

GINNY BROWN-WAITE, Representative of Florida's Fifth Congressional District, and is cosponsored by the State's entire congressional delegation. Congresswoman GINNY BROWN-WAITE's measure, H.R. 5168, was reported from the Oversight Committee on February 26, 2008, by voice vote.

This morning's postal naming bill honoring Specialist Grater brings to life the tragic yet heroic story of another American soldier who gave his life in service to this great country of ours.

A native of Spring Hill, Florida, Specialist Cody Grater was tragically killed on July 29, 2007, when his guard position was struck by a rocket-propelled grenade near Baghdad in Iraq. Specialist Grater was only 20 years old when he lost his life in the line of duty as a member of the 407th Brigade Support Battalion, 2nd Brigade Combat Team, 82nd Airborne Division out of Fort Bragg, North Carolina.

The son of Anita Lewis and Larry Decker, Cody Grater joined the Army in April of 2006, and for his service, although short-lived, he has been awarded the Bronze Star Medal and the Purple Heart. It is reported that during his burial service at Florida National Cemetery in Bushnell, Florida, the streets were lined for miles with well-wishers and people waving flags, saluting and crying in tribute to a true American hero.

Mr. Speaker, let us also join that host of well-wishers, loved ones and friends of Specialist Cody Grater and pass H.R. 5168, designating the Cortez Boulevard Post Office Building in Brooksville, Florida, in his honor.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Virginia. Mr. Speaker, I yield such time as she may consume to the author of this legislation, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman for recognizing me.

Mr. Speaker, I rise today in support of my bill, H.R. 5168, which will rename the post office on Cortez Boulevard in Brooksville, Florida, after Private First Class Cody Grater. Cody was a resident from my district who lived in Spring Hill. He gave the ultimate sacrifice, his life, for his country while serving in Iraq.

Cody Grater joined the Army in 2006 when he was only 19 years old. Actually, my grandson went to high school with him, so this tragedy certainly did hit home with our family. Cody was proud to be serving his country and hoped to make a career out of his service in the Army. By the time of his death in July 2007, Cody had received the Purple Heart, the Bronze Star Medal, the Combat Action Badge and many other honors.

While serving on guard duty in Baghdad, the rooftop where Cody stood guard was struck by a rocket-propelled grenade. Just two weeks earlier, Cody

been on leave in Florida with his family, where he was telling people about his previous experiences in Iraq, sharing it with his friends, family and former high school mates. Even though he was just at the halfway point of his tour of duty, Cody expressed plans to reenlist after his initial service in the Army was completed.

I hope that this act of renaming the post office will memorialize Cody's brave and selfless life. Cody Grater epitomizes the courage and patriotism of our volunteer military, and we must never forget his great sacrifice to our Nation.

I urge my colleagues to support this bill, which rightfully honors Cody Grater.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve my time.

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this legislation to rename the post office located at 19101 Cortez Boulevard in Brooksville, Florida, in honor of Private First Class Cody Grater.

Private First Class Grater's love for his country can't be disputed, of course. He joined the U.S. Army as soon as he finished Springstead High School in Florida, and then made the ultimate sacrifice, laying down his life for the country he held dear.

Growing up in Hernando County, Florida, Cody enjoyed working with cars and reading military-themed books. This, of course, led him to join the Army in April of 2006, where he was assigned to the 40th Brigade Battalion, 2nd Brigade Command Team, and then reassigned to the 82nd Airborne Division.

On July 29, 2007, Private First Class Grater was standing post on a rooftop of an outpost in Baghdad when he and a fellow comrade were struck by a rocket-propelled grenade. Tragically, 20-year-old Pfc. Grater was killed.

Among his many awards and decorations for his remarkable achievements were the Bronze Star, Purple Heart, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Medal, Army Service Ribbon and the Combat Action Badge.

Pfc. Grater loved serving his country and firmly believed he was making a difference. With gratitude for his bravery and sacrifice to our country, I ask all Members to join me in voting to rename the post office located at 19101 Cortez Boulevard in Brooksville, Florida, in his honor.

I want to thank Ms. GINNY BROWN-WAITE for bringing this legislation forward, and Chairman WAXMAN and Chairman DAVIS for their assistance in moving this to the floor today.

Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr.

DAVIS) that the House suspend the rules and pass the bill, H.R. 5168.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PAYING ATTORNEYS OF INDIGENT DEFENDANTS IN THE DISTRICT OF COLUMBIA

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5551) to amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5551

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. IMPLEMENTATION OF INCREASE PROVIDED IN FUNDING FOR COMPENSATION OF ATTORNEYS REPRESENTING INDIGENT DEFENDANTS IN DISTRICT OF COLUMBIA COURTS.

(a) INCREASE IN HOURLY RATE.—Section 11-2604(a), District of Columbia Official Code, is amended by striking “\$65 per hour” and inserting “\$80 per hour”.

(b) INCREASE IN CAPS ON TOTAL COMPENSATION PAID FOR PARTICULAR CASES.—Section 11-2604(b), District of Columbia Official Code, is amended to read as follows:

“(b) The compensation to be paid to an attorney appointed pursuant to this chapter shall not exceed the following maximum amounts:

“(1) For representation of a defendant before the Superior Court of the District of Columbia for misdemeanors or felonies, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant before the United States magistrate judge or the district court for misdemeanors or felonies (as the case may be).

