

*Supersedes H.R. 2406,
H.R. 4395,
H.R. 4396.*

I

97TH CONGRESS
2D SESSION

H. R. 6872

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

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 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1

SHORT TITLE

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SECTION 1. This Act may be cited as the “Federal

3

Court Reform Act of 1982”.

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TITLE I—SUPREME COURT REVIEW

5

REVIEW OF DECISIONS INVALIDATING ACTS OF CONGRESS

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SEC. 101. Section 1252 of title 28, United States Code,

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and the item relating to that section in the section analysis of

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chapter 81 of such title, are repealed.

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REVIEW OF DECISIONS INVALIDATING STATE STATUTES

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SEC. 102. (a) Section 1254 of title 28, United States

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Code, is amended by striking out paragraph (2) and redес-

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ignating paragraph (3) as paragraph (2).

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(b) The section heading for section 1254 of such title is

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amended by striking out “appeal;”.

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REVIEW OF STATE COURT DECISIONS INVOLVING VALIDITY

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OF STATUTES

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SEC. 103. Section 1257 of title 28, United States Code,

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is amended to read as follows:

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“§ 1257. **State courts; certiorari**

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“Final judgments or decrees rendered by the highest

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court of a State in which a decision could be had, may be

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reviewed by the Supreme Court by writ of certiorari where

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the validity of a treaty or statute of the United States is

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drawn in question or where the validity of a statute of any

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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 “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 AMENDMENT

2 SEC. 105. The section analysis of chapter 81 of title 28,
3 United States Code, is amended by amending the items relat-
4 ing to sections 1257 and 1258 to read as follows:

“1257. State courts; certiorari.

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

5 AMENDMENTS TO OTHER LAWS

6 SEC. 106. (a) Section 310 of the Federal Election Cam-
7 paign Act (2 U.S.C. 437h) is amended by striking out subsec-
8 tion (b) and redesignating subsection (c) as subsection (b).

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

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 district 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 ing in the Supreme Court on the effective date of such
2 amendments or affect the right to review or the manner of
3 reviewing the judgment or decree of a court which was en-
4 tered before such effective date.

5 TITLE II—JURORS AND SUMMONS FOR JURY

6 SERVICE

7 INJURY COMPENSATION FOR JURORS

8 SEC. 201. (a) Chapter 81 of title 5, United States Code,
9 is amended by inserting immediately after section 8141 the
10 following new section:

11 “§ 8141a. Federal petit and grand jurors

12 “(a) For purposes of this section, ‘Federal petit or grand
13 juror’ means a person who is selected pursuant to chapter
14 121 of title 28 and summoned to serve as a petit or grand
15 juror and who is entitled to the fees provided for attendance
16 in section 1871 of title 28.

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

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

24 “(1) a Federal petit or grand juror is deemed to
25 receive monthly pay at the minimum rate for grade

1 GS-2 of the General Schedule, except that in any case
2 in which the actual pay of any such juror who is other-
3 wise an employee for purposes of this subchapter serv-
4 ing on court leave is higher, monthly pay is determined
5 in accordance with section 8114 of this title, and

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

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

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

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

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

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

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

1 TAXATION OF JUROR ATTORNEY'S FEES

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

4 (1) by inserting “(1)” immediately after “(d)”; and

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

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

17 SERVICE OF SUMMONS FOR JURY SERVICE

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

21 “Each person drawn for jury service may be served per-
22 sonally, or by registered, certified, or first class mail ad-
23 dressed to such person at his usual residence or business ad-
24 dress.”.

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

3 “If such service is made by mail, the summons may be
4 served by the marshal, clerk, or jury commission, or their
5 duly designated deputies, who shall make affidavit of service
6 and shall attach thereto any receipt from the addressee for a
7 registered or certified summons.”.

8 TITLE III—CIVIL PRIORITIES

9 ESTABLISHMENT OF PRIORITY OF CIVIL ACTIONS

10 SEC. 301. (a) Chapter 111 of title 28, United States
11 Code, is amended by adding at the end thereof the following
12 new section:

13 “§ 1657. Priority of civil actions

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

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

1 (b) The section analysis of chapter 111 of title 28,
2 United States Code, is amended by adding at the end thereof
3 the following new item:

“1657. Priority of civil actions.”.

4 AMENDMENTS TO OTHER LAWS

5 SEC. 302. The following provisions of law are amended:

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

9 (B) Section 310(c) of the Federal Election Cam-
10 paign Act of 1971 (2 U.S.C. 437h(c)) is repealed.

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

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

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

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

1 (C) Section 16(b) of the Federal Insecticide, Fun-
2 gicide, 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 Insecti-
5 cide, 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)(A) Section 309(e) of the Small Business In-
11 vestment Act of 1958 (15 U.S.C. 687a(e)) is amended
12 by striking out the sixth sentence.

