

which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she might consume to the author of this legislation, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding, and I especially thank him for his alacrity and the expert way in which he has carried this bill quickly to and through the process.

Mr. Speaker, this is a no-cost bill. Indeed, the appropriations for an increase in the amounts paid to these attorneys has been appropriated.

This is another of those District of Columbia anomalies. The courts of the District of Columbia operate through payments from the appropriations of the Congress of the United States and the judges are Title I attorneys. Therefore, District of Columbia judges may not use the funds that have been appropriated to raise the hourly rate of these attorneys, who are essential to the functioning, particularly of the criminal justice system, but also of the civil justice system, in the District of Columbia. They supplement the Public Defender Service of the District of Columbia.

These attorneys have not had their hourly rates raised since 2002, when they were set at \$65 per hour. They have requested \$80 per hour. They are being granted \$80 an hour, this in spite of the fact that the rate of inflation has been between 3 and 4 percent a year. They, of course, had in mind that they went some years where their rates did not keep up with the rates of other attorneys who serve Federal courts. Of course, they recognize that we are not going to raise their rates every year, but this is what the Congress is willing to do at this time.

It does seem to me that the last thing we want to do is to slow down in particular criminal justice processing in the District of Columbia, particularly where there are already funds from the Appropriations Committee available, and when the failure to spend them only comes from a jurisdictional technicality, where we and we alone can indeed authorize the spending of these funds.

What H.R. 5551 does is simply accomplish this authorization. I am very, very grateful to Chairman DAVIS for bringing this bill forward so quickly.

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. I am pleased it has moved so quickly through the committee and is being considered by the House today.

When I was chairman of the D.C. Subcommittee, Congress enacted legislation I sponsored known as the National Capital Revitalization and Self-

Government Improvement Act of 1997. This law in part granted Congress authority over the District's court system in matters relating to public defender services. The law also amended the D.C. Home Rule Act to the same effect.

H.R. 5551, authored by Ms. NORTON, would authorize a provision of the D.C. Appropriations Act of 2008 which increased from \$65 per hour to \$80 per hour the amount of compensation for attorneys representing indigent clients before the District of Columbia Superior Court.

The current compensation rate of \$65 per hour was established in fiscal year 2002, an increase from the previous rate of \$50 per hour. Attorneys representing indigents in similar cases before U.S. District Courts are compensated at a rate of \$100 per hour. No opposition to this bill was raised, either during the committee hearing or at the committee markup.

I urge my colleagues to support this legislation. Again, I thank Ms. NORTON for bringing this forward, and Chairman WAXMAN and Chairman DAVIS for moving this ahead so quickly. I think this needs to be enacted.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

As a member of the House Committee on Oversight and Government Reform, I stand with my colleague, Congresswoman ELEANOR HOLMES NORTON from our Nation's Capital, the District of Columbia, in consideration of H.R. 5551, which will provide for a much-needed increase in the compensation paid to attorneys assigned to represent indigent clients in the D.C. court system.

Congresswoman NORTON and I introduced this measure on March 6, 2008. On March 11, 2008, the Subcommittee on Federal Workforce, Postal Service, and the District of Columbia held a hearing to examine aspects of the legislation, and on March 13, 2008, the Committee on Oversight and Government Reform considered and passed the bill out of committee by voice vote.

H.R. 5551 calls for an increase in the hourly pay rate from \$65 to \$80 for Criminal Adjusters Act, CJA attorneys, representing indigent defendants in the D.C. courts. The measure would also increase the caps on the total compensation paid to these attorneys per case type to be equal to the total compensation paid to attorneys representing similar clients in Federal Court.

□ 1430

The increased compensation rate for CJA attorneys practicing in D.C. courts would only apply to cases that proceeded or initiated on or after the date of enactment of the Act.

Mr. Speaker, a core element of our unique democracy is the right and requirement that every citizen, regardless of income or socioeconomic class,

be afforded adequate counsel or representation when confronting judicial proceedings. In fact, one of the most important decisions in this area of law was handed down by the U.S. Supreme Court in 1942, when it held that the Sixth Amendment required the government afford indigent defendants with competent counsel. The measure we have before us further reiterates this fundamental concept by helping to ensure that the D.C. court system is in a competitive position to attract the best and brightest lawyers to represent the indigent. And so, Mr. Speaker, I urge passage of H.R. 5551.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5551.

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

A motion to reconsider was laid on the table.

PRESERVING EXISTING JUDGESHIPS ON THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 550) to preserve existing judgeships on the Superior Court of the District of Columbia.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 550

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

SECTION 1. COMPOSITION OF SUPERIOR COURT.

Section 903 of title 11 of the District of Columbia Code is amended by striking "fifty-eight" and inserting "61".

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she might consume to the distinguished gentlelady from the District of Columbia, Delegate ELEANOR HOLMES NORTON.

Ms. NORTON. Again, thank you, Mr. Chairman, because your quick action on these matters affecting criminal and civil justice in the District of Columbia could not be more important to us. I appreciate the expertise of you

and your staff in moving this bill forward.

Like the prior bill, Mr. Speaker, this is not a home-rule matter, because the courts involved are Federal courts, article 1 courts. Indeed, this matter started with the Senate of the United States which approves the judges of the D.C. Superior Court and confirms them as it confirms judges of other Federal courts. This bill again may be difficult to understand, but it is equally without additional cost to the Federal Government.

