

level, nonviolent offenders. This legislation will help jurisdictions assist mentally ill people in ways that help keep them out of our jails and prisons if that's not where they belong.

This is a good bill, and I urge its passage.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I don't know if I'd call it a habit, but I find myself again agreeing with the gentlewoman from California, Ms. ZOE LOFGREN.

This is a bill that has already passed the House in a similar form, I believe, last January.

I will include my entire statement in the RECORD.

I support S. 2304, the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act. The House passed companion legislation, H.R. 3992, last January.

This important legislation addresses the unique challenges that mentally ill offenders create for our criminal justice system. It is estimated that 16 percent of the prison or jail population in the country suffers from a serious mental illness.

More than one-fifth of jails have no access to any mental health services at all. Many criminal justice agencies are unprepared to meet the comprehensive treatment and needs of individuals with mental illness.

Jails and prisons require extra staff resources for inmates with mental illness. In addition, mentally ill offenders can be affected psychologically by incarceration differently than general population offenders.

H.R. 3992 reauthorizes the Mentally Ill Offender Treatment and Crime Reduction Act; encourages early intervention for individuals with mental illness; reauthorizes the mental health courts program; and maximizes diversion opportunities for nonviolent offenders with mental illness and co-occurring disorders.

The legislation also promotes training for treatment professionals on criminal justice processes and mental health and substance abuse issues; establishes State and local planning grants to address the needs of mentally ill offenders; and facilitates communication, collaboration, and the delivery of support services among justice professionals, treatment and related service providers.

I urge my colleagues to support this measure.

I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would just say that at a time when the majority of mental health treatment provided in this country is provided in county jails, a measure such as this is enormously important to divert individuals who are suffering from an illness to appropriate treatment where their illness would be treated and where their disruptive behavior will not bother others. I'm glad that we are moving forward in a bipartisan manner to approve this.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the Senate bill, S. 2304.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

JUDICIAL ADMINISTRATION AND TECHNICAL AMENDMENTS ACT OF 2008

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3569) to make improvements in the operation and administration of the Federal courts, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3569

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Judicial Administration and Technical Amendments Act of 2008”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Change in composition of divisions of western district of Tennessee.
- Sec. 3. Supplemental attendance fee for petit jurors serving on lengthy trials.
- Sec. 4. Authority of district courts as to a jury summons.
- Sec. 5. Public drawing specifications for jury wheels.
- Sec. 6. Assessment of court technology costs.
- Sec. 7. Repeal of obsolete provision in the bankruptcy code relating to certain dollar amounts.
- Sec. 8. Investment of court registry funds.
- Sec. 9. Magistrate judge participation at circuit conferences.
- Sec. 10. Selection of chief pretrial services officers.
- Sec. 11. Attorney case compensation maximum amounts.
- Sec. 12. Expanded delegation authority for reviewing Criminal Justice Act vouchers in excess of case compensation maximums.
- Sec. 13. Repeal of obsolete cross-references to the Narcotic Addict Rehabilitation Act.
- Sec. 14. Conditions of probation and supervised release.
- Sec. 15. Contracting for services for pretrial defendants and post-conviction supervision offenders.
- Sec. 16. Judge members of U.S. Sentencing Commission.
- Sec. 17. Penalty for failure to appear for jury summons.
- Sec. 18. Place of holding court for the District of Minnesota.
- Sec. 19. Penalty for employers who retaliate against employees serving on jury duty.

SEC. 2. CHANGE IN COMPOSITION OF DIVISIONS OF WESTERN DISTRICT OF TENNESSEE.

(a) IN GENERAL.—Section 123(c) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “Dyer,” after “Decatur,”; and

(B) in the last sentence by inserting “and Dyersburg” after “Jackson”; and

(2) in paragraph (2)—

(A) by striking “Dyer,”; and

(B) in the second sentence, by striking “and Dyersburg”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date of enactment of this Act.

