

106TH CONGRESS
2D SESSION

H. R. 1752

IN THE SENATE OF THE UNITED STATES

MAY 23, 2000

Received; read twice and referred to the Committee on the Judiciary

AN ACT

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,*

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

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Federal Courts Improvement Act of 2000”.

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

TITLE I—JUDICIAL FINANCIAL ADMINISTRATION

- Sec. 101. Transfer of retirement funds.
- Sec. 102. Judiciary Information Technology Fund.
- Sec. 103. Bankruptcy fees.
- Sec. 104. Disposition of miscellaneous fees.
- Sec. 105. Repeal of statute setting Court of Federal Claims filing fee.
- Sec. 106. Technical amendment relating to the treatment of certain bankruptcy fees collected.
- Sec. 107. Increase in fee for converting a chapter 7 or chapter 13 bankruptcy case to a chapter 11 bankruptcy case.
- Sec. 108. Increase in chapter 9 bankruptcy filing fee.
- Sec. 109. Creation of certifying officers in the judicial branch.
- Sec. 110. Fee authority for technology resources in the courts.

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. Place of holding court in the Eastern District of Texas.
- Sec. 206. Federal substance abuse treatment program reauthorization.
- Sec. 207. Membership in circuit judicial councils.
- Sec. 208. Sunset of Civil Justice Expense and Delay Reduction Plans.
- Sec. 209. Technical bankruptcy correction.
- Sec. 210. Authority of presiding judge to allow media coverage of court proceedings.

TITLE III—JUDICIARY PERSONNEL ADMINISTRATION, BENEFITS,
AND PROTECTIONS

- Sec. 301. Disability retirement and cost-of-living adjustments of annuities for territorial judges.
- Sec. 302. Federal Judicial Center personnel matters.
- Sec. 303. Judicial administrative officials retirement matters.
- Sec. 304. Judges’ firearms training.
- Sec. 305. Removal of automatic excuse from jury service for members of the Armed Services, members of fire and police departments, and public officers.
- Sec. 306. Expanded workers’ compensation coverage for jurors.
- Sec. 307. Property damage, theft, and loss claims of jurors.

- Sec. 308. Elimination of the public drawing requirements for selection of juror wheels.
- Sec. 309. Annual leave limit for court unit executives.
- Sec. 310. Payments to Military Survivor Benefit Plan.
- Sec. 311. Authorization of a circuit executive for the Federal Circuit.
- Sec. 312. Amendment to the jury selection process.
- Sec. 313. Supplemental attendance fee for petit jurors serving on lengthy trials.
- Sec. 314. Service on territorial courts.
- Sec. 315. Residence of retired judges.
- Sec. 316. Court of Federal Claims Judicial Conference.
- Sec. 317. Recall of judges on disability status.
- Sec. 318. Senior status provision.
- Sec. 319. Miscellaneous provision.

TITLE IV—CRIMINAL JUSTICE ACT AMENDMENTS

- Sec. 401. Maximum amounts of compensation for attorneys.
- Sec. 402. Maximum amounts of compensation for services other than counsel.
- Sec. 403. Tort Claims Act amendments relating to liability of Federal public defenders.

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

3 **SEC. 101. TRANSFER OF RETIREMENT FUNDS.**

4 Section 377 of title 28, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(p) **TRANSFER OF RETIREMENT FUNDS.**—Upon
8 election by a bankruptcy judge or a magistrate judge
9 under subsection (f) of this section, all of the accrued em-
10 ployer contributions and accrued interest on those con-
11 tributions made on behalf of the bankruptcy judge or mag-
12 istrate judge to the Civil Service Retirement and Disability
13 Fund under section 8348 of title 5 shall be transferred
14 to the fund established under section 1931 of this title,
15 except that if the bankruptcy judge or magistrate judge
16 elects, under section 2(c) of the Retirement and Survivors’

1 Annuities for Bankruptcy Judges and Magistrates Act of
 2 1988 (Public Law 100–659), to receive a retirement annu-
 3 ity under both this section and title 5, only the accrued
 4 employer contributions and accrued interest on such con-
 5 tributions made on behalf of the bankruptcy judge or mag-
 6 istrate judge for service credited under this section may
 7 be transferred.”.

8 **SEC. 102. JUDICIARY INFORMATION TECHNOLOGY FUND.**

9 Section 612 of title 28, United States Code, is
 10 amended—

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

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

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

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

18 (A) by striking “Judiciary” and inserting
 19 “judiciary”;

20 (B) by striking “subparagraph (c)(1)(B)”
 21 and inserting “subsection (c)(1)(B)”; and

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

1 **SEC. 103. BANKRUPTCY FEES.**

2 Subsection (a) of section 1930 of title 28, United
3 States Code, is amended by inserting after paragraph (6)
4 the following new paragraph:

5 “(7) In districts that are not part of a United
6 States trustee region as defined in section 581 of
7 this title, the Judicial Conference of the United
8 States may require the debtor in a case under chap-
9 ter 11 of title 11 to pay fees equal to those imposed
10 by paragraph (6). Such fees shall be deposited into
11 the fund established under section 1931.”.

12 **SEC. 104. DISPOSITION OF MISCELLANEOUS FEES.**

13 For fiscal year 2000 and thereafter, any portion of
14 miscellaneous fees collected as prescribed by the Judicial
15 Conference of the United States pursuant to sections
16 1913, 1914(b), 1926(a), 1930(b), and 1932 of title 28,
17 United States Code, exceeding the amount of such fees
18 established on the date of the enactment of this Act shall
19 be deposited into the special fund of the Treasury estab-
20 lished under section 1931 of title 28, United States Code.

