

1 Commissioner shall submit to the Committees on Appro-  
2 priations of the House of Representatives and the Senate  
3 a spending plan for such funds: *Provided further*, That  
4 such amount is designated by the Congress as being for  
5 an emergency requirement pursuant to section  
6 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
7 Deficit Control Act of 1985.

## 8 THE JUDICIARY

### 9 SUPREME COURT OF THE UNITED STATES

#### 10 SALARIES AND EXPENSES

11 For an additional amount for “Salaries and Ex-  
12 penses”, \$500,000, to prevent, prepare for, and respond  
13 to coronavirus, domestically or internationally: *Provided*,  
14 That such amount is designated by the Congress as being  
15 for an emergency requirement pursuant to section  
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

### 18 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

#### 19 JUDICIAL SERVICES

#### 20 SALARIES AND EXPENSES

21 For an additional amount for “Salaries and Ex-  
22 penses”, \$6,000,000, to prevent, prepare for, and respond  
23 to coronavirus, domestically or internationally: *Provided*,  
24 That such amount is designated by the Congress as being  
25 for an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
2 Deficit Control Act of 1985.

3 DEFENDER SERVICES

4 For an additional amount for “Defender Services”,  
5 \$1,000,000, to remain available until expended, to pre-  
6 vent, prepare for, and respond to coronavirus, domestically  
7 or internationally: *Provided*, That such amount is des-  
8 ignated by the Congress as being for an emergency re-  
9 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
10 anced Budget and Emergency Deficit Control Act of 1985.

11 ADMINISTRATIVE PROVISION—THE JUDICIARY

12 VIDEO TELECONFERENCING FOR CRIMINAL PROCEEDINGS

13 SEC. 15002. (a) DEFINITION.—In this section, the  
14 term “covered emergency period” means the period begin-  
15 ning on the date on which the President declared a na-  
16 tional emergency under the National Emergencies Act (50  
17 U.S.C. 1601 et seq.) with respect to the Coronavirus Dis-  
18 ease 2019 (COVID-19) and ending on the date that is  
19 30 days after the date on which the national emergency  
20 declaration terminates.

21 (b) VIDEO TELECONFERENCING FOR CRIMINAL PRO-  
22 CEEDINGS.—

23 (1) IN GENERAL.—Subject to paragraphs (3),  
24 (4), and (5), if the Judicial Conference of the United  
25 States finds that emergency conditions due to the

1 national emergency declared by the President under  
2 the National Emergencies Act (50 U.S.C. 1601 et  
3 seq.) with respect to the Coronavirus Disease 2019  
4 (COVID-19) will materially affect the functioning of  
5 either the Federal courts generally or a particular  
6 district court of the United States, the chief judge  
7 of a district court covered by the finding (or, if the  
8 chief judge is unavailable, the most senior available  
9 active judge of the court or the chief judge or circuit  
10 justice of the circuit that includes the district court),  
11 upon application of the Attorney General or the des-  
12 ignee of the Attorney General, or on motion of the  
13 judge or justice, may authorize the use of videotele-  
14 conferencing, or telephone conferencing if video tele-  
15 conferencing is not reasonably available, for the fol-  
16 lowing events:

17 (A) Detention hearings under section 3142  
18 of title 18, United States Code.

19 (B) Initial appearances under Rule 5 of  
20 the Federal Rules of Criminal Procedure.

21 (C) Preliminary hearings under Rule 5.1 of  
22 the Federal Rules of Criminal Procedure.

23 (D) Waivers of indictment under Rule 7(b)  
24 of the Federal Rules of Criminal Procedure.

1 (E) Arraignments under Rule 10 of the  
2 Federal Rules of Criminal Procedure.

3 (F) Probation and supervised release rev-  
4 ocation proceedings under Rule 32.1 of the  
5 Federal Rules of Criminal Procedure.

6 (G) Pretrial release revocation proceedings  
7 under section 3148 of title 18, United States  
8 Code.

9 (H) Appearances under Rule 40 of the  
10 Federal Rules of Criminal Procedure.

11 (I) Misdemeanor pleas and sentencings as  
12 described in Rule 43(b)(2) of the Federal Rules  
13 of Criminal Procedure.

14 (J) Proceedings under chapter 403 of title  
15 18, United States Code (commonly known as  
16 the “Federal Juvenile Delinquency Act”), ex-  
17 cept for contested transfer hearings and juve-  
18 nile delinquency adjudication or trial pro-  
19 ceedings.