(2) PENDING CASES NOT AFFECTED.—The amendments made by this section shall not affect any action commenced before the effective date of this section and pending in the United States District Court for the Western District of Tennessee on such date.

(3) JURIES NOT AFFECTED.—The amendments made by this section shall not affect the composition, or preclude the service, of any grand or petit jury summoned, impaneled, or actually serving in the United States District Court for the Western District of Tennessee on the effective date of this section.

SEC. 3. SUPPLEMENTAL ATTENDANCE FEE FOR PETIT JURORS SERVING ON LENGTHY TRIALS.

(a) IN GENERAL.—Section 1871(b)(2) of title 28, United States Code, is amended by striking “thirty” in each place it occurs and inserting “ten”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2009.

SEC. 4. AUTHORITY OF DISTRICT COURTS AS TO A JURY SUMMONS.

Section 1866(g) of title 28, United States Code, is amended in the first sentence—

(1) by striking “shall” and inserting “may”; and

(2) by striking “his”.

SEC. 5. PUBLIC DRAWING SPECIFICATIONS FOR JURY WHEELS.

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

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

(2) by inserting “The clerk or jury commission shall post a general notice for public review in the clerk's office and on the court's website explaining the process by which names are periodically and randomly drawn.” after the first sentence.

(b) SELECTION AND SUMMONING OF JURY PANELS.—Section 1866(a) of title 28, United States Code, is amended—

(1) in the second sentence, by striking “publicly”; and

(2) by inserting “The clerk or jury commission shall post a general notice for public review in the clerk's office and on the court's website explaining the process by which names are periodically and randomly drawn.” after the second sentence.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 1869 of title 28, United States Code, is amended—

(1) in subsection (j), by adding “and” at the end;

(2) by striking subsection (k); and

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

SEC. 6. ASSESSMENT OF COURT TECHNOLOGY COSTS.

Section 1920 of title 28, United States Code, is amended—

(1) in paragraph (2), by striking “of the court reporter for all or any part of the stenographic transcript” and inserting “for

printed or electronically recorded transcripts"; and

(2) in paragraph (4), by striking "copies of papers" and inserting "the costs of making copies of any materials where the copies are".

SEC. 7. REPEAL OF OBSOLETE PROVISION IN THE BANKRUPTCY CODE RELATING TO CERTAIN DOLLAR AMOUNTS.

Section 104 of title 11, United States Code, is amended—

(1) by striking subsection (a);

(2) by redesignating subsection (b)(1) as subsection (a) and subparagraphs (A) and (B) of that subsection as paragraphs (1) and (2), respectively;

(3) by redesignating subsection (b)(2) as subsection (b);

(4) by redesignating subsection (b)(3) as subsection (c); and

(5) in subsection (c) (as redesignated by paragraph (4) of this section), by striking "paragraph (1)" and inserting "subsection (a)".

SEC. 8. INVESTMENT OF COURT REGISTRY FUNDS.

(a) IN GENERAL.—Chapter 129 of title 28, United States Code, is amended by inserting after section 2044 the following:

"§ 2045. Investment of court registry funds

"(a) The Director of the Administrative Office of the United States Courts, or the Director's designee under subsection (b), may request the Secretary of the Treasury to invest funds received under section 2041 in public debt securities with maturities suitable to the needs of the funds, as determined by the Director or the Director's designee, and bearing interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

"(b) The Director may designate the clerk of a court described in section 610 to exercise the authority conferred by subsection (a)."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 129 of title 28, United States Code, is amended by adding at the end the following:

"2045. Investment of court registry funds."

SEC. 9. MAGISTRATE JUDGE PARTICIPATION AT CIRCUIT CONFERENCES.

Section 333 of title 28, United States Code, is amended in the first sentence by inserting "magistrate," after "district,".

SEC. 10. SELECTION OF CHIEF PRETRIAL SERVICES OFFICERS.

