

(COPS) program was established the year I had the privilege of being elected to this body, in 1994, by the Violent Crime Control and Law Enforcement Act (the '94 Crime Act).

The COPS program has aged better than me, enabling more officers to be hired, contributing to lower crime rates than would otherwise be the case, and increasing the technology and equipment available to our law enforcement officers to do the job we ask of them. According to the Department of Justice, the COPS program has helped state, local and tribal governments hire more than 117,000 officers and has awarded more than \$11.4 billion to over 13,000 law enforcement agencies across the United States. The Government Accountability Office (GAO) has estimated that COPS funding contributed a 2.5% decline in the violent crime rate between 1993 and 2000. In my own district, nearly 300 officers have been hired since the program started. Statewide, the COPS program has funded more than 3,700 officers and sheriff's deputies, more than 225 school resource officers, and has provided more than \$55 million in technology grants for departments. It's hard to argue with fighting crime, lowering crime rates, hiring trained officers in our local communities, and providing equipment and technology upgrades otherwise not available to cash-strapped communities.

As my colleagues know, the recent stimulus bill contained \$1 billion to hire or rehire laid-off officers. Some may say: Why are you authorizing this program again when you just gave it a considerable amount of money in the stimulus bill?

Mr. Speaker, last week was the deadline for departments to apply for a slice of that stimulus money to hire officers. The COPS office tells me that the \$1 billion in the stimulus bill will pay for 5,500 new police positions nationwide. The COPS Hiring Recovery program—the stimulus program—received applications from a staggering 7,200 departments nationwide! That's \$8.4 billion in requests for 40,000 officers. Again, the stimulus program contained \$1 billion and will fund just 5,500 officers. So, when the funding is doled out, departments in every corner of the country are going to be greatly disappointed because more than 34,000 of the officers requested will not be funded.

Also, the COPS office tells me that the vast majority of applications for the stimulus funding were for new officer positions, not to replace laid-off officers, so clearly there is a need for this program. To give you some perspective on the number of applications just received by the COPS office, when the program started in the mid-1990s, the office received about 6,000 applications. When the application period ended last week, there were 7,200 applications, so clearly police departments are in need and the COPS office is swamped.

Mr. Speaker, this popular community policing program will reauthorize through Fiscal Year 2014 the COPS program. I am pleased to see it includes Mr. WEINER's Troops-to-Cops Program, which would fund the hiring of former members of the Armed Forces to serve as law enforcement officers in community-oriented policing, particularly in communities adversely affected by military base closings. It also includes technology grants and authorizes up to \$350 million a year for grants to departments to obtain or upgrade technology and equipment.

Mr. Speaker, the COPS program has advanced community policing in all jurisdictions across the United States by enabling law enforcement to hire and train law enforcement officers to participate in community policing, purchase and deploy new crime-fighting technologies, and develop and test policing strategies. You'd be hard pressed to find a program that is better liked by the law enforcement community and city officials. More importantly, the COPS program is well run and an effective use of taxpayer money. I urge my colleagues to support the bill.

Mr. WEINER. I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. WEINER) that the House suspend the rules and pass the bill, H.R. 1139, as amended.

The question was taken.

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

Mr. KING of Iowa. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

STATUTORY TIME-PERIODS TECHNICAL AMENDMENTS ACT OF 2009

Mr. WEINER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1626) to make technical amendments to laws containing time periods affecting judicial proceedings.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1626

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 "Statutory Time-Periods Technical Amendments Act of 2009".

SEC. 2. AMENDMENTS RELATED TO TITLE 11, UNITED STATES CODE.

Title 11, United States Code, is amended—

- (1) in section 109(h)(3)(A)(ii), by striking "5-day" and inserting "7-day";
- (2) in section 322(a), by striking "five days" and inserting "seven days";
- (3) in section 332(a), by striking "5 days" and inserting "7 days";
- (4) in section 342(e)(2), by striking "5 days" and inserting "7 days";
- (5) in section 521(e)(3)(B), by striking "5 days" and inserting "7 days";
- (6) in section 521(i)(2), by striking "5 days" and inserting "7 days";
- (7) in section 704(b)(1)(B), by striking "5 days" and inserting "7 days";
- (8) in section 749(b), by striking "five days" and inserting "seven days"; and
- (9) in section 764(b), by striking "five days" and inserting "seven days".

