BURRIS) was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1456

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1456, a bill to fully compensate local educational agencies and local governments for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian.

S. 1461

At the request of Mrs. BOXER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1461, a bill to amend the Internal Revenue Code of 1986 to treat trees and vines producing fruit, nuts, or other crops as placed in service in the year in which it is planted for purposes of special allowance for depreciation.

S. 1492

At the request of Ms. MIKULSKI, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Maryland (Mr. CARDIN), the Senator from Connecticut (Mr. DODD), the Senator from California (Mrs. BOXER) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1524

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1524, a bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

At the request of Mr. MERKLEY, his name was added as a cosponsor of S. 1524, supra.

S. 1545

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1545, a bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 1616

At the request of Ms. CANTWELL, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1616, a bill to authorize assistance to small- and medium-sized businesses to promote exports to the People's Republic of China, and for other purposes.

S. 1634

At the request of Mr. ROCKEFELLER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1634, a bill to amend titles XVIII and XIX of the Social Security Act to protect and improve the benefits provided to dual eligible individuals under the Medicare and Medicaid programs.

S. 1635

At the request of Mr. DORGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1635, a bill to establish an Indian Youth telemental health demonstration project, to enhance the provision of mental health care services to Indian youth, to encourage Indian tribes, tribal organizations, and other mental health care providers serving residents of Indian country to obtain the services of predoctoral psychology and psychiatry interns, and for other purposes.

S. 1638

At the request of Mr. WICKER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1638, a bill to permit Amtrak passengers to safely transport firearms and ammunition in their checked baggage.

S. CON. RES. 25

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Con. Res. 25, a concurrent resolution recognizing the value and benefits that community health centers provide as health care homes for over 18,000,000 individuals, and the importance of enabling health centers and other safety net providers to continue to offer accessible, affordable, and continuous care to their current patients and to every American who lacks access to preventive and primary care services.

S. RES. 158

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 158, a resolution to commend the American Sail Training Association for advancing international goodwill and character building under sail.

S. RES. 161

At the request of Mr. JOHNSON, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 161, a resolution recognizing June 2009 as the first National Hereditary Hemorrhagic Telangiectasia (HHT) month, established to increase awareness of HHT, which is a complex genetic blood vessel disorder that affects approximately 70,000 people in the United States.

S. RES. 210

At the request of Mrs. LINCOLN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 210, a resolution designating the week beginning on November 9, 2009, as National School Psychology Week.

S. RES. 245

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. Res. 245, a resolution recognizing September 11 as a ''National Day of Service and Remembrance''.

S. RES. 247

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 247, a resolution designating September 26, 2009, as ''National Estuaries Day''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 1649. A bill to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I am pleased to join Senator LIEBERMAN in introducing the Weapons of Mass Destruction Prevention and Preparedness Act of 2009. This legislation would increase our Nation's protections against an attack using WMDs.

The bill implements many of the recommendations of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism. Congress established that Commission in 2007 in legislation that Senator LIEBERMAN and I coauthored.

Heading the WMD Commission were former Senators Bob Graham and Jim Talent. Last December, the Commission produced a comprehensive report on the WMD threats to our Nation and provided recommendations to prevent further proliferation and acts of terrorism using these deadly weapons. The Commission's ''World at Risk'' report warned that it is ''more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013.''

The Commission's report is a call to action.

The Commission reinforces the sense of urgency that the Homeland Security Committee has felt during its many hearings on deadly threats to the American people—threats that include terrorists dispersing anthrax spores, detonating a nuclear device in a major city, or striking with other weapons of mass destruction.

In the wake of the terrorist attacks of September 11, 2001, Congress created the Department of Homeland Security, reformed our intelligence agencies, strengthened FEMA, increased grants for State and local first responders, and enhanced security at our seaports and chemical facilities. As the Commission observes, however, ''the terrorists have been active, too,'' and we must continue our efforts. Nuclear proliferation and advances in biotechnology give terrorists new methods

to carry out their avowed intention to commit mass murder.

