

## ADMINISTRATIVE PROVISIONS—THE JUDICIARY (INCLUDING TRANSFER OF FUNDS)

**Note: For bill language, the judiciary used the language from P.L. 116-93, Financial Services and General Government Appropriations Act, 2020. Therefore, the bracketed and italicized changes reflected below are being made to FY 2020 language as it appears in P.L. 116-93.**

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except “Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” and “Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners”, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for “Courts of Appeals, District Courts, and Other Judicial Services” shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting “Federal” for “executive” each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended [in the matter following paragraph 12–]

[ (1) ] in the second sentence (relating to the District of Kansas) *following paragraph (12)*, by striking “~~[28]29 years and 6 months~~” and inserting “~~[29]30 years and 6 months~~”. [; and]

[ (2) ] in the sixth sentence (relating to the District of Hawaii), by striking “25 years and 6 months” and inserting “26 years and 6 months”. ]

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking “~~[26]27 years and 6 months~~” and

inserting “[27]28 years and 6 months”.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

(1) *in the first sentence by inserting after “except in the case of” the following: “the northern district of Alabama,”;*

(2) *in the first sentence by inserting after “the central district of California” the following: “,”;*

(1) *in the first sentence by striking “[17]18 years” and inserting “[18]19 years”;*

(4) *by adding at the end of the first sentence the following: “The first vacancy in the office of district judge in the northern district of Alabama occurring 18 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.”;*

(2) *in the [second]third sentence (relating to the central District of California), by striking “[16]17 years and 6 months” and inserting “[17]18 years and 6 months”;* and

(3) *in the [third]fourth sentence (relating to the western district of North Carolina), by striking “[15]16 years” and inserting “[16]17 years”.*

This title may be cited as the “Judiciary Appropriations Act, [2020]2021”.

#### Explanation of Changes

- Revised Section 306: The above language extends eight temporary district judgeships for 12 months each: Arizona, California-Central, Florida-Southern, Kansas, Missouri-Eastern, New Mexico, North Carolina-Western, and Texas-Eastern.
- No extensions are requested for Alabama-Northern and Hawaii as the caseload in those districts do not meet Judicial Conference criteria for extensions.
- Below is a cross reference for the extension language above and the judgeship(s) affected:
  - (a) Extends the temporary judgeship in Kansas for 12 months.
  - (b) Extends the temporary judgeship in Missouri-Eastern for 12 months.
  - (c)(3) Extends the temporary judgeships in Arizona, Florida-Southern, New Mexico, and Texas-Eastern for 12 months.
  - (c)(5) Extends the temporary judgeship in California-Central for 12 months.
  - (c)(6) Extends the temporary judgeship in North Carolina-Western for 12 months.