

97TH CONGRESS
2D SESSION

H. R. 6872

[Report No. 97-824, Part I]

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 1982

Mr. RAILSBACK (for himself, Mr. KASTENMEIER, Mr. BUTLER, Mr. SAWYER, and Mr. FRANK) introduced the following bill; which was referred jointly to the Committees on the Judiciary and Education and Labor

SEPTEMBER 16, 1982

Reported from the Committee on the Judiciary with an amendment, and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on July 27, 1982]

A BILL

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 *being repugnant to the Constitution, treaties, or laws of the*
2 *United States, or where any title, right, privilege, or immu-*
3 *nity is specially set up or claimed under the Constitution or*
4 *the treaties or statutes of, or any commission held or authori-*
5 *ty exercised under, the United States.”.*

6 **CONFORMING AMENDMENTS**

7 *SEC. 105. (a) The items relating to sections 1257 and*
8 *1258 in the section analysis of chapter 81 of title 28, United*
9 *States Code, are amended to read as follows:*

“1257. State courts; certiorari.

“1258. Supreme Court of Puerto Rico; certiorari.”.

10 *(b) Section 2101(a) of title 28, United States Code, is*
11 *amended by striking out “sections 1252, 1253 and 2282”*
12 *and inserting in lieu thereof “section 1253”.*

13 *(c)(1) Section 2104 of title 28, United States Code, is*
14 *amended to read as follows:*

15 **“§ 2104. Reviews of State court decisions**

16 *“A review by the Supreme Court of a judgment or*
17 *decree of a State court shall be conducted in the same manner*
18 *and under the same regulations, and shall have the same*
19 *effect, as if the judgment or decree reviewed had been ren-*
20 *dered in a court of the United States.”.*

21 *(2) The item relating to section 2104 in the section*
22 *analysis of chapter 133 of title 28, United States Code, is*
23 *amended to read as follows:*

“2104. Reviews of State court decisions.”.

1 (d) Section 2350(b) of title 28, United States Code, is
2 amended by striking out “1254(3)” and inserting in lieu
3 thereof “1254(2)”.

4 AMENDMENTS TO OTHER LAWS

5 SEC. 106. (a) Section 310 of the Federal Election
6 Campaign Act (2 U.S.C. 437h) is amended by repealing
7 subsection (b).

8 (b) Section 2 of the Act of May 18, 1928 (25 U.S.C.
9 652), is amended by striking out “, with the right of either
10 party to appeal to the United States Court of Appeals for the
11 Federal Circuit”.

12 (c) The last sentence of section 203(d) of the Trans-
13 Alaska Pipeline Authorization Act (43 U.S.C. 1652(d)) is
14 amended to read as follows: “An interlocutory or final judg-
15 ment, decree, or order of such distinct court may be reviewed
16 only upon petition for a writ of certiorari to the Supreme
17 Court of the United States.”.

18 (d) Section 209(e)(3) of the Regional Rail Reorganiza-
19 tion Act of 1973 (45 U.S.C. 719(e)(3)) is amended—

20 (1) in the first sentence by striking out “, except
21 that” and all that follows through the end of the sen-
22 tence and inserting in lieu thereof a period; and

23 (2) in the second sentence by striking out “peti-
24 tion or appeal shall be filed” and inserting in lieu

1 thereof “such petition shall be filed in the Supreme
2 Court”.

3 (e) Section 303(d) of the Regional Rail Reorganization
4 Act of 1973 (45 U.S.C. 743(d)) is amended to read as fol-
5 lows:

6 “(d) REVIEW.—A finding or determination entered by
7 the special court pursuant to subsection (c) of this section or
8 section 306 of this title shall be reviewable only upon petition
9 for a writ of certiorari to the Supreme Court of the United
10 States. Such review is exclusive and any such petition shall
11 be filed in the Supreme Court not more than 20 days after
12 entry of such finding or determination.”.

13 (f) Section 1152(b) of the Omnibus Budget Reconcili-
14 ation Act of 1981 (45 U.S.C. 1105(b)) is amended—

15 (1) in the first sentence by striking out “, except
16 that” and all that follows through the end of the sen-
17 tence and inserting in lieu thereof a period; and

18 (2) in the second sentence by striking out “peti-
19 tion or appeal shall be filed” and inserting in lieu
20 thereof “such petition shall be filed in the Supreme
21 Court”.

