam,
 9 the Commonwealth of the Northern Mariana Is-
 10 lands,”.

11 **SEC. 202. MAGISTRATE JUDGE CONTEMPT AUTHORITY.**

12 Section 636(e) of title 28, United States Code, is
 13 amended to read as follows:

14 “(e) CONTEMPT AUTHORITY.—

15 “(1) IN GENERAL.—A United States magistrate
 16 judge serving under this chapter shall have within
 17 the territorial jurisdiction prescribed by his or her
 18 appointment the power to exercise contempt author-
 19 ity as set forth in this subsection.

20 “(2) SUMMARY CRIMINAL CONTEMPT AUTHOR-
 21 ITY.—A magistrate judge shall have the power to
 22 punish summarily by fine or imprisonment such con-
 23 tempt of his or her authority constituting mis-
 24 behavior of any person in the magistrate judge’s
 25 presence so as to obstruct the administration of jus-

1 tice. The order of contempt shall be issued pursuant
2 to the Federal Rules of Criminal Procedure.

3 “(3) ADDITIONAL CRIMINAL CONTEMPT AU-
4 THORITY IN CIVIL CONSENT AND MISDEMEANOR
5 CASES.—In any case in which a United States mag-
6 istrate judge presides with the consent of the parties
7 under subsection (c) of this section, and in any mis-
8 demeanor case proceeding before a magistrate judge
9 under section 3401 of title 18, the magistrate judge
10 shall have the power to punish by fine or imprison-
11 ment criminal contempt constituting disobedience or
12 resistance to the magistrate judge’s lawful writ,
13 process, order, rule, decree, or command. Disposition
14 of such contempt shall be conducted upon notice and
15 hearing pursuant to the Federal Rules of Criminal
16 Procedure.

17 “(4) CIVIL CONTEMPT AUTHORITY IN CIVIL
18 CONSENT AND MISDEMEANOR CASES.—In any case
19 in which a United States magistrate judge presides
20 with the consent of the parties under subsection (c)
21 of this section, and in any misdemeanor case pro-
22 ceeding before a magistrate judge under section
23 3401 of title 18, the magistrate judge may exercise
24 the civil contempt authority of the district court.
25 This paragraph shall not be construed to limit the

1 authority of a magistrate judge to order sanctions
2 pursuant to any other statute, the Federal Rules of
3 Civil Procedure, or the Federal Rules of Criminal
4 Procedure.

5 “(5) CRIMINAL CONTEMPT PENALTIES.—The
6 sentence imposed by a magistrate judge for any
7 criminal contempt provided for in paragraphs (2)
8 and (3) shall not exceed the penalties for a Class C
9 misdemeanor as set forth in sections 3581(b)(8) and
10 3571(b)(6) of title 18.

11 “(6) CERTIFICATION OF OTHER CONTEMPTS TO
12 THE DISTRICT COURT.—Upon the commission of any
13 such act—

14 “(A) in any case in which a United States
15 magistrate judge presides with the consent of
16 the parties under subsection (c) of this section,
17 or in any misdemeanor case proceeding before
18 a magistrate judge under section 3401 of title
19 18, that may, in the opinion of the magistrate
20 judge, constitute a serious criminal contempt
21 punishable by penalties exceeding those set
22 forth in paragraph (5) of this subsection; or

23 “(B) in any other case or proceeding under
24 subsection (a) or (b) of this section, or any
25 other statute, where—

1 “(i) the act committed in the mag-
2 istrate judge’s presence may, in the opin-
3 ion of the magistrate judge, constitute a
4 serious criminal contempt punishable by
5 penalties exceeding those set forth in para-
6 graph (5) of this subsection;

7 “(ii) the act that constitutes a crimi-
8 nal contempt occurs outside the presence
9 of the magistrate judge; or

10 “(iii) the act constitutes a civil con-
11 tempt,

12 the magistrate judge shall forthwith certify the facts
13 to a district judge and may serve or cause to be
14 served upon any person whose behavior is brought
15 into question under this paragraph an order requir-
16 ing such person to appear before a district judge
17 upon a day certain to show cause why he or she
18 should not be adjudged in contempt by reason of the
19 facts so certified. The district judge shall thereupon
20 hear the evidence as to the act or conduct com-
21 plained of and, if it is such as to warrant punish-
22 ment, punish such person in the same manner and
23 to the same extent as for a contempt committed be-
24 fore a district judge.

