

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 184, not voting 13, as follows:

[Roll No. 260]

AYES—233

Abraham	Goodlatte	Nunes
Aderholt	Gosar	O'Halleran
Allen	Gowdy	Olson
Amash	Granger	Palazzo
Amodei	Graves (GA)	Palmer
Arrington	Graves (LA)	Paulsen
Babin	Graves (MO)	Pearce
Bacon	Griffith	Perry
Banks (IN)	Grothman	Pittenger
Barletta	Guthrie	Poe (TX)
Barr	Harper	Poliquin
Barton	Hartzler	Posey
Bergman	Herrington	Ratcliffe
Biggs	Herrera Beutler	Reed
Bilirakis	Hice, Jody B.	Reichert
Bishop (MI)	Higgins (LA)	Renacci
Bishop (UT)	Hill	Rice (SC)
Black	Holding	Roby
Blackburn	Hollingsworth	Roe (TN)
Blum	Hudson	Rogers (AL)
Bost	Huizenga	Rogers (KY)
Brady (TX)	Hultgren	Rohrabacher
Brat	Hunter	Rokita
Bridenstine	Hurd	Rooney, Francis J.
Brooks (AL)	Issa	Rooney, Thomas J.
Brooks (IN)	Jenkins (KS)	Ros-Lehtinen
Buchanan	Jenkins (WV)	Roskam
Buck	Johnson (LA)	Ross
Bucshon	Johnson (OH)	Rothfus
Budd	Jones	Rouzer
Burgess	Jordan	Royce (CA)
Byrne	Joyce (OH)	Russell
Calvert	Katko	Rutherford
Carter (GA)	Kelly (MS)	Sanford
Carter (TX)	Kelly (PA)	Scalise
Chabot	King (IA)	Schweikert
Cheney	King (NY)	Scott, Austin
Coffman	Kinzinger	Sensenbrenner
Collins (GA)	Knight	Sessions
Collins (NY)	Kustoff (TN)	Shimkus
Comer	Labrador	Shuster
Constock	LaHood	Simpson
Conaway	LaMalfa	Smith (MO)
Cook	Lamborn	Smith (NE)
Costello (PA)	Lance	Smith (NJ)
Cramer	Latta	Smith (TX)
Crawford	Lewis (MN)	Long
Culberson	LoBiondo	Smucker
Curbelo (FL)	Long	Stefanik
Davidson	Loudermilk	Stewart
Davis, Rodney	Love	Stivers
Denham	Lucas	Taylor
Dent	Luetkemeyer	Tenney
DeSantis	MacArthur	Thompson (PA)
DesJarlais	Marchant	Thornberry
Diaz-Balart	Marino	Tiberi
Donovan	Marshall	Tipton
Duffy	Massie	Trott
Duncan (SC)	Mast	Turner
Duncan (TN)	McCarthy	Upton
Dunn	McCaul	Valadao
Emmer	McClintock	Wagner
Estes (KS)	McHenry	Walberg
Farenthold	McKinley	Walden
Faso	McMorris	Walker
Ferguson	Rodgers	Walorski
Fitzpatrick	McSally	Walters, Mimi
Fleischmann	Meadows	Weber (TX)
Flores	Meehan	Webster (FL)
Fortenberry	Messer	Wenstrup
Fox	Mitchell	Westerman
Frelinghuysen	Moolenaar	Williams
Gaetz	Mooney (WV)	Wilson (SC)
Gallagher	Mullin	Wittman
Garrett	Murphy (FL)	Womack
Gibbs	Murphy (PA)	
Gohmert	Noem	

Woodall
Yoder

Yoho
Young (AK)

Young (IA)
Zeldin

NOES—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Españillat
Esty (CT)
Evans
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
Loebuck
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Lujan, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Neal

Nolan
Norcross
O'Rourke
Pallone
Panetta
Pascarella
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradner
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Chaffetz
Chu, Judy
Cole
Ellison
Franks (AZ)

Gutiérrez
Harris
Johnson, Sam
Lieu, Ted
Napolitano
Newhouse
Pelosi
Takano

□ 1357

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. ELLISON. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 260.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a

recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

BANKRUPTCY JUDGESHIP ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2266) to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2266

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 "Bankruptcy Judgeship Act of 2017".

