110TH CONGRESS 1st Session | HOUSE OF REPRESENTATIVES | REPT. 110–218 Part I

# COURT SECURITY IMPROVEMENT ACT OF 2007

JULY 10, 2007.—Ordered to be printed

Mr. CONYERS, from the Committee on the Judiciary, submitted the following

# R E P O R T

[To accompany H.R. 660]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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## THE AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**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. FINANCIAL DISCLOSURE REPORTS.**

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by striking subparagraph (E).

**SEC. 103. 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 any other 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 for the security of the Tax Court, including the personal protection of Tax Court judges, court officers, witnesses, and other threatened person in the interests of justice, where criminal intimidation impedes on the functioning of the judicial process or any other official proceeding.".

**SEC. 104. 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 Marshals Service, there are authorized to be appropriated for the United States Marshals Service to protect the judiciary, $20,000,000 for each of fiscal years 2008 through 2013 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 and assistant United States attorneys; and

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

# 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 official, or a member of the immediate family of that covered official, publicly available—

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

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;

"(2) the term 'covered official' means—

"(A) an individual designated in section 1114;

"(B) a grand or petit juror, witness, or other officer in or of, any court of the United States, or an officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate;

"(C) a public safety officer (as that term is defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968) who is employed by a public agency that receives Federal financial assistance; and

"(D) a paid informant or any witness in a Federal criminal investigation or prosecution or in a State criminal investigation or prosecution of an offense that is in or affects interstate or foreign commerce;

"(3) the term 'crime of violence' has the meaning given the term in section 16; and

"(4) the term 'immediate family' has the meaning given the term in section 115(c)(2).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 18, United States Code, is amended by adding at the end the following new item:

"119. Protection of individuals performing certain official duties.".

**SEC. 203. PROHIBITION OF POSSESSION OF DANGEROUS WEAPONS IN FEDERAL COURT FACILITIES.**

Section 930(e)(1) of title 18, United States Code, is amended by inserting "or other dangerous weapon" after "firearm".

**SEC. 204. CLARIFICATION OF VENUE FOR RETALIATION AGAINST A WITNESS.**

Section 1513 of title 18, United States Code, is amended by adding at the end the following:

"(g) A prosecution under this section may be brought in the district in which the official proceeding (whether pending, about to be instituted, or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.".

**SEC. 205. MODIFICATION OF TAMPERING WITH A WITNESS, VICTIM, OR AN INFORMANT OFFENSE.**

(a) CHANGES IN PENALTIES.—Section 1512 of title 18, United States Code, is amended—

(1) so that subparagraph (A) of subsection (a)(3) reads as follows:

"(A) in the case of a killing, the punishment provided in sections 1111 and 1112;";

(2) in subsection (a)(3)—

(A) in the matter following clause (ii) of subparagraph (B) by striking "20 years" and inserting "30 years"; and

(B) in subparagraph (C), by striking "10 years" and inserting "20 years";

(3) in subsection (b), by striking "ten years" and inserting "20 years"; and

(4) in subsection (d), by striking "one year" and inserting "3 years".

**SEC. 206. MODIFICATION OF RETALIATION OFFENSE.**

Section 1513 of title 18, United States Code, is amended—

(1) in subsection (a)(1)(B)—

(A) by inserting a comma after "probation"; and

(B) by striking the comma which immediately follows another comma;

(2) in subsection (a)(2)(B), by striking "20 years" and inserting "30 years";

(3) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting a comma after "probation"; and

(ii) by striking the comma which immediately follows another comma; and

(B) in the matter following paragraph (2), by striking "ten years" and inserting "20 years"; and

(4) by redesignating the second subsection (e) as subsection (f).

**SEC. 207. GENERAL MODIFICATIONS OF FEDERAL MURDER CRIME AND RELATED CRIMES.**

Section 1112(b) of title 18, United States Code, is amended—

(1) by striking "United States," and inserting "United States—";

(2) by striking "Whoever is guilty of voluntary manslaughter," and inserting the following:

"(1) subject to paragraph (3), whoever is guilty of voluntary manslaughter";

(3) by striking "Whoever is guilty of involuntary manslaughter," and inserting the following:

"(2) subject to paragraph (3), whoever is guilty of involuntary manslaughter";

(4) at the end of paragraph (2) (as designated by paragraph (3)), by striking the period and inserting "; and"; and

(5) by adding at the end the following:

"(3) whoever is guilty of an offense under section 1114 or chapter 73 that involved a killing shall—

"(A) in the case of voluntary manslaughter, be fined under this title, imprisoned for not more than 20 years, or both; and

"(B) in the case of involuntary manslaughter, be fined under this title, imprisoned for not more than 10 years, or both.".

**SEC. 208. ASSAULT PENALTIES.**

Section 115 of title 18, United States Code, is amended in subsection (b) by striking "(1)" and all that follows through the end of paragraph (1) and inserting the following :

"(1) The punishment for an assault in violation of this section is a fine under this title and—

"(A) if the assault consists of a simple assault, a term of imprisonment for not more than one year, or both;

"(B) if the assault resulted in bodily injury (as defined in section 1365), a term of imprisonment for not more than 10 years;

"(C) if the assault resulted in serious bodily injury (as defined in section 1365), a term of imprisonment for not more than 15 years; or

"(D) if a dangerous weapon was used during and in relation to the offense, a term of imprisonment for not more than 30 years.".

**SEC. 209. DIRECTION TO THE SENTENCING COMMISSION.**

The United States Sentencing Commission is directed to review the Sentencing Guidelines as they apply to threats punishable under section 115 of title 18, United States Code, that occur over the Internet, and determine whether and by how much that should aggravate the punishment pursuant to section 994 of title 28, United States Code. In conducting the study, the Commission shall take into consideration the number of such threats made; the intended number of recipients, whether the initial sender was acting in an individual capacity or part of a larger group.

# TITLE III—PROTECTING STATE AND LOCAL JUDGES AND RELATED GRANT PROGRAMS

**SEC. 301. GRANTS TO STATES TO PROTECT WITNESSES AND VICTIMS OF CRIMES.**

(a) IN GENERAL.—Section 31702 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13862) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(5) by a State, unit of local government, or Indian tribe to create and expand witness and victim protection programs to prevent threats, intimidation, and retaliation against victims of, and witnesses to, violent crimes.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 31707 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13867) is amended to read as follows:

**"SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.**

"There are authorized to be appropriated $20,000,000 for each of the fiscal years 2008 through 2012 to carry out this subtitle.".

**SEC. 302. ELIGIBILITY OF STATE COURTS FOR CERTAIN FEDERAL GRANTS.**

(a) CORRECTIONAL OPTIONS GRANTS.—Section 515 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762a) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "and" at the end;

(B) in paragraph (3), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(4) grants to State courts to improve security for State and local court systems."; and

(2) in subsection (b), by adding at the end the following:

"Priority shall be given to State court applicants under subsection (a)(4) that have the greatest demonstrated need to provide security in order to administer justice.".

(b) ALLOCATIONS.—Section 516(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762b) is amended—

(1) by striking "80" and inserting "70";

(2) by striking "and 10" and inserting "10"; and

(3) by inserting before the period the following: ", and 10 percent for section 515(a)(4)".

(c) STATE AND LOCAL GOVERNMENTS TO CONSIDER COURTS.—The Attorney General may require, as appropriate, that whenever a State or unit of local government or Indian tribe applies for a grant from the Department of Justice, the State, unit, or tribe demonstrate that, in developing the application and distributing funds, the State, unit, or tribe—

(1) considered the needs of the judicial branch of the State, unit, or tribe, as the case may be;

(2) consulted with the chief judicial officer of the highest court of the State, unit, or tribe, as the case may be; and

(3) consulted with the chief law enforcement officer of the law enforcement agency responsible for the security needs of the judicial branch of the State, unit, or tribe, as the case may be.

(d) ARMOR VESTS.—Section 2501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll) is amended—

(1) in subsection (a), by inserting "and State and local court officers" after "tribal law enforcement officers"; and

(2) in subsection (b)(1), by inserting "State or local court," after "government,".