This House was vigilant to see to it that the District of Columbia now has a reformed family court as a part of the Superior Court system. And may I thank the prior then-majority leader, Mr. DeLay, who worked so closely with me on this bill and saw to it that the bill was funded, that there were additional judges, and that essentially a court which had not been revised for 30 years is now a state-of-the-art family court.

However, the Congress in its concern that children and families have adequate processing through this court mandated that there be at least 15 of these judges who would be family court committed judges only. The purpose was to keep or to repair the prior circumstance where these matters were distributed to the full 58 judges in the ordinary course of business. By segregating these matters out, these matters involving families and children, we sought to see to it that they were handled quickly and efficiently.

Congress never intended, however, to reduce the number of judges available to important criminal and civil matters, but in fact the cap has had that effect. So we have had an anomalous situation where the President of the United States, seeing a vacancy in the superior court unrelated to the family court, simply goes ahead and does what he is supposed to do; he nominates somebody to in fact fill that vacancy. But because of the cap which says you have got to have at least 15 of the judges to be family court judges, and with no increase in the number of judges, that person is sitting out there or standing out there, as you may, waiting for a vacancy to occur in the superior general part of the court as opposed to the family court.

What this bill does is to recognize what Congress intended in the first place, and that is to do no harm to either section. So, there would be a full cadre of family court judges, but certainly to do no harm to the processing of civil and criminal court judges. Therefore, to retain the kind of balance we had before, we would have to raise the number of judges available to the superior court; and that would mean, instead of 58 as the at-now raise reads, you would have 61.

Importantly, Mr. Speaker, you will note that there is no cost to the Federal Government. And both the chairman and I went to great lengths to make sure that we were not talking

about increased appropriations. The court has assured us, and we have done our homework to assure ourselves, that the amount is already available in the appropriations that come to the Superior Court. All that is needed is for us to free up, if I may say so, the President of the United States so his nominees can in fact take their seats when in fact they are nominated.

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I will be brief. I think Ms. NORTON outlined the history of this and why we are where we are today.

Unlike a lot of legislation that comes to the floor on the District of Columbia, this actually emanated in the Senate, with Senators AKAKA, LIEBERMAN, and VOINOVICH joining hands to bring this. This legislation, S. 550, increases the total number of judgeships on the Superior Court from 58 to 61.

In response to reports of abuse and neglect in child family services cases pending in the D.C. Superior Court in 2001, Congress created the family court in the district and assigned a dedicated cadre of judges to handle child and family cases. The legislation before us today is essentially a technical correction to the Family Court Act we enacted in 2001, increasing the cap on the number of judges in the D.C. superior court to accommodate the creation of this new family court.

I want to thank Chairman WAXMAN and Subcommittee Chairman DAVIS for moving this legislation so expeditiously to the floor. I urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of S. 550, which reserves existing judgeships on the Superior Court of the District of Columbia by increasing the cap on the number of judges that can serve on the court. Senate Bill 550 would increase the number of associate judges permitted to serve on the D.C. Superior Court from 58 to 61.

In accordance with the terms of the National Capital Revitalization and Self-Government Act of 1997, Congress now wields legislative and funding authority over the District of Columbia court system. Under the terms of this arrangement, section 11-903 of the District of Columbia Official Code established an overall limit of 58 on the number of judges that may be seated on the Superior Court. The current limit of 58 is in addition to a chief judge.

However, in 2001, Congress passed the D.C. Family Court Act, and included in the Act a new provision that allowed the previously established limit on the number of judges to be exceeded only to appoint additional family court judges. As a result of this provision,

the current number of associate superior court judges, combined with the 15 judges now seated on the D.C. Family Court, the cap of 58 has now been exceeded. This means that judgeship vacancies in the superior court cannot be filled unless additional retirements occur, which has led to delays in judicial proceedings, increased costs from prolonged litigation, and case backlogs. S. 550 would address these issues by increasing the number of associate judges from 58 to 61.

S. 550, which was first introduced by Senator DANIEL AKAKA, passed the Senate under unanimous consent on February 4, 2008, and on March 11, 2008 the Subcommittee on Federal Workforce Postal Service in the District of Columbia held a hearing to examine aspects of the legislation. The bill was then considered by the Committee on Oversight and Government Reform, where it passed by voice vote. Mr. Speaker, I am hopeful that we, too, can approve Senate Bill 550 with overwhelming support from both sides of the aisle.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 550.

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.

ESTABLISHING MARCH 2008 AS NATIONAL CRIMINAL JUSTICE MONTH

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 945) raising awareness and promoting education on the criminal justice system by establishing March 2008 as "National Criminal Justice Month".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 945

Whereas there are approximately three million Americans employed within the justice system;

Whereas approximately seven million adults are on probation, parole, or are incarcerated;

Whereas millions of Americans have been victims of crime and, consequently, lost income, incurred medical expenses, and suffered emotionally;

Whereas the cost of crime to individuals, communities, businesses, and the various levels of government exceeds the billions of dollars spent each year in administering the criminal justice system;

Whereas, in 2006, fifty percent of Americans admitted they fear that their home would be burglarized when they are not home; thirty-four percent of American women feared that they would be sexually assaulted; and forty-four percent of Americans feared they would be a victim of a terrorist attack;