

Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 22, 2003, at 10 a.m., to conduct an oversight hearing on "Jumpstarting the Economy: Increasing Investment in the Equity Markets."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that Mr. Robert Dean, a congressional fellow in my office, be granted the privilege of the floor now and for the duration of the debate on the tax bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that Patrick Shen, a detailee on my Judicial Committee staff, be granted the privilege of the floor for the duration of this session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 1104

Mr. FRIST. Mr. President, I understand that S. 1104 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1104) to amend title 10, United States Code, to provide for parental involvement in abortions of dependent children of members of the Armed Forces.

Mr. FRIST. I now ask for its second reading and object to further proceeding on this matter.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 90, 91, 178, 179, 180, 181, 182, 183, 184, 185, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198.

I further ask unanimous consent that the nominations be confirmed en bloc; that the motions to reconsider be laid upon table; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

UNITED STATES SENTENCING COMMISSION

Michael E. Horowitz, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

Ricardo H. Hinojosa, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

DEPARTMENT OF JUSTICE

Mark Moki Hanohano, of Hawaii, to be United States Marshal for the District of Hawaii for the term of four years.

THE JUDICIARY

L. Scott Coogler, of Alabama, to be United States District Judge for the Northern District of Alabama.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Steven B. Nesmith, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

NATIONAL INSTITUTE OF BUILDING SCIENCES

Lane Carson, of Louisiana, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

James Broaddus, of Texas, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

Jose Teran, of Florida, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

Morgan Edwards, of North Carolina, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

EXECUTIVE OFFICE OF THE PRESIDENT

Nicholas Gregory Mankiw, of Massachusetts, to be a Member of the Council of Economic Advisers.

DEPARTMENT OF STATE

Jeffrey Lunstead, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

James B. Foley, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

Steven A. Browning, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malawi.

Harry K. Thomas, Jr., of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Bangladesh.

Richard W. Erdman, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Democratic Republic of Algeria.

Michael B. Enzi, of Wyoming, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Paul Sarbanes, of Maryland, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

James Shinn, of New Jersey, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Cynthia Costa, of South Carolina, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Ralph Martinez, of Florida, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

NOMINATIONS OF RICARDO HINOJOSA AND MICHAEL HOROWITZ

Mr. KENNEDY. Mr. President, I support the nominations of Ricardo Hinojosa and Michael Horowitz to the United States Sentencing Commission. The Sentencing Commission is responsible for developing guidelines for sentencing in Federal courts; collecting data about crime and sentencing; and serving as a resource to Congress, the White House, the Justice Department, and the judiciary on crime and sentencing policy. It is therefore critical that nominations to this commission continue to be made in a fair, cooperative, and bipartisan manner.

When Mr. Hinojosa's and Mr. Horowitz's nominations came up in the Judiciary Committee in March 2003, I voted "present" because I was concerned about the process by which the White House had selected them. In particular, I was concerned that instead of the bipartisan selection process by which previous nominees had been named, the White House had selected Mr. Horowitz as an ostensible "Democratic" nominee without any consultation with Senate Democrats.

Since that vote in committee, I have been informed that White House Counsel Alberto Gonzales has assured the ranking member of our committee, Senator LEAHY, that the White House is treating both Mr. Hinojosa and Mr. Horowitz as Republican nominees to the commission. I further understand that when the next three vacancies arise on the commission in October, the President will either reappoint all three commissioners now holding those seats—Ruben Castillo, William Sessions, and Michael O'Neill—or will consult in the traditional and appropriate manner with the Democratic leadership before announcing a replacement nominee for a current Democratic commissioner. Based on that understanding, I have decided to support these important nominations to the U.S. Sentencing Commission.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

ADDITIONAL PERMANENT JUDGESHIP IN THE DISTRICT OF IDAHO

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 102, S. 878.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 878) to authorize additional permanent judgeship in the District of Idaho, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 878

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

SECTION 1. DISTRICT JUDGESHIP FOR THE DISTRICT OF IDAHO.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of Idaho.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table contained in section 133(a) of title 28, United States Code, is amended by striking the item relating to Idaho and inserting the following:

“Idaho 3”.]