21 **SEC. 105. REPEAL OF STATUTE SETTING COURT OF FED-**
22 **ERAL CLAIMS FILING FEE.**

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

1 **SEC. 106. TECHNICAL AMENDMENT RELATING TO THE**
2 **TREATMENT OF CERTAIN BANKRUPTCY FEES**
3 **COLLECTED.**

4 (a) AMENDMENT.—The first sentence of section
5 406(b) of the Departments of Commerce, Justice, and
6 State, the Judiciary, and Related Agencies Appropriations
7 Act, 1990 (Public Law 101–162; 103 Stat. 1016) is
8 amended by striking “service enumerated after item 18”
9 and inserting “service not of a kind described in any of
10 the items enumerated as items 1 through 7 and as items
11 9 through 18, as in effect on November 21, 1989, (and
12 not of a kind described in items enumerated as items 8.1,
13 8.2, and 23, as in effect on January 1, 1998)”.

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

17 **SEC. 107. INCREASE IN FEE FOR CONVERTING A CHAPTER**
18 **7 OR CHAPTER 13 BANKRUPTCY CASE TO A**
19 **CHAPTER 11 BANKRUPTCY CASE.**

20 The flush paragraph at the end of section 1930(a)
21 of title 28, United States Code, is amended by striking
22 “of \$400” and inserting “which is the amount equal to
23 the difference between the fee specified in paragraph (3)
24 and the fee specified in paragraph (1)”.

1 **SEC. 108. INCREASE IN CHAPTER 9 BANKRUPTCY FILING**
2 **FEE.**

3 Section 1930(a)(2) of title 28, United States Code,
4 is amended by striking “\$300” and inserting “an amount
5 equal to the fee specified in paragraph (3) for filing a case
6 under chapter 11 of title 11. The amount by which the
7 fee payable under this paragraph exceeds \$300 shall be
8 deposited in the fund established under section 1931 of
9 this title”.

10 **SEC. 109. CREATION OF CERTIFYING OFFICERS IN THE JU-**
11 **DICIAL BRANCH.**

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

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

16 “(a) DISBURSING OFFICERS.—The Director may
17 designate in writing officers and employees of the judicial
18 branch of the Government, including the courts as defined
19 in section 610 other than the Supreme Court, to be dis-
20 bursing officers in such numbers and locations as the Di-
21 rector considers necessary. Such dispersing officers
22 shall—

23 “(1) disburse moneys appropriated to the judi-
24 cial branch and other funds only in strict accordance
25 with payment requests certified by the Director or in
26 accordance with subsection (b);

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

4 “(3) be held accountable for their actions as
5 provided by law, except such a disbursing officer
6 shall not be held accountable or responsible for any
7 illegal, improper, or incorrect payment resulting
8 from any false, inaccurate, or misleading certificate
9 for which a certifying officer is responsible under
10 subsection (b).

11 “(b) CERTIFYING OFFICERS.—(1) The Director may
12 designate in writing officers and employees of the judicial
13 branch of the Government, including the courts as defined
14 in section 610 other than the Supreme Court, to certify
15 payment requests payable from appropriations and funds.
16 These certifying officers shall be responsible and account-
17 able for—

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

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

23 “(C) the correctness of the computations of cer-
24 tified payment requests.

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

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

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

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

19 “(d) OTHER AUTHORITY NOT AFFECTED.—Nothing
20 in this section affects the authority of the courts with re-
21 spect to moneys deposited with the courts under chapter
22 129 of this title.”.

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

“613. Disbursing and certifying officers.”.

1 (c) DUTIES OF DIRECTOR.—Paragraph (8) of sub-
 2 section (a) of section 604 of title 28, United States Code,
 3 is amended to read as follows:

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

6 **SEC. 110. FEE AUTHORITY FOR TECHNOLOGY RESOURCES**
 7 **IN THE COURTS.**

8 (a) IN GENERAL.—Chapter 41 of title 28, United
 9 States Code, is amended by adding at the end the fol-
 10 lowing:

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

13 “The Judicial Conference is authorized to prescribe
 14 reasonable fees pursuant to sections 1913, 1914, 1926,
 15 1930, and 1932, for use of information technology re-
 16 sources provided by the judiciary to improve the efficiency
 17 of and access to the courts. Fees collected pursuant to
 18 this section are to be deposited in the Judiciary Informa-
 19 tion Technology Fund to be available to the Director with-
 20 out fiscal year limitation for reinvestment in information
 21 technology resources which will advance the purposes of
 22 this section.”.

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

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

1 **TITLE II—JUDICIAL PROCESS**
2 **IMPROVEMENTS**

3 **SEC. 201. EXTENSION OF STATUTORY AUTHORITY FOR**
4 **MAGISTRATE JUDGE POSITIONS TO BE ES-**
5 **TABLISHED IN THE DISTRICT COURTS OF**
6 **GUAM AND THE NORTHERN MARIANA IS-**
7 **LANDS.**

8 Section 631 of title 28, United States Code, is
9 amended—

10 (1) by striking the first two sentences of sub-
11 section (a) and inserting the following: “The judges
12 of each United States district court and the district
13 courts of the Virgin Islands, Guam, and the North-
14 ern Mariana Islands shall appoint United States
15 magistrate judges in such numbers and to serve at
16 such locations within the judicial districts as the
17 Conference may determine under this chapter. In
18 the case of a magistrate judge appointed by the dis-
19 trict court of the Virgin Islands, Guam, or the
20 Northern Mariana Islands, this chapter shall apply
21 as though the court appointing such a magistrate
22 judge were a United States district court.”; and

23 (2) in the first sentence of subsection (b)(1), by
24 inserting “the Territory of Guam, the Common-

1 wealth of the Northern Mariana Islands,” after
2 “Commonwealth of Puerto Rico,”.

