

106TH CONGRESS
1ST SESSION

S. 1145

To provide for the appointment of additional Federal circuit and district judges, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

Mr. LEAHY (for himself, Mr. INOUE, Mr. SARBANES, Mr. REID, Mr. ROBB, Mr. AKAKA, Mr. SCHUMER, Mrs. FEINSTEIN, and Mr. EDWARDS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for the appointment of additional Federal circuit and district judges, 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. SHORT TITLE.**

4 This Act may be cited as the “Federal Judgeship Act
5 of 1999”.

6 **SEC. 2. CIRCUIT JUDGES FOR THE CIRCUIT COURT OF AP-**
7 **PEALS.**

8 (a) IN GENERAL.—The President shall appoint, by
9 and with the advice and consent of the Senate—

1 (1) 1 additional circuit judge for the first cir-
2 cuit court of appeals;

3 (2) 2 additional circuit judges for the second
4 circuit court of appeals;

5 (3) 2 additional circuit judges for the sixth cir-
6 cuit court of appeals; and

7 (4) 2 additional circuit judges for the ninth cir-
8 cuit court of appeals.

9 (b) TEMPORARY JUDGESHIPS.—The President shall
10 appoint, by and with the advice and consent of the
11 Senate—

12 (1) 1 additional circuit judge for the sixth cir-
13 cuit court of appeals; and

14 (2) 3 additional circuit judges for the ninth cir-
15 cuit court of appeals.

16 Seven years after the confirmation date of the first judge
17 named to fill a temporary judgeship created in the circuit
18 by this subsection, vacancies in the judicial circuits named
19 in this subsection shall be filled only when the number
20 of active judges on the circuit is less than the number of
21 judgeships authorized for the circuit by section 44 of title
22 28, United States Code.

23 (c) TABLES.—In order that the table contained in
24 section 44 of title 28, United States Code, will, with re-
25 spect to each judicial circuit, reflect the changes in the

1 total number of permanent circuit judgeships authorized
 2 as a result of subsection (a) of this section, such table
 3 is amended to read as follows:

“Circuits	Number of Judges
District of Columbia	12
First	7
Second	15
Third	14
Fourth	15
Fifth	17
Sixth	18
Seventh	11
Eighth	11
Ninth	30
Tenth	12
Eleventh	12
Federal	12.”.

4 **SEC. 3. DISTRICT JUDGES FOR THE DISTRICT COURTS.**

5 (a) IN GENERAL.—The President shall appoint, by
 6 and with the advice and consent of the Senate—

7 (1) 1 additional district judge for the northern
 8 district of Alabama;

9 (2) 1 additional district judge for the middle
 10 district of Alabama;

11 (3) 3 additional district judges for the district
 12 of Arizona;

13 (4) 1 additional district judge for the eastern
 14 district of California;

15 (5) 3 additional district judges for the southern
 16 district of California;

17 (6) 1 additional district judge for the district of
 18 Colorado;

1 (7) 5 additional district judges for the middle
2 district of Florida;

3 (8) 2 additional district judges for the southern
4 district of Florida;

5 (9) 1 additional district judge for the district of
6 Maryland;

7 (10) 2 additional district judges for the district
8 of Nevada;

9 (11) 1 additional district judge for the district
10 of New Mexico;

11 (12) 3 additional district judges for the eastern
12 district of New York;

13 (13) 1 additional district judge for the western
14 district of North Carolina;

15 (14) 1 additional district judge for the district
16 of South Carolina;

17 (15) 1 additional district judge for the northern
18 district of Texas;

19 (16) 2 additional district judges for the south-
20 ern district of Texas;

21 (17) 2 additional district judges for the western
22 district of Texas; and

23 (18) 2 additional district judges for the eastern
24 district of Virginia.