SEC. 3. AMENDMENTS RELATED TO TITLE 18, UNITED STATES CODE.

Title 18, United States Code, is amended—

- (1) in section 983(j)(3), by striking "10 days" and inserting "14 days";
- (2) in section 1514(a)(2)(C), by striking "10 days" each place it appears and inserting "14 days";
- (3) in section 1514(a)(2)(E), by inserting after "the Government" the following: ", ex-

cluding intermediate weekends and holidays,";

(4) in section 1963(d)(2), by striking "ten days" and inserting "fourteen days";

(5) in section 2252A(c), by striking "10 days" and inserting "14 days";

(6) in section 2339B(f)(5)(B)(ii), by striking "10 days" and inserting "14 days";

(7) in section 2339B(f)(5)(B)(iii)(I), by inserting after "trial" the following: ", excluding intermediate weekends and holidays";

(8) in section 2339B(f)(5)(B)(iii)(III), by inserting after "appeal" the following: ", excluding intermediate weekends and holidays";

(9) in section 3060(b)(1), by striking "tenth day" and inserting "fourteenth day";

(10) in section 3432, by inserting after "commencement of trial" the following: ", excluding intermediate weekends and holidays,";

(11) in section 3509(b)(1)(A), by striking "5 days" and inserting "7 days"; and

(12) in section 3771(d)(5)(B), by striking "10 days" and inserting "14 days".

SEC. 4. AMENDMENTS RELATED TO THE CLASSIFIED INFORMATION PROCEDURES ACT.

The Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) in section 7(b), by striking "ten days" and inserting "fourteen days";

(2) in section 7(b)(1), by inserting after "adjournment of the trial," the following: "excluding intermediate weekends and holidays,"; and

(3) in section 7(b)(3), by inserting after "argument on appeal," the following: "excluding intermediate weekends and holidays,".

SEC. 5. AMENDMENT RELATED TO THE CONTROLLED SUBSTANCES ACT.

Section 413(e)(2) of the Controlled Substances Act (21 U.S.C. 853(e)(2)) is amended by striking "ten days" and inserting "fourteen days".

SEC. 6. AMENDMENTS RELATED TO TITLE 28, UNITED STATES CODE.

Title 28, United States Code, is amended—

(1) in section 636(b)(1), by striking "ten days" and inserting "fourteen days";

(2) in section 1453(c)(1), by striking "not less than 7 days" and inserting "not more than 10 days"; and

(3) in section 2107(c), by striking "7 days" and inserting "14 days".

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall take effect on December 1, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. WEINER) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. WEINER. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Mr. WEINER. I yield myself such time as I may consume.

Mr. Speaker, the Statutory Time-Periods Technical Amendments Act changes the court filing deadlines in a number of statutes so that they correspond with new Federal court rules that are scheduled to go into effect on December 1, 2009.

Cosponsors of this bill include the chairman of the Judiciary Committee, JOHN CONYERS; as well as the full committee ranking member, LAMAR SMITH; the Courts Subcommittee chairman, HANK JOHNSON; and the Courts Subcommittee ranking member, HOWARD COBLE.

As anyone who has practiced law knows, calculating court deadlines can be extremely confusing. Even experienced lawyers have to expend considerable time and effort determining deadlines for filing. This can be especially problematic when there is a holiday or a deadline falls on the weekend. Calculating deadlines is also complicated by the fact that the Federal court rules for banking, civil and criminal proceedings currently do not use one standard method for determining time periods.

Unfortunately, because of the confusion and discrepancies involved with calculating deadlines under the current system, parties can too easily lose their right to their day in court because of procedural mistakes, regardless of the merits of the case.

The Judicial Conference has sent Congress amended rules for calculating these deadlines. The new rules are easier to understand and apply, and are also the same across the board.

Under the new rules, deadlines will not fall on weekends, and every calendar day will be counted when calculating deadlines—a commonsense “days are days” approach. The new rules will also standardize deadline calculation for very short time periods, taking weekends into account. This bill complements the Judicial Conference’s rules package by changing the deadlines in several important statutes so that the statutes match up with the Judicial Conference’s rule changes.

The bill is widely supported by judges and by the lawyers who practice before them in court. It will help ensure that courts are able to reach the merits of the cases before them rather than having to dismiss them due to an inadvertently missed deadline filing.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself as much time as I may consume.