22 (g) Section 206 of the International Claims Settlement
23 Act of 1949 (22 U.S.C. 1631e) is amended by striking out
24 “1252, 1254, 1291,” and inserting in lieu thereof “1291”.

1 “(b) Subject to the provisions of this section, this sub-
2 chapter applies to a Federal grand or petit juror, except that
3 entitlement to disability compensation payments does not
4 commence until the day after the date of termination of serv-
5 ice as a Federal petit or grand juror.

6 “(c) In administering this subchapter with respect to a
7 Federal petit or grand juror—

8 “(1) a Federal petit or grand juror is deemed to
9 receive monthly pay at the minimum rate for grade
10 GS-2, except that in any case in which the actual pay
11 of any such juror is higher—

12 “(A) monthly pay is determined in accord-
13 ance with section 8114 of this title, subject to sub-
14 paragraphs (B) and (C) of this paragraph,

15 “(B) any reference in section 8114 of this
16 title to employment by or employee of the Govern-
17 ment shall, in the case of a juror who is not other-
18 wise an employee for purposes of this subchapter,
19 be deemed to refer to employment by or employee
20 of the actual employer, and

21 “(C) the average annual earnings of a juror
22 who is not otherwise an employee for purposes of
23 this subchapter may not exceed the minimum rate
24 of basic pay for GS-15; and

1 “(2) ‘performance of duty’ as a Federal petit or
 2 grand juror includes that time when the juror is (A) in
 3 attendance at court pursuant to a summons, (B) in de-
 4 liberation, (C) sequestered by order of a judge, or (D)
 5 traveling to and from the courthouse pursuant to a jury
 6 summons or sequestration order, or as otherwise neces-
 7 sitated by order of court such as for the taking of a
 8 view.”.

9 (b) The chapter analysis of chapter 81 of title 5, United
 10 States Code, is amended by inserting immediately after the
 11 item relating to section 8141 the following new item:

 “8141a. Federal petit and grand jurors.”.

12 (c) Section 8101(1) of title 5, United States Code, is
 13 amended—

14 (1) by striking out subparagraph (F); and

15 (2) in clause (iv) by striking out “; and” and in-
 16 serting in lieu thereof a period.

17 (d) The amendment made by subsection (a) shall take
 18 effect on October 1, 1982.

19 TAXATION OF JUROR ATTORNEY’S FEES

20 SEC. 202. Section 1875(d) of title 28, United States
 21 Code, is amended—

22 (1) by inserting “(1)” immediately after “(d)”;

23 and

24 (2) by amending paragraph (2) to read as follows:

1 “(2) In any action or proceeding under this section, the
2 court may award a prevailing employee who brings such
3 action or proceeding by retained counsel a reasonable attor-
4 ney’s fee as part of the costs. The court may tax a defendant
5 employer, as costs payable to the court, the attorney fees and
6 expenses incurred on behalf of a prevailing employee, in any
7 case in which such fees and expenses were paid pursuant to
8 paragraph (1) of this subsection. The court may award a
9 prevailing employer a reasonable attorney’s fee as part of the
10 costs only if the court finds that the action or proceeding is
11 frivolous, vexatious, or brought in bad faith.”.

12 *SERVICE OF SUMMONS FOR JURY SERVICE*

13 *SEC. 203. (a) The second paragraph of section 1866(b)*
14 *of title 28, United States Code, is amended to read as fol-*
15 *lows:*

16 *“Each person drawn for jury service may be served per-*
17 *sonally, or by registered, certified, or first class mail ad-*
18 *dressed to such person at his usual residence or business ad-*
19 *dress.”.*

20 *(b) The fourth paragraph of section 1866(b) of title 28,*
21 *United States Code, is amended to read as follows:*

22 *“If such service is made by mail, the summons may be*
23 *served by the marshal, clerk, or jury commission, or their*
24 *duly designated deputies, who shall make affidavit of service*

1 *and shall attach thereto any receipt from the addressee for a*
2 *registered or certified summons.”.*

3 **TITLE III—CIVIL PRIORITIES**

4 **ESTABLISHMENT OF PRIORITY OF CIVIL ACTIONS**

5 **SEC. 301.** *(a) Chapter 111 of title 28, United States*
6 *Code, is amended by adding at the end thereof the following*
7 *new section:*