1 (b) TEMPORARY JUDGESHIPS.—The President shall
2 appoint, by and with the advice and consent of the
3 Senate—

4 (1) 1 additional district judge for the northern
5 district of Alabama;

6 (2) 1 additional district judge for the southern
7 district of Alabama;

8 (3) 1 additional district judge for the eastern
9 district of Arkansas;

10 (4) 3 additional district judges for the district
11 of Arizona;

12 (5) 1 additional district judge for the eastern
13 district of California;

14 (6) 1 additional district judge for the northern
15 district of California;

16 (7) 1 additional district judge for the southern
17 district of California;

18 (8) 1 additional district judge for the district of
19 Colorado;

20 (9) 1 additional district judge for the district of
21 Hawaii;

22 (10) 1 additional district judge for the southern
23 district of Indiana;

24 (11) 1 additional district judge for the eastern
25 district of Kentucky;

1 (12) 1 additional district judge for the district
2 of Minnesota;

3 (13) 1 additional district judge for the western
4 district of Missouri;

5 (14) 1 additional district judge for the district
6 of Nevada;

7 (15) 1 additional district judge for the district
8 of New Mexico;

9 (16) 1 additional district judge for the northern
10 district of New York;

11 (17) 1 additional district judge for the western
12 district of New York;

13 (18) 1 additional district judge for the western
14 district of North Carolina;

15 (19) 1 additional district judge for the southern
16 district of Ohio;

17 (20) 1 additional district judge for the district
18 of Oregon;

19 (21) 1 additional district judge for the eastern
20 district of Tennessee;

21 (22) 1 additional district judge for the eastern
22 district of Texas; and

23 (23) 1 additional district judge for the western
24 district of Washington.

1 Seven years after the confirmation date of the first judge
2 named to fill a temporary judgeship created in the district
3 by this subsection, vacancies in the judicial districts
4 named in this subsection shall be filled only when the
5 number of active judges on the district is less than the
6 number of judgeships authorized for the district by section
7 133 of title 28, United States Code.

8 (c) EXISTING JUDGESHIPS.—The existing judgeships
9 for the eastern district of California, the district of Ha-
10 waii, the central district of Illinois, the southern district
11 of Illinois, the district of Kansas, the eastern district of
12 Missouri, the district of Nebraska, the northern district
13 of New York, the northern district of Ohio, and the east-
14 ern district of Virginia authorized by section 203(c) of the
15 Judicial Improvements Act of 1990 (Public Law 101–650,
16 104 Stat. 5089) as amended by Public Law 105–53, as
17 of the effective date of this Act, shall be authorized under
18 section 133 of title 28, United States Code, and the in-
19 cumbents in those offices shall hold the office under sec-
20 tion 133 of title 28, United States Code, as amended by
21 this Act.

22 (d) TABLES.—In order that the table contained in
23 section 133 of title 28, United States Code, will, with re-
24 spect to each judicial district, reflect the changes in the
25 total number of permanent district judgeships authorized

- 1 as a result of subsections (a) and (c) of this section, such
 2 table is amended to read as follows:

“Districts	Judges
Alabama:	
Northern	8
Middle	4
Southern	3
Alaska	3
Arizona	11
Arkansas:	
Eastern	5
Western	3
California:	
Northern	14
Eastern	8
Central	27
Southern	11
Colorado	8
Connecticut	8
Delaware	4
District of Columbia	15
Florida:	
Northern	4
Middle	16
Southern	18
Georgia:	
Northern	11
Middle	4
Southern	3
Hawaii	4
Idaho	2
Illinois:	
Northern	22
Central	4
Southern	4
Indiana:	
Northern	5
Southern	5
Iowa:	
Northern	2
Southern	3
Kansas	6
Kentucky:	
Eastern	4
Western	4
Eastern and Western	1
Louisiana:	
Eastern	12
Middle	3
Western	7
Maine	3
Maryland	11
Massachusetts	13

Michigan:	
Eastern	15
Western	4
Minnesota	7
Mississippi:	
Northern	3
Southern	6
Missouri:	
Eastern	7
Western	5
Eastern and Western	2
Montana	3
Nebraska	4
Nevada	6
New Hampshire	3
New Jersey	17
New Mexico	6
New York:	
Northern	5
Southern	28
Eastern	18
Western	4
North Carolina:	
Eastern	4
Middle	4
Western	4
North Dakota	2
Ohio:	
Northern	12
Southern	8
Oklahoma:	
Northern	3
Eastern	1
Western	6
Northern, Eastern, and Western	1
Oregon	6
Pennsylvania:	
Eastern	22
Middle	6
Western	10
Puerto Rico	7
Rhode Island	3
South Carolina	10
South Dakota	3
Tennessee:	
Eastern	5
Middle	4
Western	5
Texas:	
Northern	13
Southern	20
Eastern	7
Western	12
Utah	5
Vermont	2

Virginia:	
Eastern	12
Western	4
Washington:	
Eastern	4
Western	7
West Virginia:	
Northern	3
Southern	5
Wisconsin:	
Eastern	4
Western	2
Wyoming	3.”.

