

and other Federal partners, as well as representatives of State and local law enforcement.

Since its formation in 2005, the task force has assisted 41 United States Attorneys to prosecute more than 768 people to date. In addition, the Task Force Joint Command Center in Baton Rouge, Louisiana, continues to receive more than 700 calls each month through its nationwide hotline and has screened and referred more than 14,000 leads to law enforcement agencies and field offices across the country.

Yet, despite these efforts, it is clear that current criminal penalties are insufficient to deter disaster fraud. For example, in the U.S. Attorneys Office for the Middle District of Louisiana alone, 128 individuals have been charged with hurricane-related fraud.

S. 863 would strengthen Federal law enforcement's ability to combat and deter those who would otherwise attempt to exploit another's tragedy, preventing assistance from going to those who truly need it. How? Well, first this legislation creates a new specific criminal penalty to prohibit fraud in connection with any emergency or disaster benefit, including Federal assistance or private charitable contributions, as long as the benefit was authorized or paid in interstate commerce, transported through the mails, or is something of value. The penalty for engaging in such fraud is a fine or imprisonment of up to 30 years.

Second, the bill amends the Federal mail and wire fraud statutes to add emergency or disaster benefits fraud to the 30-year enhanced penalties in those statutes. Currently, the 30-year enhancement is reserved only for financial institutions fraud.

Finally, the bill directs the United States Sentencing Commission to review existing penalties for disaster assistance fraud, amend the sentencing guidelines as necessary, and report back to the Judiciary Committee of both the House and the Senate.

The Emergency and Disaster Assistance Fraud Penalty Enhancement Act unanimously passed the House back in the 109th Congress. Tough penalties for criminals who prey on innocent disaster victims are long overdue. I urge my colleagues to support S. 863.

I once again thank the gentleman from Michigan (Mr. CONYERS) for his leadership on this issue.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 2 minutes to the indefatigable member of the Judiciary Committee, the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman of the full committee. Through his leadership, we have had a number, huge numbers of solutions being put forward, and I thank him so very much for serving the American people as he has done. Let me thank the gentleman from Ohio (Mr. CHABOT) for his leadership and share some real life stories.

Madam Speaker, I lived through Hurricane Katrina and Rita and spent a good number of my days in New Orleans visiting not only with the victims of Hurricane Katrina, but also subsequently in Texas visiting with those impacted by Hurricane Rita. I also engaged extensively with small contractors and workers who indicated that in addition to trying to put themselves forward to do the best work on behalf of the victims, they were victimized. And the victims were victimized over and over again: fraudulent work being done, contracts being signed, moneys being promised, and nothing happening.

This bill will set the record straight. Not only does it send a message in times of disaster to those who come rushing in to try and provide, if you will, the saving flag or the saving grace, but hopefully it will send a message to local jurisdictions that they must have enormous oversight in ensuring that they are not subjected to criminal penalties.

As a member of the Homeland Security Committee, let me also acknowledge Chairman THOMPSON. In the early days after Hurricane Katrina, we had oversight hearings over the abuses that were occurring, the lack of oversight by FEMA. I went into some of the sites, if you will, where individuals were being signed up for work or benefits. But the aftermath of it was what the shame was. How people were not given the benefits they were promised, how contractors did not fulfill their duties, and how local jurisdictions were made to pay enormous prices to large contractors, and yet local small businesses, minority-owned businesses and women-owned businesses could not get business and could not be paid. Even today, there are small contractors who are waiting still to be paid.

I rise to support this legislation, the Emergency and Disaster Assistance Fraud Penalty Enhancement Act of 2007. It is long overdue.

Mr. CHABOT. Madam Speaker, I yield back the balance of my time.

Mr. CONYERS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. DEGETTE). The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the Senate bill, S. 863.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1582

Ms. JACKSON-LEE of Texas (during S. 863 debate). Madam Speaker, I ask unanimous consent to remove my name from H.R. 1582.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

#### AMENDING COURT SECURITY IMPROVEMENT ACT OF 2007

Mr. CONYERS. Madam Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 62) to correct the enrollment of H.R. 660.

The Clerk read the title of the Senate concurrent resolution.

