IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22 (legislative day, SEPTEMBER 8), 1982 Received; ordered held at the desk until the close of business September 23, 1982

AN ACT

To provide greater discretion to the Supreme Court in selecting the cases it will review, to extend to all Federal jurors eligibility for Federal worker's compensation, to provide for the taxing of attorney fees in certain actions brought by jurors, to authorize the service of jury summonses by ordinary mail, to permit courts of the United States to establish the order of hearing for certain civil matters, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SHORT TITLE
- 4 Section 1. This Act may be cited as the "Federal
- 5 Court Reform Act of 1982".

TITLE I—SUPREME COURT REVIEW 1 2 REVIEW OF DECISIONS INVALIDATING ACTS OF CONGRESS 3 SEC. 101. Section 1252 of title 28, United States Code, and the item relating to that section in the section analysis of chapter 81 of such title, are repealed. 6 REVIEW OF DECISIONS INVALIDATING STATE STATUTES 7 SEC. 102. (a) Section 1254 of title 28, United States Code, is amended by striking out paragraph (2) and redes-9 ignating paragraph (3) as paragraph (2). 10 (b) The section heading for section 1254 of such title is amended by striking out "appeal;". 11 12 (c) The item relating to section 1254 in the section analysis of chapter 81 of title 28, United States Code, is amended by striking out "appeal;". 15 REVIEW OF STATE COURT DECISIONS INVOLVING VALIDITY 16 OF STATUTES 17 SEC. 103. Section 1257 of title 28, United States Code, is amended to read as follows: 19 "§ 1257. State courts: certiorari 20 "(a) Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be 21 22 reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is 23drawn in question or where the validity of a statute of any

25 State is drawn in question on the ground of its being repug-

- 1 nant to the Constitution, treaties, or laws of the United
- 2 States, or where any title, right, privilege, or immunity is
- 3 specially set up or claimed under the Constitution or the trea-
- 4 ties or statutes of, or any commission held or authority exer-
- 5 cised under, the United States.
- 6 "(b) For the purposes of this section, the term 'highest
- 7 court of a State' includes the District of Columbia Court of
- 8 Appeals.".
- 9 REVIEW OF DECISIONS FROM SUPREME COURT OF PUERTO
- 10 RICO
- 11 SEC. 104. Section 1258 of title 28, United States Code,
- 12 is amended to read as follows:
- 13 "§ 1258. Supreme Court of Puerto Rico; certiorari
- 14 "Final judgments or decrees rendered by the Supreme
- 15 Court of the Commonwealth of Puerto Rico may be reviewed
- 16 by the Supreme Court by writ of certiorari where the validity
- 17 of a treaty or statute of the United States is drawn in ques-
- 18 tion or where the validity of a statute of the Commonwealth
- 19 of Puerto Rico is drawn in question on the ground of its being
- 20 repugnant to the Constitution, treaties, or laws of the United
- 21 States, or where any title, right, privilege, or immunity is
- 22 specially set up or claimed under the Constitution or the trea-
- 23 ties or statutes of, or any commission held or authority exer-
- 24 cised under, the United States.".

1 CONFORMING AMENDMENTS

- 2 Sec. 105. (a) The items relating to sections 1257 and
- 3 1258 in the section analysis of chapter 81 of title 28, United
- 4 States Code, are amended to read as follows:

- 5 (b) Section 2101(a) of title 28, United States Code, is
- 6 amended by striking out "sections 1252, 1253 and 2282"
- 7 and inserting in lieu thereof "section 1253".
- 8 (c)(1) Section 2104 of title 28, United States Code, is
- 9 amended to read as follows:

10 "\$ 2104. Reviews of State court decisions

- 11 "A review by the Supreme Court of a judgment or
- 12 decree of a State court shall be conducted in the same
- 13 manner and under the same regulations, and shall have the
- 14 same effect, as if the judgment or decree reviewed had been
- 15 rendered in a court of the United States.".
- 16 (2) The item relating to section 2104 in the section
- 17 analysis of chapter 133 of title 28, United States Code, is
- 18 amended to read as follows:
 - "2104. Reviews of State court decisions.".
- 19 (d) Section 2350(b) of title 28, United States Code, is
- 20 amended by striking out "1254(3)" and inserting in lieu
- 21 thereof "1254(2)".

[&]quot;1257. State courts; certiorari.