1 **SEC. 4. ESTABLISHMENT OF ARTICLE III COURTS IN THE**
 2 **NORTHERN MARIANA ISLANDS AND THE VIR-**
 3 **GIN ISLANDS.**

4 (a) ESTABLISHMENT OF JUDICIAL DISTRICTS.—

5 (1) NORTHERN MARIANA ISLANDS.—Chapter 5
 6 of title 28, United States Code, is amended by in-
 7 serting after section 114 the following new section:

8 **“§ 114A. Northern Mariana Islands**

9 “The Northern Mariana Islands constitutes 1 judicial
 10 district. Court shall be held at Saipan.”.

11 (2) VIRGIN ISLANDS.—Chapter 5 of title 28,
 12 United States Code, is amended by inserting after
 13 section 126 the following new section:

14 **“§ 126A. Virgin Islands**

15 “The Virgin Islands constitutes 1 judicial district com-
 16 prising 2 divisions.

17 “(1) The Saint Croix Division comprises the Island of
 18 Saint Croix and adjacent islands and cays.

1 “Court for the Saint Croix Division shall be held at
2 Christiansted.

3 “(2) The Saint Thomas and Saint John Division com-
4 prises the Islands of Saint Thomas and Saint John
5 and adjacent islands and cays.

6 “Court for the Saint Thomas and Saint John Division
7 shall be held at Charlotte-Amalie.”.

8 (3) TECHNICAL AND CONFORMING AMEND-
9 MENT.—The table of contents for chapter 5 of title
10 28, United States Code, is amended—

11 (A) by inserting after the item relating to
12 section 114 the following:

“114A. Northern Mariana Islands.”;

13 and

14 (B) by inserting after the item relating to
15 section 126 the following:

“126A. Virgin Islands.”.

16 (b) COMPOSITION OF NINTH CIRCUIT.—Section 41
17 of title 28, United States Code, is amended in the matter
18 relating to the ninth circuit by inserting “, Northern Mar-
19 iana Islands” after “Hawaii”.

20 (c) NUMBER OF JUDGES.—Section 133(a) of title 28,
21 United States Code, is amended—

22 (1) by inserting after the item relating to North
23 Dakota the following:

“Northern Mariana Islands 1”;

1 and

2 (2) by inserting after the item relating to
3 Vermont the following:

“Virgin Islands 2”.

4 (d) BANKRUPTCY JUDGES.—Section 152(a)(2) of
5 title 28, United States Code, is amended—

6 (1) by inserting after the item relating to North
7 Dakota the following:

“Northern Mariana Islands 0”;

8 and

9 (2) by inserting after the item relating to
10 Vermont the following:

“Virgin Islands 0”.

11 (e) ASSIGNMENT OF JUDGES.—

12 (1) IN GENERAL.—Chapter 13 of title 28,
13 United States Code, is amended by adding after sec-
14 tion 297 the following:

15 **“§ 298. Assignment to the United States District
16 Court for the Northern Mariana Islands**

17 “In addition to the judges authorized to be des-
18 ignated by sections 291 and 292, the Chief Judge of the
19 United States Court of Appeals for the Ninth Circuit may
20 assign judges of courts of record of the Northern Mariana
21 Islands or Guam, including a judge of the District Court
22 of Guam who is appointed by the President or a recalled
23 senior judge of the District Court of Guam, to serve tem-

1 porarily as a judge in the United States District Court
 2 for the Northern Mariana Islands whenever such an as-
 3 signment is necessary for the proper dispatch of the busi-
 4 ness of the court. Such designated judges shall have the
 5 powers of a magistrate judge.”.

6 (2) TECHNICAL AND CONFORMING AMEND-
 7 MENT.—The table of sections for chapter 13 of title
 8 28, United States Code, is amended by adding after
 9 the item relating to section 297 the following:

“298. Assignment to the United States District Court for the Northern Mariana
 Islands.”.

10 (f) JUDICIAL CONFERENCES OF CIRCUITS.—Section
 11 333 of title 28, United States Code, is amended in the
 12 third sentence of the first undesignated paragraph by
 13 striking “, the District Court of the Virgin Islands, and
 14 the District Court of the Northern Mariana Islands may
 15 also be summoned biennially, and may be summoned an-
 16 nually, to the conferences of their respective circuits” and
 17 inserting “may also be summoned biennially, and may be
 18 summoned annually, to the conference of the ninth cir-
 19 cuit”.

