

“one hundred and fourteen days” and inserting “seventy days”.

(3) MEMBERS ELECTED AT LARGE.—Section 401(d)(2) of such Act (sec. 1-204.01(d)(2), D.C. Official Code) is amended by striking “one hundred and fourteen days” and inserting “seventy days”.

(b) MAYOR.—Section 421(c)(2) of such Act (sec. 1-204.21(c)(2), D.C. Official Code) is amended by striking “one hundred and fourteen days” and inserting “seventy days”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to vacancies occurring on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Ms. NORTON. I now yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5702, which reduces the waiting period for special elections to fill certain vacancies in elected positions in the District of Columbia government from 114 to 70 days. I introduced this measure on July 1, 2010, and the Oversight and Government Reform Committee ordered the bill reported on September 23.

Mr. Speaker, this is a bill that, I have to apologize, comes before the House. I hope that in the next session of Congress such trivial matters—“trivial” as far as Congress is concerned but of great moment to the District of Columbia—no longer have to come before you. They come before you because matters involving the structure of the District of Columbia are contained in the charter. Although the bill before you has been passed by the city council, charter bills have to be passed by Congress.

I don't think anybody cares how many days it takes to fill elected positions once a position becomes vacant in a particular city, in this case, the District of Columbia. Of course, the residents of the District of Columbia care mightily. We had two council members who were elected to other positions, and the ward council members' seats were vacant for 114 days. We get to the 70 days because that's what the council wants. I don't think anyone wants to have vacancies go on for very long in a democracy, because that means that these wards would be unrepresented in the D.C. council.

□ 1500

On the other hand, it takes time for people to gear up to run for new seats. So the council, in its wisdom, decided to reduce the time in half, and I don't

think anyone in Congress would want to second-guess what a local jurisdiction believes on such a locally based issue. Therefore, Mr. Speaker, I urge my colleagues to join me in supporting H.R. 5702.

I reserve the balance of my time.

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

Mr. Speaker, today I rise in support of the gentlelady from the Federal district's proposal. I think that not only does this fall within the category of article I, section 8, but I think that it also falls into a category that we would be more familiar with, especially those of us in California, where you have over 400 cities that have these type of regulations regulated by the State legislature, not by the city councils, basically limiting how often and when you can move.

I think it's quite appropriate that we review this and have the final say on this, but I think it is appropriate that we modify it as proposed by the gentlelady from the Federal district and make sure we address this thing appropriately. Just as a State legislature would do that for any other city, I think it's appropriate that this body at this time make this modification.

With that, I will again ask for support for the proposal.

I yield back the balance of my time.

Ms. NORTON. I appreciate the gentleman's remarks, and I certainly appreciate his support of the bill. I do want him to know that the Home Rule Act does delegate decisions precisely like this to the D.C. Government. I believe that the State government analogy is inapposite here. I don't think any Member of Congress believes that he or she is in a position to revise in any way what the local government would do in this regard, and I do believe that this kind of matter does clutter the committee calendar. It clutters the calendar of the House of Representatives at a time when we have very serious issues. I should think we would be looking for matters that have no concern for every single Member of this House except me.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 5702, as amended.

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

The title was amended so as to read: “A bill to amend the District of Columbia Home Rule Act to reduce the waiting period for holding special elections to fill vacancies in local offices in the District of Columbia.”

A motion to reconsider was laid on the table.

KINGMAN AND HERITAGE ISLANDS ACT OF 2010

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 6278) to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6278

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Kingman and Heritage Islands Act of 2010”.

SEC. 2. AMENDMENTS TO NATIONAL CHILDREN'S ISLAND ACT OF 1995.

(a) EXPANSION OF ALLOWABLE USES FOR KINGMAN AND HERITAGE ISLAND.—The National Children's Island Act of 1995 (sec. 10-1401 et seq., D.C. Official Code) is amended by adding at the end the following:

“SEC. 7. COMPREHENSIVE AND ANACOSTIA WATERFRONT FRAMEWORK PLANS.