[&]quot;1258. Supreme Court of Puerto Rico; certiorari.".

1	AMENDMENTS TO OTHER LAWS
2	SEC. 106. (a) Section 310 of the Federal Election Cam
3	paign Act (2 U.S.C. 437h) is amended by repealing subsec
4	tion (b).
5	(b) Section 2 of the Act of May 18, 1928 (25 U.S.C
6	652), is amended by striking out ", with the right of either
7	party to appeal to the United States Court of Appeals for the
8	Federal Circuit".
9	(c) The last sentence of section 203(d) of the Trans
10	Alaska Pipeline Authorization Act (43 U.S.C. 1652(d)) is
11	amended to read as follows: "An interlocutory or final judg
12	ment, decree, or order of such distinct court may be reviewed
13	only upon petition for a writ of certiorari to the Supreme
14	Court of the United States.".
15	(d) Section 209(e)(3) of the Regional Rail Reorganiza
16	tion Act of 1973 (45 U.S.C. 719(e)(3)) is amended—
17	(1) in the first sentence by striking out ", excep
18	that" and all that follows through the end of the sen-
19	tence and inserting in lieu thereof a period; and
20	(2) in the second sentence by striking out "peti-
21	tion or appeal shall be filed" and inserting in lieu
22	thereof "such petition shall be filed in the Supreme
23	Court".

- 1 (e) Section 303(d) of the Regional Rail Reorganization
- 2 Act of 1973 (45 U.S.C. 743(d)) is amended to read as fol-
- 3 lows:
- 4 "(d) Review.—A finding or determination entered by
- 5 the special court pursuant to subsection (c) of this section or
- 6 section 306 of this title shall be reviewable only upon petition
- 7 for a writ of certiorari to the Supreme Court of the United
- 8 States. Such review is exclusive and any such petition shall
- 9 be filed in the Supreme Court not more than 20 days after
- 10 entry of such finding or determination.".
- 11 (f) Section 1152(b) of the Omnibus Budget Reconcili-
- 12 ation Act of 1981 (45 U.S.C. 1105(b)) is amended—
- 13 (1) in the first sentence by striking out ", except
- that" and all that follows through the end of the sen-
- tence and inserting in lieu thereof a period; and
- 16 (2) in the second sentence by striking out "peti-
- tion or appeal shall be filed" and inserting in lieu
- thereof "such petition shall be filed in the Supreme
- 19 Court".
- 20 (g) Section 206 of the International Claims Settlement
- 21 Act of 1949 (22 U.S.C. 1631e) is amended by striking out
- 22 "1252, 1254, 1291," and inserting in lieu thereof "1291".
- 23 (h) Section 12(a) of the Act of May 13, 1954, commonly
- 24 known as the Saint Lawrence Seaway Act (33 U.S.C.

- 988(a)), is amended by striking out "1254(3)" and inserting in lieu thereof "1254(2)". 3 EFFECTIVE DATE 4 SEC. 107. The amendments made by this title shall take effect ninety days after the date of the enactment of this Act, 5 except that such amendments shall not apply to cases pending in the Supreme Court on the effective date of such 7 amendments or affect the right to review or the manner of 8 reviewing the judgment or decree of a court which was entered before such effective date. TITLE II—JURORS AND SUMMONS FOR JURY 11 12 SERVICE 13 INJURY COMPENSATION FOR JURORS SEC. 201. (a) Chapter 81 of title 5, United States Code, 14 is amended by inserting immediately after section 8141 the following new section: 16 17 "§ 8141a. Federal petit and grand jurors 18 "(a) For purposes of this section, 'Federal petit or grand 19 juror' means a person who is selected pursuant to chapter 20 121 of title 28 and summoned to serve as a petit or grand 21 juror and who is entitled to the fees provided for attendance in section 1871 of title 28.
- "(b) Subject to the provisions of this section, this sub-24 chapter applies to a Federal grand or petit juror, except that 25 entitlement to disability compensation payments does not