20 (g) JUDGES IN TERRITORIES AND POSSESSIONS.—
 21 Section 373 of title 28, United States Code, is amended—

22 (1) in subsection (a) by striking “, the District
 23 Court of the Northern Mariana Islands, or the Dis-
 24 trict Court of the Virgin Islands”; and

1 (2) in subsection (e) by striking “, the District
2 Court of the Northern Mariana Islands, or the Dis-
3 trict Court of the Virgin Islands”.

4 (h) ANNUITIES FOR SURVIVORS OF CERTAIN JUDI-
5 CIAL OFFICIALS OF THE UNITED STATES.—Section
6 376(a) of title 28, United States Code, is amended—

7 (1) in paragraph (1)(B) by striking “, the Dis-
8 trict Court of the Northern Mariana Islands, or the
9 District Court of the Virgin Islands”; and

10 (2) in paragraph (2)(B) by striking “, the Dis-
11 trict Court of the Northern Mariana Islands, or the
12 District Court of the Virgin Islands,”.

13 (i) AUTHORITY OF ATTORNEY GENERAL.—Section
14 526(a)(2) of title 28, United States Code, is amended by
15 striking “and of the district court of the Virgin Islands”.

16 (j) COURTS DEFINED.—Section 610 of title 28,
17 United States Code, is amended—

18 (1) by striking “the United States District
19 Court for the District of the Canal Zone,”; and

20 (2) by striking “the District Court of the Virgin
21 Islands,”.

22 (k) UNITED STATES MAGISTRATES.—Section 631 of
23 title 28, United States Code, is amended—

24 (1) in subsection (a)—

1 (A) by striking “and the district court of
2 the Virgin Islands” in the first sentence; and

3 (B) by striking the second sentence; and

4 (2) in subsection (b)(1) by inserting “the Com-
5 monwealth of the Northern Mariana Islands,” after
6 “Puerto Rico,”.

7 (l) COURT REPORTERS.—Section 753(a) of title 28,
8 United States Code, is amended by striking “, the United
9 States District Court for the District of the Canal Zone,
10 the District Court of Guam, and the District Court of the
11 Virgin Islands” and inserting “and the District Court of
12 Guam”.

13 (m) FINAL DECISIONS OF DISTRICT COURTS.—Sec-
14 tion 1291 of title 28, United States Code, is amended by
15 striking “, the United States District Court for the Dis-
16 trict of the Canal Zone, the District Court of Guam, and
17 the District Court of the Virgin Islands,” and inserting
18 “and the District Court of Guam,”.

19 (n) INTERLOCUTORY DECISIONS.—Section 1292 of
20 title 28, United States Code, is amended—

21 (1) in subsection (a) by striking “, the United
22 States District Court for the District of the Canal
23 Zone, the District Court of Guam, and the District
24 Court of the Virgin Islands,” and inserting “and the
25 District Court of Guam,”; and

1 (2) in subsection (d)(4) by striking “, the Dis-
2 trict Court of Guam, the District Court of the Vir-
3 gin Islands, or the District Court for the Northern
4 Mariana Islands,” and inserting “or the District
5 Court of Guam”.

6 (o) JURISDICTION OF THE UNITED STATES COURT
7 OF APPEALS FOR THE FEDERAL CIRCUIT.—Section
8 1295(a) of title 28, United States Code, is amended in
9 paragraphs (1) and (2) by striking “, the United States
10 District Court for the District of the Canal Zone, the Dis-
11 trict Court of Guam, or the District Court for the North-
12 ern Mariana Islands” and inserting “or the District Court
13 of Guam”.

14 (p) DIVERSITY JURISDICTION.—Section 1332(d) of
15 title 28, United States Code, is amended by striking “and
16 the Commonwealth of Puerto Rico” and inserting “the
17 Commonwealth of Puerto Rico, and the Commonwealth of
18 the Northern Mariana Islands”.

19 (q) UNITED STATES AS DEFENDANT.—Section
20 1346(b) of title 28, United States Code, is amended by
21 striking “, together with the United States District Court
22 for the District of the Canal Zone and the District Court
23 of the Virgin Islands,”.