“(a) COMPLIANCE WITH PLANS.—Notwithstanding any other provision of this Act, it is not a violation of the terms and conditions of this Act for the District of Columbia to use the lands conveyed and the easements granted under this Act for recreational, environmental, or educational purposes in accordance with the Anacostia Waterfront Framework Plan and the Comprehensive Plan.

“(b) DEFINITIONS.—For purposes of this section, the following definitions apply:

“(1) ANACOSTIA WATERFRONT FRAMEWORK PLAN.—The term ‘Anacostia Waterfront Framework Plan’ means the November 2003 Anacostia Waterfront Framework Plan to redevelop and revitalize the Anacostia waterfront in the District of Columbia, as may be amended from time to time, developed pursuant to a memorandum of understanding dated March 22, 2000, between the General Services Administration, Government of the District of Columbia, Office of Management and Budget, Naval District Washington, Military District Washington, Marine Barracks Washington, Department of Labor, Department of Transportation, National Park Service, Army Corps of Engineers, Environmental Protection Agency, Washington Metropolitan Area Transit Authority, National Capital Planning Commission, National Arboretum, and Small Business Administration.

“(2) COMPREHENSIVE PLAN.—The term ‘Comprehensive Plan’ means the Comprehensive Plan of the District of Columbia approved by the Council of the District of Columbia on December 28, 2006, as such plan may be amended or superseded from time to time.”

(b) MODIFICATION OF REVERSIONARY INTEREST.—Paragraph (1) of section 3(d) of the National Children's Island Act of 1995 (sec. 10-1402(d)(1), D.C. Official Code) is amended by striking “The transfer under subsection (a)” and all that follows and inserting the following: “Title in the property transferred under subsection (a) and the easements granted under subsection (b) shall revert to the United States upon the expiration of the 60-day period which begins on the date on which the Secretary provides written notice to the District that the Secretary has determined that the District is using any portion of the property for a use other than recreational, environmental, or educational purposes in accordance with National Children's Island, the Anacostia Waterfront Framework Plan, or the Comprehensive Plan. Such notice shall be made in accordance with chapter 5 of title 5, United States Code (relating to administrative procedures).”

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume and rise to support H.R. 6278, the Kingman and Heritage Islands Act of 2010. This bill would permit the District of Columbia to use the Kingman and Heritage Islands for recreational, environmental, and educational purposes. I introduced this bill on September 29, 2010.

The bulk of the language in the bill was considered by the Oversight Committee, the full House, and the Senate in another measure, H.R. 2092. However, because of a clerical error in the Senate, minor changes were not included in the bill when it was considered by the Senate. I have introduced H.R. 6278 to ensure the correct language is passed by both Houses. This bill includes the House-passed language in H.R. 2092, and captures the minor changes agreed upon in a bipartisan fashion by the Senate Homeland Security and Government Affairs Committee.

The amendment agreed to by the Senate Homeland Security and Government Affairs Committee makes it clear that the islands may revert back to the Federal Government in the future if they are not used for the purposes specified in the bill.

I should note that the House Oversight Committee did file a report on H.R. 2092, and that report is an important part of the legislative history of the bill we are considering now.

Mr. Speaker, we are very pleased that this bill has come in time before the House. The original act transferred title of this land on the Anacostia bill, but a prior Congress authorized it for another purpose, and, therefore, since we in the District of Columbia want to use this for environmental, recreational, and educational purposes, it was necessary to come again with a bill.

This is a bill that involves 40 acres of tidal marsh in Kingman Lake, currently being restored by the Army Corps, the District, and local environmental teaching groups. These islands are beautiful little places in the midst of the concrete of a big city. They, for example, have a memorial tree grove dedicated to the three District of Columbia schoolchildren who were on a trip sponsored by the National Geographic on a plane that went down in the September 11 attack on our coun-

try. This quaint set of islands has guided trails and interpretive stations.

As far as my own work in the Congress is concerned, Mr. Speaker, the dedication of these islands to environmental, teaching, and recreation purposes complements my own work on the Anacostia River. I am the primary sponsor of the Anacostia River initiative. There's already a 10-year plan of the jurisdictions in this region to restore the Anacostia River so that it is no longer one of the most polluted rivers in America.