SECTION 1. DISTRICT JUDGESHIP FOR THE NORTHERN DISTRICT OF ALABAMA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the northern district of Alabama.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Alabama and inserting the following:

“Alabama: Northern 8 Middle 3 Southern 3.”

SEC. 2. DISTRICT JUDGESHIPS FOR THE DISTRICT OF ARIZONA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate, 2 additional district judges for the district of Arizona.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Arizona and inserting the following:

“Arizona 14”.

SEC. 3. DISTRICT JUDGESHIPS FOR THE EASTERN AND SOUTHERN DISTRICTS OF CALIFORNIA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate—

- (1) 3 additional district judges for the eastern district of California; and
(2) 1 additional district judge for the southern district of California.

(b) CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP.—The existing judgeship for the eastern district of California authorized by section 203(c) of the Judicial Improvements Act of 1990 (28 U.S.C. 133 note; Public Law 101-650) shall, as of the date of enactment of this Act, be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code (as amended by this Act).

(c) TECHNICAL AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to California and inserting the following:

“California: Northern 14 Eastern 10 Central 27 Southern 14”.

(2) EFFECTIVE DATE.—This subsection shall take effect on the later of—

- (A) the date of enactment of this Act; or
(B) July 16, 2003.

SEC. 4. DISTRICT JUDGESHIP FOR THE DISTRICT OF IDAHO.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of Idaho.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Idaho and inserting the following:

“Idaho 3”.

SEC. 5. TEMPORARY JUDGESHIP FOR THE NORTHERN DISTRICT OF IOWA.

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional judge for the northern district of Iowa.

(b) VACANCY NOT FILLED.—The first vacancy in the office of district judge in the northern district of Iowa occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created by this subsection, shall not be filled.

SEC. 6. CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP FOR THE DISTRICT OF NEBRASKA.

(a) IN GENERAL.—The existing judgeship for the district of Nebraska authorized by section 203(c) of the Judicial Improvements Act of 1990 (28 U.S.C. 133 note; Public Law 101-650) shall, as of the date of enactment of this Act, be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code (as amended by this Act).

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Nebraska and inserting the following:

“Nebraska 4”.

SEC. 7. DISTRICT JUDGESHIPS FOR THE EASTERN DISTRICT OF NEW YORK.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate, 2 additional district judges for the eastern district of New York.

(b) TECHNICAL AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to New York and inserting the following:

“New York: Northern 5 Southern 28 Eastern 17 Western 4”.

(2) EFFECTIVE DATE.—This subsection shall take effect on the later of—

- (A) the date of enactment of this Act; or
(B) July 16, 2003.

SEC. 8. TEMPORARY JUDGESHIP FOR THE EASTERN DISTRICT OF NEW YORK.

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate 1 additional judge for the eastern district of New York.

(b) VACANCY NOT FILLED.—The first vacancy in the office of district judge in the eastern district of New York occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created by this subsection, shall not be filled.

SEC. 9. DISTRICT JUDGESHIP FOR THE DISTRICT OF SOUTH CAROLINA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of South Carolina.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the

item relating to South Carolina and inserting the following:

“South Carolina 11”.

SEC. 10. DISTRICT JUDGESHIP FOR THE DISTRICT OF UTAH.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP FOR THE DISTRICT OF UTAH.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of Utah.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Utah and inserting the following:

“Utah 6”.

SEC. 11. BANKRUPTCY JUDGESHIPS.

(a) SHORT TITLE.—This section may be cited as the “Bankruptcy Judgeship Act of 2003”.