24 (r) CIVIL COMMITMENT.—Section 2901(e) of title 28,
25 United States Code, is amended by striking “the Canal

1 Zone, or the Commonwealth of Puerto Rico”, and insert-
2 ing “the Commonwealth of Puerto Rico, or the Common-
3 wealth of the Northern Mariana Islands”.

4 (s) ADEQUATE REPRESENTATION OF DEFEND-
5 ANTS.—Section 3006A(j) of title 18, United States Code,
6 is amended by striking “, the District Court of the Virgin
7 Islands, the District Court for the Northern Mariana Is-
8 lands,”.

9 (t) SAVINGS PROVISIONS.—The amendments made
10 by this section shall not affect the rights of any judge who
11 may have retired before the effective date of this section.
12 Service as a judge of the District Court for the Northern
13 Mariana Islands or the District Court of the Virgin Is-
14 lands before the effective date of this section shall be in-
15 cluded in calculating service under sections 371, 372, 373,
16 and 376 of title 28, United States Code, as appropriate.
17 The term of office of an incumbent judge of the District
18 Court for the Northern Mariana Islands or of the District
19 Court of the Virgin Islands shall terminate upon a vacancy
20 in the office by expiration of the term or otherwise. Upon
21 termination of an incumbent judge, the President shall ap-
22 point, by and with the advice and consent of the Senate,
23 a judge who shall hold office during good behavior.

24 (u) AMENDMENTS TO ACT TO CREATE THE DISTRICT
25 COURT OF THE NORTHERN MARIANA ISLANDS.—

1 (1) IN GENERAL.—The Act of November 8,
2 1977 (Public Law 95–157; 91 Stat. 1265) is
3 amended—

4 (A) in section 4(a) (48 U.S.C. 1824(a))—

5 (i) by striking “(a)”;

6 (ii) by striking “, except as otherwise
7 provided in article IV of the covenant”;

8 (iii) by striking all beginning with “,
9 unless those cases are reviewable in the
10 District Court for the Northern Mariana
11 Islands” through the period and inserting
12 a period; and

13 (iv) by striking subsection (b); and

14 (B) by striking—

15 (i) the first section (48 U.S.C. 1821);

16 (ii) section 2 (48 U.S.C. 1822);

17 (iii) section 3 (48 U.S.C. 1823);

18 (iv) section 5 (48 U.S.C. 1825); and

19 (v) section 6 (48 U.S.C. 1826).

20 (2) SUPERSEDING PROVISIONS.—To the extent
21 that the amendments made by this subsection are
22 inconsistent with article IV of the Covenant to Es-
23 tablish a Commonwealth of the Northern Mariana
24 Islands in Political Union with the United States of

1 America (48 U.S.C. 1801 note), article IV is super-
2 seded.

3 (v) AMENDMENTS TO REVISED ORGANIC ACT OF THE
4 VIRGIN ISLANDS.—

5 (1) REPEALS.—Sections 24, 25, 26, and 27 of
6 the Revised Organic Act of the Virgin Islands (48
7 U.S.C. 1614, 1615, 1616, and 1617) are repealed.

8 (2) RIGHTS AND PROHIBITIONS.—Section 3 of
9 the Revised Organic Act of the Virgin Islands (48
10 U.S.C. 1561) is amended in the 23d undesignated
11 paragraph—

12 (A) by inserting “article III;” after “sec-
13 tion 9, clauses 2 and 3;” and

14 (B) by striking “That all offenses against
15 the laws of the United States and the laws of
16 the Virgin Islands which are prosecuted in the
17 district court pursuant to sections 1612(a) and
18 (c) of this title may be had by indictment by
19 grand jury or by information, and that all of-
20 fenses against the laws of the Virgin Islands
21 which are prosecuted in the district court pur-
22 suant to section 1612(b) of this title or” and
23 inserting “That all offenses against the laws of
24 the Virgin Islands which are prosecuted”.

1 (3) JURISDICTION.—Section 21 of the Revised
2 Organic Act of the Virgin Islands (48 U.S.C. 1611)
3 is amended to read as follows:

4 **“SEC. 21. JURISDICTION OF THE COURTS OF THE VIRGIN**
5 **ISLANDS.**

6 “(a) JURISDICTION OF THE COURTS OF THE VIRGIN
7 ISLANDS.—The judicial power of the Virgin Islands shall
8 be vested in such trial and appellate courts as may have
9 been or may hereafter be established by local law. The
10 local courts of the Virgin Islands shall have jurisdiction
11 over all causes of action in the Virgin Islands over which
12 any court established by the Constitution and laws of the
13 United States does not have exclusive jurisdiction.