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

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

6 “(e) CONTEMPT AUTHORITY.—

7 “(1) CONTEMPT AUTHORITY.—A United States
8 magistrate judge serving under this chapter shall
9 have within the territorial jurisdiction prescribed by
10 his or her appointment the power to exercise con-
11 tempt authority as set forth in this subsection.

12 “(2) SUMMARY CRIMINAL CONTEMPT AUTHOR-
13 ITY.—A magistrate judge shall have the power to
14 punish summarily by fine or imprisonment such con-
15 tempt of his or her authority constituting mis-
16 behavior of any person in the magistrate judge’s
17 presence so as to obstruct the administration of jus-
18 tice. The order of contempt shall be issued pursuant
19 to Federal Rules of Criminal Procedure.

20 “(3) ADDITIONAL CRIMINAL CONTEMPT AU-
21 THORITY IN CIVIL CONSENT AND MISDEMEANOR
22 CASES.—In any case in which a United States mag-
23 istrate judge presides with the consent of the parties
24 under subsection (c) of this section, and in any mis-
25 demeanor case proceeding before a magistrate judge

1 under section 3401 of title 18, the magistrate judge
2 shall have the power to punish by fine or imprison-
3 ment such criminal contempt constituting disobe-
4 dience or resistance to the magistrate judge's lawful
5 writ, process, order, rule, decree, or command. Dis-
6 position of such contempt shall be conducted upon
7 notice and hearing pursuant to the Federal Rules of
8 Criminal Procedure.

9 “(4) CIVIL CONTEMPT AUTHORITY IN CIVIL
10 CONSENT AND MISDEMEANOR CASES.—In any case
11 in which a United States magistrate judge presides
12 with the consent of the parties under subsection (c)
13 of this section, and in any misdemeanor case pro-
14 ceeding before a magistrate judge under section
15 3401 of title 18, the magistrate judge may exercise
16 the civil contempt authority of the district court.
17 This paragraph shall not be construed to limit the
18 authority of a magistrate judge to order sanctions
19 pursuant to any other statute, the Federal Rules of
20 Civil Procedure, or the Federal Rules of Criminal
21 Procedure.

22 “(5) CRIMINAL CONTEMPT PENALTIES.—The
23 sentence imposed by a magistrate judge for any
24 criminal contempt set forth in paragraphs (2) and
25 (3) of this subsection shall not exceed the penalties

1 for a Class C misdemeanor as set forth in sections
2 3581(b)(8) and 3571(b)(6) of title 18.

3 “(6) CERTIFICATION OF OTHER CONTEMPTS TO
4 THE DISTRICT COURT.—Upon the commission of any
5 act—

6 “(A) in any case in which a United States
7 magistrate judge presides with the consent of
8 the parties under subsection (c) of this section,
9 or in any misdemeanor case proceeding before
10 a magistrate judge under section 3401 of title
11 18, that may, in the opinion of the magistrate
12 judge, constitute a serious criminal contempt
13 punishable by penalties exceeding those set
14 forth in paragraph (5) of this subsection; or

15 “(B) in any other case or proceeding under
16 subsection (a) or (b) of this section, or any
17 other statute, where—

18 “(i) the act committed in the mag-
19 istrate judge’s presence may, in the opin-
20 ion of the magistrate judge, constitute a
21 serious criminal contempt punishable by
22 penalties exceeding those set forth in para-
23 graph (5) of this subsection;

1 “(ii) the act that constitutes a crimi-
2 nal contempt occurs outside the presence
3 of the magistrate judge; or

4 “(iii) the act constitutes a civil con-
5 tempt,

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

19 “(7) APPEALS OF MAGISTRATE JUDGE CON-
20 TEMPT ORDERS.—The appeal of an order of con-
21 tempt issued pursuant to this subsection shall be
22 made to the court of appeals in cases proceeding
23 under subsection (c) of this section. The appeal of
24 any other order to contempt issued pursuant to this
25 subsection shall be made to the district court.”.

1 **SEC. 203. CONSENT TO MAGISTRATE JUDGE AUTHORITY IN**
2 **PETTY OFFENSE CASES AND MAGISTRATE**
3 **JUDGE AUTHORITY IN MISDEMEANOR CASES**
4 **INVOLVING JUVENILE DEFENDANTS.**

5 (a) AMENDMENTS TO TITLE 18.—

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

11 (2) CASES INVOLVING JUVENILES.—Section
12 3401(g) of title 18, United States Code, is
13 amended—

14 (A) by striking the first sentence and in-
15 serting the following: “The magistrate judge
16 may, in a petty offense case involving a juve-
17 nile, exercise all powers granted to the district
18 court under chapter 403 of this title.”;

19 (B) in the second sentence by striking
20 “any other class B or C misdemeanor case”
21 and inserting “the case of any misdemeanor,
22 other than a petty offense,”; and

23 (C) by striking the last sentence.

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

1 “(4) the power to enter a sentence for a petty
2 offense; and

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

6 **SEC. 204. SAVINGS AND LOAN DATA REPORTING REQUIRE-**
7 **MENTS.**

8 Section 604 of title 28, United States Code, is
9 amended in subsection (a) by striking the second para-
10 graph designated (24) (relating to the savings and loan
11 crisis).

12 **SEC. 205. PLACE OF HOLDING COURT IN THE EASTERN DIS-**
13 **TRICT OF TEXAS.**

14 (a) TEXAS.—Section 124(c) of title 28, United States
15 Code, is amended—

16 (1) in paragraph (3)—

17 (A) by striking “Denton, and Grayson”
18 and inserting “Delta, Denton, Fannin, Grayson,
19 Hopkins, and Lamar”; and

20 (B) by inserting “and Plano” after “held
21 at Sherman”;

22 (2) by striking paragraph (4) and redesignating
23 paragraphs (5) through (7) as paragraphs (4)
24 through (6), respectively; and

1 (3) in paragraph (5), as so redesignated, by in-
 2 serting “Red River,” after “Franklin,”.

