

Mr. Speaker, I have no further speakers. I yield back the balance of my time and urge my colleagues to support this bill.

Mr. COHEN. Mr. Speaker, I too would yield the balance of my time and ask for a favorable vote on the proposition before us, as amended.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 2247, 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. COHEN. 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.

#### COURT SECURITY ENHANCEMENT ACT OF 2009

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2661) to amend title 18, United States Code, to increase the penalty for violations of section 119 (relating to protection of individuals performing certain official duties), as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2661

*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 "Court Security Enhancement Act of 2009".

##### SEC. 2. INCREASE OF PENALTY.

Section 119(a) of title 18, United States Code, is amended by striking "5 years" and inserting "10 years".

##### SEC. 3. RESOLVING A WORKLOAD REQUIREMENT FOR SENIOR JUDGE PARTICIPATION IN COURT GOVERNANCE.

Section 631(a) of title 28, United States Code, is amended by striking "(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)".

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

The Chair recognizes the gentleman from Virginia.

##### GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as may consume.

Mr. Speaker, H.R. 2661, the Court Security Enhancement Act, addresses improper public disclosure of private information regarding all Federal employees, Federal officers, and persons involved in the judicial system. Specifically, this bill addresses the public disclosure of private information with the intent to threaten, intimidate or incite violence against a Federal employee or officer, a person involved in the judicial system, or his or her family.

The safety of all who participate in our judicial process is essential to the integrity of our judicial system. Threats and attacks against citizens and court officials are also attacks on the fair and effective administration of justice.

It is already a felony to knowingly disclose with harmful intent restricted personal information, including a Federal employee's home address, home phone number or Social Security number. However, the maximum penalty is currently 5 years. This bill will increase that penalty to 10 years.

The United States Sentencing Commission has brought to our attention the disparity between the 5-year penalty for this crime and the 10-year penalty for another serious form of harassment and attack on Federal employees, that of filing false liens against the Federal employee.

The Sentencing Commission has asked whether or not we intended that disparity. We did not. To reduce the disparity and to bring the penalty for disclosing private information with a criminal intent in line with the seriousness of the offense, the Court Security Enhancement Act increases the penalty from 5 to 10 years.

This bill also corrects a conflict we inadvertently created last session in sections 503 and 504 of the Court Security Improvement Act of 2007. This bill eliminates that conflict and clarifies that senior judges must perform at least the equivalent of a 6-month workload of an active judge to participate in court governance matters, including the selection of magistrate judges.

I urge my colleagues to support this important legislation and thank the gentleman from Texas for introducing the bill.

I reserve the balance of my time.

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

On January 7th of last year, President Bush did sign into law a critical piece of legislation, the Court Security Improvement Act. I was pleased to join Chairman CONYERS and Chairman SCOTT as an original cosponsor of the bill.

This bipartisan, bicameral effort improves security for Federal judges, their staffs, victims, witnesses, and all those who participate in our Federal justice system. I had the honor and privilege to sit down with a number of judges and witnesses and victims and

staff members to discuss this problem back before the legislation was originated and we were trying to address some of the problems that had been created.

In recent years, we have seen an increase in violence and threats against judges, prosecutors, defense counsel, law enforcement officers, and courthouse employees. According to the Administrative Office of the U.S. Courts, almost 700 threats a year are made against Federal judges. In numerous cases, it has been necessary to assign Federal judges security details for fear of attack by criminal defendants and disgruntled litigants.

We now have in place procedures to improve coordination between U.S. marshals and the Federal judiciary and strengthen security measures for Federal prosecutors handling dangerous trials against terrorists and drug organizations, as well as organized crime figures.

The law now also prohibits public disclosure on the Internet or other public sources of personal information about judges, law enforcement officers, victims and witnesses, and also protects Federal judges and prosecutors from organized efforts to harass and intimidate them through false filings of liens or other encumbrances against their personal property.