1 “(7) APPEALS OF MAGISTRATE JUDGE CON-
 2 TEMPT ORDERS.—The appeal of an order of con-
 3 tempt pursuant to this subsection shall be made to
 4 the court of appeals in cases proceeding under sub-
 5 section (c) of this section. In any other proceeding
 6 in which a United States magistrate judge presides
 7 under subsection (a) or (b) of this section, section
 8 3401 of title 18, or any other statute, the appeal
 9 of a magistrate judge’s summary contempt order
 10 shall be made to the district court.”.

11 **SEC. 203. CONSENT TO MAGISTRATE JUDGE AUTHORITY IN**
 12 **PETTY OFFENSE CASES AND MAGISTRATE**
 13 **JUDGE AUTHORITY IN MISDEMEANOR CASES**
 14 **INVOLVING JUVENILE DEFENDANTS.**

15 (a) AMENDMENTS TO TITLE 18.—

16 (1) PETTY OFFENSE CASES.—Section 3401(b)
 17 of title 18, United States Code, is amended by strik-
 18 ing “that is a class B misdemeanor charging a
 19 motor vehicle offense, a class C misdemeanor, or an
 20 infraction,” after “petty offense”.

21 (2) CASES INVOLVING JUVENILES.—Section
 22 3401(g) of title 18, United States Code, is amend-
 23 ed—

24 (A) by striking the first sentence and in-
 25 serting the following: “The magistrate judge

1 may, in a petty offense case involving a juve-
 2 nile, exercise all powers granted to the district
 3 court under chapter 403 of this title.”;

4 (B) in the second sentence by striking
 5 “any other class B or C misdemeanor case”
 6 and inserting “the case of any misdemeanor,
 7 other than a petty offense,”; and

8 (C) by striking the last sentence.

9 (b) AMENDMENTS TO TITLE 28.—Section 636(a) of
 10 title 28, United States Code, is amended by striking para-
 11 graphs (4) and (5) and inserting in the following:

12 “(4) the power to enter a sentence for a petty
 13 offense; and

14 “(5) the power to enter a sentence for a class
 15 A misdemeanor in a case in which the parties have
 16 consented.”.

17 **SEC. 204. SAVINGS AND LOAN DATA REPORTING REQUIRE-**
 18 **MENTS.**

19 Section 604 of title 28, United States Code, is
 20 amended in subsection (a) by striking the second para-
 21 graph designated (24).

22 **SEC. 205. MEMBERSHIP IN CIRCUIT JUDICIAL COUNCILS.**

23 Section 332(a) of title 28, United States Code, is
 24 amended—

1 (1) by striking paragraph (3) and inserting the
2 following:

3 “(3) Except for the chief judge of the circuit, either
4 judges in regular active service or judges retired from reg-
5 ular active service under section 371(b) of this title may
6 serve as members of the council. Service as a member of
7 a judicial council by a judge retired from regular active
8 service under section 371(b) may not be considered for
9 meeting the requirements of section 371(f) (1)(A), (B),
10 or (C).”; and

11 (2) in paragraph (5) by striking “retirement,”
12 and inserting “retirement under section 371(a) or
13 section 372(a) of this title,”.

14 **SEC. 206. SUNSET OF CIVIL JUSTICE EXPENSE AND DELAY**
15 **REDUCTION PLANS.**

16 Section 103(b)(2)(A) of the Civil Justice Reform Act
17 of 1990 (Public Law 101–650; 104 Stat. 5096; 28 U.S.C.
18 471 note), as amended by Public Law 105–53 (111 Stat.
19 1173), is amended by inserting “471,” after “sections”.

20 **SEC. 207. REPEAL OF COURT OF FEDERAL CLAIMS FILING**
21 **FEE.**

22 Section 2520 of title 28, United States Code, and the
23 item relating to such section in the table of contents for
24 chapter 165 of such title, are repealed.

1 **SEC. 208. TECHNICAL BANKRUPTCY CORRECTION.**

2 Section 1228 of title 11, United States Code, is
3 amended by striking “1222(b)(10)” each place it appears
4 and inserting “1222(b)(9)”.