The mental images of nuclear blasts and mushroom clouds are powerful and frightening. As the WMD Commission rightly notes, however, the more likely threat is from a biological weapon. In contrast to nuclear weapons, the technological hurdle is lower to develop and disseminate bioweapons, access to pathogens is more widespread, and pathogens are harder to contain. The spread of biotechnology, the difficulty of detecting such pathogens, and terrorists' known interest in bioterrorism combine to produce an even greater menace.

Bio-weapons are appealing to terrorists in part because we are unlikely to realize that an attack has occurred before it begins to kill many of its victims.

Worldwide security has lagged behind the growth of this threat. Even within our own country, the Commission and GAO have found that we fail to secure potential biological weapons effectively. In July, the GAO found significant deficiencies in perimeter security at biological labs that handle the world's most dangerous biological agents and diseases, such as the Ebola virus and smallpox. Because no cure or treatment exists for some of the pathogens handled by these labs, this is alarming.

Thousands of individuals in the United States have access to dangerous pathogens. Currently there are about 400 research facilities and nearly 15,000 individuals in the U.S. authorized to handle the deadly pathogens on the ''Select Agent List.'' Indeed, the FBI has determined that a cleared scientist who worked at a regulated research lab likely carried out the Anthrax attacks on the Senate and the U.S. postal system in 2001.

To counter this threat, the WMD Commission recommends increasing the security of biological laboratories that handle dangerous pathogens. This legislation would do so by establishing additional security measures for the most dangerous pathogens that terrorists are likely to use in an attack. A negotiated rulemaking—with Federal agencies and research institutions at the table—would develop these enhanced security standards. This would ensure that regulations, which make our Nation's labs more secure, would not have the unintended consequence of deterring legitimate research endeavors.

In order to help fund the security enhancements at the highest-risk biolabs and avoid diverting research funding to security upgrades, the bill authorizes a grant program at $50 million for each of the next four years. This is a sufficient level of funding to ensure that each of the labs registered to handle the most dangerous pathogens could access funding.

In response to another Commission finding that many research facilities that handle less strictly controlled, yet still dangerous pathogens are not even known to the government, the legislation requires registration of these labs. This system of enhanced security for labs with the most dangerous pathogens and the registration of labs that handle less dangerous pathogens will result in facility security requirements that are tiered based on the risk that a pathogen at a particular facility could be used in a biological attack.

To better prepare the American people for a bio-weapon attack, the bill improves the government's ability to distribute medical countermeasures and requires actions to improve communications with the public before and during a biological attack. As the Commission wisely advised, citizens need to know what to expect during a biological attack and how they should respond.

While security controls must be improved within our own country, global security problems are daunting. Countries like Syria do not adhere to the Biological Weapons Convention, which is the multilateral treaty that banned the development, production, and stockpiling of biological weapons. Other countries that signed the treaty may not be living up to these commitments.

To address these international biosecurity threats, the bill requires that the Director of National Intelligence, DNI, report on countries that have facilities with the highest-risk pathogens and the security measures in place at these facilities. The DNI also must develop a strategy for improving the Federal Government's capabilities to collect, analyze, and disseminate intelligence related to weapons of mass destruction.

In addition, the bill would direct the Secretary of State to provide assistance to enhance security at laboratories with dangerous pathogens worldwide and to use exchange programs to train foreign nationals. In this way, foreign nationals can promote lab safety and detect disease outbreaks in their home countries.

This legislation, which would implement the WMD Commission's recommendations, is an important and significant step forward in addressing the growing threat of weapons of mass destruction, and of bio-weapons in particular. Countering this threat is critical for the security of our Nation.

By Mr. LEVIN:

S. 1651. A bill to modify a land grant patent issued by the Secretary of the Interior; to the Committee on Energy and Natural Resources.

Mr. LEVIN. Mr. President, today I am introducing a companion bill to Representative STUPAK's bill, which is also being introduced today, that would modify a patent issued to the Great Lakes Shipwreck Historical Society for the conveyance of a parcel of land at Whitefish Point, Michigan at the U.S. Coast Guard Whitefish Point Light Station. The land patent was originally issued ten years ago for the interpretation and preservation of maritime history. In accordance with the land patent, the Great Lakes Shipwreck Historical Society established and has operated a museum that brings to life the strength and fury of the Great Lakes and the bravery of the U.S. Life Saving Service who rescued thousands of people from Great Lakes shipwrecks.