1	commence until the day after the date of termination of serv-
2	ice as a Federal petit or grand juror.
3	"(c) In administering this subchapter with respect to a
4	Federal petit or grand juror—
5	"(1) a Federal petit or grand juror is deemed to
6	receive monthly pay at the minimum rate for grade
7	GS-2, except that in any case in which the actual pay
8	of any such juror is higher—
9	"(A) monthly pay is determined in accord-
10	ance with section 8114 of this title, subject to
11	subparagraphs (B) and (C) of this paragraph,
12	"(B) any reference in section 8114 of this
13	title to employment by or employee of the Gov-
14	ernment shall, in the case of a juror who is not
15	otherwise an employee for purposes of this sub-
16	chapter, be deemed to refer to employment by or
17	employee of the actual employer, and
18	"(C) the average annual earnings of a juror
19	who is not otherwise an employee for purposes of
20	this subchapter may not exceed the minimum rate
21	of basic pay for GS-15; and
22	"(2) 'performance of duty' as a Federal petit or
23	grand juror includes that time when the juror is (A) in
24	attendance at court pursuant to a summons, (B) in de-
25	liberation, (C) sequestered by order of a judge, or (D)

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- 2 summons or sequestration order, or as otherwise neces-
- 3 sitated by order of court such as for the taking of a
- 4 view.".
- 5 (b) The chapter analysis of chapter 81 of title 5, United
- 6 States Code, is amended by inserting immediately after the
- 7 item relating to section 8141 the following new item:

"8141a. Federal petit and grand jurors.".

- 8 (c) Section 8101(1) of title 5, United States Code, is
- 9 amended—
- 10 (1) by striking out subparagraph (F); and
- 11 (2) in clause (iv) by striking out "; and" and in-
- serting in lieu thereof a period.
- 13 (d) The amendment made by subsection (a) shall take
- 14 effect on October 1, 1982.
- 15 TAXATION OF JUROR ATTORNEY'S FEES
- SEC. 202. Section 1875(d) of title 28, United States
- 17 Code, is amended—
- 18 (1) by inserting "(1)" immediately after "(d)"; and
- 19 (2) by amending paragraph (2) to read as follows:
- 20 "(2) In any action or proceeding under this section, the
- 21 court may award a prevailing employee who brings such
- 22 action or proceeding by retained counsel a reasonable attor-
- 23 ney's fee as part of the costs. The court may tax a defendant
- 24 employer, as costs payable to the court, the attorney fees and
- 25 expenses incurred on behalf of a prevailing employee, in any

- 1 case in which such fees and expenses were paid pursuant to
- 2 paragraph (1) of this subsection. The court may award a pre-
- 3 vailing employer a reasonable attorney's fee as part of the
- 4 costs only if the court finds that the action or proceeding is
- 5 frivolous, vexatious, or brought in bad faith.".
- 6 SERVICE OF SUMMONS FOR JURY SERVICE
- 7 SEC. 203. (a) The second paragraph of section 1866(b)
- 8 of title 28, United States Code, is amended to read as fol-
- 9 lows:
- 10 "Each person drawn for jury service may be served per-
- 11 sonally, or by registered, certified, or first class mail ad-
- 12 dressed to such person at his usual residence or business ad-
- 13 dress.".
- 14 (b) The fourth paragraph of section 1866(b) of title 28,
- 15 United States Code, is amended to read as follows:
- 16 "If such service is made by mail, the summons may be
- 17 served by the marshal, clerk, or jury commission, or their
- 18 duly designated deputies, who shall make affidavit of service
- 19 and shall attach thereto any receipt from the addressee for a
- 20 registered or certified summons.".
- 21 TITLE III—CIVIL PRIORITIES
- 22 ESTABLISHMENT OF PRIORITY OF CIVIL ACTIONS
- SEC. 301. (a) Chapter 111 of title 28, United States
- 24 Code, is amended by adding at the end thereof the following
- 25 new section:

"§ 1657. Priority of civil actions

2	(a) Notwithstanding any other provisions of law, each
3	court of the United States shall determine the order in which
4	civil actions are heard and determined, except that the court
5	shall expedite the consideration of any action brought under
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- 6 chapter 153 or section 1826 of this title, any action for tem-
- 7 porary or preliminary injunctive relief, or any other action if
- 8 good cause therefor is shown.
- 9 "(b) The Judicial Conference of the United States may
 O modify the rules adopted by the courts to determine the order
 in which civil actions are heard and determined, in order to
- 12 establish consistency among the judicial circuits."
- 13 (b) The section analysis of chapter 111 of title 28,
- 14 United States Code, is amended by adding at the end thereof
- 15 the following new item:

"1657. Priority of civil actions.".