**SEC. 303. GRANTS TO STATES FOR THREAT ASSESSMENT DATABASES.**

(a) IN GENERAL.—The Attorney General, through the Office of Justice Programs, shall make grants under this section to the highest State courts in States participating in the program, for the purpose of enabling such courts to establish and maintain a threat assessment database described in subsection (b).

(b) DATABASE.—For purposes of subsection (a), a threat assessment database is a database through which a State can—

(1) analyze trends and patterns in domestic terrorism and crime;

(2) project the probabilities that specific acts of domestic terrorism or crime will occur; and

(3) develop measures and procedures that can effectively reduce the probabilities that those acts will occur.

(c) CORE ELEMENTS.—The Attorney General shall define a core set of data elements to be used by each database funded by this section so that the information in the database can be effectively shared with other States and with the Department of Justice.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2008 through 2011.

# TITLE IV—LAW ENFORCEMENT OFFICERS

**SEC. 401. REPORT ON SECURITY OF FEDERAL PROSECUTORS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the security of assistant United States attorneys and other Federal attorneys arising from the prosecution of terrorists, violent criminal gangs, drug traffickers, gun traffickers, white supremacists, those who commit fraud and other white-collar offenses, and other criminal cases.

(b) CONTENTS.—The report submitted under subsection (a) shall describe each of the following:

(1) The number and nature of threats and assaults against attorneys handling prosecutions described in subsection (a) and the reporting requirements and methods.

(2) The security measures that are in place to protect the attorneys who are handling prosecutions described in subsection (a), including threat assessments, response procedures, availability of security systems and other devices, firearms licensing (deputations), and other measures designed to protect the attorneys and their families.

(3) The firearms deputation policies of the Department of Justice, including the number of attorneys deputized and the time between receipt of threat and completion of the deputation and training process.

(4) For each requirement, measure, or policy described in paragraphs (1) through (3), when the requirement, measure, or policy was developed and who was responsible for developing and implementing the requirement, measure, or policy.

(5) The programs that are made available to the attorneys for personal security training, including training relating to limitations on public information disclosure, basic home security, firearms handling and safety, family safety, mail handling, counter-surveillance, and self-defense tactics.

(6) The measures that are taken to provide attorneys handling prosecutions described in subsection (a) with secure parking facilities, and how priorities for such facilities are established—

(A) among Federal employees within the facility;

(B) among Department of Justice employees within the facility; and

(C) among attorneys within the facility.

(7) The frequency attorneys handling prosecutions described in subsection (a) are called upon to work beyond standard work hours and the security measures provided to protect attorneys at such times during travel between office and available parking facilities.

(8) With respect to attorneys who are licensed under State laws to carry firearms, the policy of the Department of Justice as to—

(A) carrying the firearm between available parking and office buildings;

(B) securing the weapon at the office buildings; and

(C) equipment and training provided to facilitate safe storage at Department of Justice facilities.

(9) The offices in the Department of Justice that are responsible for ensuring the security of attorneys handling prosecutions described in subsection (a), the organization and staffing of the offices, and the manner in which the offices coordinate with offices in specific districts.

(10) The role, if any, that the United States Marshals Service or any other Department of Justice component plays in protecting, or providing security services or training for, attorneys handling prosecutions described in subsection (a).

# TITLE V—MISCELLANEOUS PROVISIONS

**SEC. 501. EXPANDED PROCUREMENT AUTHORITY FOR THE UNITED STATES SENTENCING COMMISSION.**

(a) IN GENERAL.—Section 995 of title 28, United States Code, is amended by adding at the end the following:

"(f) The Commission may—

"(1) use available funds to enter into contracts for the acquisition of severable services for a period that begins in 1 fiscal year and ends in the next fiscal year, to the same extent as executive agencies may enter into such contracts under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l);

"(2) enter into multi-year contracts for the acquisition of property or services to the same extent as executive agencies may enter into such contracts under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c); and

"(3) make advance, partial, progress, or other payments under contracts for property or services to the same extent as executive agencies may make such payments under the authority of section 305 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 255).".

(b) SUNSET.—The amendment made by subsection (a) shall cease to have force and effect on September 30, 2010.

**SEC. 502. BANKRUPTCY, MAGISTRATE, AND TERRITORIAL 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: "bankruptcy judges appointed under section 152 of this title, magistrate judges appointed under section 631 of this title, and territorial district court judges appointed under section 24 of the Organic Act of Guam (48 U.S.C. 1424b), section 1(b) of the Act of November 8, 1877 (48 U.S.C. 1821), or section 24(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1614(a)),".

(b) EFFECTIVE DATE.—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.

**SEC. 503. ASSIGNMENT OF JUDGES.**

Section 296 of title 28, United States Code, is amended by inserting at the end of the second undesignated paragraph the following new sentence: "However, a judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed, shall have all the powers of a judge of that court, including participation in appointment of court officers and magistrates, rulemaking, governance, and administrative matters.".

**SEC. 504. SENIOR JUDGE PARTICIPATION IN THE SELECTION OF MAGISTRATES.**

Section 631(a) of title 28, United States Code, is amended by striking "Northern Mariana Islands" the first place it appears and inserting "Northern Mariana Islands (including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed)".

**SEC. 505. GUARANTEEING COMPLIANCE WITH PRISONER PAYMENT COMMITMENTS.**

Section 3624(e) of title 18, United States Code, is amended by striking the last sentence and inserting the following: "Upon the release of a prisoner by the Bureau of Prisons to supervised release, the Bureau of Prisons shall notify such prisoner, verbally and in writing, of the requirement that the prisoner adhere to an installment schedule, not to exceed two years except in special circumstances, to pay for any fine imposed for the offense committed by such prisoner, and of the con-

sequences of failure to pay such fines under sections 3611 through 3614 of this title.".

**SEC. 506. STUDY AND REPORT.**

The Attorney General shall study whether the generally open public access to State and local records imperils the safety of the Federal judiciary. Not later than 18 months after the enactment of this Act, the Attorney General shall report to Congress the results of that study together with any recommendations the Attorney General deems necessary.

**SEC. 507. REAUTHORIZATION OF FUGITIVE APPREHENSION TASK FORCES.**

Section 6(b) of the Presidential Threat Protection Act of 2000 (28 U.S.C. 566 note; Public Law 106–544) is amended—

(1) by striking "and" after "fiscal year 2002,"; and

(2) by inserting ", and $10,000,000 for each of the fiscal years 2008 through 2012" before the period.

**SEC. 508. INCREASED PROTECTION OF FEDERAL JUDGES.**

(a) MINIMUM DOCUMENT REQUIREMENTS.—

(1) MINIMUM REQUIREMENTS.—For purposes of section 202(b)(6) of the REAL ID Act of 2005 (49 U.S.C. 30301 note), a State may, in the case of an individual described in subparagraph (A) or (B) of paragraph (2), include in a driver's license or other identification card issued to that individual by the State, the address specified in that subparagraph in lieu of the individual's address of principle residence.

(2) INDIVIDUALS AND INFORMATION.—The individuals and addresses referred to in paragraph (1) are the following:

(A) In the case of a Justice of the United States, the address of the United States Supreme Court.

(B) In the case of a judge of a Federal court, the address of the courthouse.

(b) VERIFICATION OF INFORMATION.—For purposes of section 202(c)(1)(D) of the REAL ID Act of 2005 (49 U.S.C. 30301 note), in the case of an individual described in subparagraph (A) or (B) of subsection (a)(2), a State need only require documentation of the address appearing on the individual's driver's license or other identification card issued by that State to the individual.

## PURPOSE AND SUMMARY

The importance of judicial security was underscored by the murders of family members of a Chicago Federal judge in 2005, and the killings less than 2 weeks later of a State judge, a court reporter, and a sheriff's deputy in an Atlanta courthouse. These acts of violence, along with numerous others, led to the introduction of H.R. 660, the "Court Security Improvement Act of 2007," which, among other things, seeks to improve judicial security for court officers and safeguard judges and their families.