The text of the Senate concurrent resolution is as follows:

S. CON. RES. 62

*Resolved by the Senate (the House of Representatives concurring), That in the enrollment of H.R. 660, an Act to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes, the Clerk of the House of Representatives shall strike section 502 of the Act and insert the following:*

#### "SEC. 502. MAGISTRATE JUDGES LIFE INSURANCE.

*"(a) IN GENERAL.—Section 604(a)(5) of title 28, United States Code, is amended by inserting after 'hold office during good behavior', the following: 'magistrate judges appointed under section 631 of this title.'"*

*"(b) CONSTRUCTION.—For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, the following categories of judicial officers shall be deemed to be judges of the United States as described under section 8701 of title 5, United States Code:*

*"(1) Magistrate judges appointed under section 631 of title 28, United States Code.*

*"(2) Magistrate judges retired under section 377 of title 28, United States Code.*

*"(c) EFFECTIVE DATE.—Subsection (b) and the amendment made by subsection (a) shall apply with respect to any payment made on or after the first day of the first applicable pay period beginning on or after the date of enactment of this Act."*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on this concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this concurrent resolution enables us to agree with the Senate on H.R. 660, the Court Security Improvement Act, and send that important bill to the President by correcting a PAYGO problem in the version of H.R. 660 that the Senate passed on Monday.

The Senate passed this concurrent resolution last night. When we pass it now, it will have the effect of removing

the problematic provision from the Senate amendment to H.R. 660. We will next turn to final passage of H.R. 660, and it will be sent to the President stripped of that provision.

I pause now to personally commend the gentleman from Texas (Mr. GOHMERT) for the wonderful job that he has done in helping us work out the matters that needed final adjustment.

I urge our Members to support this concurrent resolution so we can send this much-needed legislation on its way to final enactment.

I reserve the balance of my time.

Mr. GOHMERT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of S. Con. Res. 62 to correct the enrollment of H.R. 660, the Court Security Improvement Act of 2007. I would also like to commend the Speaker, and through the Speaker, our chairman. I assume you are the people responsible for the added heat in the room today. I presume that is to help light a fire under the majority to help get the business done today, and I applaud that.

Madam Speaker, today the House will consider H.R. 660, a bill to improve court security and ensure the safety of those who dedicate their lives to America's judicial system, as well as to the safety of millions of Americans who visit our courthouses every day.

This concurrent resolution substitutes section 502 of H.R. 660 to make a technical correction to the bill and allow the House to move forward in order to consider the important bipartisan legislation. I urge my colleagues to adopt this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I urge my colleagues to support the resolution as well, and I yield back the balance of my time.

Mr. GOHMERT. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 62.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### COURT SECURITY IMPROVEMENT ACT OF 2007

Mr. CONYERS. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 660) to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Court Security Improvement Act of 2007".

#### TITLE I—JUDICIAL SECURITY IMPROVEMENTS AND FUNDING

##### SEC. 101. JUDICIAL BRANCH SECURITY REQUIREMENTS.

(a) ENSURING CONSULTATION WITH THE JUDICIARY.—Section 566 of title 28, United States Code, is amended by adding at the end the following: "(i) The Director of the United States Marshals Service shall consult with the Judicial Conference of the United States on a continuing basis regarding the security requirements for the judicial branch of the United States Government, to ensure that the views of the Judicial Conference regarding the security requirements for the judicial branch of the Federal Government are taken into account when determining staffing levels, setting priorities for programs regarding judicial security, and allocating judicial security resources. In this paragraph, the term 'judicial security' includes the security of buildings housing the judiciary, the personal security of judicial officers, the assessment of threats made to judicial officers, and the protection of all other judicial personnel. The United States Marshals Service retains final authority regarding security requirements for the judicial branch of the Federal Government."

(b) CONFORMING AMENDMENT.—Section 331 of title 28, United States Code, is amended by adding at the end the following:

"The Judicial Conference shall consult with the Director of United States Marshals Service on a continuing basis regarding the security requirements for the judicial branch of the United States Government, to ensure that the views of the Judicial Conference regarding the security requirements for the judicial branch of the Federal Government are taken into account when determining staffing levels, setting priorities for programs regarding judicial security, and allocating judicial security resources. In this paragraph, the term 'judicial security' includes the security of buildings housing the judiciary, the personal security of judicial officers, the assessment of threats made to judicial officers, and the protection of all other judicial personnel. The United States Marshals Service retains final authority regarding security requirements for the judicial branch of the Federal Government."