AMENDMENTS TO OTHER LAWS SEC. 302. The following provisions of law are amended: (1)(A) Section 309(a)(10) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(11) is repealed. (B) Section 310 of the Federal Election Campaign

- (B) Section 310 of the Federal Election Campaign
 Act of 1971 (2 U.S.C. 437h), as amended by section
 106(a) of this Act, is further amended—
- 24 (i) by striking out "(a)" after "Sec. 310.";
- and

22

1	(ii) by repeating subsection (c).
2	(2) Section 552(a)(4)(D) of title 5, United States
3	Code, is repealed.
4	(3) Section 6(a) of the Commodity Exchange Act
5	(7 U.S.C. 8(a)) is amended by striking out "The pro-
6	ceedings in such cases in the court of appeals shall be
7	made a preferred cause and shall be expedited in every
. 8	way.".
9	(4)(A) Section 6(c)(4) of the Federal Insecticide
10	Fungicide, and Rodenticide Act (7 U.S.C. 136d(c)(4))
11	is amended by striking out the second sentence.
12	(B) Section 10(d)(3) of the Federal Insecticide
13	Fungicide, and Rodenticide Act (7 U.S.C. 136h(d)(3))
14	is amended by striking out "The court shall give expe-
15	dited consideration to any such action.".
16	(C) Section 16(b) of the Federal Insecticide, Fun-
17	gicide, and Rodenticide Act (7 U.S.C. 136n(b)) is
18	amended by striking out the last sentence.
19	(D) Section 25(a)(4)(E)(iii) of the Federal Insecti-
20	cide, Fungicide, and Rodenticide Act (7 U.S.C.
21	136w(a)(4)(E)(iii)) is repealed.
22	(5) Section 204(d) of the Packers and Stockyards
23	Act, 1921 (7 U.S.C. 194(d)), is amended by striking
24	out the second sentence.

- 1 (6) Section 366 of the Agricultural Adjustment
 2 Act of 1938 (7 U.S.C. 1366) is amended in the fourth
 3 sentence by striking out "At the earliest convenient
 4 time, the court, in term time or vacation," and insert5 ing in lieu thereof "The court".
 - (7)(A) Section 410 of the Federal Seed Act (7 U.S.C. 1600) is amended by striking out "The proceedings in such cases in the court of appeals shall be made a preferred cause and shall be expedited in every way.".
 - (B) Section 411 of the Federal Seed Act (7 U.S.C. 1601) is amended by striking out "The proceedings in such cases shall be made a preferred cause and shall be expedited in every way.".
 - (8) Section 816(c)(4) of the Act of October 7, 1975, commonly known as the Department of Defense Appropriation Authorization Act of 1976 (10 U.S.C. 2304 note) is amended by striking out the last sentence.
 - (9) Section 5(d)(6)(A) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(d)(6)(A)) is amended by striking out "Such proceedings shall be given precedence over other cases pending in such courts, and shall be in every way expedited.".

1	(10)(A) Section 7A(f)(2) of the Clayton Act (15
2	U.S.C. 18a(f)(2)) is amended to read as follows: "(2)
3	certifies to the United States district court for the judi-
4	cial district within which the respondent resides or car-
5	ries on business, or in which the action is brought, that
6	it or he believes that the public interest requires relief
7	pendente lite pursuant to this subsection, then upon the
8	filing of such motion and certification, the chief judge
9	of such district court shall immediately notify the chief
10	judge of the United States court of appeals for the cir-
11	cuit in which such district court is located, who shall
12	designate a United States district judge to whom such
13	action shall be assigned for all purposes.".

- (B) Section 11(e) of the Clayton Act (15 U.S.C. 21(e)) is amended by striking out the first sentence.
- (11) Section 1 of the Act of February 11, 1903,commonly known as the Expediting Act (15 U.S.C.28) is repealed.
- (12) Section 5(e) of the Federal Trade Commission Act (15 U.S.C. 45(e)) is amended by striking out the first sentence.
- (13) Section 21(f)(3) of the Federal Trade Commission Improvements Act of 1980 (15 U.S.C. 57a-1(f)(3)) is repealed.