## BACKGROUND AND NEED FOR THE LEGISLATION

Although the security of all Federal buildings increased in the wake of the April 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City and the September 11, 2001 terrorist attacks, the importance of judicial security was brought more particularly to the Nation's attention by reports of the murders of family members of a Chicago Federal judge in 2005, and the killings less than 2 weeks later of a State judge, a court reporter, and a sheriff's deputy in an Atlanta courthouse.[1] Another incident oc-

[1] In his *2005 Year-End Report on the Federal Judiciary,* Chief Justice John G. Roberts, Jr., highlighted the concerns presented by the murders in Chicago and Atlanta:

> These attacks underscored the need for all branches of government, State and Federal, to improve safety and security for judges and judicial employees, both within and outside courthouses. We see emerging democracies around the world struggle to establish court systems in which judges can apply the rule of law free from the threat of violence;

curred in June 2006, when a sniper shot a State judge in Reno, Nevada, through the window of the judge's office.

Supreme Court Justices have also been intended targets of violence and death threats. Last year, for example, it was revealed that home-baked cookies infused with rat poison were mailed to all nine Justices in 2005. According to one media report, Justice Sandra Day O'Connor was quoted as saying that "each one contained enough poison to kill the entire membership of the court."

All three branches of the Federal Government play unique roles in helping to ensure the safety of judges and the security of the Federal courts. In this joint effort, the role of Congress is to authorize programs, appropriate funds, and provide oversight of judicial security. The Judicial Conference of the United States—the principal policy-making body of the Federal judiciary—governs the administration of the United States courts. The Conference's Committee on Judicial Security monitors the security of the judiciary (including protection of court facilities and proceedings, judicial officers, and court staff at Federal court facilities and other locations), and makes policy recommendations to the Conference. As the central support entity for the judicial branch, the Administrative Office of the United States Courts (AOUSC) implements Judicial Conference policies, including security matters.

By statute, the United States Marshals Service (USMS) within the Department of Justice (DOJ) has primary responsibility for the security of the judiciary, including the safe conduct of court proceedings, and the security of Federal judges and court personnel at court facilities and off-site. USMS also provides protective details for those who are targets of threats and attacks, and provides other law enforcement services for DOJ. Within USMS, the Judicial Security Division is specifically responsible for providing security services and staff support for the Federal judiciary, including personal protection for judges and physical security of Federal courthouses.[2]

USMS conducts threat assessments when they are directed against individuals (e.g., Federal judges, United States Attorneys, court staff, and family members) and then determines the level of security that is necessary for developing security plans and assigning the required resources to ensure their safety. A deputy marshal is required to attend any session of court at the request of the presiding judge. A judicial security inspector (a senior-level deputy

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> we must take every step to ensure that our own judges, to whom so much of the world looks as models of independence, never face violent attack for carrying out their duties.

U.S. Attorney General Alberto R. Gonzales voiced similar sentiments when he spoke at the Conference for Chief United States District Judges on April 14, 2005:

> The Department of Justice and the Marshals Service will continue to work to ensure that threats to Federal judges are quickly assessed and appropriate measures are taken. We will not accept that a judge is intimidated or threatened in any way in discharging his or her obligation to faithfully interpret the law. To that end, I have directed a review of judicial security measures be undertaken so that the Department, as well as State and local enforcement, can benefit from a compilation of best practices from across the nation.

[2] According to USMS, over 2,000 sitting judges and other court officials at more than 400 court facilities nationwide are under its protection. An appointed U.S. marshal, confirmed by the Senate, has security responsibility in each of the 94 Federal judicial districts and the District of Columbia Superior Court. District U.S. marshals provide and oversee security of the Judiciary using USMS resources and court security officers (CSO), who are employees of private security companies under contract with USMS. Over 4,500 CSOs provide various types of security (e.g., fixed posts, roving patrols, entry screening, and mail and packages screening) in courthouses and at multi-tenant facilities. Also under USMS jurisdiction is the design, installation, and maintenance of security systems, and oversight of the communications equipment.

marshal) is assigned to each judicial district to evaluate courthouse security and procedures, and to coordinate scheduling, posting, and other matters related to court security officers. The inspectors also conduct security surveys at judges' homes and recommend improvements.

To enhance its capability to strengthen protection of the judiciary, the USMS established the Office of Protective Intelligence (OPI) in 2004 to review and analyze intelligence information about the security of those under USMS protection. On a daily basis, OPI issues security advisories, intelligence bulletins, and law enforcement alerts to USMS district offices and senior staff at headquarters so that protective measures can be taken. When threats are made, USMS works with the Federal Bureau of Investigation (FBI) to address them.[3]

The Federal Protective Service (FPS), within the Department of Homeland Security (DHS), has overall responsibility for security in multi-tenant Federal buildings managed by the General Services Administration (GSA). When those buildings include court facilities, USMS and FPS share security responsibilities, authorized by a series of memoranda of agreement between GSA and DOJ. When the court is the sole tenant in a GSA-managed building, USMS has primary responsibility for security, although FPS may provide some support for the perimeter security, or may delegate that responsibility to USMS. How the responsibilities are shared varies on a case-by-case basis depending on the differing requirements of tenants, functions, and locations of the occupied space.[4]

To protect the judiciary, the principal entities must communicate and coordinate at the national and district levels. At the national level, the Judicial Conference's Committee on Judicial Security coordinates security issues involving the Federal courts with USMS, DOJ, and DHS. According to USMS, the Marshals Service works with AOUSC Office of Court Security and the Office of Facilities and Security on a daily basis, and the Committee on Judicial Secu-

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[3] The USMS Judicial Security Division highlights the following services it provided the judiciary during FY2006:

- Coordinated and provided 259 protective details (outside of courthouses) to U.S. Supreme Court Justices, judges, or other members of the judicial system;
- Provided security services during nearly 200 judicial conferences and other significant gatherings of members of the Federal judiciary;
- Coordinated and provided personnel and additional security resources for 135 high-threat trials as well as 11 terrorist trials;
- Provided improved Protective Investigations Training for 190 Deputy U.S. Marshals and Judicial Security Inspectors at the agency's Training Academy in Glynco, Georgia. Coordinated a special Judicial Protective Training Conference in Baltimore for 210 additional personnel. All of these seminars were conducted by experts from the Marshals Service, Secret Service, U.S. Attorney's Office, Diplomatic Security Service, Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Bureau of Investigation.
- Announced plans for a new National Center for Judicial Security (NCJS). It will be operated, staffed and managed by the Judicial Security Division and will provide a wide range of services and support to Federal, State, local, and international jurisdictions whenever they seek advice and help with judicial security.

[4] These shared responsibilities and jurisdictions at individual court-occupied buildings are further determined by agreement (sometimes in writing), and coordinated to avoid duplication. Generally, USMS is responsible for and controls judicial space and access to it, while FPS is primarily responsible for perimeter security and for other interior space that is not court-related space. FPS conducts risk assessment of multi-tenant buildings to deter threats and take countermeasures. Uniformed FPS officers and hired contract guards (similar to CSOs) protect the buildings, their assets, and investigate crime at the facilities. Other than perimeter responsibilities, FPS duties may include visitor entry processing, roving patrols, garage access control, and mail and package screening.

rity also consults and coordinates with them regarding national and district-level security matters. At semi-annual meetings, the Committee on Judicial Security and USMS senior management discuss security, legal, and budget issues. USMS and AOUSC also hold several working sessions prior to quarterly review meetings with the AOUSC associate director. Issues discussed at the meetings include purchase and installation of security systems, CSO staffing, and budget matters.

At the local level, United States Marshals routinely meet with the district chief judge at court security committee meetings comprising representatives from the magistrate, district, and bankruptcy courts (which may also include circuit judges and United States Attorneys) to review and implement security plans. In addition, AOUSC and USMS consult on security considerations (e.g., design and installation of security systems) in the construction of new or renovated courthouses.