(b) AUTHORIZATION FOR ADDITIONAL BANKRUPTCY JUDGESHIPS.—The following judgeship positions shall be filled in the manner prescribed in section 152(a)(1) of title 28, United States Code, for the appointment of bankruptcy judges provided for in section 152(a)(2) of such title:

- (1) Two additional bankruptcy judgeships for the southern district of New York.
(2) Four additional bankruptcy judgeships for the district of Delaware.
(3) One additional bankruptcy judgeship for the district of New Jersey.
(4) One additional bankruptcy judgeship for the eastern district of Pennsylvania.
(5) Three additional bankruptcy judgeships for the district of Maryland.
(6) One additional bankruptcy judgeship for the eastern district of North Carolina.
(7) One additional bankruptcy judgeship for the district of South Carolina.
(8) One additional bankruptcy judgeship for the eastern district of Virginia.
(9) Two additional bankruptcy judgeships for the eastern district of Michigan.
(10) Two additional bankruptcy judgeships for the western district of Tennessee.
(11) One additional bankruptcy judgeship for the eastern and western districts of Arkansas.
(12) Two additional bankruptcy judgeships for the district of Nevada.
(13) One additional bankruptcy judgeship for the district of Utah.
(14) Two additional bankruptcy judgeships for the middle district of Florida.
(15) Two additional bankruptcy judgeships for the southern district of Florida.
(16) Two additional bankruptcy judgeships for the northern district of Georgia.
(17) One additional bankruptcy judgeship for the southern district of Georgia.

(c) TEMPORARY BANKRUPTCY JUDGESHIPS.—

- (1) AUTHORIZATION FOR ADDITIONAL TEMPORARY BANKRUPTCY JUDGESHIPS.—The following judgeship positions shall be filled in the manner prescribed in section 152(a)(1) of title 28, United States Code, for the appointment of bankruptcy judges provided for in section 152(a)(2) of such title:
(A) One additional bankruptcy judgeship for the district of Puerto Rico.
(B) One additional bankruptcy judgeship for the northern district of New York.
(C) One additional bankruptcy judgeship for the middle district of Pennsylvania.
(D) One additional bankruptcy judgeship for the district of Maryland.
(E) One additional bankruptcy judgeship for the northern district of Mississippi.
(F) One additional bankruptcy judgeship for the southern district of Mississippi.
(G) One additional bankruptcy judgeship for the southern district of Georgia.

(2) VACANCIES.—

- (A) IN GENERAL.—The first vacancy occurring in the office of bankruptcy judge in each of the judicial districts set forth in paragraph (1)—

(i) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under paragraph (1) to such office; and (ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge; shall not be filled.

(B) TERM EXPIRATION.—In the case of a vacancy resulting from the expiration of the term of a bankruptcy judge not described in subparagraph (A), that judge shall be eligible for reappointment as a bankruptcy judge in that district.

(3) EXTENSION OF EXISTING TEMPORARY BANKRUPTCY JUDGESHIPS.—

(A) IN GENERAL.—The temporary bankruptcy judgeships authorized for the northern district of Alabama and the eastern district of Tennessee under paragraphs (1) and (9) of section 3(a) of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) are extended until the first vacancy occurring in the office of a bankruptcy judge in the applicable district resulting from the death, retirement, resignation, or removal of a bankruptcy judge and occurring 5 years or more after the date of enactment of this Act.

(B) APPLICABILITY OF OTHER PROVISIONS.—All other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) remain applicable to the temporary bankruptcy judgeships referred to in this subsection.

(d) TRANSFER OF BANKRUPTCY JUDGESHIP SHARED BY THE MIDDLE DISTRICT OF GEORGIA AND THE SOUTHERN DISTRICT OF GEORGIA.—The bankruptcy judgeship presently shared by the southern district of Georgia and the middle district of Georgia shall be converted to a bankruptcy judgeship for the middle district of Georgia.

(e) CONVERSION OF EXISTING TEMPORARY BANKRUPTCY JUDGESHIPS.—

(1) DISTRICT OF DELAWARE.—The temporary bankruptcy judgeship authorized for the district of Delaware pursuant to section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), shall be converted to a permanent bankruptcy judgeship.

(2) DISTRICT OF PUERTO RICO.—The temporary bankruptcy judgeship authorized for the district of Puerto Rico pursuant to section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), shall be converted to a permanent bankruptcy judgeship.