14 “(b) PRACTICE AND PROCEDURE.—The rules gov-
15 erning the practice and procedure of the courts established
16 by local law and those prescribing the qualifications and
17 duties of the judges and officers thereof, oaths and bonds,
18 and the times and places of holding court shall be gov-
19 erned by local law or the rules promulgated by those
20 courts.”.

21 (4) INCOME TAX MATTERS.—Section 22 of the
22 Revised Organic Act of the Virgin Islands (48
23 U.S.C. 1612) is amended to read as follows:

1 **“SEC. 22. JURISDICTION OVER INCOME TAX MATTERS.**

2 The United States District Court for the District of
3 the Virgin Islands shall have exclusive jurisdiction over all
4 criminal and civil proceedings in the Virgin Islands with
5 respect to the income tax laws applicable to the Virgin
6 Islands, except the ancillary laws relating to the income
7 tax enacted by the legislature of the Virgin Islands. Any
8 act or failure to act with respect to the income tax laws
9 applicable to the Virgin Islands which would constitute a
10 criminal offense described in chapter 75 of subtitle F of
11 the Internal Revenue Code of 1986 shall constitute an of-
12 fense against the Government of the Virgin Islands and
13 may be prosecuted in the name of the Government of the
14 Virgin Islands by the appropriate officers thereof in the
15 United States District Court for the District of the Virgin
16 Islands without the request or consent of the United
17 States Attorney for the Virgin Islands.”.

18 (5) APPELLATE JURISDICTION.—Section 23A of
19 the Revised Organic Act of the Virgin Islands (48
20 U.S.C. 1613a) is amended—

21 (A) by striking “District Court of the Vir-
22 gin Islands” each place it appears and inserting
23 “United States District Court for the District
24 of the Virgin Islands”; and

25 (B) in subsection (b) by striking “pursuant
26 to section 24(a) of this title: *Provided*, that no

1 more than one of them may be a judge of a
2 court established by local law.” and inserting
3 “pursuant to chapter 13 of title 28, United
4 States Code, or a recalled senior judge of the
5 former District Court of the Virgin Islands.
6 The chief judge of the United States Court of
7 Appeals for the Third Circuit may assign to the
8 appellate division a judge of a court of record
9 of the Virgin Islands, except that no more than
10 1 of the judges sitting in the appellate division
11 at any session may be a judge of a court estab-
12 lished by local law.”.

13 (w) ADDITIONAL REFERENCES.—Any reference in
14 any provision of law to the “District Court for the North-
15 ern Mariana Islands” shall, after the effective date of this
16 section, be deemed to be a reference to the United States
17 District Court for the District of the Northern Mariana
18 Islands. Any reference in any provision of law to the “Dis-
19 trict Court of the Virgin Islands” shall, after the effective
20 date of this section, be deemed to be a reference to the
21 United States District Court for the District of the Virgin
22 Islands.

23 (x) EFFECTIVE DATE.—This section and the amend-
24 ments made by this section shall take effect at the end
25 of the 90-day period beginning on the date of enactment.

1 Any complaint or proceeding pending in the District Court
2 of the Virgin Islands on the effective date of this section
3 may be pursued to final determination in the United
4 States District Court for the District of the Virgin Is-
5 lands, the United States Court of Appeals for the Third
6 Circuit, the United States Court of Appeals for the Fed-
7 eral Circuit, and the Supreme Court of the United States.
8 Any complaint or proceeding pending in the District Court
9 for the Northern Mariana Islands on the effective date of
10 this section may be pursued to final determination in the
11 United States District Court for the District of the North-
12 ern Mariana Islands, the United States Court of Appeals
13 for the Ninth Circuit, and the Supreme Court of the
14 United States.

15 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
17 as may be necessary to carry out the provisions of this
18 Act, including such sums as may be necessary to provide
19 appropriate space and facilities for the judicial positions
20 created by this Act.

21 **SEC. 6. EFFECTIVE DATE.**

22 This Act shall take effect on the date of the enact-
23 ment of this Act.

○