There have been concerns over the years, however, about adequate staffing, threat assessment capabilities, and consultation between USMS and AOUSC to protect the judiciary. The DOJ inspector general issued a report in 2004 recommending that USMS, among other things: (1) ensure that all threats to the judiciary are assessed within established time frames; (2) update its historical threat database; (3) assign full-time representatives to all FBI field offices and ensure effective liaison with intelligence agencies; and (4) create a centralized capability to identify, collect, analyze, and share intelligence with USMS districts and other offices.

Similar concerns were raised at congressional hearings held in 2005 and 2007. For example, the House and Senate Appropriations Subcommittees on Financial Services and General Government received testimony on March 21, 2007 from Judge Julia S. Gibbons, Chair of the Judicial Conference's Committee on the Budget. Judge Gibbons called for greater attention to the quality of FPS security services to protect court facilities. H.R. 660 was introduced in response to these various concerns and as a means of helping to prevent future acts of violence.

## HEARINGS

The Committee's Subcommittee on Crime, Terrorism and Homeland Security held 1 day of hearings on H.R. 660 on May 3, 2007. Testimony was received from Robert M. Bell, Chief Judge, Maryland Court of Appeals; John F. Clark, United States Marshal for the Eastern District of Virginia, United States Department of Justice; and David Bryan Sentelle, Judge, United States District Court for the Western District of North Carolina, and Chair, Judicial Conference's Committee on Judicial Security.

## COMMITTEE CONSIDERATION

On June 7, 2007, the Subcommittee on Crime, Terrorism and Homeland Security met in open session and ordered the bill H.R. 660 favorably reported without an amendment by voice vote, a quorum being present. On June 13, 2007, the Committee met in open session and ordered the bill H.R. 660 favorably reported with an amendment, by voice vote, a quorum being present.

## COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 660.

## COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

## NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 660, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, June 22, 2007.*

Hon. JOHN CONYERS, Jr., *Chairman,*
*Committee on the Judiciary,*
*House of Representatives, Washington, DC.*

The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 660, the Court Security Improvement Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Daniel Hoople, who can be reached at 226–2860.

Sincerely,

PETER R. ORSZAG,
DIRECTOR.

Enclosure

cc: Honorable Lamar S. Smith.
Ranking Member

*H.R. 660—Court Security Improvement Act of 2007.*

SUMMARY

H.R. 660 would authorize the appropriation of $200 million over the 2008–2012 period to provide additional staff to the U.S. Marshals Service and to provide grants to State and local governments to improve court security and protect victims and witnesses. The legislation also would authorize the appropriation of $100 million over the 2008–2011 period to make grants to States to assess do-

mestic terrorism and crime and $50 million over the 2008–2012 period for Fugitive Apprehension Task Forces. Moreover, the bill would increase the maximum sentences for certain crimes and would extend provisions of law preventing the release of financial information if disclosure could endanger Federal judges or their families. CBO estimates that implementing H.R. 660 would cost $35 million in 2008 and $286 million over the 2008–2012 period, subject to the appropriation of the necessary and specified amounts.

The bill also would direct the Administrative Office of the United States Courts (AOUSC) to pay increases in the cost of life insurance premiums that were implemented after 1999 for certain judges. CBO estimates that enacting this provision would increase direct spending by $1 million over the 2008–2017 period. Other provisions would have no significant net effect on direct spending or revenues.

H.R. 660 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA); any costs to State, local, or tribal governments would be incurred voluntarily as a condition of receiving Federal assistance.

## ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 660 is shown in the following table. The cost of this legislation falls within budget function 750 (administration of justice).

By Fiscal Year, in Millions of Dollars

| | 2008 | 2009 | 2010 | 2011 | 2012 |
|---|---|---|---|---|---|
| CHANGES IN SPENDING SUBJECT TO APPROPRIATION[1] | | | | | |
| Threat Assessment Database Grants | | | | | |
| Estimated Authorization Level | 25 | 25 | 25 | 25 | 0 |
| Estimated Outlays | 6 | 13 | 18 | 22 | 20 |
| Grants to Witness and Victim Protection Programs | | | | | |
| Authorization Level | 20 | 20 | 20 | 20 | 20 |
| Estimated Outlays | 2 | 8 | 13 | 17 | 20 |
| U.S. Marshals Service | | | | | |
| Authorization Level | 20 | 20 | 20 | 20 | 20 |
| Estimated Outlays | 18 | 20 | 20 | 20 | 20 |
| Fugitive Apprehension Task Forces | | | | | |
| Estimated Authorization Level | 10 | 10 | 10 | 10 | 10 |
| Estimated Outlays | 9 | 10 | 10 | 10 | 10 |
| Total Changes | | | | | |
| Estimated Authorization Level | 75 | 75 | 75 | 75 | 50 |
| Estimated Outlays | 35 | 51 | 61 | 69 | 70 |

1. In addition to the amounts shown above, enacting H.R. 660 also would affect revenues and direct spending. CBO estimates that any such effects would not be significant in any year and would increase direct spending by about $1 million over the 2008–2017 period.

## BASIS OF ESTIMATE

For this estimate, CBO assumes that the bill will be enacted in fiscal year 2007, that the amounts authorized by the bill will be appropriated for each year, and that spending will follow historical patterns for current and similar programs.

*Spending Subject to Appropriation*

CBO estimates that implementing H.R. 660 would cost $286 million over the 2008–2012 period, assuming appropriation of amounts authorized and estimated to be necessary.

**Threat Assessment Database Grants.** Section 303 would authorize the appropriation of such sums as may be necessary over the 2008–2011 period for the Attorney General to provide grants to States to assess domestic terrorism and crime. State recipients would use the funds to analyze trends in historical data, project the likelihood of future acts of terrorism and crime, and develop steps to reduce the chance that such events will occur. Based on the cost of similar information sharing and technology initiatives, we expect that DOJ would award each State about $500,000 a year for staff and data analysis tools. Assuming appropriation of the necessary amounts, CBO estimates that implementing this provision would cost $79 million over the 2008–2012 period.

**Grants to Witness and Victim Protection Programs and Court Security.** Section 301 would authorize the appropriation of an additional $20 million annually over the 2008–2012 period to make Community-Based Justice Grants for Prosecutors. Funds would be used to make grants for witness and victim protection programs. Assuming the appropriation of the specified amounts, CBO estimates that implementing this provision would cost $60 million over the 2008–2012 period.

In addition, section 302 would authorize the Bureau of Justice Assistance to make grants to improve the security of State and local courts. The bill would reduce funding for grants made to programs that offer alternatives to traditional incarceration by 10 percent to fund this new activity. Thus, CBO estimates that implementing this provision would have no net cost over the next five years.

**U.S. Marshals Service.** Section 104 would authorize the appropriation of $20 million annually over the 2008–2013 period for the U.S. Marshals Service to provide additional protection for the judiciary. The agency would use such funds to hire additional Deputy Marshals, investigators, and intelligence officers. Assuming the appropriation of the specified amounts, CBO estimates that implementing this provision would cost $98 million over the 2008–2012 period.

Section 103 would authorize the U.S. Marshals Service to provide security for the U.S. Tax Court. Under current law, such protection cannot be provided, although temporary security has been available upon request. Based on information from U.S. Marshals, CBO expects that additional protection provided to the U.S. Tax Court under this bill would not require a significant increase in staff. Thus, CBO estimates that implementing this provision would have a minor impact, subject to the availability of appropriated funds.

**Fugitive Apprehension Task Forces.** Section 507 would authorize the appropriation of $10 million a year over the 2008–2012 period for Fugitive Apprehension Task Forces. In 2007, six regional task forces received about $28 million to coordinate Federal, State, and local law enforcement officials for the location and apprehension of fugitives. Assuming the appropriation of the specified funds, CBO estimates that implementing this provision would cost $49 million over the 2008–2012 period.

**Federal Prison System.** Title II would make it a separate crime to knowingly file a false claim against a Federal judge, law enforcement officer, or family member on account of performance of duties. It also would make it a crime to make restricted information about Federal judges, jurors, paid informants, witnesses, court and public safety officers, or their families publicly available. Under current law, such actions may be prosecuted under other Federal statutes in certain cases. Title II also would increase the maximum sentences for manslaughter without malice, as well as certain existing crimes against witnesses, victims, public officials, and informants. CBO estimates that the longer prison sentences required under the bill would not have a significant impact on prison populations and thus would not impose any significant costs over the 2008–2012 period.