1	(14) Section 11A(c)(4) of the Securities Exchange
2	Act of 1934 (15 U.S.C. 78k-1(c)(4)) is amended—
3	(A) by striking out "(A)" after "(4)"; and
4	(B) by striking out subparagraph (B).
5	(15)(A) Section 309(e) of the Small Business In-
6	vestment Act of 1958 (15 U.S.C. 687a(e)) is amended
7	by striking out the sixth sentence.
8	(B) Section 309(f) of the Small Business Invest-
9	ment Act of 1958 (15 U.S.C. 687a(f)) is amended by
10	striking out the last sentence.
11	(C) Section 311(a) of the Small Business Invest-
12	ment Act of 1958 (15 U.S.C.687c(a)) is amended by
13	striking out the last sentence.
14	(16) Section 10(c)(2) of the Alaska Natural Gas
15	Transportation Act (15 U.S.C. 719h(c)(2)) is repealed.
16	(17) Section 155(a) of the National Traffic and
17	Motor Vehicle Safety Act of 1966 (15 U.S.C. 1415(a))
18	is amended by striking out "(1)" and by striking out
19	paragraph (2).
20	(18) Section 503(b)(3)(E) of the Motor Vehicle In-
21	formation and Cost Savings Act (15 U.S.C.
22	2003(b)(3)(E)) is amended by striking out clause (ii)
23	and redesignating clauses (iii) and (iv) as clauses (ii)
24	and (iii), respectively.

1	(19) Section 23(d) of the Toxic Substances Con-
2	trol Act (15 U.S.C. 2622(d)) is amended by striking
3	out the last sentence.
4	(20) Section 12(e)(3) of the Coastal Zone Manage-
5	ment Improvement Act of 1980 (16 U.S.C.
6	1463a(e)(3)) is repealed.
7	(21) Section 11 of the Act of September 28, 1976
8	(16 U.S.C. 1910), is amended by striking out the last
9	sentence.
10	(22)(A) Section 807(b) of the Alaska National In-
11	terest Lands Conservation Act (16 U.S.C. 3117(b)) is
12	repealed.
13	(B) Section 1108 of the Alaska National Interest
14	Lands Conservation Act (16 U.S.C. 3168) is amended
15	to read as follows:
16	"INJUNCTIVE RELIEF
17	"Sec. 1108. No court shall have jurisdiction to grant
18	any injunctive relief lasting longer than ninety days against
19	any action pursuant to this title except in conjunction with a
20	final judgment entered in a case involving an action pursuant
21	to this title.".
22	(23)(A) Section 10(b)(3) of the Central Idaho Wil-
23	derness Act of 1980 (Public Law 96-312; 94 Stat.
24	948) is repealed.

1	(B) Section 10(c) of the Central Idaho Wilderness
2	Act of 1980 is amended to read as follows:
3	"(c) Any review of any decision of the United States
4	District Court for the District of Idaho shall be made by the
5	Ninth Circuit Court of Appeals of the United States.".
6	(24)(A) Section 1964(b) of title 18, United States
7	Code, is amended by striking out the second sentence.
8	(B) Section 1966 of title 18, United States Code,
9	is amended by striking out the last sentence.
10	(25)(A) Section 408(i)(5) of the Federal Food,
11	Drug, and Cosmetic Act (21 U.S.C. 346a(i)(5)) is
12	amended by striking out the last sentence.
13	(B) Section 409(g)(2) of the Federal Food, Drug,
14	and Cosmetic Act (21 U.S.C. 348(g)(2)) is amended by
15	striking out the last sentence.
16	(26) Section 8(f) of the Foreign Agents Registra-
17	tion Act of 1938 (22 U.S.C. 618(f)) is amended by
18	striking out the last sentence.
19	(27) Section 4 of the Act of December 22, 1974
90	(25 U.S.C. 640d-3), is amended by striking out "(a)"
21	and by striking out subsection (b).
22	(28)(A) Section 3310(e) of the Internal Revenue
23	Code of 1954 is repealed.
24	(B) Section 6110(f)(5) of the Internal Revenue
25	Code of 1954 is amended by striking out "and the

1	Court of Appeals shall expedite any review of such de-
2	cision in every way possible".
3	(C) Section 6363(d)(4) of the Internal Revenue
4	Code of 1954 is repealed.
5	(D) Section 7609(h)(3) of the Internal Revenue
6	Code of 1954 is repealed.
7	(E) Section 9010(c) of the Internal Revenue Code
8	of 1954 is amended by striking out the last sentence.
9	(F) Section 9011(b)(2) of the Internal Revenue
10	Code of 1954 is amended by striking out the last
11	sentence.
12	(29)(A) Section 596(a)(3) of title 28, United States
13	Code, is amended by striking out the last sentence.
14	(B) Section 636(c)(4) of title 28, United States
15	Code, is amended in the second sentence by striking
16	out "expeditious and".
17	(C) Section 1296 of title 28, United States Code,
18	and the item relating to that section in the section
19	analysis of chapter 83 of that title, are repealed.
20	(D) Subsection (c) of section 1364 of title 28,
21	United States Code, the section heading of which reads
22	"Senate actions", is repealed.
23	(E) Section 2284(b)(2) of title 28, United States
24	Code is amended by striking out the last sentence