This legislation modifies the land patent such that development of new facilities and expansion of existing facilities or infrastructure would be implemented in accordance with the 2002 Human Use/Natural Resource Plan instead of the 1992 Whitefish Point Comprehensive Plan. The 2002 plan was developed pursuant to a court-ordered settlement agreement regarding the 1992 plan.

The modification of the land patent is intended to further the purposes of the original patent, which is for preservation and interpretation of maritime history, while maintaining the conservation of natural habitat and wildlife areas, since Whitefish Point is an important birding area as well. This bill would ensure that the vibrant stories of the Great Lakes can be preserved and interpreted for future generations.

By Mr. HARKIN (for himself and Mr. ROBERTS):

S. 1652. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, I am pleased to join my colleague from Kansas, Senator ROBERTS, in introducing the IDEA Full Funding Act. The aim of this legislation is to ensure, at long last, that Congress makes good on a commitment it made more than three decades ago when we passed what is now called the Individuals with Disabilities Education Act. At that time, in 1975, we told children with disabilities, their families, schools, and States that the Federal Government would pay 40 percent of the extra cost of special education. We have never lived up to that commitment and only recently came close because of the one-time investment through the American Recovery and Reinvestment Act.

As we introduce this bill, our children are beginning another school year. Some are meeting new teachers and going to new classrooms. Some are starting at a completely new school with new opportunities for success and new challenges. Yet we are still short-changing children with disabilities and their educational opportunities.

We tell our children all the time to keep their promises, to live up to their commitments, to do as they say they are going to do. We teach them that if they fail to do so, other people can be hurt. Well, that is what Congress has done by failing to appropriately fund IDEA: We have hurt school children all

across America. We have pitted children with disabilities against other children for a limited pool of school funds. We have put parents in the position of not demanding services that their child with a disability truly needs, because they have been told that the services cost too much and other children would suffer. We have hurt school districts, which are forced, in effect, to rob Peter to pay Paul in order to provide services to students with disabilities. We have also hurt local taxpayers, who are obliged to pay higher property taxes and other local taxes in order to pay for IDEA services because the Federal Government has reneged on its commitment.

I was pleased that we were able to increase funding for the IDEA grants to States program as part of the American Recovery and Reinvestment Act this year to $22.8 billion. That represents 34 percent of the additional funding needed to support special education. However, the Recovery Act is a one-time investment designed to address a crisis caused by the recession that could have resulted in the loss of thousands of teachers and programs students need to be successful. Without the Recovery Act, IDEA grants are currently funded at around 17 percent of the cost of special education programs. So we have a long way to go to reach the 40 percent level. But it is time to do so. It is time for the Federal Government to make good on its promise to students with disabilities in this country.

The IDEA Full Funding Act is pretty straightforward. It authorizes increasing amounts of mandatory funding in 6 year increments that, in addition to the discretionary funding allocated through the Appropriations Committee, will finally meet the Federal Government's commitment to educating children with disabilities.

This bill is a win-win-win for the American people. Students with disabilities will get the education services that they need in order to achieve and succeed. School districts will be able to provide these services without cutting into their general education budgets. Local property tax payers will get relief.

Full funding of IDEA is not a partisan issue. We all share an interest in ensuring that children with disabilities get an appropriate education, and that local school districts do not have to slash their general education budgets in order to pay for special education. We all share a sense of responsibility to make good on the promise Congress made to fully fund its promised share of special education costs.

In the 3 decades since Congress passed IDEA, and in the 8 years since we passed the No Child Left Behind Act, we have dramatically increased opportunities for students with disabilities. Likewise, we are holding local systems accountable in unprecedented ways. It is time for us in Congress also to be held accountable. It is time for us to make good on our promise to fully fund IDEA. To that end, I urge my colleagues to support this bill.

Mr. ROBERTS. Mr. President, I rise today to offer legislation with Senator HARKIN to fulfill a promise that we made over 30 years ago. We made a commitment to pay 40 percent of the excess cost of educating a special needs child. However, we have not fulfilled that promise.