“(2) For representation of a defendant before the District of Columbia Court of Appeals, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant in an appellate court.

“(3) For representation of a defendant in post-trial matters for misdemeanors or felonies, the amount applicable under paragraph (1) for misdemeanors or felonies (as the case may be).”

#### SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to cases and proceedings initiated on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Virginia (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she might consume to the author of this legislation, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding, and I especially thank him for his alacrity and the expert way in which he has carried this bill quickly to and through the process.

Mr. Speaker, this is a no-cost bill. Indeed, the appropriations for an increase in the amounts paid to these attorneys has been appropriated.

This is another of those District of Columbia anomalies. The courts of the District of Columbia operate through payments from the appropriations of the Congress of the United States and the judges are Title I attorneys. Therefore, District of Columbia judges may not use the funds that have been appropriated to raise the hourly rate of these attorneys, who are essential to the functioning, particularly of the criminal justice system, but also of the civil justice system, in the District of Columbia. They supplement the Public Defender Service of the District of Columbia.

These attorneys have not had their hourly rates raised since 2002, when they were set at \$65 per hour. They have requested \$80 per hour. They are being granted \$80 an hour, this in spite of the fact that the rate of inflation has been between 3 and 4 percent a year. They, of course, had in mind that they went some years where their rates did not keep up with the rates of other attorneys who serve Federal courts. Of course, they recognize that we are not going to raise their rates every year, but this is what the Congress is willing to do at this time.

It does seem to me that the last thing we want to do is to slow down in particular criminal justice processing in the District of Columbia, particularly where there are already funds from the Appropriations Committee available, and when the failure to spend them only comes from a jurisdictional technicality, where we and we alone can indeed authorize the spending of these funds.

What H.R. 5551 does is simply accomplish this authorization. I am very, very grateful to Chairman DAVIS for bringing this bill forward so quickly.

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. I am pleased it has moved so quickly through the committee and is being considered by the House today.

When I was chairman of the D.C. Subcommittee, Congress enacted legislation I sponsored known as the National Capital Revitalization and Self-

Government Improvement Act of 1997. This law in part granted Congress authority over the District's court system in matters relating to public defender services. The law also amended the D.C. Home Rule Act to the same effect.

H.R. 5551, authored by Ms. NORTON, would authorize a provision of the D.C. Appropriations Act of 2008 which increased from \$65 per hour to \$80 per hour the amount of compensation for attorneys representing indigent clients before the District of Columbia Superior Court.

The current compensation rate of \$65 per hour was established in fiscal year 2002, an increase from the previous rate of \$50 per hour. Attorneys representing indigents in similar cases before U.S. District Courts are compensated at a rate of \$100 per hour. No opposition to this bill was raised, either during the committee hearing or at the committee markup.

I urge my colleagues to support this legislation. Again, I thank Ms. NORTON for bringing this forward, and Chairman WAXMAN and Chairman DAVIS for moving this ahead so quickly. I think this needs to be enacted.

Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

As a member of the House Committee on Oversight and Government Reform, I stand with my colleague, Congresswoman ELEANOR HOLMES NORTON from our Nation's Capital, the District of Columbia, in consideration of H.R. 5551, which will provide for a much-needed increase in the compensation paid to attorneys assigned to represent indigent clients in the D.C. court system.

Congresswoman NORTON and I introduced this measure on March 6, 2008. On March 11, 2008, the Subcommittee on Federal Workforce, Postal Service, and the District of Columbia held a hearing to examine aspects of the legislation, and on March 13, 2008, the Committee on Oversight and Government Reform considered and passed the bill out of committee by voice vote.

H.R. 5551 calls for an increase in the hourly pay rate from \$65 to \$80 for Criminal Adjusters Act, CJA attorneys, representing indigent defendants in the D.C. courts. The measure would also increase the caps on the total compensation paid to these attorneys per case type to be equal to the total compensation paid to attorneys representing similar clients in Federal Court.

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The increased compensation rate for CJA attorneys practicing in D.C. courts would only apply to cases that proceeded or initiated on or after the date of enactment of the Act.

Mr. Speaker, a core element of our unique democracy is the right and requirement that every citizen, regardless of income or socioeconomic class,

be afforded adequate counsel or representation when confronting judicial proceedings. In fact, one of the most important decisions in this area of law was handed down by the U.S. Supreme Court in 1942, when it held that the Sixth Amendment required the government afford indigent defendants with competent counsel. The measure we have before us further reiterates this fundamental concept by helping to ensure that the D.C. court system is in a competitive position to attract the best and brightest lawyers to represent the indigent. And so, Mr. Speaker, I urge passage of H.R. 5551.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5551.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

**PRESERVING EXISTING JUDGESHIPS ON THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 550) to preserve existing judgeships on the Superior Court of the District of Columbia.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 550

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. COMPOSITION OF SUPERIOR COURT.**

Section 903 of title 11 of the District of Columbia Code is amended by striking "fifty-eight" and inserting "61".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Virginia (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

**GENERAL LEAVE**

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she might consume to the distinguished gentlelady from the District of Columbia, Delegate ELEANOR HOLMES NORTON.

Ms. NORTON. Again, thank you, Mr. Chairman, because your quick action on these matters affecting criminal and civil justice in the District of Columbia could not be more important to us. I appreciate the expertise of you