5 **SEC. 209. TECHNICAL AMENDMENT RELATING TO THE**
6 **TREATMENT OF CERTAIN BANKRUPTCY FEES**
7 **COLLECTED.**

8 (a) AMENDMENT.—The first sentence of section
9 406(b) of the Departments of Commerce, Justice, and
10 State, the Judiciary, and Related Agencies Appropriations
11 Act, 1990 (Public Law 101–162; 103 Stat. 1016; 28
12 U.S.C. 1931 note) is amended by striking “service enu-
13 merated after item 18” and inserting “service not of a
14 kind described in any of the items enumerated as items
15 1 through 7 and as items 9 through 18, as in effect on
16 November 21, 1989,”.

17 (b) APPLICATION OF AMENDMENT.—The amendment
18 made by subsection (a) shall not apply with respect to fees
19 collected before the date of the enactment of this Act.

20 **TITLE III—JUDICIAL PERSON-**
21 **NEL ADMINISTRATION, BENE-**
22 **FITS, AND PROTECTIONS**

23 **SEC. 301. JUDICIAL ADMINISTRATIVE OFFICIALS RETIRE-**
24 **MENT MATTERS.**

25 (a) DIRECTOR OF ADMINISTRATIVE OFFICE.—Sec-
26 tion 611 of title 28, United States Code, is amended—

1 (1) in subsection (d), by inserting “a congres-
 2 sional employee in the capacity of primary adminis-
 3 trative assistant to a Member of Congress or in the
 4 capacity of staff director or chief counsel for the ma-
 5 jority or the minority of a committee or subcommit-
 6 tee of the Senate or House of Representatives,”
 7 after “Congress,”;

8 (2) in subsection (b)—

9 (A) by striking “who has served at least
 10 fifteen years and” and inserting “who has at
 11 least fifteen years of service and has”; and

12 (B) in the first undesignated paragraph,
 13 by striking “who has served at least ten years,”
 14 and inserting “who has at least ten years of
 15 service,”; and

16 (3) in subsection (c)—

17 (A) by striking “served at least fifteen
 18 years,” and inserting “at least fifteen years of
 19 service,”; and

20 (B) by striking “served less than fifteen
 21 years,” and inserting “less than fifteen years of
 22 service,”.

23 (b) DIRECTOR OF THE FEDERAL JUDICIAL CEN-
 24 TER.—Section 627 of title 28, United States Code, is
 25 amended—

1 (1) in subsection (e), by inserting “a congres-
2 sional employee in the capacity of primary adminis-
3 trative assistant to a Member of Congress or in the
4 capacity of staff director or chief counsel for the ma-
5 jority or the minority of a committee or subcommit-
6 tee of the Senate or House of Representatives,”
7 after “Congress,”;

8 (2) in subsection (c)—

9 (A) by striking “who has served at least
10 fifteen years and” and inserting “who has at
11 least fifteen years of service and has”; and

12 (B) in the first undesignated paragraph,
13 by striking “who has served at least ten years,”
14 and inserting “who has at least ten years of
15 service,”; and

16 (3) in subsection (d)—

17 (A) by striking “served at least fifteen
18 years,” and inserting “at least fifteen years of
19 service,”; and

20 (B) by striking “served less than fifteen
21 years,” and inserting “less than fifteen years of
22 service,”.

1 **SEC. 302. TRAVEL EXPENSES OF JUDGES.**

2 Section 456 of title 28, United States Code, is
3 amended by adding at the end the following new sub-
4 section:

5 “(h)(1) In this subsection, the term ‘travel ex-
6 penses’—

7 “(A) means the expenses incurred by a judge
8 for travel that is not directly related to any case as-
9 signed to such judge; and

10 “(B) shall not include the travel expenses of a
11 judge if—

12 “(i) the payment for the travel expenses is
13 paid by such judge from the personal funds of
14 such judge; and

15 “(ii) such judge does not receive funds (in-
16 cluding reimbursement) from the United States
17 or any other person or entity for the payment
18 of such travel expenses.

19 “(2)(A) Each circuit judge of a court of appeals shall
20 annually submit the information required under para-
21 graph (3) to the chief judge for the circuit in which the
22 judge is assigned.

23 “(B) Each district judge shall annually submit the
24 information required under paragraph (3) to the chief
25 judge for the district in which the judge is assigned.

1 “(3)(A) Each chief judge of each circuit and each dis-
2 trict shall submit an annual report to the Director of the
3 Administrative Office of the United States Courts on the
4 travel expenses of each judge assigned to the applicable
5 circuit or district (including the travel expenses of the
6 chief judge of such circuit or district).