**Other Provisions Affecting Federal Judges.** Section 102 would permanently extend provisions which prevent public access to certain financial information, if such disclosure could endanger a Federal judge or a family member. Under current law, those provisions are set to expire at the end of 2009. According to the AOUSC, the agency exercises this authority rarely and CBO estimates that any additional reporting requirements would therefore be minimal and would have no significant cost.

In addition, section 502 would direct AOUSC to pay for increases in the cost of Federal Employees' Group Life Insurance (FEGLI) implemented by the Office of Personnel Management after April 1999 for magistrates and territorial district court judges. Such payments are currently made for all Article III judges as well as judges of the Court of Federal Claims. Based on information from the AOUSC, CBO estimates that additional costs related to the payment of FEGLI increases would have no significant cost over the 2008–2012 period.

*Direct Spending and Receipts*

H.R. 660 would subject individuals to penalties for various crimes against judges, public safety officers, and their families. Thus, the Federal government might collect additional fines if the bill is enacted. Collections of criminal fines are deposited in the Crime Victims Fund and later spent. As such, CBO expects that any additional revenues and direct spending would have no net effect on the Federal budget.

In addition, section 502 would direct AOUSC to pay increases in FEGLI implemented after April 1999 for bankruptcy judges. Any increase to the salaries and benefits of bankruptcy judges is considered to be a change in direct spending. Thus, the additional cost of life insurance premiums for bankruptcy judges would result in an increase in direct spending. Based on information from AOUSC, CBO estimates that any increase in direct spending from enacting this provision would be insignificant in each year and would total about $1 million over the 2008–2017 period.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 660 contains no intergovernmental or private-sector mandates as defined UMRA. It would authorize $200 million for fiscal years 2008 through 2012 for grants to States to increase security of their court systems and make other safety improvements. Any

costs to those governments would be incurred voluntarily as a condition of receiving Federal assistance.

The bill also would allow States, when issuing licenses compliant with the REAL ID Act, to use alternative addresses on the licenses of Supreme Court or other Federal justices.

PREVIOUS CBO ESTIMATE

On March 23, 2007, CBO transmitted a cost estimate for S. 378, the Court Security Improvement Act of 2007, as ordered reported by the Senate Committee on the Judiciary on March 1, 2007. H.R. 660 differs from S. 378 in a number of ways. H.R. 660 would authorize $150 million over the 2008–2012 period for grants to States to develop threat assessment databases and for Fugitive Apprehension Task Forces. S. 378 contains no authorization for those activities. In addition, S. 378 would reauthorize the Office of Government Ethics through 2011 at an estimated cost of $49 million; no similar provision is contained in H.R. 660. In total, CBO's estimate of discretionary spending for H.R. 660 is $107 million higher than our estimate for S. 378. There is no difference in our estimates of direct spending and revenues for the two bills.

ESTIMATE PREPARED BY:

Federal Costs: Daniel Hoople (226–2860)
Impact on State, Local, and Tribal Governments: Melissa Merrell (225–3220)
Impact on the Private Sector: Paige Piper/Bach (226–2940)

ESTIMATE APPROVED BY:

Peter H. Fontaine
Deputy Assistant Director for Budget Analysis

## PERFORMANCE GOALS AND OBJECTIVES

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the goal of H.R. 660 is to improve judicial security for court officers and safeguard judges and their families while at home.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

## ADVISORY ON EARMARKS

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 660 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

## SECTION-BY-SECTION ANALYSIS

The following discussion describes the bill as reported by the Committee.

*Sec. 1. Short Title.* Section 1 sets forth the short title of the bill as the "Court Security Improvement Act of 2007."

*Sec. 101. Judicial Branch Security Requirements.* Section 101 requires the Director of the United States Marshals Service to consult with the Judicial Conference regarding the security requirements for the judicial branch, in order to improve the implementation of security measures by the United States Marshals needed to protect judges, court employees, law enforcement officers, jurors and other members of the public who are regularly in Federal courthouses. This section clarifies that the United States Marshals Service has the sole responsibility to determine what measures are needed for court security, and requires the United States Marshals to communicate with the Judicial branch in determining what specific security measures are needed, and what resources are being allocated and what steps are being taken to protect the judiciary.

*Sec. 102. Financial Disclosure Reports.* Section 102 eliminates the current sunset under section 105 of the Ethics in Government Act, thereby making the authority of Federal judges to redact sensitive financial information permanent.

*Sec. 103. Protection of United States Tax Court.* Section 103 authorizes the United States Marshals to provide for the security of the Tax Court if criminal intimidation impedes the functioning of the judicial process or other official proceeding

*Sec. 104. Additional Amounts for United States Marshals Service to Protect the Judiciary.* Section 104 authorizes an additional $20 million for each of fiscal year 2008 through 2013 for the United States Marshals Service in order to hire additional personnel needed to expand and improve security measures for the Federal judiciary.

*Sec. 201. Protections Against Malicious Recording of Fictitious Liens Against Federal Judges and Federal Law Enforcement Officers.* Section 201 creates a new Federal criminal offense for the filing of fictitious liens against real or personal property owned by Federal judges, attorneys and employees. An individual who violates this provision may be fined and subject to imprisonment up to 10 years. Section 201 is intended to penalize individuals who seek to intimidate and harass Federal judges and employees by filing false liens against their real and personal property.

*Sec. 202. Protection of Individuals Performing Certain Official Duties.* Section 202 creates a new Federal criminal offense prohibiting persons from making available on the Internet restricted personal information concerning judges, law enforcement, public safety officers, jurors, witnesses or other officers in any United States court. An individual who violates this provision may be fined and subject to imprisonment up to 5 years.

*Sec. 203. Prohibition of Possession of Dangerous Weapons in Federal Court Facilities.* Section 203 amends section 930(e)(1) of title 18 of the United States Code to prohibit the possession of "a dangerous weapon" in a Federal court facility.

*Sec. 204. Clarification of Venue for Retaliating Against a Witness.* Section 204 amends section 1513 of title 18 of the United States Code to clarify that the proper venue for the prosecution of a defendant for retaliating against a witness includes the district in which the official proceeding or conduct occurred.

*Sec. 205. Modification of Tampering with a Witness, Victim, or an Informant Offense.* Section 205 amends section 1512 of title 18 of the United States Code to increase the maximum penalties for

killing or attempting to kill a witness, victim or informant to obstruct justice

*Sec. 206. Modification of Retaliation Offense.* Section 206 amends section 1513 of title 18 of the United States Code to increase the maximum penalties for killing or attempting to kill a witness, victim or informant in retaliation for their testifying or providing information to law enforcement.

*Sec. 207. General Modifications of Federal Murder Crime and Related Crimes.* Section 207 amends the Federal murder and manslaughter statutes to include a maximum of 20 years imprisonment for voluntary manslaughter, and 10 years imprisonment for involuntary manslaughter.

*Sec. 208. Assault Penalties.* Section 208 amends section 115 of title 18 of the United States Code to increase the maximum criminal penalties for an assault carried out against a Federal judge, law enforcement officer, or immediate family member of such official.

*Sec. 209. Direction to the Sentencing Commission.* Section 209 directs the United States Sentencing Commission to review the Sentencing Guidelines as they apply to threats carried out over the Internet, and to make enhancements where necessary.

*Sec. 301. Grants to States to Protect Witnesses and Victims of Crimes.* Section 301 amends the Violent Crime Control and Law Enforcement Act of 1994 to authorize grants to create and expand witness protection programs to assist witnesses and victims of crime. The authorized funding is $20 million for each of fiscal years 2008 through 2012.

*Sec. 302. Eligibility of State Courts for Certain Federal Grants.* Section 302 amends the eligibility requirements for discretionary Byrne grants to make State courts eligible for such grants.