(f) TECHNICAL AMENDMENTS.—Section 152(a)(2) of title 28, United States Code, is amended—

(1) in the item relating to the eastern and western districts of Arkansas, by striking "3" and inserting "4";

(2) in the item relating to the district of Delaware, by striking "1" and inserting "6";

(3) in the item relating to the middle district of Florida, by striking "8" and inserting "10";

(4) in the item relating to the southern district of Florida, by striking "5" and inserting "7";

(5) in the item relating to the northern district of Georgia, by striking "8" and inserting "10";

(6) in the item relating to the middle district of Georgia, by striking "2" and inserting "3";

(7) in the item relating to the southern district of Georgia, by striking "2" and inserting "3";

(8) in the collective item relating to the middle and southern districts of Georgia, by striking "Middle and Southern 1";

(9) in the item relating to the district of Maryland, by striking "4" and inserting "7";

(10) in the item relating to the eastern district of Michigan, by striking "4" and inserting "6";

(11) in the item relating to the district of Nevada, by striking "3" and inserting "5";

(12) in the item relating to the district of New Jersey, by striking "8" and inserting "9";

(13) in the item relating to the southern district of New York, by striking "9" and inserting "11";

(14) in the item relating to the eastern district of North Carolina, by striking "2" and inserting "3";

(15) in the item relating to the eastern district of Pennsylvania, by striking "5" and inserting "6";

(16) in the item relating to the district of Puerto Rico, by striking "2" and inserting "3";

(17) in the item relating to the district of South Carolina, by striking "2" and inserting "3";

(18) in the item relating to the western district of Tennessee, by striking "4" and inserting "6";

(19) in the item relating to the district of Utah, by striking "3" and inserting "4"; and

(20) in the item relating to the eastern district of Virginia, by striking "5" and inserting "6".

Mr. FRIST. I ask unanimous consent the committee substitute amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment, in the nature of a substitute, was agreed to.

Mr. FRIST. I ask unanimous consent the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 878), as amended, was read the third time and passed.

S. 878

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

SECTION 1. DISTRICT JUDGESHIP FOR THE NORTHERN DISTRICT OF ALABAMA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the northern district of Alabama.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Alabama and inserting the following:

Table with 2 columns: Alabama (Northern, Middle, Southern) and counts (8, 3, 3).

SEC. 2. DISTRICT JUDGESHIPS FOR THE DISTRICT OF ARIZONA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate, 2 additional district judges for the district of Arizona.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Arizona and inserting the following:

Table with 2 columns: Arizona and count (14).

SEC. 3. DISTRICT JUDGESHIPS FOR THE EASTERN AND SOUTHERN DISTRICTS OF CALIFORNIA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate—

(1) 3 additional district judges for the eastern district of California; and

(2) 1 additional district judge for the southern district of California.

(b) CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP.—The existing judgeship for the eastern district of California authorized by section 203(c) of the Judicial Improvements Act of 1990 (28 U.S.C. 133 note; Public Law 101-650) shall, as of the date of enactment of this Act, be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code (as amended by this Act).

(c) TECHNICAL AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to California and inserting the following:

Table with 2 columns: California (Northern, Eastern, Central, Southern) and counts (14, 10, 27, 14).

(2) EFFECTIVE DATE.—This subsection shall take effect on the later of—

- (A) the date of enactment of this Act; or (B) July 16, 2003.

SEC. 4. DISTRICT JUDGESHIP FOR THE DISTRICT OF IDAHO.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of Idaho.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Idaho and inserting the following:

Table with 2 columns: Idaho and count (3).

SEC. 5. TEMPORARY JUDGESHIP FOR THE NORTHERN DISTRICT OF IOWA.

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional judge for the northern district of Iowa.

(b) VACANCY NOT FILLED.—The first vacancy in the office of district judge in the northern district of Iowa occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created by this subsection, shall not be filled.

SEC. 6. CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP FOR THE DISTRICT OF NEBRASKA.

(a) IN GENERAL.—The existing judgeship for the district of Nebraska authorized by section 203(c) of the Judicial Improvements Act of 1990 (28 U.S.C. 133 note; Public Law 101-650) shall, as of the date of enactment of this Act, be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code (as amended by this Act).

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Nebraska and inserting the following:

Table with 2 columns: Nebraska and count (4).

SEC. 7. DISTRICT JUDGESHIPS FOR THE EASTERN DISTRICT OF NEW YORK.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate, 2 additional district judges for the eastern district of New York.