Section 3152 of title 18, United States Code, is amended by striking subsection (c) and inserting the following:

"(c) The pretrial services established under subsection (b) of this section shall be supervised by a chief pretrial services officer appointed by the district court. The chief pretrial services officer appointed under this subsection shall be an individual other than one serving under authority of section 3602 of this title."

SEC. 11. ATTORNEY CASE COMPENSATION MAXIMUM AMOUNTS.

Section 3006A(d)(2) of title 18, United States Code, is amended by adding "The compensation maximum amounts provided in this paragraph shall increase simultaneously by the same percentage, rounded to the nearest multiple of \$100, as the aggregate percentage increases in the maximum hourly compensation rate paid pursuant to paragraph (1) for time expended since the case maximum amounts were last adjusted." at the end.

SEC. 12. EXPANDED DELEGATION AUTHORITY FOR REVIEWING CRIMINAL JUSTICE ACT VOUCHERS IN EXCESS OF CASE COMPENSATION MAXIMUMS.

(a) WAIVING MAXIMUM AMOUNTS.—Section 3006A(d)(3) of title 18, United States Code, is

amended in the second sentence by inserting "or senior" after "active".

(b) SERVICES OTHER THAN COUNSEL.—Section 3006A(e)(3) of title 18, United States Code, is amended in the second sentence by inserting "or senior" after "active".

(c) COUNSEL FOR FINANCIALLY UNABLE DEFENDANTS.—Section 3599(g)(2) of title 18, United States Code, is amended in the second sentence by inserting "or senior" after "active".

SEC. 13. REPEAL OF OBSOLETE CROSS-REFERENCES TO THE NARCOTIC ADDICT REHABILITATION ACT.

Section 3161(h) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking subparagraphs (B) and (C); and

(B) by redesignating subparagraphs (D) through (J) as subparagraphs (B) through (H), respectively;

(2) by striking paragraph (5); and

(3) by redesignating paragraphs (6) through (9) as paragraphs (5) through (8), respectively.

SEC. 14. CONDITIONS OF PROBATION AND SUPERVISED RELEASE.

(a) CONDITIONS OF PROBATION.—Section 3563(a)(2) of title 18, United States Code, is amended by striking "(b)(2), (b)(3), or (b)(13)," and inserting "(b)(2) or (b)(12), unless the court has imposed a fine under this chapter, or".

(b) SUPERVISED RELEASE AFTER IMPRISONMENT.—Section 3583(d) of title 18, United States Code, is amended by striking "section 3563(b)(1)" and all that follows through "appropriate." and inserting "section 3563(b) and any other condition it considers to be appropriate, provided, however that a condition set forth in subsection 3563(b)(10) shall be imposed only for a violation of a condition of supervised release in accordance with section 3583(e)(2) and only when facilities are available."

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 3563(b)(10) of title 18, United States Code, is amended by inserting "or supervised release" after "probation".

SEC. 15. CONTRACTING FOR SERVICES FOR PRETRIAL DEFENDANTS AND POST-CONVICTION SUPERVISION OFFENDERS.

(a) PRETRIAL SERVICE FUNCTIONS.—Section 3154(4) of title 18, United States Code, is amended by inserting ", and contract with any appropriate public or private agency or person, or expend funds, to monitor and provide treatment as well as nontreatment services to any such persons released in the community, including equipment and emergency housing, corrective and preventative guidance and training, and other services reasonably deemed necessary to protect the public and ensure that such persons appear in court as required" before the period.

(b) DUTIES OF DIRECTOR OF ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—Section 3672 of title 18, United States Code, is amended in the seventh undesignated paragraph—

(1) in the third sentence, by striking "negotiate and award such contracts" and inserting "negotiate and award contracts identified in this paragraph"; and

(2) in the fourth sentence, by inserting "to expend funds or" after "He shall also have the authority".