SEC. 2. CONVERSION OF THE TEMPORARY OFFICE OF BANKRUPTCY JUDGE TO THE PERMANENT OFFICE OF BANKRUPTCY JUDGE IN CERTAIN JUDICIAL DISTRICTS.

(a) DISTRICT OF DELAWARE.—

(1) The temporary office of 4 bankruptcy judges authorized for the district of Delaware by section 1223(b)(1)(C) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and extended by section 2(a)(1)(C) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(1) of this Act, and may be filled.

(2) The temporary office of bankruptcy judge authorized for the district of Delaware by section 3(a)(3) of Public Law 102–361 (106 Stat. 966; 28 U.S.C. 152 note), and extended by section 1223(c)(1) of Public Law 109–8 (119 Stat. 198; 28 U.S.C. 152 note) and section 2(b)(1) of Public Law 112–121 (126 Stat. 347; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(1) of this Act, and may be filled.

(b) SOUTHERN DISTRICT OF FLORIDA.—The temporary office of 2 bankruptcy judges authorized for the southern district of Florida by section 1223(b)(1)(D) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and extended by section 2(a)(1)(D) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(3) of this Act, and may be filled.

(c) DISTRICT OF MARYLAND.—The temporary office of 1 bankruptcy judge first appointed as authorized for the district of Maryland by section 1223(b)(1)(F) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and extended by section 2(a)(1)(F) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(4) of this Act, and may be filled.

(d) EASTERN DISTRICT OF MICHIGAN.—The temporary office of bankruptcy judge authorized for the eastern district of Michigan by section 1223(b)(1)(G) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and extended by section 2(a)(1)(G) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(5) of this Act, and may be filled.

(e) DISTRICT OF NEVADA.—The temporary office of bankruptcy judge authorized for the district of Nevada by section 1223(b)(1)(T) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note),

and extended by section 2(a)(1)(Q) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(6) of this Act, and may be filled.

(f) **EASTERN DISTRICT OF NORTH CAROLINA.**—The temporary office of bankruptcy judge authorized for the eastern district of North Carolina by section 1223(b)(1)(M) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and extended by section 2(a)(1)(J) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(7) of this Act, and may be filled.

(g) **DISTRICT OF PUERTO RICO.**—

(1) The temporary office of bankruptcy judge authorized for the district of Puerto Rico by section 1223(b)(1)(P) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and extended by section 2(a)(1)(M) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and represented in the amendment made by section 3(8) of this Act, and may be filled.

(2) The temporary office of bankruptcy judge authorized for the district of Puerto Rico by section 3(a)(7) of Public Law 102–361 (106 Stat. 966; 28 U.S.C. 152 note), and extended by section 1223(c)(1) of Public Law 109–8 (119 Stat. 198; 28 U.S.C. 152 note) and section 2(b)(1) of Public Law 112–121 (126 Stat. 347; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and is represented in the amendment made by section 3(8) of this Act, and may be filled.

(h) **EASTERN DISTRICT OF VIRGINIA.**—The temporary office of bankruptcy judge authorized for the eastern district of Virginia by section 1223(b)(1)(R) of Public Law 109–8 (119 Stat. 197; 28 U.S.C. 152 note), and extended by section 2(a)(1)(P) of Public Law 112–121 (126 Stat. 346; 28 U.S.C. 152 note), is converted hereby to the permanent office of bankruptcy judge and is represented in the amendment made by section 3(9) of this Act, and may be filled.