3 (b) TEXARKANA.—Sections 83(b)(1) and 124(c)(5)
 4 (as redesignated by subsection (a) of this section) of title
 5 28, United States Code, are each amended by inserting
 6 after “held at Texarkana” the following: “, and may be
 7 held anywhere within the Federal courthouse in Tex-
 8 arkana that is located astride the State line between Texas
 9 and Arkansas”.

10 **SEC. 206. FEDERAL SUBSTANCE ABUSE TREATMENT PRO-**
 11 **GRAM REAUTHORIZATION.**

12 Section 4(a) of the Contract Services for Drug De-
 13 pendent Federal Offenders Treatment Act of 1978 (Public
 14 Law 95–537; 92 Stat. 2038) is amended by striking all
 15 that follows “there are authorized to be appropriated” and
 16 inserting “for fiscal year 2000 and each fiscal year there-
 17 after such sums as may be necessary to carry out this
 18 Act.”.

19 **SEC. 207. MEMBERSHIP IN CIRCUIT JUDICIAL COUNCILS.**

20 Section 332 of title 28, United States Code, is
 21 amended in subsection (a)—

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

24 “(3) Except for the chief judge of the circuit, either
 25 judges in regular active service or judges retired from reg-

1 ular active service under section 371(b) of this title may
 2 serve as members of the council.”; and

3 (2) by striking “retirement,” in paragraph (5)
 4 and inserting “retirement pursuant to section 371(a)
 5 or section 372(a) of this title,”.

6 **SEC. 208. SUNSET OF CIVIL JUSTICE EXPENSE AND DELAY**
 7 **REDUCTION PLANS.**

8 Section 103(b)(2)(A) of the Civil Justice Reform Act
 9 of 1990 (Public Law 101–650; 104 Stat. 5096; 28 U.S.C.
 10 471 note), as amended by Public Law 105–53 (111 Stat.
 11 1173), is amended by inserting “471,” after “sections”.

12 **SEC. 209. TECHNICAL BANKRUPTCY CORRECTION.**

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

16 **SEC. 210. AUTHORITY OF PRESIDING JUDGE TO ALLOW**
 17 **MEDIA COVERAGE OF COURT PROCEEDINGS.**

18 (a) **AUTHORITY OF APPELLATE COURTS.**—Notwith-
 19 standing any other provision of law, the presiding judge
 20 of an appellate court of the United States may, in his or
 21 her discretion, with the consent of all named parties, per-
 22 mit the photographing, electronic recording, broadcasting,
 23 or televising to the public of court proceedings over which
 24 that judge presides.

25 (b) **AUTHORITY OF DISTRICT COURTS.**—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, any presiding judge of a district
3 court of the United States may, in his or her discre-
4 tion, with the consent of all named parties, permit
5 the photographing, electronic recording, broad-
6 casting, or televising to the public of court pro-
7 ceedings over which that judge presides.

8 (2) OBSCURING OF WITNESSES.—(A) Upon the
9 request of any witness in a trial proceeding other
10 than a party, the court shall order the face and voice
11 of the witness to be disguised or otherwise obscured
12 in such manner as to render the witness unrecogniz-
13 able to the broadcast audience of the trial pro-
14 ceeding.

15 (B) The presiding judge in a trial proceeding
16 shall inform each witness who is not a party that the
17 witness has the right to request that his or her
18 image and voice be obscured during the witness' tes-
19 timony.

20 (c) ADVISORY GUIDELINES.—The Judicial Con-
21 ference of the United States is authorized to promulgate
22 advisory guidelines to which a presiding judge shall refer
23 in making decisions with respect to consistent criteria to
24 be applied in the exercise of the discretion of the presiding
25 judge, and to the management and administration of

1 photographing, recording, broadcasting, and televising de-
2 scribed in subsections (a) and (b).

3 (d) DEFINITIONS.—As used in this section:

4 (1) PRESIDING JUDGE.—The term “presiding
5 judge” means the judge presiding over the court
6 proceeding concerned. In proceedings in which more
7 than one judge participates, the presiding judge
8 shall be the senior active judge so participating or,
9 in the case of a circuit court of appeals, the senior
10 active circuit judge so participating, except that—

11 (A) in en banc sittings of any United
12 States circuit court of appeals, the presiding
13 judge shall be the chief judge of the circuit
14 whenever the chief judge participates; and

15 (B) in en banc sittings of the Supreme
16 Court of the United States, the presiding judge
17 shall be the Chief Justice whenever the Chief
18 Justice participates.

19 (2) APPELLATE COURT OF THE UNITED
20 STATES.—The term “appellate court of the United
21 States” means any United States circuit court of ap-
22 peals and the Supreme Court of the United States.

23 (e) SUNSET.—The authority under subsection (b)
24 shall terminate on the date that is 3 years after the date
25 of the enactment of this Act.