8 **“§1657. Priority of civil actions**

9 *“(a) Notwithstanding any other provisions of law, each*
10 *court of the United States shall determine the order in which*
11 *civil actions are heard and determined, except that the court*
12 *shall expedite the consideration of any action brought under*
13 *chapter 153 or section 1826 of this title, any action for tem-*
14 *porary or preliminary injunctive relief, or any other action if*
15 *good cause therefor is shown.*

16 *“(b) The Judicial Conference of the United States may*
17 *modify the rules adopted by the courts to determine the order*
18 *in which civil actions are heard and determined, in order to*
19 *establish consistency among the judicial circuits.”*

20 *(b) The section analysis of chapter 111 of title 28,*
21 *United States Code, is amended by adding at the end thereof*
22 *the following new item:*

“1657. Priority of civil actions.”.

23 **AMENDMENTS TO OTHER LAWS**

24 **SEC. 302.** *The following provisions of law are amended:*

1 (1)(A) *Section 309(a)(10) of the Federal Election*
2 *Campaign Act of 1971 (2 U.S.C. 437g(a)(11) is re-*
3 *pealed.*

4 (B) *Section 310 of the Federal Election Cam-*
5 *paign Act of 1971 (2 U.S.C. 437h), as amended by*
6 *section 106(a) of this Act, is further amended—*

7 (i) *by striking out “(a)” after “SEC. 310.”;*

8 *and*

9 (ii) *by repealing subsection (c).*

10 (2) *Section 552(a)(4)(D) of title 5, United States*
11 *Code, is repealed.*

12 (3) *Section 6(a) of the Commodity Exchange Act*
13 *(7 U.S.C. 8(a)) is amended by striking out “The pro-*
14 *ceedings in such cases in the court of appeals shall be*
15 *made a preferred cause and shall be expedited in every*
16 *way.”.*

17 (4)(A) *Section 6(c)(4) of the Federal Insecticide,*
18 *Fungicide, and Rodenticide Act (7 U.S.C. 136d(c)(4))*
19 *is amended by striking out the second sentence.*

20 (B) *Section 10(d)(3) of the Federal Insecticide,*
21 *Fungicide, and Rodenticide Act (7 U.S.C. 136h(d)(3))*
22 *is amended by striking out “The court shall give expe-*
23 *ditated consideration to any such action.”.*

1 (C) Section 16(b) of the Federal Insecticide,
2 Fungicide, and Rodenticide Act (7 U.S.C. 136n(b)) is
3 amended by striking out the last sentence.

4 (D) Section 25(a)(4)(E)(iii) of the Federal Insec-
5 ticide, Fungicide, and Rodenticide Act (7 U.S.C.
6 136w(a)(4)(E)(iii)) is repealed.

7 (5) Section 204(d) of the Packers and Stockyards
8 Act, 1921 (7 U.S.C. 194(d)), is amended by striking
9 out the second sentence.

10 (6) Section 366 of the Agricultural Adjustment
11 Act of 1938 (7 U.S.C. 1366) is amended in the fourth
12 sentence by striking out "At the earliest convenient
13 time, the court, in term time or vacation," and insert-
14 ing in lieu thereof "The court".

15 (7)(A) Section 410 of the Federal Seed Act (7
16 U.S.C. 1600) is amended by striking out "The pro-
17 ceedings in such cases in the court of appeals shall be
18 made a preferred cause and shall be expedited in every
19 way."

20 (B) Section 411 of the Federal Seed Act (7
21 U.S.C. 1601) is amended by striking out "The pro-
22 ceedings in such cases shall be made a preferred cause
23 and shall be expedited in every way."

24 (8) Section 816(c)(4) of the Act of October 7,
25 1975, commonly known as the Department of Defense

1 *Appropriation Authorization Act of 1976 (10 U.S.C.*
2 *2304 note) is amended by striking out the last sen-*
3 *tence.*

4 *(9) Section 5(d)(6)(A) of the Home Owners' Loan*
5 *Act of 1933 (12 U.S.C. 1464(d)(6)(A)) is amended by*
6 *striking out "Such proceedings shall be given prece-*
7 *dence over other cases pending in such courts, and*
8 *shall be in every way expedited."*

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

22 *(B) Section 11(e) of the Clayton Act (15 U.S.C.*
23 *21(e)) is amended by striking out the first sentence.*

1 (11) Section 1 of the Act of February 11, 1903,
2 commonly known as the Expediting Act (15 U.S.C.
3 28) is repealed.