SEC. 3. PERMANENT OFFICE OF BANKRUPTCY JUDGE AUTHORIZED.

To reflect the conversion of the temporary office of bankruptcy judge to the permanent office of bankruptcy judge made by the operation of section 2, and to authorize the appointment of additional bankruptcy judges, section 152(a)(2) of title 28 of the United States Code is amended—

(1) in the item relating to the district of Delaware by striking “1” and inserting “8”;

(2) in the item relating to the middle district of Florida by striking “8” and inserting “9”;

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

(4) in the item relating to the district of Maryland by striking “4” and inserting “5”;

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

(6) in the item relating to the district of Nevada by striking “3” and inserting “4”;

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

(8) in the item relating to the district of Puerto Rico by striking “2” and inserting “4”;

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

SEC. 4. BANKRUPTCY FEES.

(a) **AMENDMENTS TO TITLE 28 OF THE UNITED STATES CODE.**—Section 1930(a)(6) of title 28 of the United States Code is amended—

(1) by striking “(6) In” and inserting “(6)(A) Except as provided in subparagraph (B), in”, and

(2) by adding at the end the following:

“(B) In any fiscal year, the quarterly fee payable for a quarter in which disbursements equal or exceed \$1,000,000 shall be 1 percent of such

disbursements or \$250,000, whichever is less, unless the balance in the United States Trustee System Fund as of September 30 immediately preceding such fiscal year exceeds \$200,000,000.”.

(b) **DEPOSITS OF CERTAIN FEES FOR FISCAL YEARS 2018 THROUGH 2022.**—Notwithstanding section 589a(b) of title 28 of the United States Code, for each of the fiscal years 2018 through 2022—

(1) 97.5 percent of the fees collected under section 1930(a)(6) of such title shall be deposited as offsetting collections to the appropriation “United States Trustee System Fund”, to remain available until expended, and

(2) 2.5 percent of the fees collected under section 1930(a)(6) of such title shall be deposited in the general fund of the Treasury.

(c) **EFFECTIVE DATE; APPLICATION AMENDMENTS.**—

(1) **EFFECTIVE DATE.**—Except as provided in paragraph (2), this section shall take effect on July 1, 2017, or on the date of the enactment of this Act, whichever is later.

(2) **APPLICATION OF AMENDMENTS.**—The amendments made by this section shall apply to quarterly fees payable under section 1930(a)(6) of title 28 of the United States Code, as amended by this section, for disbursements made in any calendar quarter that begins on or after the effective date of the amendments made by this section.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. **GOODLATTE**) and the gentleman from Michigan (Mr. **CONYERS**) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. **GOODLATTE**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2266, currently under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. **GOODLATTE**. Mr. Speaker, I yield myself such time as I may consume.

We are here today to address an imposing threat to one of the foundational aspects of our economy, the national bankruptcy system. A well-functioning bankruptcy system provides relief to consumers, allows businesses to reorganize, preserves jobs, maximizes the value of assets, and ensures the proper allocation of resources. Our bankruptcy judiciary is the heartbeat that keeps this system moving. If that judiciary is strained and undermanned, that system will grind to a halt, eliminating the essential benefits it provides and sending repercussions throughout the economy.

There are presently 29 temporary bankruptcy judgeships in the bankruptcy system with a lapse date of May 25. These temporary judgeships comprise more than 8 percent of the current bankruptcy judgeships nationwide. After May 25, 2017, these judgeships are at risk of being permanently lost, resulting in larger caseloads shared by fewer judges and causing further strain on our judiciary system.

The Bankruptcy Judgeship Act of 2017 converts 14 of the existing tem-

porary judgeships to permanent status and creates 4 new permanent bankruptcy judgeships in districts with some of the highest caseloads in the country. In fact, since the enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, when a majority of the temporary judgeships were created, these districts have seen weighted filings increase by more than 55 percent.

