

DIVISIONAL REALIGNMENT FOR THE EASTERN DISTRICT OF ARKANSAS ACT OF 2019

OCTOBER 22, 2019.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. NADLER, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 1123]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1123) to amend title 28, United States Code, to modify the composition of the eastern judicial district of Arkansas, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

CONTENTS

Purpose and Summary	Page 1
Background and Need for the Legislation	2
Hearings	2
Committee Consideration	2
Committee Votes	2
Committee Oversight Findings	2
New Budget Authority and Tax Expenditures and Congressional Budget Of- fice Cost Estimate	2
Duplication of Federal Programs	2
Performance Goals and Objectives	3
Advisory on Earmarks	3
Section-by-Section Analysis	3
Changes in Existing Law Made by the Bill, as Reported	3

Purpose and Summary

H.R. 1123 would amend 28 U.S.C. 83 to divide the Eastern Dis-
trict of Arkansas into three divisions: the Central, Delta, and
Northern Divisions.

Background and Need for the Legislation

H.R. 1123 would amend current law to reduce the number of operating divisions in the Eastern District of Arkansas from five to three. The bill was prompted by the closure in 2017 of the only federal courthouses in two of the current divisions. The three new divisions created by H.R. 1123 would align with the three remaining courthouses in that district. The new divisional lines are based primarily on caseload history and travel times to the remaining courthouses.

Hearings

The Committee held no hearings on H.R. 1123.

Committee Consideration

On October 16, 2019, the Committee met in open session and ordered the bill, H.R. 1123, favorably reported, without amendment, by voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that no rollcall votes occurred during the Committee's consideration of H.R. 1123.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures and Congressional Budget Office Cost Estimate

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this Report from the Director of the Congressional Budget Office. The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this Report contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

Duplication of Federal Programs

No provision of H.R. 1123 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section

21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1123 would better align the judicial divisions of the Eastern District of Arkansas with the presently-open courthouses in the district.

Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1123 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Sec. 1. Short Title. Section 1 sets forth the short title of the bill as the “Divisional Realignment for the Eastern District of Arkansas Act of 2019.”

Sec. 2. Definitions. Section 2 amends section 83 of title 28 of the U.S. Code to define the three divisions (Central, Delta, and Northern) that comprise the Eastern District of Arkansas and where court shall be held for each.

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, H.R. 1123, as reported, are shown as follows:

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

TITLE 28, UNITED STATES CODE

* * * * *

§ 83. Arkansas

Arkansas is divided into two judicial districts to be known as the Eastern and Western Districts of Arkansas.

【Eastern District】

[(a) The Eastern District comprises five divisions.

[(1) The Eastern Division comprises the counties of Cross, Lee, Monroe, Phillips, Saint Francis, and Woodruff. Court for the Eastern Division shall be held at Helena.

[(2) The Western Division comprises the counties of Conway, Faulkner, Lonoke, Perry, Pope, Prairie, Pulaski, Saline, Van Buren, White, and Yell.

Court for the Western Division shall be held at Little Rock.

[(3) The Pine Bluff Division comprises the counties of Arkansas, Chicot, Cleveland, Dallas, Desha, Drew, Grant, Jefferson, and Lincoln.

Court for the Pine Bluff Division shall be held at Pine Bluff.

[(4) The Northern Division comprises the counties of Cleburne, Fulton, Independence, Izard, Jackson, Sharp, and Stone.

Court for the Northern Division shall be held at Batesville.

[(5) The Jonesboro Division comprises the counties of Clay, Craighead, Crittenden, Greene, Lawrence, Mississippi, Poinsett, and Randolph.

Court for the Jonesboro Division shall be held at Jonesboro.】

Eastern District

(a) *The Eastern District comprises three divisions.*

(1) *The Central Division comprises the counties of Cleburne, Cleveland, Conway, Dallas, Drew, Faulkner, Grant, Jefferson, Lincoln, Lonoke, Perry, Pope, Prairie, Pulaski, Saline, Stone, Van Buren, White, and Yell.*

Court for the Central Division shall be held at Little Rock.

(2) *The Delta Division comprises the counties of Arkansas, Chicot, Crittenden, Desha, Lee, Monroe, Phillips, and St. Francis.*

Court for the Delta Division shall be held at Helena.

(3) *The Northern Division comprises the counties of Clay, Craighead, Cross, Fulton, Greene, Independence, Izard, Jackson, Lawrence, Mississippi, Poinsett, Randolph, Sharp, and Woodruff.*

Court for the Northern Division shall be held at Jonesboro.

Western District

(b) *The Western District comprises six divisions.*

(1) *The Texarkana Division comprises the counties of Hempstead, Howard, Lafayette, Little River, Miller, Nevada, and Sevier.*

Court for the Texarkana Division shall be held at Texarkana, and may be held anywhere within the Federal courthouse in Texarkana that is located astride the State line between Texas and Arkansas.

(2) *The El Dorado Division comprises the counties of Ashley, Bradley, Calhoun, Columbia, Ouachita, and Union.*

Court for the El Dorado Division shall be held at El Dorado.

(3) *The Fort Smith Division comprises the counties of Crawford, Franklin, Johnson, Logan, Polk, Scott, and Sebastian.*

Court for the Fort Smith Division shall be held at Fort Smith.

(4) *The Harrison Division comprises the counties of Baxter, Boone, Carroll, Marion, Newton, and Searcy.*

Court for the Harrison Division shall be held at Harrison.

(5) *The Fayetteville Division comprises the counties of Benton, Madison, and Washington.*

Court for the Fayetteville Division shall be held at Fayetteville.

(6) The Hot Springs Division comprises the counties of Clark,
Garland, Hot Springs, Montgomery, and Pike.
Court for the Hot Springs Division shall be held at Hot Springs.

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