1 **TITLE III—JUDICIAL PER-**
2 **SONNEL ADMINISTRATION,**
3 **BENEFITS, AND PROTEC-**
4 **TIONS**

5 **SEC. 301. DISABILITY RETIREMENT AND COST-OF-LIVING**
6 **ADJUSTMENTS OF ANNUITIES FOR TERRI-**
7 **TORIAL JUDGES.**

8 Section 373 of title 28, is amended—

9 (1) by amending subsection (c)(4) to read as
10 follows:

11 “(4) Any senior judge performing judicial duties pur-
12 suant to recall under paragraph (2) of this subsection
13 shall be paid, while performing such duties, the same com-
14 pensation (in lieu of the annuity payable under this sec-
15 tion) and the same allowances for travel and other ex-
16 penses as a judge on active duty with the court being
17 served.”;

18 (2) by amending subsection (e) to read as fol-
19 lows:

20 “(e)(1) any judge of the District Court of Guam, the
21 District Court of the Northern Mariana Islands, or the
22 District Court of the Virgin Islands who is not reappointed
23 (as judge of such court) shall be entitled, upon attaining
24 the age of 65 years or upon relinquishing office if the
25 judge is then beyond the age of 65 years—

1 “(A) if the judicial service of such judge, con-
2 tinuous or otherwise, aggregates 15 years or more,
3 to receive during the remainder of such judge’s life
4 an annuity equal to the salary received when the
5 judge left office; or

6 “(B) if such judicial service, continuous or oth-
7 erwise, aggregated less than 15 years, to receive dur-
8 ing the remainder of such judge’s life an annuity
9 equal to that proportion of such salary which the ag-
10 gregate number of such judge’s years of service
11 bears to 15.

12 “(2) Any judge of the District Court of Guam, the
13 District Court of the Northern Mariana Islands, or the
14 District Court of the Virgin Islands who has served at
15 least 5 years, continuously or otherwise, and who retires
16 or is removed upon the sole ground of mental or physical
17 disability, shall be entitled to receive during the remainder
18 of such judge’s life an annuity equal to 40 percent of the
19 salary received when the judge left office or, in the case
20 of a judge who has served at least 10 years, continuously
21 or otherwise, an annuity equal to that proportion of such
22 salary which the aggregate number of such judge’s years
23 of judicial service bears to 15.”; and

24 (3) by amending subsection (g) to read as fol-
25 lows:

1 “(g) Any retired judge who is entitled to receive an
2 annuity under this section shall be entitled to a cost-of-
3 living adjustment in the amount computed as specified in
4 section 8340(b) of title 5, except that in no case may the
5 annuity payable to such retired judge, as increased under
6 this subsection, exceed the salary of a judge in regular
7 active service with the court on which the retired judge
8 served before retiring.”.

9 **SEC. 302. FEDERAL JUDICIAL CENTER PERSONNEL MAT-**
10 **TERS.**

11 Section 625 of title 28, United States Code, is
12 amended—

13 (1) in subsection (b)—

14 (A) by striking “, United States Code, gov-
15 erning appointments in” and inserting “gov-
16 erning appointments in the”;

17 (B) by striking “such title, relating” and
18 inserting “such title relating”;

19 (C) by striking “pay rates, section 5316,
20 title 5, United States Code” and inserting
21 “under section 5316 of title 5, except that the
22 Director may fix the compensation of four posi-
23 tions of the Center at a level not to exceed the
24 annual rate of pay in effect for level IV of the

1 Executive Schedule under section 5315 of title
2 5”; and

3 (D) by striking “the Civil Service” and all
4 that follows through “Code” and inserting
5 “subchapter III of chapter 83 of title 5 shall be
6 adjusted pursuant to the provisions of section
7 8344 of such title, and the salary of a reem-
8 ployed annuitant under chapter 84 of title 5
9 shall be adjusted pursuant to the provisions of
10 section 8468 of such title”;

11 (2) in subsection (c)—

12 (A) by striking “, United States Code, gov-
13 erning appointments in competitive service” and
14 inserting “governing appointments in the com-
15 petitive service,”; and

16 (B) by striking “such title, relating” and
17 inserting “such title relating”; and

18 (3) in subsection (d)—

19 (A) by striking “, United States Code,”;
20 and

21 (B) by striking “, section 5332, title 5,
22 United States Code” and inserting “under sec-
23 tion 5332 of title 5”.

1 **SEC. 303. JUDICIAL ADMINISTRATIVE OFFICIALS RETIRE-**
2 **MENT MATTERS.**

3 (a) ELIMINATION OF MANDATORY RETIREMENT AGE
4 FOR DIRECTOR OF FEDERAL JUDICIAL CENTER.—Sec-
5 tion 627 of title 28, United States Code, is amended—

6 (1) by striking subsection (a); and

7 (2) by redesignating subsections (b) through (f)
8 as subsections (a) through (e), respectively.

9 (b) CREDITABLE SERVICE FOR CERTAIN JUDICIAL
10 ADMINISTRATIVE OFFICIALS.—

11 (1) Sections 611(d) and 627(d) (as redesign-
12 nated by subsection (a) of this section) of title 28,
13 United States Code, are each amended by inserting
14 “a congressional employee in the capacity of primary
15 administrative assistant to a Member of Congress or
16 in the capacity of staff director or chief counsel for
17 the majority or the minority of a committee or sub-
18 committee of the Senate or House of Representa-
19 tives,” after “Congress,”; and

20 (2) Sections 611(b) and 627(b) (as redesign-
21 nated by subsection (a) of this section) of such title
22 are each amended—

23 (A) by striking “who has served at least
24 fifteen years and” and inserting “who has at
25 least fifteen years of service and has”; and

1 (B) in the first undesignated paragraph,
2 by striking “who has served at least ten years,”
3 and inserting “who has at least ten years of
4 service,”.

5 (3) Sections 611(c) and 627(c) (as redesignated
6 by subsection (a) of this section) of such title are
7 each amended—

8 (A) by striking “served at least fifteen
9 years,” and inserting “at least fifteen years of
10 service,”; and

11 (B) by striking “served less than fifteen
12 years,” and inserting “less than fifteen years of
13 service,”.