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

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

19 (15) Section 10(c)(2) of the Natural Gas Transpor-
20 tation Act (15 U.S.C. 719h(c)(2)) is repealed.

21 (16) Section 155(a) of the National Traffic and
22 Motor Vehicle Safety Act of 1966 (15 U.S.C. 1415(a))
23 is amended by striking out “(1)” and by striking out
24 paragraph (2).

1 final judgment entered in a case involving an action pursuant
2 to this title.”.

3 (22)(A) Section 10(b)(3) of the Central Idaho Wil-
4 derness Act of 1980 (Public Law 96–312; 94 Stat.
5 948) is repealed.

6 (B) Section 10(c) of the Central Idaho Wilderness
7 Act of 1980 is amended to read as follows:

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

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

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

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

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

21 (25) Section 8(f) of the Foreign Agents Registra-
22 tion Act of 1938 (22 U.S.C. 618(f)) is amended by
23 striking out the last sentence.

1 (26) Section 4 of the Act of December 22, 1974
2 (25 U.S.C. 640d-3), is amended by striking out “(a)”
3 and by striking out subsection (b).

4 (27)(A) Section 3310(e) of the Internal Revenue
5 Code of 1954 is repealed.

6 (B) Section 6110(f)(5) of the Internal Revenue
7 Code of 1954 is amended by striking out “and the
8 Court of Appeals shall expedite any review of such de-
9 cision in every way possible”.

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

12 (D) Section 7609(h) of the Internal Revenue Code
13 of 1954 is amended by striking out “Except as to
14 cases the court considers of greater importance, a pro-
15 ceeding brought for the enforcement of any summons,
16 or a proceeding under this section, and appeals, take
17 precedence on the docket over all cases and shall be
18 assigned for hearing and decided at the earliest practi-
19 cable date.”.

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

22 (F) Section 9011(b)(2) of the Internal Revenue
23 Code of 1954 is amended by striking out the last sen-
24 tence.

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

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

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

9 (D) Section 1364(c) of title 28, United States
10 Code, is repealed.

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

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

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

19 (29) Section 10 of the Act of March 23, 1932,
20 commonly known as the Norris-LaGuardia Act (29
21 U.S.C. 110) is amended by striking out "with the
22 greatest possible expedition" and all that follows
23 through the end of the sentence and inserting in lieu
24 thereof "expeditiously".

1 (30) Section 10(i) of the National Labor Relations
2 Act (29 U.S.C. 160(i)) is repealed.

3 (31) Section 11(a) of the Occupational Safety and
4 Health Act of 1970 (29 U.S.C. 660(a)) is amended by
5 striking out the last sentence.

6 (32) Section 4003(e)(4) of the Employee Retirement
7 Income Security Act of 1974 (29 U.S.C.
8 1303(e)(4)) is repealed.

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

12 (34) Section 1016 of the Impoundment Control
13 Act of 1974 (31 U.S.C. 1406) is amended by striking
14 out the second sentence.

15 (35) Section 2022 of title 38, United States Code,
16 is amended by striking out “The court shall order
17 speedy hearing in any such case and shall advance it
18 on the calendar.”.

19 (36) Section 3628 of title 39, United States Code,
20 is amended by striking out the fourth sentence.

21 (37) Section 1450(i)(4) of the Public Health Serv-
22 ice Act (42 U.S.C. 300j-9(i)(4)) is amended by striking
23 out the last sentence.

24 (38) Section 304(e) of the Social Security Act (42
25 U.S.C. 504(e)) is repealed.

1 (39)(A) Section 2004(e) of the Revised Statutes of
2 the United States (42 U.S.C. 1971(e)) is amended—

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

10 (ii) in the eighth paragraph, by striking out
11 the first sentence.

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

14 (i) in the first paragraph, by striking out “to
15 assign the case for hearing at the earliest practi-
16 cable date,” and by striking out “, and to cause
17 the case to be in every way expedited”; and

18 (ii) by striking out the third paragraph.

19 (40)(A) Section 10(c) of the Voting Rights Act of
20 1965 (42 U.S.C. 1973h(c)) is amended by striking out
21 “to assign the case for hearing at the earliest practica-
22 ble date,” and by striking out “, and to cause the case
23 to be in every way expedited”.

24 (B) Section 301(a)(2) of the Voting Rights Act of
25 1965 (42 U.S.C. 1973bb(a)(2)) is amended by striking

1 out “, and to cause the case to be in every way expedited”.