1	(F) Section 2349(b) of title 28, United States
2	Code, is amended by striking out the last two sen-
3	tences.
4	(G) Section 2647 of title 28, United States Code,
5	and the item relating to that section in the section
6	analysis of chapter 169 of that title, are repealed.
7	(30) Section 10 of the Act of March 23, 1932,
8	commonly known as the Norris-LaGuardia Act (29
9	U.S.C. 110), is amended by striking out "with the
10	greatest possible expedition" and all that follows
11	through the end of the sentence and inserting in lieu
12	thereof "expeditiously".
13	(31) Section 10(i) of the National Labor Relations
14	Act (29 U.S.C. 160(i)) is repealed.
15	(32) Section 11(a) of the Occupational Safety and
16	Health Act of 1970 (29 U.S.C. 660(a)) is amended by
17	striking out the last sentence.
18	(33) Section 4003(e)(4) of the Employee Retire-
19	ment Income Security Act of 1974 (29 U.S.C.
20	1303(e)(4)) is repealed.
21	(34) Section 106(a)(1) of the Federal Coal Mine
22	Health and Safety Act of 1969 (30 U.S.C. 816(a)(1)) is

amended by striking out the last sentence.

1	(35) Section 1016 of the Impoundment Control
2	Act of 1974 (31 U.S.C. 1406) is amended by striking
3	out the second sentence.
4	(36) Section 2022 of title 38, United States Code,
5	is amended by striking out "The court shall order
6	speedy hearing in any such case and shall advance it
7	on the calendar.".
8	(37) Section 3628 of title 39, United States Code,
9	is amended by striking out the fourth sentence.
10	(38) Section 1450(i)(4) of the Public Health Serv-
11	ice Act (42 U.S.C. 300j-9(i)(4)) is amended by striking
12	out the last sentence.
13	(39) Section 304(e) of the Social Security Act (42
14	U.S.C. 504(e)) is repealed.
15	(40)(A) Section 2004(e) of the Revised Statutes of
16	the United States (42 U.S.C. 1971(e)) is amended—
17	(i) in the third paragraph, by striking out
18	"An application for an order pursuant to this sub-
19	section shall be heard within ten days, and the
20	execution of any order disposing of such applica-
21 .	tion" and inserting in lieu thereof "The execution
22	of an order disposing of an application pursuant to
23	this subsection"; and
24	(ii) in the eighth paragraph, by striking out
25	the first sentence.

1	(B) Section 2004(g) of the Revised Statutes of the
2	United States (42 U.S.C. 1971(g)) is amended—
3	(i) in the first paragraph, by striking out "to
4	assign the case for hearing at the earliest practi-
5	cable date," and by striking out ", and to cause
6	the case to be in every way expedited"; and
7	(ii) by striking out the third paragraph.
8	(41)(A) Section 10(c) of the Voting Rights Act of
9	1965 (42 U.S.C. 1973h(c)) is amended by striking out
10	"to assign the case for hearing at the earliest practica-
11	ble date," and by striking out ", and to cause the case
12	to be in every way expedited".
13	(B) Section 301(a)(2) of the Voting Rights Act of
14	1965 (42 U.S.C. 1973bb(a)(2)) is amended by striking
15	out ", and to cause the case to be in every way expe-
16	dited".
17	(42)(A) Section 206(b) of the Civil Rights Act of
18	1964 (42 U.S.C. 2000a-5(b)) is amended—
19	(i) in the first paragraph, by striking out "to
20	assign the case for hearing at the earliest practi-
21	cable date," and by striking out ", and to cause
22	the case to be in every way expedited"; and
23	(ii) by striking out the last paragraph.