Our legislation annually increases funding for Part B of the Individuals with Disabilities Education Act over a 6-year period. With these increases, we will be able to fully fund Part B in 2015.

I encourage my colleagues to add their support to this needed legislation. If the Federal Government would provide its promised share of special education funding, our schools could then use any state and local funds for other educational needs, such as art and music.

By Mr. LEAHY (for himself, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. KAUFMAN, Mr. FRANKEN, Mr. HARKIN, Mr. BINGAMAN, Mrs. MURRAY, Mr. BROWN, Mr. BAYH, Mr. BENNET, Mrs. BOXER, Mrs. SHAHEEN, Mr. INOUYE, Mr. KERRY, and Mr. AKAKA):

S. 1653. A bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am reintroducing a comprehensive bill to address the resource needs of the Federal judiciary by authorizing additional courts of appeals and district court judgeships. This good government bill will improve the effectiveness of our Federal courts and provide Federal judges with the tools to promptly render the justice that Americans so desperately need.

The Federal Judgeship Act of 2009 establishes 12 new judgeships in six courts of appeals and 51 new judgeships in 25 district courts across the country. The legislation I introduce today is based on the recommendations of the Judicial Conference of the United States, which identified the judiciary's resource needs during the completion of its biennial survey in March.

Last Congress, I joined Senator HATCH and 20 other Senators from both sides of the aisle to introduce this legislation. A bipartisan majority of the Judiciary Committee voted to report the bill to the Senate last year. Unfortunately, the Senate did not act on the bill before the end of the last Congress.

We used to consider judgeship bills at six year intervals. It has been 19 years since the last comprehensive judgeship bill was enacted to address the growth in the workload of the Federal judiciary. That legislation established 11 additional circuit court judgeships, as well as 61 permanent and 13 temporary district court judgeships. Since 1990, case filings in the Federal appellate courts have increased by 42 percent, and case filings in the district courts have risen by 34 percent. Congress has authorized only a few additional district court judgeships and extended a few temporary judgeships. We should pass a comprehensive judgeship bill in this Congress that will ease the strain of heavy caseloads that has burdened the courts and thwarted the administration of justice.

Last year, the weighted number of filings in district courts, which takes into account an assessment of case complexity, was 472 per judgeship. This figure is well above the Judicial Conference's standard of 430 weighted filings per district court judgeship. In the 25 district courts that would receive additional judgeships under this bill, the weighted filings averaged 573 per judgeship, and 10 courts had caseloads near or above 600 weighted filings per judgeship. Today, the national average circuit court caseload per three judge panel has reached 1,104 filings. That statistic approaches the record number of 1,230 cases recorded in 2005 and far exceeds the 773 average circuit court caseload filings recorded in 1991.

Federal judges are working harder than ever, but in order to maintain the integrity of the Federal courts and the promptness that justice demands, judges must have a manageable workload. To address the excessive caseloads that burden Federal courts, the Federal Judgeship Act of 2009 would add nine permanent circuit court judgeships, 38 permanent district court judgeships, and convert five existing temporary judgeships into permanent positions. These additional judgeships would help to alleviate the significant increase in caseloads that the Federal courts have seen over the nearly two decades since the last comprehensive judgeship bill was enacted.

The bill would also add 13 temporary district court judgeships, three temporary circuit court judgeships, and would extend one existing temporary district court judgeship. These additional temporary judgeships will allow Congress some flexibility with regard to future judgeship needs. If caseloads continue to increase, Congress has the option to introduce legislation making permanent or renewing these temporary judgeships. If those caseloads do not increase, when the next judge in that circuit or district retires they will not be replaced.

After years of debate and Federal courts struggling to adjudicate cases despite the overwhelming burden of heavy caseloads, the time to enact a comprehensive Federal judgeship bill is long overdue.

