

105TH CONGRESS
1ST SESSION

S. 382

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 1997

Mr. AKAKA (for himself and Mr. INOUE) introduced the following bill; which was read twice and 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 Federal judicial 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 FEDERAL**
4 **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 Federal judicial
4 circuit) there shall be at least one circuit judge in regular
5 active service appointed from the residents of each State
6 in that circuit.”.

7 (b) APPOINTMENTS.—As vacancies occur and judge-
8 ships are created for Federal circuit judges, the President
9 shall make appointments under section 44(a) of title 28,
10 United States Code, in a manner to meet the requirements
11 of subsection (c)(2) of such section (as added by sub-
12 section (a) of this section) at the earliest practical date.

○