

June 15, 2009

Mr. SCOTT of Virginia: Mr. Speaker, H.R. 2661, the Court Security Enhancement Act, addresses improper public disclosure of private information regarding all Federal employees, Federal officers, and persons involved in the judicial system. Specifically, this bill addresses the public disclosure of private information with the intent to threaten, intimidate or incite violence against a Federal employee or officer, a person involved in the judicial system, or his or her family.

The safety of all who participate in our judicial process is essential to the integrity of our judicial system. Threats and attacks against citizens and court officials are also attacks on the fair and effective administration of justice.

It is already a felony to knowingly disclose with harmful intent restricted personal information, including a Federal employee's home address, home phone number or Social Security number. However, the maximum penalty is currently 5 years. This bill will increase that penalty to 10 years.

The United States Sentencing Commission has brought to our attention the disparity between the 5-year penalty for this crime and the 10-year penalty for another serious form of harassment and attack on Federal employees, that of filing false liens against the Federal employee.

The Sentencing Commission has asked whether or not we intended that disparity. We did not. To reduce the disparity and to bring the penalty for disclosing private information with a criminal intent in line with the seriousness of the offense, the Court Security Enhancement Act increases the penalty from 5 to 10 years.

This bill also corrects a conflict we inadvertently created last session in sections 503 and 504 of the Court Security Improvement Act of 2007. This bill eliminates that conflict and clarifies that senior judges must perform at least the equivalent of a 6-month workload of an active judge to participate in court governance matters, including the selection of magistrate judges.

I urge my colleagues to support this important legislation and thank the gentleman from Texas for introducing the bill.