(b) TECHNICAL AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to New York and inserting the following:

Table with 2 columns: New York (Northern, Southern, Eastern, Western) and counts (5, 28, 17, 4).

(2) EFFECTIVE DATE.—This subsection shall take effect on the later of—

- (A) the date of enactment of this Act; or (B) July 16, 2003.

SEC. 8. TEMPORARY JUDGESHIP FOR THE EASTERN DISTRICT OF NEW YORK.

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate 1 additional judge for the eastern district of New York.

(b) VACANCY NOT FILLED.—The first vacancy in the office of district judge in the eastern district of New York occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created by this subsection, shall not be filled.

SEC. 9. DISTRICT JUDGESHIP FOR THE DISTRICT OF SOUTH CAROLINA.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of South Carolina.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to South Carolina and inserting the following:

“South Carolina 11.”.

SEC. 10. DISTRICT JUDGESHIP FOR THE DISTRICT OF UTAH.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP FOR THE DISTRICT OF UTAH.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of Utah.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table under section 133(a) of title 28, United States Code, is amended by striking the item relating to Utah and inserting the following:

“Utah 6.”.

SEC. 11. BANKRUPTCY JUDGESHIPS.

(a) SHORT TITLE.—This section may be cited as the “Bankruptcy Judgeship Act of 2003”.

(b) AUTHORIZATION FOR ADDITIONAL BANKRUPTCY JUDGESHIPS.—The following judgeship positions shall be filled in the manner prescribed in section 152(a)(1) of title 28, United States Code, for the appointment of bankruptcy judges provided for in section 152(a)(2) of such title:

(1) Two additional bankruptcy judgeships for the southern district of New York.

(2) Four additional bankruptcy judgeships for the district of Delaware.

(3) One additional bankruptcy judgeship for the district of New Jersey.

(4) One additional bankruptcy judgeship for the eastern district of Pennsylvania.

(5) Three additional bankruptcy judgeships for the district of Maryland.

(6) One additional bankruptcy judgeship for the eastern district of North Carolina.

(7) One additional bankruptcy judgeship for the district of South Carolina.

(8) One additional bankruptcy judgeship for the eastern district of Virginia.

(9) Two additional bankruptcy judgeships for the eastern district of Michigan.

(10) Two additional bankruptcy judgeships for the western district of Tennessee.

(11) One additional bankruptcy judgeship for the eastern and western districts of Arkansas.

(12) Two additional bankruptcy judgeships for the district of Nevada.

(13) One additional bankruptcy judgeship for the district of Utah.

(14) Two additional bankruptcy judgeships for the middle district of Florida.

(15) Two additional bankruptcy judgeships for the southern district of Florida.

(16) Two additional bankruptcy judgeships for the northern district of Georgia.

(17) One additional bankruptcy judgeship for the southern district of Georgia.

(c) TEMPORARY BANKRUPTCY JUDGESHIPS.—

(1) AUTHORIZATION FOR ADDITIONAL TEMPORARY BANKRUPTCY JUDGESHIPS.—The following judgeship positions shall be filled in the manner prescribed in section 152(a)(1) of title 28, United States Code, for the appointment of bankruptcy judges provided for in section 152(a)(2) of such title:

(A) One additional bankruptcy judgeship for the district of Puerto Rico.

(B) One additional bankruptcy judgeship for the northern district of New York.

(C) One additional bankruptcy judgeship for the middle district of Pennsylvania.

(D) One additional bankruptcy judgeship for the district of Maryland.

(E) One additional bankruptcy judgeship for the northern district of Mississippi.

(F) One additional bankruptcy judgeship for the southern district of Mississippi.

(G) One additional bankruptcy judgeship for the southern district of Georgia.

(2) VACANCIES.—

(A) IN GENERAL.—The first vacancy occurring in the office of bankruptcy judge in each of the judicial districts set forth in paragraph (1)—

(i) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under paragraph (1) to such office; and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge; shall not be filled.

(B) TERM EXPIRATION.—In the case of a vacancy resulting from the expiration of the term of a bankruptcy judge not described in subparagraph (A), that judge shall be eligible for reappointment as a bankruptcy judge in that district.