1	(B) Section 706(f)(2) of the Civil Rights Act of
2	1964 (42 U.S.C. 2000e-5(f)(2)) is amended by striking
3	out the last sentence.
4	(C) Section 706(f)(5) of the Civil Rights Act of
5	1964 (42 U.S.C. 2000e-5(f)(5)) is amended to read as
6	follows:
7	"(5) The judge designated to hear the case may appoint
8	a master pursuant to rule 53 of the Federal Rules of Civil
9	Procedure.".
10	(D) Section 707(b) of the Civil Rights Act of
11	1964 (42 U.S.C. 2000e-6(b)) is amended—
12	(i) in the first paragraph, by striking out "to
13	assign the case for hearing at the earliest practi-
14	cable date," and by striking out ", and to cause
15	the case to be in every way expedited"; and
16	(ii) by striking out the last paragraph.
17	(43) Section 814 of the Act of April 11, 1968 (42)
18	U.S.C. 3614), is repealed.
19	(44) The matter under subheading "Explora-
2 0	tion of National Petroleum Reserve in
21	ALASKA" under the headings "Energy and Miner-
22	ALS" and "GEOLOGICAL SURVEY" in title I of the Act
23	of December 12, 1980 (94 Stat. 2964; 42 U.S.C.
24	6508), is amended in the third paragraph by striking
25	out the last sentence.

1	(45) Section 214(b) of The Emergency Energy
2	Conservation Act of 1979 (42 U.S.C. 8514(b)) is re-
3	pealed.
4	(46) Section 2 of the Act of February 25, 1885
5	(43 U.S.C. 1062), is amended by striking out "; and
6	any suit brought under the provisions of this section
7	shall have precedence for hearing and trial over other
8	cases on the civil docket of the court, and shall be tried
9	and determined at the earliest practicable day".
10	(47) Section 23(d) of the Outer Continental Shelf
11	Lands Act (43 U.S.C. 1349(d)) is repealed.
12	(48) Section 511(c) of the Public Utilities Regula-
13	tory Policies Act of 1978 (43 U.S.C. 2011(c)) is
14	amended by striking out "Any such proceeding shall be
15	assigned for hearing at the earliest possible date and
16	shall be expedited by such court.".
17	(49) Section 203(d) of the Trans-Alaska Pipeline
18	Authorization Act (43 U.S.C. 1652(d)) is amended by
19	striking out the fourth sentence.
20	(50) Section 5(f) of the Railroad Unemployment
21	Insurance Act (45 U.S.C. 355(f)) is amended by strik-
22	ing out ", and shall be given precedence in the adjudi-
23	cation thereof over all other civil cases not otherwise

24

entitled by law to precedence".

1	(51) Section 305(d)(2) of the Regional Rail Reor-
2	ganization Act of 1973 (45 U.S.C. 745(d)(2)) is amend-
3	ed—
4	(A) in the first sentence by striking out
5	"Within 180 days after" and inserting in lieu
6	thereof "After"; and
7	(B) in the last sentence by striking out
8	"Within 90 days after" and inserting in lieu
. 9	thereof "After".
10	(52) Section 124(b) of the Rock Island Transition
11	and Employee Assistance Act (45 U.S.C. 1018(b)) is
12	amended by striking out ", and shall render a final de-
13	cision no later than 60 days after the date the last
14	such appeal is filed".
15	(53) Section 402(g) of the Communications Act of
16	1934 (47 U.S.C. 402(g)) is amended—
17	(A) by striking out "At the earliest conven-
18	ient time the" and inserting in lieu thereof "The";
19	and
20	(B) by striking out "10(e) of the Administra-
21	tive Procedure Act" and inserting in lieu thereof
22	"706 of title 5, United States Code".
23	(54) Section 13A(a) of the Subversive Activities
24	Control Act of 1950 (50 U.S.C. 792a note) is amended
25	in the third sentence by striking out "or any court".

1	(55) Section 12(a) of the Military Selective Serv-
2	ice Act of 1967 (50 U.S.C. App. 462(a)) is amended
3	by striking out the last sentence.
4	(56) Section 4(b) of the Act of July 2, 1948 (50
5	U.S.C. App. 1984(b)), is amended by striking out the
6	last sentence.
7	EFFECTIVE DATE
8	SEC. 305. The amendments made by this title shall not
9	apply to cases pending on the date of the enactment of this

Passed the House of Representatives September 20, 1982.

Passed the House of Representatives , 1982.

Attest: EDMUND L. HENSHAW, JR.,

Clerk.

10 Act.