

105TH CONGRESS
1ST SESSION

H. R. 932

To amend chapter 3 of title 28, United States Code, to provide for the appointment in each United States circuit court of appeals, of at least one resident of each State in such circuit, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1997

Mr. ABERCROMBIE (for himself and Mrs. MINK of Hawaii) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 3 of title 28, United States Code, to provide for the appointment in each United States circuit court of appeals, of at least one resident of each State in such circuit, 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,*

3 **SECTION 1. STATE RESIDENCY OF JUDGES OF UNITED**
4 **STATES COURTS OF APPEALS.**

5 (a) IN GENERAL.—Section 44(c) of title 28, United
6 States Code, is amended—

7 (1) by inserting “(1)” after “(c)”; and

1 (2) by adding at the end thereof the following
2 new paragraph:

3 “(2) In each circuit (other than the District of Co-
4 lumbia or Federal judicial circuit) there shall be at least
5 one circuit judge in regular active service appointed from
6 the residents of each State in that circuit.”.

7 (b) APPOINTMENTS.—

8 (1) FUTURE APPOINTMENTS.—The President
9 shall make appointments under subsection (a) of
10 section 44 of title 28, United States Code, to fill va-
11 cancies occurring and judgeships created on or after
12 the date of the enactment of this Act in a manner
13 to meet the requirements of subsection (c)(2) of
14 such section (as added by subsection (a) of this sec-
15 tion) at the earliest practical date.

16 (2) SITTING JUDGES NOT AFFECTED.—The
17 amendment made by subsection (a) shall not affect
18 the tenure of any judge of a United States court of
19 appeals who is in office on the date of the enactment
20 of this Act.

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