SEC. 16. JUDGE MEMBERS OF U.S. SENTENCING COMMISSION.

Section 991(a) of title 28, United States Code, is amended in the third sentence by striking "Not more than" and inserting "At least".

SEC. 17. PENALTY FOR FAILURE TO APPEAR FOR JURY SUMMONS.

(a) SECTION 1864 SUMMONS.—Section 1864(b) of title 28, United States Code, is amended by

striking "\$100 or imprisoned not more than three days, or both," each place it appears and inserting "\$1,000, imprisoned not more than three days, ordered to perform community service, or any combination thereof."

(b) SECTION 1866 SUMMONS.—Section 1866(g) of title 28, United States Code, is amended by striking "\$100 or imprisoned not more than three days, or both," and inserting "\$1,000, imprisoned not more than three days, ordered to perform community service, or any combination thereof."

SEC. 18. PLACE OF HOLDING COURT FOR THE DISTRICT OF MINNESOTA.

Section 103(6) of title 28, United States Code, is amended in the second sentence by inserting "and Bemidji" before the period.

SEC. 19. PENALTY FOR EMPLOYERS WHO RETALIATE AGAINST EMPLOYEES SERVING ON JURY DUTY.

Section 1875(b)(3) of title 28, United States Code, is amended by striking "\$1,000 for each violation as to each employee." and inserting "\$5,000 for each violation as to each employee, and may be ordered to perform community service."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill contains what we believe are noncontroversial measures proposed by the Judicial Conference to improve efficiency in the Federal courts. Many have passed the House in a prior Congress in similar forms.

The bill makes some realignments in the place of holding court within specified judicial districts so as to better serve local communities. It permits a chief pretrial services officer to be chosen locally by the district court, just like the chief probation officer. It updates the penalty for failure to appear for jury duty, or lying on a questionnaire to avoid jury duty, by raising the maximum fine from \$100 to \$1,000, and by allowing the judge to impose community service.

The bill also increases the maximum penalty for employers who retaliate against employees who are called to serve on jury duty.

Other updates include making electronically produced information coverable in court costs, and adding magistrate judges to the list who can be included in circuit Judicial Conferences.

I think this bill, while noncontroversial, is certainly important in increasing the efficiency of our judicial

branch, and I hope that we will unanimously support it.

I would reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of S. 3569 is to implement noncontroversial administrative provisions that the Judicial Conference and the House Judiciary Committee believe are necessary to improve the operations of the Federal judiciary. These provisions will provide justice for the American people as well.

The Judicial Conference is the policy-making body of the Federal judiciary, and through its committee system, it evaluates court operations. The conference endorses all of the provisions in this bill, which the other body passed by unanimous consent.

S. 3569 affects a wide range of judicial branch programs and operations, including those pertaining to financial administration, process improvements, and personnel administration.

The House has passed five of the bills' provisions in previous Congresses.

The bill incorporates 18 separate items, including a section that eliminates the noticing and public drawing requirements for selecting names from jury wheels because the process is performed by computers; a section that adds magistrate judges to the list of circuit, district, and bankruptcy judges who may be summoned to attend circuit Judicial Conferences; a section that clarifies a court may bring individuals into court when they do not respond to a jury summons, thus eliminating non-meritorious challenges to an impaneled jury; a section that eliminates an obsolete provision in the Bankruptcy Code relating to the calculation of uniform percentage dollar adjustments; and a section that increases penalties for employers who retaliate against employees serving on jury duty.

Mr. Speaker, S. 3569 is necessary to improve the functioning of the U.S. courts which will ultimately benefit the country and the American people. This is a noncontroversial bill, and I urge my colleagues to support it.

I want to point out that for the third consecutive time now, I have agreed with my colleague from California, Congresswoman ZOE LOFGREN, in supporting this piece of legislation, specifically S. 3569.

Ms. ZOE LOFGREN of California. Will the gentleman yield?