14 **SEC. 304. JUDGES’ FIREARMS TRAINING.**

15 (a) IN GENERAL.—Chapter 21 of title 28, United
16 States Code, is amended by adding at the end the fol-
17 lowing new section:

18 **“§ 464. Carrying of firearms by judicial officers**

19 “(a) AUTHORITY.—A judicial officer of the United
20 States is authorized to carry a firearm, whether concealed
21 or not, under regulations promulgated by the Judicial
22 Conference of the United States. The authority granted
23 by this section shall extend only—

1 “(1) to those States in which the carrying of
2 firearms by judicial officers of the State is permitted
3 by State law; or

4 “(2) regardless of State law, to any State in
5 which the judicial officer of the United States sits,
6 resides, or is present on official travel status.

7 “(b) IMPLEMENTATION.—

8 “(1) REGULATIONS.—The regulations promul-
9 gated by the Judicial Conference under subsection
10 (a) shall—

11 “(A) require a demonstration of a judicial
12 officer’s proficiency in the use and safety of
13 firearms as a prerequisite to carrying of fire-
14 arms under the authority of this section; and

15 “(B) ensure that the carrying of a firearm
16 by a judicial officer under the protection of the
17 United States Marshals Service while away
18 from United States courthouses is consistent
19 with Marshals Service policy on carrying of fire-
20 arms by persons receiving such protection.

21 “(2) ASSISTANCE BY OTHER AGENCIES.—At
22 the request of the Judicial Conference, the Attorney
23 General and appropriate law enforcement compo-
24 nents of the Department of Justice shall assist the
25 Judicial Conference in developing and providing

1 training to assist judicial officers in securing the
2 proficiency referred to in paragraph (1).

3 “(c) DEFINITION.—For purposes of this section, the
4 term ‘judicial officer of the United States’ means—

5 “(1) a justice or judge of the United States as
6 defined in section 451 in regular active service or re-
7 tired from regular active service;

8 “(2) a justice or judge of the United States who
9 has been retired from the judicial office under sec-
10 tion 371(a) for—

11 “(A) no longer than a 1-year period fol-
12 lowing such justice’s or judge’s retirement; or

13 “(B) a longer period of time if approved by
14 the Judicial Conference of the United States
15 when exceptional circumstances warrant;

16 “(3) a United States bankruptcy judge;

17 “(4) a full-time or part-time United States
18 magistrate judge;

19 “(5) a judge of the United States Court of Fed-
20 eral Claims;

21 “(6) a judge of the United States District
22 Court of Guam;

23 “(7) a judge of the United States District
24 Court for the Northern Mariana Islands;

1 “(8) a judge of the United States District
2 Court of the Virgin Islands; or

3 “(9) an individual who is retired from one of
4 the judicial positions described under paragraphs (3)
5 through (8) to the extent provided for in regulations
6 of the Judicial Conference of the United States.

7 “(d) EXCEPTION.—Notwithstanding section
8 46303(c)(1) of title 49, nothing in this section authorizes
9 a judicial officer of the United States to carry a dangerous
10 weapon on an aircraft or other common carrier.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

12 (1) The table of sections for chapter 21 of title
13 28, United States Code, is amended—

14 (A) in the item relating to section 452, by
15 striking “power” and inserting “powers”; and

16 (B) by adding at the end the following:

“464. Carrying of firearms by judicial officers.”.

17 (2) The section heading for section 453 of title
18 28, United States Code, is amended to read as fol-
19 lows:

20 **“§ 453. Oath of justices and judges”.**

21 (c) EFFECTIVE DATE.—The amendments made by
22 subsection (a) and subsection (b)(1)(B) of this section
23 shall take effect upon the earlier of the promulgation of
24 regulations by the Judicial Conference under this section
25 or 1 year after the date of the enactment of this Act.

1 **SEC. 305. REMOVAL OF AUTOMATIC EXCUSE FROM JURY**
 2 **SERVICE FOR MEMBERS OF THE ARMED**
 3 **SERVICES, MEMBERS OF FIRE AND POLICE**
 4 **DEPARTMENTS, AND PUBLIC OFFICERS.**

5 (a) REMOVAL OF AUTOMATIC EXCUSE.—Section
 6 1863(b) of title 28, United States Code, is amended by
 7 striking paragraph (6) and redesignating subsequent
 8 paragraphs accordingly.

9 (b) CONFORMING AMENDMENTS.—Section 1869 of
 10 title 28, United States Code, is amended—

11 (1) by striking subsections (i) and (k);

12 (2) by redesignating subsection (j) as sub-
 13 section (i) and by striking the semicolon at the end
 14 and inserting “; and”; and

15 (3) by redesignating subsection (l) as subsection
 16 (k).

17 (c) SERVICE BY MEMBERS OF ARMED FORCES.—(1)
 18 Section 982 of title 10, United States Code, is amended—

19 (A) by amending the section heading to read as
 20 follows:

21 **“§ 982. Members: service on Federal, State, and local**
 22 **juries”; and**

23 (B) in subsection (a) by striking “State or” and
 24 inserting “Federal, State, or”.

1 (2) The item relating to section 982 in the table of
 2 sections for chapter 49 of title 10, United States Code,
 3 is amended to read as follows:

“982. Members: service on Federal, State, and local juries.”.

4 **SEC. 306. EXPANDED WORKERS’ COMPENSATION COV-**
 5 **ERAGE FOR JURORS.**

6 Paragraph (2) of section 1877(b) of title 28, United
 7 States Code, is amended—

8 (1) by striking “or” at the end of clause (C);
 9 and

10 (2) by inserting before the period at the end of
 11 clause (D) “, or (E) traveling to or from the court-
 12 house pursuant to a jury summons or sequestration
 13 order, or as otherwise necessitated by order of the
 14 court”.