4 (12) Section 5(e) of the Federal Trade Commis-
5 sion Act (15 U.S.C. 45(e)) is amended by striking out
6 the first sentence.

7 (13) Section 21(f)(3) of the Federal Trade Com-
8 mission Improvements Act of 1980 (15 U.S.C. 57a-
9 1(f)(3)) is repealed.

10 (14) Section 11A(c)(4) of the Securities Ex-
11 change Act of 1934 (15 U.S.C. 78k-1(c)(4)) is
12 amended—

13 (A) by striking out “(A)” after “(4)”; and

14 (B) by striking out subparagraph (B).

15 (15)(A) Section 309(e) of the Small Business In-
16 vestment Act of 1958 (15 U.S.C. 687a(e)) is amended
17 by striking out the sixth sentence.

18 (B) Section 309(f) of the Small Business Invest-
19 ment Act of 1958 (15 U.S.C. 687a(f)) is amended by
20 striking out the last sentence.

21 (C) Section 311(a) of the Small Business Invest-
22 ment Act of 1958 (15 U.S.C. 687c(a)) is amended by
23 striking out the last sentence.

1 (16) Section 10(c)(2) of the Alaska Natural Gas
2 Transportation Act (15 U.S.C. 719h(c)(2)) is re-
3 pealed.

4 (17) Section 155(a) of the National Traffic and
5 Motor Vehicle Safety Act of 1966 (15 U.S.C.
6 1415(a)) is amended by striking out “(1)” and by
7 striking out paragraph (2).

8 (18) Section 503(b)(3)(E) of the Motor Vehicle
9 Information and Cost Savings Act (15 U.S.C.
10 2003(b)(3)(E)) is amended by striking out clause (ii)
11 and redesignating clauses (iii) and (iv) as clauses (ii)
12 and (iii), respectively.

13 (19) Section 23(d) of the Toxic Substances Con-
14 trol Act (15 U.S.C. 2622(d)) is amended by striking
15 out the last sentence.

16 (20) Section 12(e)(3) of the Coastal Zone Man-
17 agement Improvement Act of 1980 (16 U.S.C.
18 1463a(e)(3)) is repealed.

19 (21) Section 11 of the Act of September 28, 1976
20 (16 U.S.C. 1910), is amended by striking out the last
21 sentence.

22 (22)(A) Section 807(b) of the Alaska National
23 Interest Lands Conservation Act (16 U.S.C. 3117(b))
24 is repealed.

1 (B) Section 1108 of the Alaska National Interest
2 Lands Conservation Act (16 U.S.C. 3168) is amended
3 to read as follows:

4 “INJUNCTIVE RELIEF

5 “SEC. 1108. No court shall have jurisdiction to grant
6 any injunctive relief lasting longer than ninety days against
7 any action pursuant to this title except in conjunction with a
8 final judgment entered in a case involving an action pursu-
9 ant to this title.”.

10 (23)(A) Section 10(b)(3) of the Central Idaho
11 Wilderness Act of 1980 (Public Law 96-312; 94 Stat.
12 948) is repealed.

13 (B) Section 10(c) of the Central Idaho Wilder-
14 ness Act of 1980 is amended to read as follows:

15 “(c) Any review of any decision of the United States
16 District Court for the District of Idaho shall be made by the
17 Ninth Circuit Court of Appeals of the United States.”.

18 (24)(A) Section 1964(b) of title 18, United States
19 Code, is amended by striking out the second sentence.

20 (B) Section 1966 of title 18, United States Code,
21 is amended by striking out the last sentence.

22 (25)(A) Section 408(i)(5) of the Federal Food,
23 Drug, and Cosmetic Act (21 U.S.C. 346a(i)(5)) is
24 amended by striking out the last sentence.

1 (B) Section 409(g)(2) of the Federal Food, Drug,
2 and Cosmetic Act (21 U.S.C. 348(g)(2)) is amended
3 by striking out the last sentence.

4 (26) Section 8(f) of the Foreign Agents Registra-
5 tion Act of 1938 (22 U.S.C. 618(f)) is amended by
6 striking out the last sentence.

7 (27) Section 4 of the Act of December 22, 1974
8 (25 U.S.C. 640d-3), is amended by striking out "(a)"
9 and by striking out subsection (b).

10 (28)(A) Section 3310(e) of the Internal Revenue
11 Code of 1954 is repealed.