I introduced H.R. 2661, the Court Security Enhancement Act, to make two important corrections to the court security statutes. At the recommendation of the U.S. Sentencing Commission, the bill does increase, as my colleague from Virginia mentioned, the penalty for violations of section 119 of title 18 from a maximum of 5 to a maximum of 10 years.

This action prohibits the public disclosure of certain personal information of Federal judges, prosecutors, defense counsel, jurors, witnesses, or the family members of these individuals. This commonsense, straightforward change will conform the penalties for section 119 offenses to the penalties of the other comparable court security provisions.

At the recommendation of the U.S. Judicial Conference, the bill also eliminates an inconsistency unintentionally created by the Court Security Improvement Act pertaining to requirements for senior district court judge participation in court governance. This simple amendment will ensure consistent application of the statutes governing senior district court judges.

I do want to thank Chairman CONYERS, Chairman SCOTT and Ranking Member SMITH for their support and prompt consideration of the bill. It is imperative we continue to work together in a bipartisan effort to ensure that judges, witnesses, courthouse personnel, and law enforcement officers do not face threats and violence while carrying out their duties, and, if there is, that there are serious consequences.

With that, I urge my colleagues to support the bill.

Mr. JOHNSON of Georgia. Mr. Speaker. I rise today in strong support of H.R. 2661, the "Court Security Enhancement Act of 2009." I would like to thank my colleague Representative LOUIE GOHMERT for introducing this important piece of legislation, as well as the co-sponsors.

I stand in support of this legislation because it adds a simple amendment to title 18 of the United States Code, which will make a huge impact on the protection and safety of individuals performing certain official duties in the courts. This amendment will prohibit the public disclosure of certain personal information of federal judges, prosecutors, defense counsel, witnesses, or family members of these individuals. The bill will also clarify and eliminate an inconsistency that was unintentionally created by the Court Security Improvement Act, which pertained to the requirements for a Senior District Court Judge's participation in court governance. But most importantly this amendment will increase the penalty for those who violate Section 119(a) of title 18, from a maximum of five years to a maximum of ten years.

As a lawyer and a former county Magistrate Judge, as well as a Georgia State Court Judge, I hold this bill very dear to my heart. There is no time more important than the present, especially considering the recent hate crimes, like the shooting at the Holocaust Museum, that have occurred throughout the country. The United States Judiciary System stands to seek justice for all, so those who are opposed to equality for all Americans usually take their anger and hate out on innocent people. Therefore, it is only fair that there be maximum protection yielded to those who devote their careers to preserving and enforcing the founding principles of our forefathers.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 2661, the "Court Security Enhancement Act of 2009." This legislation will go a long way toward enhancing the security and integrity of our judicial system and the able men and women who comprise the federal judiciary.

Mr. Speaker, let me quote the Chief Justice of the Texas Supreme Court: "Our democracy and the rule of law depend upon safe and secure courthouses." That is because an independent judiciary is essential for a regime based on the rule of law. Nothing can do more to undermine the independence of the judiciary than the very real threat of physical harm to members of the judiciary or their families to intimidate or retaliate. In 1979, U.S. District Court Judge John Wood, Jr., was fatally shot outside of his home by assassin Charles Harrelson. The murder contract had been placed by Texas drug lord Jamiel Chagra, who was awaiting trial before the judge.

In 1988, U.S. District Court Judge Richard Daronco was murdered at his house by Charles Koster, the father of the unsuccessful plaintiff in a discrimination case. The following year, U.S. Circuit Court Judge Richard Vance was killed by a letter bomb sent to his home. The letter bomb was attributed to racist animus against Judge Vance for writing an opinion reversing a lower-court ruling to lift an 18-year desegregation order from the Duval County, Florida, schools.

In this age of the global war on terror, the danger faced by federal judges, judicial officers, and court personnel is real, as illustrated by the three murders noted above. The recent and tragic murder of U.S. District Court Judge

Joan Humphrey Lefkow's husband and mother reminds us that the danger has not abated.