15 **SEC. 307. PROPERTY DAMAGE, THEFT, AND LOSS CLAIMS**
 16 **OF JURORS.**

17 Section 604 of title 28, United States Code, is
 18 amended by adding at the end the following new sub-
 19 section:

20 “(i) The Director may pay a claim by a person sum-
 21 moned to serve or serving as a grand juror or petit juror
 22 for loss of, or damage to, personal property that occurs
 23 incident to that person’s performance of duties in response
 24 to the summons or at the direction of an officer of the
 25 court. With respect to claims, the Director shall have the

1 authority granted to the head of an agency by section
 2 3721 of title 31 for consideration of employees' personal
 3 property claims. The Director shall prescribe guidelines
 4 for the consideration of claims under this subsection.”.

5 **SEC. 308. ELIMINATION OF THE PUBLIC DRAWING RE-**
 6 **QUIREMENTS FOR SELECTION OF JUROR**
 7 **WHEELS.**

8 (a) DRAWING OF NAMES FROM MASTER WHEEL.—
 9 Section 1864(a) of title 28, United States Code, is
 10 amended—

11 (1) by striking “publicly” in the first sentence;
 12 and

13 (2) by inserting after the first sentence the fol-
 14 lowing: “The clerk or jury commission shall post a
 15 general notice for public review in the clerk’s office
 16 explaining the process by which names are periodi-
 17 cally and randomly drawn.”.

18 (b) SELECTION AND SUMMONING OF JURY PAN-
 19 ELS.—Section 1866(a) of title 28, United States Code, is
 20 amended—

21 (1) by striking “publicly” in the second sen-
 22 tence; and

23 (2) by inserting after the second sentence the
 24 following: “The clerk or jury commission shall post
 25 a general notice for public review in the clerk’s office

1 explaining the process by which names are periodi-
2 cally and randomly drawn.”.

3 **SEC. 309. ANNUAL LEAVE LIMIT FOR COURT UNIT EXECU-**
4 **TIVES.**

5 Section 6304(f)(1) of title 5, United States Code, is
6 amended—

7 (1) in subparagraph (D), by striking “or” after
8 the semicolon;

9 (2) in subparagraph (E), by striking the period
10 and inserting “; or”; and

11 (3) by adding at the end the following:

12 “(F) the judicial branch designated as a court
13 unit executive position by the Judicial Conference of
14 the United States.”.

15 **SEC. 310. PAYMENTS TO MILITARY SURVIVOR BENEFIT**
16 **PLAN.**

17 Section 371(e) of title 28, United States Code, is
18 amended by inserting after “such retired or retainer pay”
19 the following: “, except such pay as is deductible from the
20 retired or retainer pay as a result of participation in any
21 survivor’s benefits plan in connection with the retired
22 pay,”.

1 **SEC. 311. AUTHORIZATION OF A CIRCUIT EXECUTIVE FOR**
2 **THE FEDERAL CIRCUIT.**

3 Section 332 of title 28, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(h)(1) The United States Court of Appeals for the
7 Federal Circuit may appoint a circuit executive, who shall
8 serve at the pleasure of the court. In appointing a circuit
9 executive, the court shall take into account experience in
10 administrative and executive positions, familiarity with
11 court procedures, and special training. The circuit execu-
12 tive shall exercise such administrative powers and perform
13 such duties as may be delegated by the court. The duties
14 delegated to the circuit executive may include but need
15 not be limited to the duties specified in subsection (e) of
16 this section, insofar as they are applicable to the Court
17 of Appeals for the Federal Circuit.

18 “(2) The circuit executive shall be paid the salary for
19 circuit executives established under subsection (f) of this
20 section.

21 “(3) The circuit executive may appoint, with the ap-
22 proval of the court, necessary employees in such number
23 as may be approved by the Director of the Administrative
24 Office of the United States Courts.

1 “(4) The circuit executive and staff shall be deemed
2 to be officers and employees of the United States within
3 the meaning of the statutes specified in subsection (f)(4).

4 “(5) The court may appoint either a circuit executive
5 under this subsection or a clerk under section 711 of this
6 title, but not both, or may appoint a combined circuit execu-
7 tive/clerk who shall be paid the salary of a circuit execu-
8 tive.”.

9 **SEC. 312. AMENDMENT TO THE JURY SELECTION PROCESS.**

10 Section 1865 of title 28, United States Code, is
11 amended—

12 (1) in subsection (a) by inserting “or the clerk
13 under supervision of the court if the court’s jury se-
14 lection plan so authorizes,” after “jury commis-
15 sion,”; and

16 (2) in subsection (b) by inserting “or the clerk
17 if the court’s jury selection plan so provides,” after
18 “may provide,”.

19 **SEC. 313. SUPPLEMENTAL ATTENDANCE FEE FOR PETIT**
20 **JURORS SERVING ON LENGTHY TRIALS.**

21 Section 1871(b)(2) of title 28, United States Code,
22 is amended by striking “thirty” each place it appears and
23 inserting “five”.

1 **SEC. 314. SERVICE ON TERRITORIAL COURTS.**

2 Section 174 of title 28, United States Code, is
3 amended by adding at the end the following new sub-
4 section:

5 “(c) Upon request by or on behalf of a territorial
6 court, and with the concurrence of the chief judge of the
7 Court of Federal Claims and the chief judge of the judicial
8 circuit involved based upon a finding of need, judges of
9 the Court of Federal Claims shall have the authority to
10 conduct proceedings in the district courts of territories to
11 the same extent as duly appointed judges of those
12 courts.”.

13 **SEC. 315. RESIDENCE OF RETIRED JUDGES.**

14 Section 175 of title 28, United States Code, is
15 amended by adding at the end the following new sub-
16 section:

17 “(c) Retired judges of the Court of Federal Claims
18 are not subject to restrictions as to residence. The place
19 where a retired judge maintains the actual abode in which
20 such judge customarily lives shall be deemed to be the
21 judge’s official duty station for the purposes of section 456
22 of this title.”.