7 “(B) The annual report under this paragraph shall
8 include—

9 “(i) the travel expenses of each judge, with the
10 name of the judge to whom the travel expenses
11 apply;

12 “(ii) a description of the subject matter and
13 purpose of the travel relating to each travel expense
14 identified under clause (i), with the name of the
15 judge to whom the travel applies; and

16 “(iii) the number of days of each travel de-
17 scribed under clause (ii), with the name of the judge
18 to whom the travel applies.

19 “(4)(A) The Director of the Administrative Office of
20 the United States Courts shall—

21 “(i) consolidate the reports submitted under
22 paragraph (3) into a single report; and

23 “(ii) annually submit such consolidated report
24 to Congress.

1 “(B) The consolidated report submitted under this
 2 paragraph shall include the specific information required
 3 under paragraph (3)(B), including the name of each judge
 4 with respect to clauses (i), (ii), and (iii) of paragraph
 5 (3)(B).”.

6 **SEC. 303. TRANSFER OF COUNTY TO MIDDLE DISTRICT OF**
 7 **PENNSYLVANIA.**

8 (a) TRANSFER.—Section 118 of title 28, United
 9 States Code, is amended—

10 (1) in subsection (a) by striking “Philadelphia,
 11 and Schuylkill” and inserting “and Philadelphia”;
 12 and

13 (2) in subsection (b) by inserting “Schuylkill,”
 14 after “Potter,”.

15 (b) EFFECTIVE DATE.—

16 (1) IN GENERAL.—This section and the amend-
 17 ments made by this section shall take effect 180
 18 days after the date of the enactment of this Act.

19 (2) PENDING CASES NOT AFFECTED.—This sec-
 20 tion and the amendments made by this section shall
 21 not affect any action commenced before the effective
 22 date of this section and pending on such date in the
 23 United States District Court for the Eastern Dis-
 24 trict of Pennsylvania.

1 (3) JURIES NOT AFFECTED.—This section and
 2 the amendments made by this section shall not af-
 3 fect the composition, or preclude the service, of any
 4 grand or petit jury summoned, impaneled, or actu-
 5 ally serving on the effective date of this section.

6 **SEC. 304. PAYMENTS TO MILITARY SURVIVORS BENEFITS**
 7 **PLAN.**

8 Section 371(e) of title 28, United States Code, is
 9 amended by inserting after “such retired or retainer pay”
 10 the following: “, except such pay as is deductible from the
 11 retired or retainer pay as a result of participation in any
 12 survivor’s benefits plan in connection with the retired
 13 pay,”.

14 **SEC. 305. CREATION OF CERTIFYING OFFICERS IN THE JU-**
 15 **DICIAL BRANCH.**

16 (a) APPOINTMENT OF DISBURSING AND CERTIFYING
 17 OFFICERS.—Chapter 41 of title 28, United States Code,
 18 is amended by adding at the end the following new section:

19 **“§ 613. Disbursing and certifying officers**

20 “(a) DISBURSING OFFICERS.—The Director may
 21 designate in writing officers and employees of the judicial
 22 branch of the Government, including the courts as defined
 23 in section 610 other than the Supreme Court, to be dis-
 24 bursing officers in such numbers and locations as the Di-

1 rector considers necessary. Such disbursing officers
2 shall—

3 “(1) disburse moneys appropriated to the judi-
4 cial branch and other funds only in strict accordance
5 with payment requests certified by the Director or in
6 accordance with subsection (b);

7 “(2) examine payment requests as necessary to
8 ascertain whether they are in proper form, certified,
9 and approved; and

10 “(3) be held accountable for their actions as
11 provided by law, except that such a disbursing offi-
12 cer shall not be held accountable or responsible for
13 any illegal, improper, or incorrect payment resulting
14 from any false, inaccurate, or misleading certificate
15 for which a certifying officer is responsible under
16 subsection (b).

17 “(b) CERTIFYING OFFICERS.—(1) The Director may
18 designate in writing officers and employees of the judicial
19 branch of the Government, including the courts as defined
20 in section 610 other than the Supreme Court, to certify
21 payment requests payable from appropriations and funds.
22 Such certifying officers shall be responsible and account-
23 able for—

1 “(A) the existence and correctness of the facts
2 recited in the certificate or other request for pay-
3 ment or its supporting papers;

4 “(B) the legality of the proposed payment
5 under the appropriation or fund involved; and

6 “(C) the correctness of the computations of cer-
7 tified payment requests.