20 (2) FELONY PLEAS AND SENTENCING.—

21 (A) IN GENERAL.—Subject to paragraphs  
22 (3), (4), and (5), if the Judicial Conference of  
23 the United States finds that emergency condi-  
24 tions due to the national emergency declared by  
25 the President under the National Emergencies

1 Act (50 U.S.C. 1601 et seq.) with respect to  
2 the Coronavirus Disease 2019 (COVID-19) will  
3 materially affect the functioning of either the  
4 Federal courts generally or a particular district  
5 court of the United States, the chief judge of a  
6 district court covered by the finding (or, if the  
7 chief judge is unavailable, the most senior avail-  
8 able active judge of the court or the chief judge  
9 or circuit justice of the circuit that includes the  
10 district court) specifically finds, upon applica-  
11 tion of the Attorney General or the designee of  
12 the Attorney General, or on motion of the judge  
13 or justice, that felony pleas under Rule 11 of  
14 the Federal Rules of Criminal Procedure and  
15 felony sentencings under Rule 32 of the Federal  
16 Rules of Criminal Procedure cannot be con-  
17 ducted in person without seriously jeopardizing  
18 public health and safety, and the district judge  
19 in a particular case finds for specific reasons  
20 that the plea or sentencing in that case cannot  
21 be further delayed without serious harm to the  
22 interests of justice, the plea or sentencing in  
23 that case may be conducted by video teleconfer-  
24 ence, or by telephone conference if video tele-  
25 conferencing is not reasonably available.

1           **(B) APPLICABILITY TO JUVENILES.**—The  
2 video teleconferencing and telephone confer-  
3 encing authority described in subparagraph (A)  
4 shall apply with respect to equivalent plea and  
5 sentencing, or disposition, proceedings under  
6 chapter 403 of title 18, United States Code  
7 (commonly known as the “Federal Juvenile De-  
8 linquency Act”).

9           **(3) REVIEW.**—

10           **(A) IN GENERAL.**—On the date that is 90  
11 days after the date on which an authorization  
12 for the use of video teleconferencing or tele-  
13 phone conferencing under paragraph (1) or (2)  
14 is issued, if the emergency authority has not  
15 been terminated under paragraph (5), the chief  
16 judge of the district court (or, if the chief judge  
17 is unavailable, the most senior available active  
18 judge of the court or the chief judge or circuit  
19 justice of the circuit that includes the district  
20 court) to which the authorization applies shall  
21 review the authorization and determine whether  
22 to extend the authorization.

23           **(B) ADDITIONAL REVIEW.**—If an author-  
24 ization is extended under subparagraph (A), the  
25 chief judge of the district court (or, if the chief

1 judge is unavailable, the most senior available  
2 active judge of the court or the chief judge or  
3 circuit justice of the circuit that includes the  
4 district court) to which the authorization ap-  
5 plies shall review the extension of authority not  
6 less frequently than once every 90 days until  
7 the earlier of—

8 (i) the date on which the chief judge  
9 (or other judge or justice) determines the  
10 authorization is no longer warranted; or

11 (ii) the date on which the emergency  
12 authority is terminated under paragraph  
13 (5).

14 (4) CONSENT.—Video teleconferencing or tele-  
15 phone conferencing authorized under paragraph (1)  
16 or (2) may only take place with the consent of the  
17 defendant, or the juvenile, after consultation with  
18 counsel.

19 (5) TERMINATION OF EMERGENCY AUTHOR-  
20 ITY.—The authority provided under paragraphs (1),  
21 (2), and (3), and any specific authorizations issued  
22 under those paragraphs, shall terminate on the ear-  
23 lier of—

24 (A) the last day of the covered emergency  
25 period; or

1 (B) the date on which the Judicial Con-  
2 ference of the United States finds that emer-  
3 gency conditions due to the national emergency  
4 declared by the President under the National  
5 Emergencies Act (50 U.S.C. 1601 et seq.) with  
6 respect to the Coronavirus Disease 2019  
7 (COVID-19) no longer materially affect the  
8 functioning of either the Federal courts gen-  
9 erally or the district court in question.

10 (6) NATIONAL EMERGENCIES GENERALLY.—

11 The Judicial Conference of the United States and  
12 the Supreme Court of the United States shall con-  
13 sider rule amendments under chapter 131 of title  
14 28, United States Code (commonly known as the  
15 “Rules Enabling Act”), that address emergency  
16 measures that may be taken by the Federal courts  
17 when the President declares a national emergency  
18 under the National Emergencies Act (50 U.S.C.  
19 1601 et seq.).

20 (7) RULE OF CONSTRUCTION.—Nothing in this  
21 subsection shall obviate a defendant’s right to coun-  
22 sel under the Sixth Amendment to the Constitution  
23 of the United States, any Federal statute, or the  
24 Federal Rules of Criminal Procedure.

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1 (c) The amount provided by this section is designated  
2 by the Congress as being for an emergency requirement  
3 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
4 et and Emergency Deficit Control Act of 1985.

5 DISTRICT OF COLUMBIA

6 FEDERAL FUNDS

7 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND

8 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

9 For an additional amount for “Federal Payment for  
10 Emergency Planning and Security Costs in the District  
11 of Columbia”, \$5,000,000, to remain available until ex-  
12 pended, to prevent, prepare for, and respond to  
13 coronavirus, domestically or internationally: *Provided*,  
14 That such amount is designated by the Congress as being  
15 for an emergency requirement pursuant to section  
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

18 INDEPENDENT AGENCIES

19 ELECTION ASSISTANCE COMMISSION

20 ELECTION SECURITY GRANTS

21 For an additional amount for “Election Security  
22 Grants”, \$400,000,000, to prevent, prepare for, and re-  
23 spond to coronavirus, domestically or internationally, for  
24 the 2020 Federal election cycle: *Provided*, That a State  
25 receiving a payment with funds provided under this head-