The ability of Federal courts to effectively administer justice will continue to be challenged unless adequate resources are provided. The Federal Judgeship Act of 2009 responds to the increasing workload of the Federal judiciary, and it is long overdue. I thank Senators FEINSTEIN, SCHUMER, WHITEHOUSE, KLOBUCHAR, KAUFMAN,

FRANKEN, HARKIN, BINGAMAN, MURRAY, BROWN, BAYH, BENNET, BOXER, SHAHEEN, INOUYE, AKAKA, and KERRY for their support. I urge Senators on both sides of the aisle to give this legislation their serious consideration and support.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1653

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Judgeship Act of 2009''.

SEC. 2. CIRCUIT JUDGES FOR THE CIRCUIT COURTS OF APPEALS.

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

(1) 1 additional circuit judge for the first circuit court of appeals;

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

(3) 1 additional circuit judge for the third circuit court of appeals;

(4) 1 additional circuit judge for the sixth circuit court of appeals; and

(5) 4 additional circuit judges for the ninth circuit court of appeals.

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

(1) 1 additional circuit judge for the third circuit court of appeals;

(2) 1 additional circuit judge for the eighth circuit court of appeals; and

(3) 1 additional circuit judge for the ninth circuit court of appeals.

For each of the judicial circuits named in this subsection, the first vacancy arising on the circuit court 10 years or more after a judge is first confirmed to fill the temporary circuit judgeship created in that circuit by this subsection shall not be filled.

(c) TABLES.—In order that the table contained in section 44 of title 28, United States Code, will, with respect to each judicial circuit, reflect the changes in the total number of permanent circuit judgeships authorized as a result of subsection (a) of this section, such table is amended to read as follows:

"Circuits	Number of judges
District of Columbia	11
First	7
Second	15
Third	15
Fourth	15
Fifth	17
Sixth	17
Seventh	11
Eighth	11
Ninth	33
Tenth	12
Eleventh	12
Federal	12.''.

SEC. 3. DISTRICT JUDGES FOR THE DISTRICT COURTS.

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

(1) 1 additional district judge for the district of Arizona;

(2) 4 additional district judges for the northern district of California;

(3) 4 additional district judges for the eastern district of California;

(4) 4 additional district judges for the central district of California;

(5) 1 additional district judge for the district of Colorado;

(6) 4 additional district judges for the middle district of Florida;

(7) 3 additional district judges for the southern district of Florida;

(8) 1 additional district judge for the southern district of Indiana;

(9) 1 additional district judge for the district of Minnesota;

(10) 1 additional district judge for the district of New Jersey;

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

(12) 1 additional district judge for the southern district of New York;

(13) 1 additional district judge for the eastern district of New York;

(14) 1 additional district judge for the western district of New York;

(15) 1 additional district judge for the district of Oregon;

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

(17) 1 additional district judge for the eastern district of Texas;

(18) 2 additional district judges for the southern district of Texas;

(19) 4 additional district judges for the western district of Texas; and

(20) 1 additional district judge for the western district of Washington.

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

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

(2) 1 additional district judge for the district of Arizona;

(3) 1 additional district judge for the northern district of California;

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

(5) 1 additional district judge for the central district of California;

(6) 1 additional district judge for the middle district of Florida;

(7) 1 additional district judge for the district of Idaho;

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

(9) 1 additional district judge for the district of Minnesota;

(10) 1 additional district judge for the district of Nebraska;

(11) 1 additional district judge for the southern district of New York;

(12) 1 additional district judge for the eastern district of New York; and

(13) 1 additional district judge for the eastern district of Virginia.

For each of the judicial districts named in this subsection, the first vacancy arising on the district court 10 years or more after a judge is first confirmed to fill the temporary district judgeship created in that district by this subsection shall not be filled.

(c) EXISTING JUDGESHIPS.—

(1) The existing judgeships for the district of Kansas, and the eastern district of Missouri authorized by section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 104 Stat. 5089) as amended by Public Law 111–8 (relating to the district of Kansas) and Public Law 109–115 (relating to the eastern district of Missouri), and the existing judgeships for the district of Arizona, the district of New Mexico, and the eastern district of Texas authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273, 116 Stat. 1758), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(2) The existing judgeship for the northern district of Ohio authorized by section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650, 104 Stat. 5089) as amended by Public Law 111–8, as of the effective date of this Act, shall be extended. The first vacancy in the office of district judge in this district occurring 23 years or more after the confirmation date of the judge named to fill the temporary judgeship created by section 302(c) shall not be filled.