12 (B) Section 6110(f)(5) of the Internal Revenue
13 Code of 1954 is amended by striking out "and the
14 Court of Appeals shall expedite any review of such de-
15 cision in every way possible".

16 (C) Section 6363(d)(4) of the Internal Revenue
17 Code of 1954 is repealed.

18 (D) Section 7609(h)(3) of the Internal Revenue
19 Code of 1954 is repealed.

20 (E) Section 9010(c) of the Internal Revenue
21 Code of 1954 is amended by striking out the last
22 sentence.

23 (F) Section 9011(b)(2) of the Internal Revenue
24 Code of 1954 is amended by striking out the last
25 sentence.

1 (29)(A) *Section 596(a)(3) of title 28, United*
2 *States Code, is amended by striking out the last*
3 *sentence.*

4 (B) *Section 636(c)(4) of title 28, United States*
5 *Code, is amended in the second sentence by striking*
6 *out “expeditious and”.*

7 (C) *Section 1296 of title 28, United States Code,*
8 *and the item relating to that section in the section*
9 *analysis of chapter 83 of that title, are repealed.*

10 (D) *Subsection (c) of section 1364 of title 28,*
11 *United States Code, the section heading of which reads*
12 *“Senate actions”, is repealed.*

13 (E) *Section 2284(b)(2) of title 28, United States*
14 *Code, is amended by striking out the last sentence.*

15 (F) *Section 2349(b) of title 28, United States*
16 *Code, is amended by striking out the last two sen-*
17 *tences.*

18 (G) *Section 2647 of title 28, United States Code,*
19 *and the item relating to that section in the section*
20 *analysis of chapter 169 of that title, are repealed.*

21 (30) *Section 10 of the Act of March 23, 1932,*
22 *commonly known as the Norris-LaGuardia Act (29*
23 *U.S.C. 110), is amended by striking out “with the*
24 *greatest possible expedition” and all that follows*

1 *through the end of the sentence and inserting in lieu*
2 *thereof "expeditiously".*

3 (31) *Section 10(i) of the National Labor Rela-*
4 *tions Act (29 U.S.C. 160(i)) is repealed.*

5 (32) *Section 11(a) of the Occupational Safety*
6 *and Health Act of 1970 (29 U.S.C. 660(a)) is amend-*
7 *ed by striking out the last sentence.*

8 (33) *Section 4003(e)(4) of the Employee Retire-*
9 *ment Income Security Act of 1974 (29 U.S.C.*
10 *1303(e)(4)) is repealed.*

11 (34) *Section 106(a)(1) of the Federal Coal Mine*
12 *Health and Safety Act of 1969 (30 U.S.C. 816(a)(1))*
13 *is amended by striking out the last sentence.*

14 (35) *Section 1016 of the Impoundment Control*
15 *Act of 1974 (31 U.S.C. 1406) is amended by striking*
16 *out the second sentence.*

17 (36) *Section 2022 of title 38, United States*
18 *Code, is amended by striking out "The court shall*
19 *order speedy hearing in any such case and shall ad-*
20 *vance it on the calendar.".*

21 (37) *Section 3628 of title 39, United States*
22 *Code, is amended by striking out the fourth sentence.*

23 (38) *Section 1450(i)(4) of the Public Health*
24 *Service Act (42 U.S.C. 300j-9(i)(4)) is amended by*
25 *striking out the last sentence.*

1 (39) Section 304(e) of the Social Security Act
2 (42 U.S.C. 504(e)) is repealed.

3 (40)(A) Section 2004(e) of the Revised Statutes
4 of the United States (42 U.S.C. 1971(e)) is amend-
5 ed—

6 (i) in the third paragraph, by striking out
7 “An application for an order pursuant to this sub-
8 section shall be heard within ten days, and the ex-
9 ecution of any order disposing of such applica-
10 tion” and inserting in lieu thereof “The execution
11 of an order disposing of an application pursuant
12 to this subsection”; and

13 (ii) in the eighth paragraph, by striking out
14 the first sentence.

15 (B) Section 2004(g) of the Revised Statutes of
16 the United States (42 U.S.C. 1971(g)) is amended—

17 (i) in the first paragraph, by striking out “to
18 assign the case for hearing at the earliest practica-
19 ble date,” and by striking out “, and to cause the
20 case to be in every way expedited”; and

21 (ii) by striking out the third paragraph.