1 **SEC. 316. COURT OF FEDERAL CLAIMS JUDICIAL CON-**
2 **ERENCE.**

3 (a) IN GENERAL.—Chapter 15 of title 28, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 336. Judicial Conference of the Court of Federal**
7 **Claims**

8 “(a) ANNUAL CONFERENCE.—The chief judge of the
9 Court of Federal Claims is authorized to summon annually
10 the judges of that court to a judicial conference, at a time
11 and place that the chief judge designates, for the purpose
12 of considering the business of the Court of Federal Claims
13 and improvements in the administration of justice in that
14 court.

15 “(b) REPRESENTATION AND PARTICIPATION BY
16 MEMBERS OF THE BAR.—The Court of Federal Claims
17 shall provide by its rules or by general order for represen-
18 tation and active participation by members of the bar at
19 the judicial conference summoned under subsection (a).”.

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

“336. Judicial Conference of the Court of Federal Claims.”.

23 **SEC. 317. RECALL OF JUDGES ON DISABILITY STATUS.**

24 Section 797(a) of title 28, United States Code, is
25 amended—

1 (1) by inserting “(1)” after “(a)”; and

2 (2) by adding at the end the following:

3 “(2) Any judge of the Court of Federal Claims receiv-
4 ing an annuity pursuant to section 178(c) of this title
5 (pertaining to disability) who, in the estimation of the
6 chief judge, has recovered sufficiently to render judicial
7 service, shall be known and designated as a senior judge
8 and may perform duties as a judge when recalled pursuant
9 to subsection (b) of this section.”.

10 **SEC. 318. SENIOR STATUS PROVISION.**

11 (a) IN GENERAL.—Section 178 of title 28, United
12 States Code, is amended by adding at the end the fol-
13 lowing new subsection:

14 “(m) For purposes of section 3121(i)(5) of the Inter-
15 nal Revenue Act of 1986 (26 U.S.C. 3121(i)(5)) and sec-
16 tion 209(h) of the Social Security Act (42 U.S.C. 409(h)),
17 the annuity of a judge of the Court of Federal Claims who
18 is on senior status after attaining age 65 shall be deemed
19 to be an amount paid under section 371(b) of this title
20 for performing services under the provisions of section 294
21 of this title.”.

22 (b) CLERICAL AMENDMENT.—Section 178(k)(2) of
23 title 28, United States Code, is amended by inserting
24 “the” after “Director of”.

1 **SEC. 319. MISCELLANEOUS PROVISION.**

2 Chapter 7 of title 28, United States Code, is amended
3 by adding after section 178 the following new section:

4 **“§ 179. Insurance and annuities programs**

5 “(a) JUDGES DEEMED TO BE OFFICERS FOR PUR-
6 POSES OF TITLE 5.—For purposes of construing title 5,
7 a judge of the United States Court of Federal Claims shall
8 be deemed to be an ‘officer’ under section 2104(a) of such
9 title.

10 “(b) HEALTH INSURANCE BENEFITS.—For purposes
11 of construing chapter 89 of title 5, a judge of the United
12 States Court of Federal Claims who—

13 “(1) is retired under section 178(a) or (b) of
14 this title and performs recall service under section
15 178(d) of this title; and

16 “(2) was enrolled in a health benefits plan
17 under chapter 89 of title 5 at the time the judge be-
18 came a retired judge,

19 shall be deemed to be an annuitant meeting the require-
20 ments of section 8905(b)(1) of title 5, notwithstanding the
21 length of enrollment prior to the date of retirement.”.

TITLE IV—CRIMINAL JUSTICE
ACT AMENDMENTS

SEC. 401. MAXIMUM AMOUNTS OF COMPENSATION FOR ATTORNEYS.

Paragraph (2) of subsection (d) of section 3006A of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by striking “\$3,500” and inserting “\$5,400”;

(B) by striking “\$1,000” and inserting “\$1,600”;

(2) in the second sentence by striking “\$2,500” and inserting “\$3,900”;

(3) in the third sentence—

(A) by striking “\$750” and inserting “\$1,200”; and

(B) by striking “\$2,500” and inserting “\$3,900”;

(4) by inserting after the second sentence the following new sentence: “For representation of a petitioner in a non-capital habeas corpus proceeding, the compensation for each attorney shall not exceed the amount applicable to a felony in this paragraph for representation of a defendant before a judicial officer of the district court. For representation of

1 such petitioner in an appellate court, the compensa-
 2 tion for each attorney shall not exceed the amount
 3 applicable for representation of a defendant in an
 4 appellate court.”; and

5 (5) in the last sentence by striking “\$750” and
 6 inserting “\$1,200”.

7 **SEC. 402. MAXIMUM AMOUNTS OF COMPENSATION FOR**
 8 **SERVICES OTHER THAN COUNSEL.**

9 Section 3006A(e) of title 18, United States Code, is
 10 amended—

11 (1) in paragraph (2)—

12 (A) in subparagraph (A) by striking
 13 “\$300” and inserting “\$500”; and

14 (B) in subparagraph (B) by striking
 15 “\$300” and inserting “\$500”; and

16 (2) in paragraph (3) in the first sentence by
 17 striking “\$1,000” and inserting “\$1,600”.

18 **SEC. 403. TORT CLAIMS ACT AMENDMENTS RELATING TO**
 19 **LIABILITY OF FEDERAL PUBLIC DEFENDERS.**

20 Section 2671 of title 28, United States Code, is
 21 amended in the second paragraph—

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

23 (2) by striking the period at the end and insert-
 24 ing the following: “, and (2) any officer or employee
 25 of a Federal Public Defender Organization, except

1 when such officer or employee performs professional
2 services in the course of providing representation
3 under section 3006A of title 18.”.

Passed the House of Representatives May 22, 2000.

Attest:

JEFF TRANDAHL,

Clerk.