(d) TABLES.—In order that the table contained in section 133 of title 28, United States Code, will, with respect to each judicial district, reflect the changes in the total number of permanent district judgeships authorized as a result of subsections (a) and (c) of this section, such table is amended to read as follows:

"Districts	Judges
Alabama:	
Northern	7
Middle	3
Southern	3
Alaska	3
Arizona	14
Arkansas:	
Eastern	5
Western	3
California:	
Northern	18
Eastern	10
Central	31
Southern	13
Colorado	8
Connecticut	8
Delaware	4
District of Columbia	15
Florida:	
Northern	4
Middle	19
Southern	20
Georgia:	
Northern	11
Middle	4
Southern	3
Hawaii	3
Idaho	2
Illinois:	
Northern	22
Central	4
Southern	4
Indiana:	
Northern	5
Southern	6
Iowa:	
Northern	2
Southern	3
Kansas	6
Kentucky:	
Eastern	5
Western	4
Eastern and Western	1
Louisiana:	
Eastern	12
Middle	3
Western	7
Maine	3
Maryland	10
Massachusetts	13
Michigan:	
Eastern	15
Western	4
Minnesota	8
Mississippi:	
Northern	3
Southern	6
Missouri:	
Eastern	7
Western	5
Eastern and Western	2
Montana	3
Nebraska	3
Nevada	7

"Districts	Judges
New Hampshire	3
New Jersey	18
New Mexico	8
New York:	
Northern	5
Southern	29
Eastern	16
Western	5
North Carolina:	
Eastern	4
Middle	4
Western	4
North Dakota	2
Ohio:	
Northern	11
Southern	8
Oklahoma:	
Northern	3
Eastern	1
Western	6
Northern, Eastern, and Western	1
Oregon	7
Pennsylvania:	
Eastern	22
Middle	6
Western	10
Puerto Rico	7
Rhode Island	3
South Carolina	11
South Dakota	3
Tennessee:	
Eastern	5
Middle	4
Western	5
Texas:	
Northern	12
Southern	21
Eastern	9
Western	17
Utah	5
Vermont	2
Virginia:	
Eastern	11
Western	4
Washington:	
Eastern	4
Western	8
West Virginia:	
Northern	3
Southern	5
Wisconsin:	
Eastern	5
Western	2
Wyoming	3.''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 5. EFFECTIVE DATE.

This Act (including the amendments made by this Act) shall take effect on the date of enactment of this Act.

Mrs. FEINSTEIN. Mr. President, I rise to state my strong support for the Federal Judgeship Act of 2009.

I am an original cosponsor of this bill, and I think it is a critical bill for good government.

The bill would create new judgeships in circuit and district courts where they are badly needed.

In the U.S. Courts of Appeals, it would create 9 new permanent and 3 new temporary judgeships.

In the U.S. District Courts, it would create 38 new permanent and 13 new temporary judgeships.

When caseloads get too heavy, the quality of justice in our Nation suffers.

Victims of crime are forced to endure long periods of waiting for justice to be done. Citizens are unable to resolve their civil disputes promptly; plaintiffs face long delays in getting damages or restitution for harms they have suffered. Morale plummets for judges and other court staff.

I have seen this in my own state, where judges in three of the four Federal districts are overwhelmed with case filings.

Let me tell you about one district in particular.

In the Eastern District of California, each Federal judge carried a caseload last year of over 1,000 weighted filings.

The Judicial Conference of the U.S. recommends that Congress create a new judgeship anytime a district reaches a caseload of 430 cases per judge. But in the Eastern District, the number exceeds 1,000.

The situation has become so dire that the U.S. Court of Appeals for the Ninth Circuit has stepped in. Last summer, the Chief Judge of the Ninth Circuit sent a letter asking every judge in the Circuit to volunteer to hear approximately 25 cases from the Eastern District to try to get the caseload down.