*Sec. 303. Grants to States for Threat Assessment Databases.* Section 303 requires the Attorney General, through the Office of Justice Programs, to award grants to State courts for purposes of establishing and maintaining threat assessment databases. The provision authorizes funding to be appropriated as may be necessary to implement this provision for each of fiscal years 2008 through 2011.

*Sec. 401. Report on Security of Federal Prosecutors.* Section 401 requires the Attorney General to submit a report to the House and Senate Judiciary Committees on the security of Assistant United States Attorneys and other Federal attorneys arising from the prosecution of terrorists and other criminal cases.

*Sec. 501. Expanded Procurement Authority for the United States Sentencing Commission.* Section 501 authorizes the Sentencing Commission to enter into multi-year contracts for the acquisition of property or services, or contracts that span more than 1 year, to the same extent as executive agencies. It also authorizes the Commission to make advance, partial, progress, or other payments for property or services to the same extent as executive agencies

*Sec. 502. Bankruptcy, Magistrate and Territorial Judges Life Insurance.* Section 502 enables bankruptcy, magistrate, and territorial court judges to receive the same life insurance benefits that are provided to other Federal judges pursuant to section 604(a)(5) of title 28 of the United States Code.

*Sec. 503. Assignment of Judges.* Section 503 amends section 296 of title 28 of the United States Code to expressly grant a senior judge or justice designated to the court on which he or she traditionally served all the powers of a judge or justice of that court, including participation in the appointment of court officers, rulemaking, governance and administrative matters.

*Sec. 504. Senior Judge Participation in the Selection of Magistrates.* Section 504 amends section 631(a) of title 28 of the United States Code to allow senior judges to participate in the selection of magistrates.

*Sec. 505. Guaranteeing Compliance With Prisoner Payment Commitments.* Section 505 amends section 3624(e) of title 18 of the United States Code to clarify that a former prisoner's obligation to pay any fine imposed for an offense committed by such prisoner, while under supervised release.

*Sec. 506. Study and Report.* Section 506 directs the Attorney General to study whether the public's general access to State and local records imperils the safety of the Federal judiciary.

*Sec. 507. Reauthorization of Fugitive Apprehension Task Forces.* Section 507 extends for 4 years the sunset applicable to the Attorney General's establishment and use of Fugitive Apprehension Task Forces which were originally created pursuant to the Presidential Threat Protection Act of 2000.

*Sec. 508. Increased Protection of Federal Judges.* Section 508 gives States the discretion to have the work address of a Federal judge appear on his or her driver's license in lieu of his or her place of residence.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

## TITLE 28, UNITED STATES CODE

* * * * * * *

PART I—ORGANIZATION OF COURTS

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## CHAPTER 13—ASSIGNMENT OF JUDGES TO OTHER COURTS

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### § 296. Powers upon designation and assignment

A justice or judge shall discharge, during the period of his designation and assignment, all judicial duties for which he is designated and assigned. He may be required to perform any duty which might be required of a judge of the court or district or circuit to which he is designated and assigned.

Such justice or judge shall have all the powers of a judge of the court, circuit or district to which he is designated and assigned, except the power to appoint any person to a statutory position or to designate permanently a depository of funds or a newspaper for publication of legal notices. *However, a judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed, shall have all the powers of a judge of that court, including participation in appointment of court officers and magistrates, rulemaking, governance, and administrative matters.*

A justice or judge who has sat by designation and assignment in another district or circuit may, notwithstanding his absence from such district or circuit or the expiration of the period of his designation and assignment, decide or join in the decision and final disposition of all matters submitted to him during such period and in the consideration and disposition of applications for rehearing or further proceedings in such matters.

* * * * * * *

## CHAPTER 15—CONFERENCES AND COUNCILS OF JUDGES

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### § 331. Judicial conference of the United States

The Chief Justice of the United States shall summon annually the chief judge of each judicial circuit, the chief judge of the Court of International Trade, and a district judge from each judicial circuit to a conference at such time and place in the United States as he may designate. He shall preside at such conference which shall be known as the Judicial Conference of the United States. Special sessions of the Conference may be called by the Chief Justice at such times and places as he may designate.

*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.*

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## PART II—DEPARTMENT OF JUSTICE

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## CHAPTER 37—UNITED STATES MARSHALS SERVICE

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**§ 566. Powers and duties**

(a) It is the primary role and mission of the United States Marshals Service to provide for the security and to obey, execute, and enforce all orders of the United States District Courts, the United States Courts of Appeals [and the Court of International Trade], *the Court of International Trade, and any other court, as provided by law*.

* * * * * * *

*(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.*

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PART III—COURT OFFICERS AND EMPLOYEES

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**CHAPTER 41—ADMINISTRATIVE OFFICE OF UNITED STATES COURTS**

* * * * * * *

**§ 604. Duties of Director generally**

(a) The Director shall be the administrative officer of the courts, and under the supervision and direction of the Judicial Conference of the United States, shall:

(1) * * *

* * * * * * *

(5) Fix the compensation of clerks of court, deputies, librarians, criers, messengers, law clerks, secretaries, stenographers, clerical assistants, and other employees of the courts whose compensation is not otherwise fixed by law, and, notwithstanding any other provision of law, pay on behalf of Justices and judges of the United States appointed to hold office during good behavior, *bankruptcy judges appointed under section 152 of this title, magistrate judges appointed under section 631 of this title, and territorial district court judges appointed under section 24 of the Organic Act of Guam (48 U.S.C. 1424b), section 1(b) of the Act of November 8, 1877 (48 U.S.C. 1821), or section 24(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1614(a)),* aged 65 or over, any increases in the cost of Federal Employees' Group Life Insurance imposed after April 24, 1999, including any expenses generated by such pay-

ments, as authorized by the Judicial Conference of the United States;

* * * * * * *

## CHAPTER 43—UNITED STATES MAGISTRATE JUDGES

* * * * * * *

### § 631. Appointment and tenure

(a) The judges of each United States district court and the district courts of the Virgin Islands, Guam, and the [Northern Mariana Islands] *Northern Mariana Islands (including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed)* shall appoint United States magistrate judges in such numbers and to serve at such locations within the judicial districts as the Judicial Conference may determine under this chapter. In the case of a magistrate judge appointed by the district court of the Virgin Islands, Guam, or the Northern Mariana Islands, this chapter shall apply as though the court appointing such a magistrate judge were a United States district court. Where there is more than one judge of a district court, the appointment, whether an original appointment or a reappointment, shall be by the concurrence of a majority of all the judges of such district court, and when there is no such concurrence, then by the chief judge. Where the conference deems it desirable, a magistrate judge may be designated to serve in one or more districts adjoining the district for which he is appointed. Such a designation shall be made by the concurrence of a majority of the judges of each of the district courts involved and shall specify the duties to be performed by the magistrate judge in the adjoining district or districts.

* * * * * * *

## CHAPTER 58—UNITED STATES SENTENCING COMMISSION

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### § 995. Powers of the commission

(a) * * *

* * * * * * *

*(f) The Commission may—*

*(1) use available funds to enter into contracts for the acquisition of severable services for a period that begins in 1 fiscal year and ends in the next fiscal year, to the same extent as executive agencies may enter into such contracts under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l);*

*(2) enter into multi-year contracts for the acquisition of property or services to the same extent as executive agencies may enter into such contracts under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c); and*

*(3) make advance, partial, progress, or other payments under contracts for property or services to the same extent as executive agencies may make such payments under the authority of section 305 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 255).*

* * * * * * *

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## ETHICS IN GOVERNMENT ACT OF 1978

* * * * * * *

### TITLE I—FINANCIAL DISCLOSURE REQUIREMENTS OF FEDERAL PERSONNEL

* * * * * * *

CUSTODY OF AND PUBLIC ACCESS TO REPORTS

SEC. 105. (a) * * *
(b)(1) * * *

* * * * * * *

(3)(A) * * *

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**[**(E) This paragraph shall expire on December 31, 2009, and apply to filings through calendar year 2009.**]**

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## SECTION 7456 OF THE INTERNAL REVENUE CODE OF 1986