##### SEC. 102. PROTECTION OF UNITED STATES TAX COURT.

(a) IN GENERAL.—Section 566(a) of title 28, United States Code, is amended by striking "and the Court of International Trade" and inserting ", the Court of International Trade, and the United States Tax Court, as provided by law".

(b) INTERNAL REVENUE CODE.—Section 7456(c) of the Internal Revenue Code of 1986 (relating to incidental powers of the Tax Court) is amended in the matter following paragraph (3), by striking the period at the end, and inserting "and may otherwise provide, when requested by the chief judge of the Tax Court, for the security of the Tax Court, including the personal protection of Tax Court judges, court officers, witnesses, and other threatened persons in the interests of justice, where criminal intimidation impedes on the functioning of the judicial process or any other official proceeding. The United States Marshals Service retains final authority regarding security requirements for the Tax Court."

(c) REIMBURSEMENT.—The United States Tax Court shall reimburse the United States Marshals Service for protection provided under the amendments made by this section.

##### SEC. 103. ADDITIONAL AMOUNTS FOR UNITED STATES MARSHALS SERVICE TO PROTECT THE JUDICIARY.

In addition to any other amounts authorized to be appropriated for the United States Mar-

shals Service, there are authorized to be appropriated for the United States Marshals Service \$20,000,000 for each of fiscal years 2007 through 2011 for—

(1) hiring entry-level deputy marshals for providing judicial security;

(2) hiring senior-level deputy marshals for investigating threats to the judiciary and providing protective details to members of the judiciary, assistant United States attorneys, and other attorneys employed by the Federal Government; and

(3) for the Office of Protective Intelligence, for hiring senior-level deputy marshals, hiring program analysts, and providing secure computer systems.

##### SEC. 104. FINANCIAL DISCLOSURE REPORTS.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by striking "2009" each place it appears and inserting "2011".

#### TITLE II—CRIMINAL LAW ENHANCEMENTS TO PROTECT JUDGES, FAMILY MEMBERS, AND WITNESSES

##### SEC. 201. PROTECTIONS AGAINST MALICIOUS RECORDING OF FICTITIOUS LIENS AGAINST FEDERAL JUDGES AND FEDERAL LAW ENFORCEMENT OFFICERS.

(a) OFFENSE.—Chapter 73 of title 18, United States Code, is amended by adding at the end the following:

"§1521. Retaliating against a Federal judge or Federal law enforcement officer by false claim or slander of title

"Whoever files, attempts to file, or conspires to file, in any public record or in any private record which is generally available to the public, any false lien or encumbrance against the real or personal property of an individual described in section 1114, on account of the performance of official duties by that individual, knowing or having reason to know that such lien or encumbrance is false or contains any materially false, fictitious, or fraudulent statement or representation, shall be fined under this title or imprisoned for not more than 10 years, or both."

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 73 of title 18, United States Code, is amended by adding at the end the following new item:

"1521. Retaliating against a Federal judge or Federal law enforcement officer by false claim or slander of title."

##### SEC. 202. PROTECTION OF INDIVIDUALS PERFORMING CERTAIN OFFICIAL DUTIES.

(a) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"§119. Protection of individuals performing certain official duties

"(a) IN GENERAL.—Whoever knowingly makes restricted personal information about a covered person, or a member of the immediate family of that covered person, publicly available—

"(1) with the intent to threaten, intimidate, or incite the commission of a crime of violence against that covered person, or a member of the immediate family of that covered person; or

"(2) with the intent and knowledge that the restricted personal information will be used to threaten, intimidate, or facilitate the commission of a crime of violence against that covered person, or a member of the immediate family of that covered person,

shall be fined under this title, imprisoned not more than 5 years, or both.

"(b) DEFINITIONS.—In this section—

"(1) the term 'restricted personal information' means, with respect to an individual, the Social Security number, the home address, home phone number, mobile phone number, personal email, or home fax number of, and identifiable to, that individual;