The court has literally brought in Federal judges from all over the country to help deal with the crushing workload. District judges from Alaska, Alabama, and Washington State, as well as from Los Angeles and Oakland, handled hundreds of cases in Sacramento and Fresno last year. A senior Ninth Circuit judge from Los Angeles handled hundreds more.

The help is welcome but it is not nearly enough. You see, the problem in the Eastern District is not a temporary one.

The Eastern District is home to Sacramento, Fresno, and the Central Valley. In 2008, the District included 18 of California's 25 fastest growing counties.

The District is also home to 19 of California's State and Federal prisons and to 100,000 of the State's 167,000 prisoners. Since Congress last created a new permanent judgeship in the District in 1978, prisoner filings have skyrocketed 700 percent.

The result is that the judges are severely overworked and justice for everyone is delayed. Civil litigants in the District are facing delays of approximately 42 months—that's 3-and-a-half years—from filing to verdict.

The situation, put simply, is unacceptable.

In 1992, Congress did authorize a 10 year temporary judgeship for the District, but that judgeship expired and despite repeated efforts by Chairman LEAHY, Senator BOXER, and myself, it has not been renewed.

In the meantime, for the last 12 years, every time the Judicial Conference has surveyed the U.S. Courts it has said that the Eastern District needs more judges, but new judgeships have not been created.

The Federal Judgeship Act of 2009 that Chairman LEAHY has introduced today would finally provide a solution. It would authorize four new permanent judgeships and one new temporary judgeship in the Eastern District.

This would almost double the number of judges in the District by changing from 6 to 11 judges and would substantially reduce the caseload and delays.

This is a necessary solution to a real problem.

But the Eastern District is only one example. There are plenty of others. As I said, the Judicial Conference recommends that Congress create a new judgeship whenever there are 430 weighted filings per U.S. District Judge. But according to the 2009 survey of the courts, in the Northern District of California, the judges are handling 624 weighted filings per judge; in the Central District of California, it is 551 per judge; in the Middle District of Florida, it is 569 per judge; in the Southern District of Florida, it is 549 per judge; in the Southern District of Indiana, it is 594 per judge; in the District of Minnesota, it is 743 per judge; in the Eastern District of Texas, it is 674 per judge; in the Southern District of Texas, it is 543 per judge; and in the Western District of Texas, it is 650 per judge.

So this is a problem in courts across the country; and it is up to Congress to craft a solution.

The last time Congress passed a comprehensive bill to create new judgeships was in 1990. Since that time, case filings across the country in the federal appeals courts have increased by approximately 45 percent, and filings in the district courts have increased by 27 percent.

The current situation in the courts is not sustainable.

Neither the Eastern District of California nor any other Court should be forced to rely on temporary visits from colleagues who generously offer their help. Districts should have enough judges to handle their caseloads on their own.

This Federal Judgeship Act of 2009 is based on recommendations made by the Judicial Conference after an extensive review of case filings and caseload trends in every federal circuit and district court across the country.

It is time for Congress to act and give the federal courts the resources they need to ensure a fail and timely trial for every civil and criminal litigant.

I strongly urge my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 253—EXPRESSING THE SENSE OF THE SENATE THAT THE GOVERNMENT OF LIBYA SHOULD APOLOGIZE FOR THE WELCOME HOME CEREMONY HELD TO CELEBRATE THE RELEASE OF CONVICTED LOCKERBIE BOMBER ABDEL BASET AL-MEGRAHI.

Mr. SCHUMER (for himself, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. VOINOVICH, Mr. CASEY, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations.

S. RES. 253

Resolved, That the Senate—

(1) condemns the August 20, 2009, release from prison in Scotland of Abdel Baset al-Megrahi, the lone person convicted in connection with the 1988 bombing of a Pan Am flight over Lockerbie, Scotland, that killed 270 people, including 189 Americans;

(2) condemns the lavish welcome home ceremony held in Tripoli, Libya, to celebrate the release of Mr. al-Megrahi; and

(3) calls on the Government of Libya to apologize for the public celebration of Mr. al-Megrahi's release.