This bill is based on a comprehensive study of judicial resource needs conducted by the Judicial Conference and is supported by the Administrative Office of the U.S. Courts. The Conference has assured us that its request comes only after it has taken steps to maximize all other alternatives to reduce judicial workloads. Moreover, the Conference has demonstrated that, while a district may have a permanent judgeship, it will not be filled unless completely necessary.

Importantly, this bill will not present any new costs for the taxpayers. The Bankruptcy Judgeship Act includes an increase in the quarterly U.S. Trustee fees for large chapter 11 debtors, excluding small businesses. This fee increase is directly tied to the balance of the United States Trustee System Fund and will only be applied when the balance of the fund falls below a \$200 million threshold, thereby ensuring that the Office of the U.S. Trustee is properly funded.

These temporary bankruptcy judgeships were first set to lapse in 2010. Most have been extended for over 12 years, and some even longer. Despite this committee's efforts to address the issue, to date there have been only limited, short-term fixes. Additional permanent bankruptcy judgeships have not been authorized since 1992.

The time has come for Congress to address bankruptcy judgeship needs more permanently. We need a bankruptcy system that has a sufficient number of judges to be able to manage the caseloads in a just, economical, and timely manner. The efficiency of this system is too important to our economy to risk. This bill helps ensure that we have such a system.

I would like to thank Ranking Member **CONYERS** for his efforts on this issue. I would also like to thank Regulatory Reform, Commercial and Antitrust Law Subcommittee Chairman **MARINO** and Ranking Member **CICILLINE** for joining me as original cosponsors of the bill. I urge my colleagues to vote in favor of this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. **CONYERS**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2266, the Bankruptcy Judgeship Act of 2017, which would make 14 temporary bankruptcy judgeships permanent and authorize four additional bankruptcy judgeships.

I introduced this bipartisan legislation together with the support of Judiciary Committee Chairman **GOODLATTE**, along with Regulatory Reform,

Commercial and Antitrust Law Subcommittee Chairman MARINO and Ranking Member CICILLINE. H.R. 2266 warrants the support from my colleagues on both sides of the aisle for several reasons.

To begin with, this measure reflects the recommendations of the Judicial Conference of the United States with respect to the judicial resource needs of our Nation's bankruptcy courts. These recommendations are themselves based on a comprehensive survey of all judicial circuits.

This analysis consists of two components. The first is premised on a case-weight formula devised by the Federal Judicial Center that is intended to provide a more accurate and useful measure of judicial workload than a mere count of case filings.

The second component considers a broad array of other factors, including the nature of a court's caseload, filing trends, demographic considerations, geographic issues, and economic aspects, among other items.

Taken together, the resulting analysis provides a reliable basis upon which Congress may assess the necessity of authorizing additional judgeships and extending temporary judgeships.

In addition, H.R. 2266 addresses an immediate need. All of the temporary judgeships addressed in H.R. 2266 will lapse as of May 25, which is just a week away.

Once a temporary judgeship lapses, any ensuing vacancy may not be filled, which presents a serious concern. As the Judicial Conference warns, these bankruptcy courts would "face a serious and, in many cases, debilitating workload crisis if their temporary judgeships were to expire."

This is particularly true with respect to the Eastern District of Michigan, which has a weighted caseload well in excess of the minimum necessary to trigger additional judicial resources.

Although Congress has previously extended temporary bankruptcy judgeships from time to time, some have also lapsed as a result of Congress' failure to timely act. So to avoid future lapses in judicial resources, my legislation converts 14 of these temporary judgeships to permanent status.

Finally, I am pleased to report that H.R. 2266 pays for all of these judgeships without having to require consumer debtors to bear that expense. The cost of this legislation is offset by increasing the quarterly fees that the largest 10 percent of chapter 11 debtors pay to the United States Trustee System Fund, a proposal initially made by the Obama administration as part of the President's budget request for 2017. Specifically, the fee increase would apply only to chapter 11 debtors that have quarterly disbursements in excess of \$1 million and only during the period when the fund has less than \$200 million.