Mr. Speaker, H.R. 2661 increases the penalty of violating Section 119(a) of title 18, United States Code to 10 years instead of 5 years. The original bill states that it is a crime to publish on the Internet restricted personal information concerning judges, law enforcement, public safety officers, jurors, witnesses or other officers in any United States Court. The penalty for a violation was a maximum term of imprisonment of 5 years. However, H.R. 2661 will make this maximum term of imprisonment 10 years.

Additionally, the original bill increases the maximum penalty for killing or attempting to kill a witness, victim or informant to obstruct justice or in retaliation for their testifying or providing information to law enforcement by increasing maximum penalties.

The original Act provides a three-pronged legislative response to the security challenges facing our judicial institutions and personnel. First, it directs 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 needed to protect judges, court employees, law enforcement officers, jurors and other members of the public who are regularly in federal courthouses.

The original bill also extends authority to redact information relating to family members from a federal judge's disclosure statements required by the Ethics in Government Act and removes the sunset provision from the redaction authority, thus making the redaction authority permanent.

Mr. Speaker, the original bill also enhanced the security and protection of judicial personnel and their families by making it a criminal offense to maliciously record a fictitious lien against a federal judge or federal law enforcement officer. This new crime and punishment is intended to deter individuals from attempting to intimidate and harass federal judges and employees by filing false liens against their real and personal property.

All in all, Mr. Speaker, this bill makes a substantial contribution to the enhancement of security of judicial institutions and personnel by increasing the penalty for violators of this Act. I urge all members to join me in supporting this beneficial legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman from Texas for introducing the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 2661, 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 title 18, United States Code, to increase the penalty for violations of section 119 (relating to protection of individuals performing certain official duties), and for other purposes."

A motion to reconsider was laid on the table.

## EXPRESSING CONDOLENCES TO THE FAMILIES OF VICTIMS OF THE CONAGRA FOOD PLANT EXPLOSION

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 540) expressing condolences to the families, friends, and loved ones of the victims of the catastrophic explosion at the ConAgra Foods plant in Garner, North Carolina, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

### H. RES. 540

Whereas the people of North Carolina experienced a devastating tragedy when a massive explosion occurred at the ConAgra Foods plant in Garner, North Carolina, shortly before 11:30 a.m. on June 9, 2009;

Whereas the 500,000-square-foot plant, one of the largest owned by ConAgra Foods, employs 900 people, 300 of whom were on site when the blast occurred;

Whereas three workers lost their lives when the explosion ripped through the plant;

Whereas employee Louis Junior Watson reentered the building to help a coworker escape and both employees died when the structure caved in;

Whereas at least 40 employees were injured, some suffering from exposure to toxic ammonia fumes and at least four with critical burns;

Whereas three brave firefighters were treated for inhalation;

Whereas North Carolina's first responders, fire, police, and EMS, were quick to the scene and prevented any further loss of life or injury, and private citizens risked their well-being to come to the aid of their friends and neighbors;

Whereas the Garner Police and Fire Departments have cooperated with North Carolina Task Force 8 Urban Search and Rescue to search and secure the building and its periphery;

Whereas agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Wake County Fire Marshal, inspectors from the North Carolina Department of Labor, and agents with the United States Chemical Safety Board have combined efforts to investigate the cause of the explosion;

Whereas the United States Environmental Protection Agency has inspected the site of the explosion to ensure no contamination spreads from the plant;

Whereas the above mentioned agencies will continue to work together with private citizens to investigate the accident, provide assistance to families of the victims, and ensure public health and safety in this disaster's aftermath; and

Whereas ConAgra has established the ConAgra Foods Garner Plant Fund in memory of those lost in this tragedy, has set up assistance and relief services for the families of the victims, and is helping support surviving workers: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) expresses condolences to the families, friends, and loved ones of the victims of the explosion at the ConAgra Foods plant in Garner, North Carolina;

(2) honors Barbara McLean Spears of Dunn, North Carolina, Louis Junior Watson of Clayton, North Carolina, and Rachel Mae Poston Pulley of Clayton, North Carolina, who lost their lives in the explosion, and the 40 others who were injured;

(3) expresses sympathies to the people of Garner, the entire State of North Carolina,