(Mr. KING of Iowa asked and was given permission to revise and extend his remarks.)

Mr. KING of Iowa. After thorough study and deliberation, the United States Judicial Conference developed draft language that slightly alters time deadlines in 28 statutory provisions that affect court proceedings. This text is incorporated in H.R. 1626, the Statutory Time-Periods Technical Amendments Act of 2009.

These statutory provisions are limited to those that have short time periods, that use a rules method for calculating time periods, that are frequently applied or are otherwise important,

and that do not prescribe a method to calculate time.

These legislative changes are necessary to account for the effect of amendments to the time computation rules in the Federal Rules of Practice and Procedure that are due to take effect on December 1, 2009, unless Congress acts to modify or reject them.

The rules amendments simplify the provisions for calculating deadlines and make those rules consistent in each set of the Federal rules. They respond to years of complaints by practitioners that the present rules are confusing and can lead to missing deadlines and to losing important rights.

To simplify calculating deadlines, the amended rules count intermediate weekends and holidays for all time periods rather than excluding them for some short time periods and including them for longer time periods. This simple “days are days” approach can have the effect of shortening a time period.

A large number of statutory time periods could theoretically be affected by the proposed shift in the Federal rules’ time-computation approach. However, the number of statutory provisions to which case law has applied the rules’ time-computation method is much smaller. An even smaller number of statutes is either frequently used or has time periods that could hopefully be adjusted to avoid inconsistency and confusion when the rules’ time-computation method changes.

The proposed legislation provides short extensions of short time deadlines in a small number of statutes to offset the effective shortening caused by the new rules approach.

Mr. Speaker, the proposed statutory amendments are noncontroversial. They were the subject of extensive study and public comment during the Rules Enabling Act process. They have been vetted by numerous legal and bar organizations, including the Department of Justice. The Judicial Conference, led by District Judge Lee H. Rosenthal, Chair of the Committee on Rules of Practice and Procedure, provided bipartisan staff briefings on the need for the legislation.

H.R. 1626 addresses obscure but important subject matter that will allow our Federal courts to operate more smoothly. I urge the Members to support the bill.

I reserve the balance of my time.

Mr. WEINER. Mr. Speaker, I inquire of my colleague:

Do you have any more speakers?

Mr. KING of Iowa. I have no more speakers.

Mr. WEINER. In that case, I just want to offer my thanks to all of the Members and the staff who worked on this bill, including Talia Wenzel, who did a great job working on this and who wrote my opening remarks.

I urge a “yes” vote, and I yield back my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself the balance of my time.

I will just recognize that the gentleman from New York, in spite of the

fury of our previous debate, has significant confidence that I won’t close with anything except an endorsement of the passage of the bill. I appreciate that.

Mr. Speaker, I urge the adoption of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. WEINER) that the House suspend the rules and pass the bill, H.R. 1626.

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.

EXCHANGE OF LETTERS BETWEEN JUDICIARY COMMITTEE CHAIRMAN AND ENERGY AND COMMERCE COMMITTEE CHAIRMAN

Mr. WEINER. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point an exchange of letters between Judiciary Chairman JOHN CONYERS and Energy and Commerce Chairman HENRY WAXMAN on the bill that we just debated.

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

There was no objection.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, April 20, 2009.

Hon. JOHN CONYERS, Jr.,
Chairman, House Committee on the Judiciary,
Rayburn House Office Building, Washington DC.

DEAR CHAIRMAN CONYERS: I am writing to confirm our understanding regarding H.R. 1626, the “Statutory Time-Periods Technical Amendments Act of 2009.” As you know, this bill was referred to the Committee on Energy and Commerce, which has jurisdictional interest in provisions of the bill. In light of the interest in moving this bill forward promptly, I do not intend to exercise the jurisdiction of the Committee on Energy and Commerce by conducting further proceedings on H.R. 1626. I do this, however, only with the understanding that foregoing further consideration of H.R. 1626 at this time will not be construed as prejudicing this Committee’s jurisdictional interests and prerogatives on the subject matter contained in this or similar legislation.

In addition, we reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation. I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your cooperation on this matter.

Sincerely,

HENRY A. WAXMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 20, 2009.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your Committee’s jurisdictional interest in H.R. 1626, the Statutory Time-Periods Technical Amendments Act of 2009.