For all of these various reasons, I support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Delaware (Ms. BLUNT ROCHESTER).

Ms. BLUNT ROCHESTER. Mr. Speaker, I include in the RECORD a letter from the Judicial Conference.

JUDICIAL CONFERENCE OF THE
UNITED STATES,
Washington, DC, April 3, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: On behalf of the Judicial Conference of the United States, I write to transmit the Conference's bankruptcy judgeship recommendations and corresponding draft legislation for the 115th Congress. The Conference recommends to Congress that it authorize four additional permanent bankruptcy judgeships and convert 14 existing temporary bankruptcy judgeships to permanent status, as set forth in the enclosures.

The preservation of current on-board resources in these courts is of great concern to the Conference. All 14 temporary bankruptcy judgeships included in the Conference's recommendation have a lapse date of May 25, 2017. These bankruptcy courts would face a serious and, in many cases, debilitating workload crisis if these temporary judgeships were to expire. The U.S. Bankruptcy Court for the District of Delaware, for example, would be crippled as five of their six authorized judgeships are temporary, all with the risk of expiring in 2017.

Although bankruptcy filings nationwide have been declining in recent years, the districts included in these recommendations generally have experienced an increase in filings resulting in stress on existing judicial resources. Indeed, since the enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act in 2005, Pub. L. No. 109-8—the last time additional judgeship resources were authorized for most of the courts included in the Conference's recommendation—these districts have seen weighted filings increase by more than 55 percent.

Section 152(b)(2) of title 28, United States Code, requires the Judicial Conference to recommend to Congress the authorization of additional bankruptcy judgeships. Following a formal survey of all judicial circuits, the Conference determines where additional resources are needed based upon the circuit councils' requests and established criteria including each court's workload and case filing statistics, geographic needs, and pertinent additional factors. As part of this survey, the Judicial Conference also considers requests from the circuits to convert or extend existing temporary bankruptcy judgeships based upon the district's needs for stable judicial resources.

The Judicial Conference respectfully requests that you give your full consideration to the Judiciary's resource needs as identified in this proposed legislation. Additional caseload information concerning these recommendations is available upon request.

If we may be of further assistance to you in this or any other matter, please do not hesitate to contact me or the Office of Legislative Affairs, Administrative Office of the U.S. Courts.

Sincerely,

JAMES C. DUFF,
Secretary.

Ms. BLUNT ROCHESTER. Mr. Speaker, I want to thank Mr. CONYERS

and my colleagues on the House Judiciary Committee for their work on this important legislation and for bringing this bill to the floor today.

An efficient bankruptcy system is important to the smooth functioning of our economy. The preservation and addition of these positions will add needed certainty to our legal system.

As the Judicial Conference of the United States highlighted in their report to Congress, these resources will benefit individuals and corporations, and are necessary to keep this system working. I am proud of the work that the U.S. Bankruptcy Court for the District of Delaware does to protect jobs, creditors, and economic engines in our communities across the country.

This legislation is a perfect example of Congress hearing the needs of independent experts in the judiciary and acting in a bipartisan, collaborative manner to address a looming problem.

I look forward to continuing to work with my colleagues on other pressing problems for our constituents in such collaborative ways. I urge all of my colleagues to support the Bankruptcy Judgeship Act of 2017.

□ 1415

Mr. CONYERS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I am pleased to note that H.R. 2266 is supported by the American Bar Association, the Federal Bar Association, the American College of Bankruptcy, and the National Conference of Bankruptcy Judges.

I want to also express appreciation to our Judiciary chairman, Mr. GOODLATTE, to Chairman MARINO and Ranking Member CICILLINE, as well as their staffs, for their cooperative efforts in working with me on this bipartisan legislation.