**SEC. 7456. ADMINISTRATION OF OATHS AND PROCUREMENT OF TESTIMONY.**

(a) * * *

* * * * * * *

(c) INCIDENTAL POWERS.—The Tax Court and each division thereof shall have power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as—

(1) * * *

* * * * * * *

It shall have such assistance in the carrying out of its lawful writ, process, order, rule, decree, or command as is available to a court of the United States. The United States marshal for any district in which the Tax Court is sitting shall, when requested by the chief judge of the Tax Court, attend any session of the Tax Court in such district**[**.**]** *and may otherwise provide for the security of the Tax Court, including the personal protection of Tax Court judges, court officers, witnesses, and other threatened person in the interests of justice, where criminal intimidation impedes on the functioning of the judicial process or any other official proceeding.*

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## TITLE 18, UNITED STATES CODE

* * * * * * *

# PART I—CRIMES

* * * * * * *

## CHAPTER 7—ASSAULT

Sec.
111. Assaulting, resisting, or impeding certain officers or employees.
* * * * * * *
*119. Protection of individuals performing certain official duties.*

* * * * * * *

### § 115. Influencing, impeding, or retaliating against a Federal official by threatening or injuring a family member

(a) * * *

(b)**[**(1) An assault in violation of this section shall be punished as provided in section 111 of this title.**]** *(1) The punishment for an assault in violation of this section is a fine under this title and—*

*(A) if the assault consists of a simple assault, a term of imprisonment for not more than one year, or both;*

*(B) if the assault resulted in bodily injury (as defined in section 1365), a term of imprisonment for not more than 10 years;*

*(C) if the assault resulted in serious bodily injury (as defined in section 1365), a term of imprisonment for not more than 15 years; or*

*(D) if a dangerous weapon was used during and in relation to the offense, a term of imprisonment for not more than 30 years.*

* * * * * * *

### *§ 119. Protection of individuals performing certain official duties*

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

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

*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;*

*(2) the term "covered official" means—*

*(A) an individual designated in section 1114;*

*(B) a grand or petit juror, witness, or other officer in or of, any court of the United States, or an officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate;*

*(C) a public safety officer (as that term is defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968) who is employed by a public agency that receives Federal financial assistance; and*

*(D) a paid informant or any witness in a Federal criminal investigation or prosecution or in a State criminal investigation or prosecution of an offense that is in or affects interstate or foreign commerce;*

*(3) the term "crime of violence" has the meaning given the term in section 16; and*

*(4) the term "immediate family" has the meaning given the term in section 115(c)(2).*

* * * * * * *

## CHAPTER 44—FIREARMS

* * * * * * *

### § 930. Possession of firearms and dangerous weapons in Federal facilities

(a) * * *

* * * * * * *

(e)(1) Except as provided in paragraph (2), whoever knowingly possesses or causes to be present a firearm *or other dangerous weapon* in a Federal court facility, or attempts to do so, shall be fined under this title, imprisoned not more than 2 years, or both.

* * * * * * *

## CHAPTER 51—HOMICIDE

* * * * * * *

### § 1112. Manslaughter

(a) * * *

(b) Within the special maritime and territorial jurisdiction of the **[**United States,**]** *United States—*

**[**Whoever is guilty of voluntary manslaughter,**]**

*(1) subject to paragraph (3), whoever is guilty of voluntary manslaughter* shall be fined under this title or imprisoned not more than ten years, or both;

**[**Whoever is guilty of involuntary manslaughter,**]**

*(2) subject to paragraph (3), whoever is guilty of involuntary manslaughter* shall be fined under this title or imprisoned not more than six years, or both**[**.**]***; and*

*(3) whoever is guilty of an offense under section 1114 or chapter 73 that involved a killing shall—*

*(A) in the case of voluntary manslaughter, be fined under this title, imprisoned for not more than 20 years, or both; and*

*(B) in the case of involuntary manslaughter, be fined under this title, imprisoned for not more than 10 years, or both.*

* * * * * * *

## CHAPTER 73—OBSTRUCTION OF JUSTICE

Sec.
1501. Assault on process server.

* * * * * * *

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

* * * * * * *

### § 1512. Tampering with a witness, victim, or an informant

(a)(1) * * *

* * * * * * *

(3) The punishment for an offense under this subsection is—

**[**(A) in the case of murder (as defined in section 1111), the death penalty or imprisonment for life, and in the case of any other killing, the punishment provided in section 1112;**]**

*(A) in the case of a killing, the punishment provided in sections 1111 and 1112;*

(B) in the case of—

(i) an attempt to murder; or

(ii) the use or attempted use of physical force against any person;

imprisonment for not more than **[**20 years**]** *30 years*; and

(C) in the case of the threat of use of physical force against any person, imprisonment for not more than **[**10 years**]** *20 years*.

(b) Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—

(1) * * *

* * * * * * *

shall be fined under this title or imprisoned not more than **[**ten years**]** *20 years*, or both.

* * * * * * *

(d) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—

(1) * * *

* * * * * * *

or attempts to do so, shall be fined under this title or imprisoned not more than **[**one year**]** *3 years*, or both.

* * * * * * *

**§ 1513. Retaliating against a witness, victim, or an informant**

(a)(1) Whoever kills or attempts to kill another person with intent to retaliate against any person for—

(A) * * *

(B) providing to a law enforcement officer any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release,**[**,**]** parole, or release pending judicial proceedings,

shall be punished as provided in paragraph (2).

(2) The punishment for an offense under this subsection is—

(A) * * *

(B) in the case of an attempt, imprisonment for not more than **[**20 years**]** *30 years*.

(b) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for—

(1) * * *

(2) any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release,**[**,**]** parole, or release pending judicial proceedings given by a person to a law enforcement officer;

or attempts to do so, shall be fined under this title or imprisoned not more than **[**ten years**]** *20 years*, or both.

* * * * * * *

**[**(e)**]** *(f)* Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

*(g) A prosecution under this section may be brought in the district in which the official proceeding (whether pending, about to be instituted, or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.*

* * * * * * *

***§ 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.*

* * * * * * *

## PART II—CRIMINAL PROCEDURE

* * * * * * *

## CHAPTER 229—POSTSENTENCE ADMINISTRATION

* * * * * * *

SUBCHAPTER C—IMPRISONMENT

* * * * * * *

### § 3624. Release of a prisoner

(a) * * *

* * * * * * *

(e) SUPERVISION AFTER RELEASE.—A prisoner whose sentence includes a term of supervised release after imprisonment shall be released by the Bureau of Prisons to the supervision of a probation officer who shall, during the term imposed, supervise the person released to the degree warranted by the conditions specified by the sentencing court. The term of supervised release commences on the day the person is released from imprisonment and runs concurrently with any Federal, State, or local term of probation or supervised release or parole for another offense to which the person is subject or becomes subject during the term of supervised release. A term of supervised release does not run during any period in which the person is imprisoned in connection with a conviction for a Federal, State, or local crime unless the imprisonment is for a period of less than 30 consecutive days. [No prisoner shall be released on supervision unless such prisoner agrees to adhere to an installment schedule, not to exceed two years except in special circumstances, to pay for any fine imposed for the offense committed by such prisoner.] *Upon the release of a prisoner by the Bureau of Prisons to supervised release, the Bureau of Prisons shall notify such prisoner, verbally and in writing, of the requirement that the prisoner adhere to an installment schedule, not to exceed two years except in special circumstances, to pay for any fine imposed for the offense committed by such prisoner, and of the consequences of failure to pay such fines under sections 3611 through 3614 of this title.*

* * * * * * *

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## VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

* * * * * * *

# TITLE III—CRIME PREVENTION

* * * * * * *

# Subtitle Q—Community-Based Justice Grants for Prosecutors

* * * * * * *

**SEC. 31702. USE OF FUNDS.**

Grants made by the Attorney General under this section shall be used—

(1) * * *

* * * * * * *

(3) to fund programs that coordinate criminal justice resources with educational, social service, and community resources to develop and deliver violence prevention programs, including mediation and other conflict resolution methods, treatment, counseling, educational, and recreational programs that create alternatives to criminal activity; **[**and**]**