22 (41)(A) Section 10(c) of the Voting Rights Act of
23 1965 (42 U.S.C. 1973h(c)) is amended by striking
24 out “to assign the case for hearing at the earliest prac-

1 *licable date,” and by striking out “, and to cause the*
2 *case to be in every way expedited”.*

3 *(B) Section 301(a)(2) of the Voting Rights Act of*
4 *1965 (42 U.S.C. 1973bb(a)(2)) is amended by strik-*
5 *ing out “, and to cause the case to be in every way*
6 *expedited”.*

7 *(42)(A) Section 206(b) of the Civil Rights Act of*
8 *1964 (42 U.S.C. 2000a-5(b)) is amended—*

9 *(i) in the first paragraph, by striking out “to*
10 *assign the case for hearing at the earliest practica-*
11 *ble date,” and by striking out “, and to cause the*
12 *case to be in every way expedited”; and*

13 *(ii) by striking out the last paragraph.*

14 *(B) Section 706(f)(2) of the Civil Rights Act of*
15 *1964 (42 U.S.C. 2000e-5(f)(2)) is amended by strik-*
16 *ing out the last sentence.*

17 *(C) Section 706(f)(5) of the Civil Rights Act of*
18 *1964 (42 U.S.C. 2000e-5(f)(5)) is amended to read as*
19 *follows:*

20 *“(5) The judge designated to hear the case may appoint*
21 *a master pursuant to rule 53 of the Federal Rules of Civil*
22 *Procedure.”.*

23 *(D) Section 707(b) of the Civil Rights Act of*
24 *1964 (42 U.S.C. 2000e-6(b)) is amended—*

1 (i) in the first paragraph, by striking out “to
2 assign the case for hearing at the earliest practica-
3 ble date,” and by striking out “, and to cause the
4 case to be in every way expedited”; and

5 (ii) by striking out the last paragraph.

6 (43) Section 814 of the Act of April 11, 1968 (42
7 U.S.C. 3614), is repealed.

8 (44) The matter under subheading “EXPLORA-
9 TION OF NATIONAL PETROLEUM RESERVE IN
10 ALASKA” under the headings “ENERGY AND MINER-
11 ALS” and “GEOLOGICAL SURVEY” in title I of the
12 Act of December 12, 1980 (94 Stat. 2964; 42 U.S.C.
13 6508), is amended in the third paragraph by striking
14 out the last sentence.

15 (45) Section 214(b) of The Emergency Energy
16 Conservation Act of 1979 (42 U.S.C. 8514(b)) is re-
17 pealed.

18 (46) Section 2 of the Act of February 25, 1885
19 (43 U.S.C. 1062), is amended by striking out “; and
20 any suit brought under the provisions of this section
21 shall have precedence for hearing and trial over other
22 cases on the civil docket of the court, and shall be tried
23 and determined at the earliest practicable day”.

24 (47) Section 23(d) of the Outer Continental Shelf
25 Lands Act (43 U.S.C. 1349(d)) is repealed.

1 (48) *Section 511(c) of the Public Utilities Regu-*
2 *latory Policies Act of 1978 (43 U.S.C. 2011(c)) is*
3 *amended by striking out “Any such proceeding shall be*
4 *assigned for hearing at the earliest possible date and*
5 *shall be expedited by such court.”.*

6 (49) *Section 203(d) of the Trans-Alaska Pipeline*
7 *Authorization Act (43 U.S.C. 1652(d)) is amended by*
8 *striking out the fourth sentence.*

9 (50) *Section 5(f) of the Railroad Unemployment*
10 *Insurance Act (45 U.S.C. 355(f)) is amended by*
11 *striking out “, and shall be given precedence in the ad-*
12 *judication thereof over all other civil cases not other-*
13 *wise entitled by law to precedence”.*

14 (51) *Section 305(d)(2) of the Regional Rail Reor-*
15 *ganization Act of 1973 (45 U.S.C. 745(d)(2)) is*
16 *amended—*

17 (A) *in the first sentence by striking out*
18 *“Within 180 days after” and inserting in lieu*
19 *thereof “After”; and*

20 (B) *in the last sentence by striking out*
21 *“Within 90 days after” and inserting in lieu*
22 *thereof “After”.*

23 (52) *Section 124(b) of the Rock Island Transi-*
24 *tion and Employee Assistance Act (45 U.S.C.*
25 *1018(b)) is amended by striking out “, and shall*