8 “(2) The liability of a certifying officer shall be en-
9 forced in the same manner and to the same extent as pro-
10 vided by law with respect to the enforcement of the liabil-
11 ity of disbursing and other accountable officers. A certify-
12 ing officer shall be required to make restitution to the
13 United States for the amount of any illegal, improper, or
14 incorrect payment resulting from any false, inaccurate, or
15 misleading certificates made by the certifying officer, as
16 well as for any payment prohibited by law or which did
17 not represent a legal obligation under the appropriation
18 or fund involved.

19 “(c) RIGHTS.—A certifying or disbursing officer—

20 “(1) has the right to apply for and obtain a de-
21 cision by the Comptroller General on any question of
22 law involved in a payment request presented for cer-
23 tification; and

24 “(2) is entitled to relief from liability arising
25 under this section in accordance with title 31.

1 “(d) OTHER AUTHORITY NOT AFFECTED.—Nothing
 2 in this section affects the authority of the courts with re-
 3 spect to moneys deposited with the courts under chapter
 4 129 of this title.”.

5 (b) CONFORMING AMENDMENT.—The table of sec-
 6 tions for chapter 41 of title 28, United States Code, is
 7 amended by adding at the end the following item:

“613. Disbursing and certifying officers.”.

8 (c) RULE OF CONSTRUCTION.—The amendment
 9 made by subsection (a) shall not be construed to authorize
 10 the hiring of any Federal officer or employee.

11 (d) DUTIES OF DIRECTOR.—Paragraph (8) of sub-
 12 section (a) of section 604 of title 28, United States Code,
 13 is amended to read as follows:

14 “(8) Disburse appropriations and other funds
 15 for the maintenance and operation of the courts;”.

16 **SEC. 306. AUTHORITY TO PRESCRIBE FEES FOR TECH-**
 17 **NOLOGY RESOURCES IN THE COURTS.**

18 (a) IN GENERAL.—Chapter 41 of title 28, United
 19 States Code, is amended by adding at the end the follow-
 20 ing:

21 **“§ 614. Authority to prescribe fees for technology re-**
 22 **sources in the courts**

23 “The Judicial Conference is authorized to prescribe
 24 reasonable fees pursuant to sections 1913, 1914, 1926,
 25 1930, and 1932, for collection by the courts for use of

1 information technology resources provided by the judiciary
 2 for remote access to the courthouse by litigants and the
 3 public, and to facilitate the electronic presentation of
 4 cases. Fees under this section may be collected only to
 5 cover the costs of making such information technology re-
 6 sources available for the purposes set forth in this section.
 7 Such fees shall not be required of persons financially un-
 8 able to pay them. All fees collected under this section shall
 9 be deposited in the Judiciary Information Technology
 10 Fund and be available to the Director without fiscal year
 11 limitation to be expended on information technology re-
 12 sources developed or acquired to advance the purposes set
 13 forth in this section.”.

14 (b) CONFORMING AMENDMENT.—The table of sec-
 15 tions for chapter 41 of title 28, United States Code, is
 16 amended by adding at the end the following new item:

“614. Authority to prescribe fees for technology resources in the courts.”.

17 (c) TECHNICAL AMENDMENT.—Chapter 123 of title
 18 28, United States Code, is amended—

19 (1) by redesignating the section 1932 entitled
 20 “Revocation of earned release credit” as section
 21 1933 and placing it after the section 1932 entitled
 22 “Judicial Panel on Multidistrict Litigation”; and

23 (2) in the table of sections by striking the 2
 24 items relating to section 1932 and inserting the fol-
 25 lowing:

“1932. Judicial Panel on Multidistrict Litigation.

“1933. Revocation of earned release credit.”.

1 **TITLE IV—FEDERAL PUBLIC**
2 **DEFENDERS**

3 **SEC. 401. TORT CLAIMS ACT AMENDMENT RELATING TO LI-**
4 **ABILITY OF FEDERAL PUBLIC DEFENDERS.**

5 Section 2671 of title 28, United States Code, is
6 amended in the second undesignated paragraph—

7 (1) by inserting “(1)” after “includes”; and

8 (2) by striking the period at the end and insert-
9 ing the following: “, and (2) any officer or employee
10 of a Federal public defender organization, except
11 when such officer or employee performs professional
12 services in the course of providing representation
13 under section 3006A of title 18.”.