SENATE RESOLUTION 254—HONORING, COMMEMORATING, AND CELEBRATING THE HISTORIC TIES OF THE UNITED STATES AND THE NETHERLANDS ON THE QUADRICENTENNIAL CELEBRATION OF THE DISCOVERY OF THE HUDSON RIVER, AND RECOGNIZING THE SETTLEMENT AND ENDURING VALUES OF NEW NETHERLAND, WHICH CONTINUE TO INFLUENCE AMERICAN SOCIETY

Mrs. GILLIBRAND submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 254

Whereas the Netherlands and the United States are 2 countries with one spirit united by values, history, and a vision for the future;

Whereas 2009 marks the quadricentennial year that Henry Hudson captained the Ship ''Halve Maen'', under the auspices of the Dutch East India Company, and discovered the Hudson River;

Whereas the discovery of the Hudson River and its fertile lands gave rise to the establishment of the New Netherland settlement and the ensuing historical ties between the Netherlands and the United States;

Whereas the Netherlands, in 1776 at Sint Eustatius, was the first country to salute the United States flag, influenced the writing of the United States Declaration of Independence, and has remained a staunch ally to the United States, from providing necessary loans during the Revolutionary War to standing shoulder-to-shoulder in Afghanistan in defense of values and the rule of law;

Whereas the New Netherland settlement left a legacy of values such as open-mindedness, entrepreneurship, democracy, tolerance, and hard work, as well as freedom of religion and speech;

Whereas the bonds of free trade, open markets, and commerce have continuously linked the Netherlands and the United States to such an extent that the Netherlands remains among the top 4 foreign investors in the United States;

Whereas the Netherlands provided assistance in the aftermath of Hurricane Katrina and is sharing expertise in water management and helping to rebuild New Orleans and its levees; and

Whereas the heritage of 400 years of friendship between the Netherlands and the United States is a laudable example and should be properly extolled: Now, therefore, be it

Resolved, That the Senate—

(1) on the quadricentennial celebration of the discovery of the Hudson River, honors, commemorates, and celebrates the historic ties and friendship between the United States and the Netherlands; and

(2) recognizes the settlement and enduring values of New Netherland which continue to influence American society.

SENATE RESOLUTION 255—RELATIVE TO THE DEATH OF EDWARD MOORE KENNEDY, A SENATOR FROM THE COMMONWEALTH OF MASSACHUSETTS

Mr. REID (for himself, Mr. MCCONNELL, Mr. KERRY, Mr. DODD, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 255

Whereas the Honorable Edward Moore Kennedy was elected to the Senate in 1962 and served the people of Massachusetts in the United States Senate with devotion and distinction for nearly 47 years, the third longest term of service in Senate history;

Whereas the Honorable Edward Moore Kennedy became the youngest Majority Whip in Senate history at the age of 36;

Whereas the Honorable Edward Moore Kennedy served as Chairman of the Senate Judiciary Committee from 1979–1981 and as Chairman of the Senate Health, Education, Labor and Pensions Committee for nearly 13 years between 1987–2009;

Whereas the Honorable Edward Moore Kennedy made the needs of working families and the less fortunate among us the work of his life, particularly those of the poor, the disenfranchised, the disabled, the young, the old, the working class, the servicemember and the immigrant;

Whereas his efforts on behalf of the citizens of Massachusetts and all Americans earned him the esteem and high regard of his colleagues;

Whereas more than 300 laws bear his name and he co-sponsored more than 2000 others covering civil rights, health care, the minimum wage, education, human rights and many other issues; and

Whereas with his death his State and the Nation have lost an outstanding lawmaker and public servant: Now, therefore, be it

Resolved, That the Senate has received with profound sorrow and deep regret the announcement of the passing of the Honorable Edward Moore Kennedy, the great Senator from the Commonwealth of Massachusetts.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the Kennedy family.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, September 15, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to explore potential costs and price volatility in the energy sector as a result of a greenhouse gas trading program and ways to reduce or contain those costs.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Gina_Weinstock@energy.senate.gov.

For further information, please contact Jonathan Black at (202) 224–6722 or Gina Weinstock at (202) 224–5684.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before the Committee on Energy and Natural Resources. The business meeting will be held on Tuesday, September 15, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building, immediately preceding the full committee hearing.