(3) EXTENSION OF EXISTING TEMPORARY BANKRUPTCY JUDGESHIPS.—

(A) IN GENERAL.—The temporary bankruptcy judgeships authorized for the northern district of Alabama and the eastern district of Tennessee under paragraphs (1) and (9) of section 3(a) of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) are extended until the first vacancy occurring in the office of a bankruptcy judge in the applicable district resulting from the death, retirement, resignation, or removal of a bankruptcy judge and occurring 5 years or more after the date of enactment of this Act.

(B) APPLICABILITY OF OTHER PROVISIONS.—All other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) remain applicable to the temporary bankruptcy judgeships referred to in this subsection.

(d) TRANSFER OF BANKRUPTCY JUDGESHIP SHARED BY THE MIDDLE DISTRICT OF GEORGIA AND THE SOUTHERN DISTRICT OF GEORGIA.—The bankruptcy judgeship presently shared by the southern district of Georgia and the middle district of Georgia shall be converted to a bankruptcy judgeship for the middle district of Georgia.

(e) CONVERSION OF EXISTING TEMPORARY BANKRUPTCY JUDGESHIPS.—

(1) DISTRICT OF DELAWARE.—The temporary bankruptcy judgeship authorized for the district of Delaware pursuant to section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), shall be converted to a permanent bankruptcy judgeship.

(2) DISTRICT OF PUERTO RICO.—The temporary bankruptcy judgeship authorized for the district of Puerto Rico pursuant to section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), shall be converted to a permanent bankruptcy judgeship.

(f) TECHNICAL AMENDMENTS.—Section 152(a)(2) of title 28, United States Code, is amended—

(1) in the item relating to the eastern and western districts of Arkansas, by striking “3” and inserting “4”;

(2) in the item relating to the district of Delaware, by striking “1” and inserting “6”;

(3) in the item relating to the middle district of Florida, by striking “8” and inserting “10”;

(4) in the item relating to the southern district of Florida, by striking “5” and inserting “7”;

(5) in the item relating to the northern district of Georgia, by striking “8” and inserting “10”;

(6) in the item relating to the middle district of Georgia, by striking “2” and inserting “3”;

(7) in the item relating to the southern district of Georgia, by striking “2” and inserting “3”;

(8) in the collective item relating to the middle and southern districts of Georgia, by striking “Middle and Southern 1”;

(9) in the item relating to the district of Maryland, by striking “4” and inserting “7”;

(10) in the item relating to the eastern district of Michigan, by striking “4” and inserting “6”;

(11) in the item relating to the district of Nevada, by striking “3” and inserting “5”;

(12) in the item relating to the district of New Jersey, by striking “8” and inserting “9”;

(13) in the item relating to the southern district of New York, by striking “9” and inserting “11”;

(14) in the item relating to the eastern district of North Carolina, by striking “2” and inserting “3”;

(15) in the item relating to the eastern district of Pennsylvania, by striking “5” and inserting “6”;

(16) in the item relating to the district of Puerto Rico, by striking “2” and inserting “3”;

(17) in the item relating to the district of South Carolina, by striking “2” and inserting “3”;

(18) in the item relating to the western district of Tennessee, by striking “4” and inserting “6”;

(19) in the item relating to the district of Utah, by striking “3” and inserting “4”; and

(20) in the item relating to the eastern district of Virginia, by striking “5” and inserting “6”.

PREVENTION OF ANTI-SEMITIC VIOLENCE

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 105, S. Con. Res. 7.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 7) expressing the sense of Congress that the sharp escalation of anti-Semitic violence within many participating States of the Organization for Security and Cooperation in Europe (OSCE) is a profound concern and effort that should be undertaken to prevent future occurrences.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. CAMPBELL. Mr. President, I appreciate the broad bipartisan support given to Senate Concurrent Resolution 7, and the prompt action by the Committee on Foreign Relations, allowing for timely consideration of this resolution by the full Senate. Anti-Semitism is an evil that has bedeviled previous generations, formed a black spot on human history, and remains a problem to this day. As Co-Chairman of the Helsinki Commission, I have been particularly concerned over the disturbing rise