Mr. SMITH of Texas. I will be happy to yield to the gentleman.

Ms. ZOE LOFGREN of California. I would just note this bill, while perhaps boring to many Members, is important to us. And it is a measure that we have adopted with so many of these Members in prior Congresses, and yet because they have to do with down-in-the-weeds issues in the Judiciary, they don't always get the attention that they should.

I'm hopeful, and I'm glad, that we have worked so collaboratively to-

gether on these but that we can really work in partnership with our other branch of government for some of these efficiency things. They're not big policy issues, but they're things that will make the judiciary more effective. They need our help in many cases to do that. And I think this may be a marker that we're ready to really hold our hands out in that effort.

And I do thank the gentleman for yielding.

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Mr. SMITH of Texas. Mr. Speaker, I just want to reply and say that I agree with the points made by the gentleman from California. They are excellent ones, and we might also add that in a bill like this like, so many bills that are considered by the House and that have been marked up and approved by the Judiciary Committee, sometimes we're talking about sort of arcane subject matter, and yet so much of what is incorporated in this bill and so much of what is part of many other bills do help the judicial process. They do help the American people get better justice. They either save the American people time or they make sure that there's a more ethical result as a result of the actions of the court, and in this particular bill, as a result of the actions of the juries themselves.

So bills like this may seem, at first glance, to either be somewhat technical or somewhat even incomprehensible, but at the bottom line they do improve the justice system of the United States, which can give everybody, I think, a sense of confidence that not only does the system work, but it works in this case in a bipartisan way since Members of both parties do support this legislation which improves the justice system.

I would be happy to yield to the gentleman from California again if she would like.

Ms. ZOE LOFGREN of California. I thank the gentleman for yielding. And as you and I both serve on the Courts and Intellectual Property Subcommittee, and most of what we have done has been on the intellectual property side of that, and important as that work is, this is a measure that the court side also is important.

So, again, I look forward to next year. I think both you and I will return and dig in on some of these issues.

Mr. SMITH of Texas. Reclaiming my time, this being the end of the congressional session, with the expectation that we might well adjourn or go into recess tomorrow until next year, it's not often that we on the House floor can recognize the towns of our colleagues. And I would just like to say in this case that the gentleman from California, while she mentioned the Intellectual Property Subcommittee, which reminds me of her talents and her interests in high-tech issues, and she does represent a good part of Silicon Valley, so she comes by her talents and her expertise naturally.

But in addition to that, she was formerly, before coming to Congress, an immigration attorney. She happens to be chairman of the Immigration Subcommittee today, and so she brings to that subcommittee, as she does the Intellectual Property Subcommittee, a number of talents and skills that benefit the House as a whole and benefit the Judiciary Committee, in particular.

So I would just like to thank her for her work these last few years on those subjects and so many other subjects that she brings these skills to and has helped promote both on the floor and in the Judiciary Committee itself.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I would just like to thank Mr. SMITH for his enormously complimentary and gracious comments. I look forward to working with him next year. I urge my colleagues to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the Senate bill, S. 3569.

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.

EXTENDING FUNDS FOR COMMUNITY FOOD PROJECTS

Mr. BACA. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3597) to provide that funds allocated for community food projects for fiscal year 2008 shall remain available until September 30, 2009.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMMUNITY FOOD PROJECTS.

(a) TECHNICAL CORRECTION.—Section 4406(a)(7) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-234; 122 Stat. 1902) is amended by striking "Food and Nutrition Act of 2008" and inserting "Food Stamp Act of 1977".

(b) ALLOCATION OF FUNDS.—Funds allocated under section 25(b) of the Food Stamp Act of 1977 (7 U.S.C. 2034(b)) for fiscal year 2008 shall remain available until September 30, 2009, to fund proposals solicited in fiscal year 2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BACA) and the gentleman from Virginia (Mr. GOODLATTE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BACA. Mr. Speaker, I ask unanimous consent that all Members may