To that end, I regard this bill as another manifestation of our determination to return the river to its original state and to allow the use of these small islands for the recreational and environmental purposes of the citizens of the District of Columbia and to all of those who visit our city and would like some relief from the big-city life and will find it right in the midst of what appears to be nothing other than a big-city landscape and will be relieved if they are privileged to visit these islands.

I reserve the balance of my time.

Mr. BILBRAY. Mr. Speaker, I yield myself such time as I may consume. I rise today in support of H.R. 6278, the Kingman and Heritage Islands Act, and would just ask for support for it.

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

Ms. NORTON. Mr. Speaker, I urge my colleagues to join me in supporting this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 6278.

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

A motion to reconsider was laid on the table.

□ 1510

D.C. COURTS AND PUBLIC DEFENDER SERVICE ACT OF 2010

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5367) to amend title 11, District of Columbia Official Code, to revise certain administrative authorities of the District of Columbia courts, and to authorize the District of Columbia Public Defender Service to provide professional liability insurance for officers and employees of the Service for claims relating to services furnished within the scope of employment with the Service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5367

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "D.C. Courts and Public Defender Service Act of 2010".

SEC. 2. AUTHORITIES OF DISTRICT OF COLUMBIA COURTS.

(a) PERMITTING JUDICIAL CONFERENCE ON BIENNIAL BASIS; ATTENDANCE OF MAGISTRATE JUDGES.—Section 11-744, District of Columbia Official Code, is amended—

(1) in the first sentence, by striking "annually" and inserting "biennially or annually";

(2) in the first sentence, by striking "active judges" and inserting "active judges and magistrate judges";

(3) in the third sentence, by striking "Every judge" and inserting "Every judge and magistrate judge"; and

(4) in the third sentence, by striking "Courts of Appeals" and inserting "Court of Appeals".

(b) EMERGENCY AUTHORITY TO TOLL OR DELAY JUDICIAL PROCEEDINGS.—

(1) PROCEEDINGS IN SUPERIOR COURT.—

(A) IN GENERAL.—Subchapter III of Chapter 9 of title 11, District of Columbia Official Code, is amended by adding at the end the following new section:

"§ 11-947. Emergency authority to toll or delay proceedings.

"(a) TOLLING OR DELAYING PROCEEDINGS.—

"(1) IN GENERAL.—In the event of a natural disaster or other emergency situation requiring the closure of Superior Court or a natural disaster or other emergency situation rendering it impracticable for the United States or District of Columbia Government or a class of litigants to comply with deadlines imposed by any Federal or District of Columbia law or rule that applies in the Superior Court, the chief judge of the Superior Court may exercise emergency authority in accordance with this section.

"(2) SCOPE OF AUTHORITY.—(A) The chief judge may enter such order or orders as may be appropriate to delay, toll, or otherwise grant relief from the time deadlines imposed by otherwise applicable laws or rules for such period as may be appropriate for any class of cases pending or thereafter filed in the Superior Court.

"(B) The authority conferred by this section extends to all laws and rules affecting criminal and juvenile proceedings (including, pre-arrest, post-arrest, pretrial, trial, and post-trial procedures) and civil, family, domestic violence, probate and tax proceedings.

"(3) UNAVAILABILITY OF CHIEF JUDGE.—If the chief judge of the Superior Court is absent or disabled, the authority conferred by this section may be exercised by the judge designated under section 11-907(a) or by the Joint Committee on Judicial Administration.

"(4) HABEAS CORPUS UNAFFECTED.—Nothing in this section shall be construed to authorize suspension of the writ of habeas corpus.

"(5) DEFINITIONS.—For purposes of this subsection—

"(A) the term 'natural disaster' means any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion; and

"(B) the term 'other emergency situation' includes but is not limited to any occasion or instance of terrorism, enemy attack, sabotage, other hostile action, disease, or any manmade cause which results in an imminent threat, severe damage, or injury to life or property, or loss thereof, or results in the destruction of or severe damage to a court house, or impairs the ability to access a courthouse, or the ability to staff the courts.

"(b) CRIMINAL CASES.—In exercising the authority under this section for criminal cases, the chief judge shall consider the ability of the United States or District of Columbia Government to investigate, litigate,