(4) in rural States (as defined in section 1501(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796bb(B)), to fund cooperative efforts between State and local prosecutors, victim advocacy and assistance groups, social and community service providers, and law enforcement agencies to investigate and prosecute child abuse cases, treat youthful victims of child abuse, and work in cooperation with the community to develop education and prevention strategies directed toward the issues with which such entities are concerned**[**.**]***; and*

*(5) by a State, unit of local government, or Indian tribe to create and expand witness and victim protection programs to prevent threats, intimidation, and retaliation against victims of, and witnesses to, violent crimes.*

* * * * * * *

**[SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.**

**[**There are authorized to be appropriated to carry out this subtitle—

**[**(1) $7,000,000 for fiscal year 1996;
**[**(2) $10,000,000 for fiscal year 1997;
**[**(3) $10,000,000 for fiscal year 1998;
**[**(4) $11,000,000 for fiscal year 1999; and
**[**(5) $12,000,000 for fiscal year 2000.**]**

***SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.***

*There are authorized to be appropriated $20,000,000 for each of the fiscal years 2008 through 2012 to carry out this subtitle.*

* * * * * * *

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## OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

* * * * * * *

### TITLE I—JUSTICE SYSTEM IMPROVEMENT

* * * * * * *

### PART E—BUREAU OF JUSTICE ASSISTANCE GRANT PROGRAMS

* * * * * * *

## Subpart 2—Discretionary Grants

## CHAPTER B—GRANTS TO PUBLIC AGENCIES

CORRECTIONAL OPTIONS GRANTS

SEC. 515. (a) The Director, in consultation with the Director of the National Institute of Corrections, may make—

(1) * * *

(2) grants to private nonprofit organizations—

(A) * * *

* * * * * * *

in connection with a correctional option (excluding the cost of construction); **[**and**]**

(3) grants to public agencies to establish, operate, and support boot camp prisons**[**.**]***; and*

*(4) grants to State courts to improve security for State and local court systems.*

(b) The selection of applicants to receive grants under paragraphs (1) and (2) of subsection (a) shall be based on their potential for developing or testing various innovative alternatives to traditional modes of incarceration and offender release programs. In selecting the applicants to receive grants under subsection (a)(3), the Director shall—

(1) * * *

* * * * * * *

*Priority shall be given to State court applicants under subsection (a)(4) that have the greatest demonstrated need to provide security in order to administer justice.*

* * * * * * *

ALLOCATION OF FUNDS; ADMINISTRATIVE PROVISIONS

SEC. 516. (a) Of the total amount appropriated for this chapter in any fiscal year, **[**80**]** *70* percent shall be used to make grants under section 515(a)(1), 10 percent shall be used to make grants under section 515(a)(2), **[**and 10**]** *10* percent for section 515(a)(3)*, and 10 percent for section 515(a)(4)*.

* * * * * * *

## PART Y—MATCHING GRANT PROGRAM FOR LAW ENFORCEMENT ARMOR VESTS

**SEC. 2501. PROGRAM AUTHORIZED.**

(a) IN GENERAL.—The Director of the Bureau of Justice Assistance is authorized to make grants to States, units of local government, and Indian tribes to purchase armor vests for use by State, local, and tribal law enforcement officers *and State and local court officers*.

(b) USES OF FUNDS.—Grants awarded under this section shall be—

(1) distributed directly to the State, unit of local government, *State or local court,* or Indian tribe; and

(2) used for the purchase of armor vests for law enforcement officers in the jurisdiction of the grantee.

* * * * * * *

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## PRESIDENTIAL THREAT PROTECTION ACT OF 2000

* * * * * * *

**SEC. 6. FUGITIVE APPREHENSION TASK FORCES.**

(a) * * *

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for the United States Marshals Service to carry out the provisions of this section $30,000,000 for the fiscal year 2001, $5,000,000 for fiscal year 2002, **[**and**]** $5,000,000 for fiscal year 2003*, and $10,000,000 for each of the fiscal years 2008 through 2012*.

* * * * * * *

## Committee Jurisdiction Letters

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CHIEF COUNSEL AND STAFF DIRECTOR

**Congress of the United States**
**U.S. House of Representatives**
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BRETT LOPER,
MINORITY STAFF DIRECTOR

June 19, 2007

The Honorable John Conyers
Chairman
Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515

Dear John,

I am writing regarding H.R. 660, the Court Security Improvement Act of 2007, which was reported to the House by the Judiciary Committee on Wednesday, June 13, 2007, and is expected on the suspension calendar next week.

As you know, a provision within the bill, section 104, involves the security and protection of the United States Tax Court, an authority which falls within the jurisdiction of the Committee on Ways and Means. Any changes to the United States Tax Court fall within the Internal Revenue Code, and the Ways and Means Committee has jurisdiction over all matters concerning taxes and the Internal Revenue Code of 1986.

In order to expedite this legislation for floor consideration, the Committee will forgo action on this bill, and will not oppose the inclusion of section 104 within H.R. 660. This is being done with the understanding that it does not in any way prejudice the Committee or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 660, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

Charles Rangel
Chairman

cc: The Honorable Nancy Pelosi
The Honorable Steny Hoyer
The Honorable James Clyburn
The Honorable John Boehner
The Honorable Roy Blunt
The Honorable Lamar Smith
The Honorable Jim McCrery
Mr. John Sullivan, Parliamentarian

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ONE HUNDRED TENTH CONGRESS

# Congress of the United States
## House of Representatives

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June 28, 2007

The Honorable Charles B. Rangel
Chairman
Committee on Ways and Means
United States House of Representatives
1102 Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your recent letter regarding your Committee's jurisdictional interest in H.R. 660, the Court Security Improvement Act of 2007.

I appreciate your willingness to discharge the bill from further consideration by your Committee, in order to expedite its floor consideration. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response in the Committee report, or in the *Congressional Record* during consideration of the legislation on the House floor. Thank you for your cooperation as we work towards enactment of this legislation.

Sincerely,

John Conyers, Jr.
Chairman

cc: The Honorable Lamar Smith
The Honorable Jim McCrery

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CHAIRMAN

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ONE HUNDRED TENTH CONGRESS

# Congress of the United States
## House of Representatives

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June 27, 2007

The Honorable John Conyers
Chairman
Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Conyers:

I am writing about H.R. 660, the Court Security Improvement Act of 2007. The Judiciary Committee ordered this measure to be reported to the House on June 13, 2007.

I appreciate your effort to consult with the Committee on Oversight and Government Reform regarding those provisions of H.R. 660 that fall within the Oversight Committee's jurisdiction. These provisions address issues related to the federal civil service, federal procurement policies, the REAL ID Act and the Ethics in Government Act.

In the interest of expediting consideration of H.R. 660, the Oversight Committee will not separately consider this legislation. I would, however, request your support for the appointment of conferees from the Oversight Committee should H.R. 660 or a similar Senate bill be considered in conference with the Senate. Moreover, this letter should not be construed as a waiver of the Oversight Committee's legislative jurisdiction over subjects addressed in H.R. 660 that fall within the Committee's jurisdiction.

Please include our exchange of letters on this matter in the Congressional Record during consideration of this legislation on the House floor.

Again, I appreciate your willingness to consult the Committee on these matters.

Sincerely,

Henry A. Waxman

Henry A. Waxman
Chairman

cc: Tom Davis
Ranking Minority Member

JOHN CONYERS, JR., Michigan
CHAIRMAN

HOWARD L. BERMAN, California
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ONE HUNDRED TENTH CONGRESS

# Congress of the United States
## House of Representatives

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June 27, 2007

The Honorable Henry A. Waxman
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your recent letter regarding your committee's jurisdictional interest in H.R. 660, the Court Security Improvement Act of 2007.

I appreciate your willingness to discharge the bill from further consideration by your Committee, in order to expedite its floor consideration. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response in the Committee report, or in the *Congressional Record* during consideration of the legislation on the House floor. Thank you for your cooperation as we work toward enactment of this legislation.

Sincerely,

John Conyers, Jr.
Chairman

cc: The Honorable Lamar Smith
The Honorable Tom Davis