3 (41)(A) Section 206(b) of the Civil Rights Act of
4 1964 (42 U.S.C. 2000a-5(b)) is amended—

5 (i) in the first paragraph, by striking out “to
6 assign the case for hearing at the earliest practicable date,” and by striking out “, and to cause
7 the case to be in every way expedited”; and

8 (ii) by striking out the last paragraph.

9 (B) Section 706(f)(2) of the Civil Rights Act of
10 1964 (42 U.S.C. 2000e-5(f)(2)) is amended by striking
11 out the last sentence.

12 (C) Section 706(f)(5) of the Civil Rights Act of
13 1964 (42 U.S.C. 2000e-5(f)(5)) is amended to read as
14 follows:
15

16 “(5) The judge designated to hear the case may appoint
17 a master pursuant to rule 53 of the Federal Rules of Civil
18 Procedure.”.

19 (D) Section 707(b) of the Civil Rights Act of
20 1964 (42 U.S.C. 2000e-6(b)) is amended—

21 (i) in the first paragraph, by striking out “to
22 assign the case for hearing at the earliest practicable date,” and by striking out “, and to cause
23 the case to be in every way expedited”; and

24 (ii) by striking out the last paragraph.

1 (42) Section 814 of the Act of April 11, 1968 (42
2 U.S.C. 3614), is repealed.

3 (43) The matter under the subheading “EXPLO-
4 RATION OF NATIONAL PETROLEUM RESERVE” under
5 the headings “ENERGY AND MINERALS” and
6 “GEOLOGICAL SURVEYS” in title I of the Act of De-
7 cember 12, 1980 (94 Stat. 2964; 42 U.S.C. 6508), is
8 amended in the third paragraph by striking out the last
9 sentence.

10 (44) Section 214(b) of The Emergency Energy
11 Conservation Act of 1979 (42 U.S.C. 8514(b)) is re-
12 pealed.

13 (45) Section 2 of the Act of February 25, 1885
14 (43 U.S.C. 1062), is amended by striking out “; and
15 any suit brought under the provisions of this section
16 shall have precedence for hearing and trial over other
17 cases on the civil docket of the court, and shall be tried
18 and determined at the earliest practicable day”.

19 (46) Section 23(d) of the Outer Continental Shelf
20 Lands Act (43 U.S.C. 1349(d)) is repealed.

21 (47) Section 511(c) of the Public Utilities Regula-
22 tory Policies Act of 1978 (43 U.S.C. 2011(c)) is
23 amended by striking out “Any such proceeding shall be
24 assigned for hearing at the earliest possible date and
25 shall be expedited by such court.”.

1 (48) Section 203(d) of the Trans-Alaska Pipeline
2 Authorization Act (43 U.S.C. 1652(d)) is amended by
3 striking out the fourth sentence.

4 (49) Section 5(f) of the Railroad Unemployment
5 Insurance Act (45 U.S.C. 355(f)) is amended by strik-
6 ing out “, and shall be given precedence in the adjudi-
7 cation thereof over all other civil cases not otherwise
8 entitled by law to precedence”.

9 (50) Section 305(d)(2) of the Regional Rail Reor-
10 ganization Act of 1973 (45 U.S.C. 745(d)(2)) is amend-
11 ed—

12 (A) in the first sentence by striking out
13 “Within 180 days after” and inserting in lieu
14 thereof “After”; and

15 (B) in the last sentence by striking out
16 “Within 90 days after” and inserting in lieu
17 thereof “After”.

18 (51) Section 124(b) of the Rock Island Transition
19 and Employee Assistance Act (45 U.S.C. 1018(b)) is
20 amended by striking out “, and shall render a final de-
21 cision no later than 60 days after the date the last
22 such appeal is filed.”.

23 (52) Section 402(g) of the Communications Act of
24 1934 (47 U.S.C. 402(g)) is amended—

1 (A) by striking out “At the earliest conven-
2 ient time the” and inserting in lieu thereof “The”;
3 and

4 (B) by striking out “10(e) of the Administra-
5 tive Procedure Act” and inserting in lieu thereof
6 “706 of title 5, United States Code”.

7 (53) Section 13A(a) of the Subversive Activities
8 Control Act of 1950 (50 U.S.C. 792a note) is amended
9 in the last sentence by striking out “or any court”.

10 (54) Section 12(a) of the Military Selective Serv-
11 ice Act of 1967 (50 U.S.C. App. 462(a)) is amended
12 by striking out the last sentence.

13 (55) Section 4(b) of the Act of July 2, 1948 (50
14 U.S.C. App. 1984(b)), is amended by striking out the
15 last sentence.

16 **EFFECTIVE DATE**

17 **SEC. 305.** The amendments made by this title shall not
18 apply to cases pending on the date of the enactment of this
19 Act.

○