Mr. Speaker, given the time-sensitive nature of the temporary judgeships addressed by H.R. 2266 and the immediate need for additional bankruptcy judgeships to be authorized, it is my hope that our colleagues in the Senate will expeditiously consider this important legislation. I urge all of the Members here to support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, permanent bankruptcy judgeships have not been authorized since 1992. Over the past 25 years, we have limited our protection of the bankruptcy system to short-term temporary fixes. A well-functioning bankruptcy system, however, is too important to our economy to risk. Now is the time for Congress to address bankruptcy judgeship needs more permanently.

The Bankruptcy Judgeship Act is a measured, long-term solution carefully crafted and based on the well-developed recommendation of the Administrative Office of the Courts. Not only does it ensure the viability of our bankruptcy

system, but it also addresses the funding concerns of the Office of the United States Trustee.

This bill is a bipartisan measure that enjoys broad support from outside groups, including the American Bar Association, the Federal Bar Association, the National Conference of Bankruptcy Judges, and the American College of Bankruptcy. I urge my colleagues to vote in favor of this important legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. CICILLINE. Mr. Speaker, I rise in support of H.R. 2266, the “Bankruptcy Judgeship Act of 2017,” which authorizes the establishment of four additional permanent bankruptcy judgeships and converts 14 temporary bankruptcy judgeships to permanent status.

I am pleased to be an original cosponsor of this legislation, which is a necessary response to alleviate the strain on certain bankruptcy courts that have experienced a significant increase in bankruptcy filings over the past decade or more.

Importantly, this legislation adopts the recommendations of the Judicial Conference of the United States, the national policymaking body of the federal courts, and does not impose additional fees on ordinary consumer debtors or small businesses.

As the Conference notes in support of this measure, while bankruptcy filings have decreased nationwide, the bankruptcy courts that would receive permanent or new judgeships under this legislation “have seen weighted filings increase by more than 55 percent.”

Furthermore, without this legislation, all 14 temporary judgeships covered by this bill will lapse later this month on May 25.

Allowing a lapse in these judgeships would have potentially crippling effects on the bankruptcy system.

For example, five of the six authorized judgeships of the U.S. Bankruptcy Court of the District of Delaware—the preferred venue for corporate reorganization under Chapter 11—are temporary.

Accordingly, I urge my colleagues to support this important legislation.

I thank Ranking Member CONYERS, the bill’s sponsor, for his leadership on this bill, along with Judiciary Committee Chairman GOODLATTE and Subcommittee Chairman MARINO for their support.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 2266, the “Bankruptcy Judgeship Act of 2017.”

H.R. 2266, the “Bankruptcy Judgeship Act of 2017,” would authorize four additional permanent bankruptcy judgeships and convert 14 temporary bankruptcy judgeships to permanent status based on the most recent recommendation of the Judicial Conference of the United States.

H.R. 2266 was introduced on May 1, 2017 by Ranking Member JOHN CONYERS, Jr. (D-MI) together with Chairman BOB GOODLATTE and Subcommittee on Regulatory Reform, Commercial and Antitrust Law Chair TOM MARINO (R-PA) and Ranking Member DAVID CICILLINE (D-RI) as original cosponsors.

This bipartisan legislation is time-sensitive as the temporary judgeships are due to expire on May 25, 2017. No hearing has been held on this legislation.

A bankruptcy judge may hear and determine all cases arising under the Bankruptcy Code

and certain related proceedings. A district court, however, may withdraw—in whole or in part—any case or proceeding referred to a bankruptcy judge. If designated by the district to exercise such authority, a bankruptcy judge may conduct a jury trial on consent of all the parties.

Currently pending before Congress is H.R. 244, the “Consolidated Appropriations Act, 2017,” which extends for one year the temporary judgeships for the District of Delaware (two judgeships), the Southern District of Florida (two judgeships); the Eastern District of Michigan; the District of Puerto Rico; and the Eastern District of Virginia.

In analyzing bankruptcy judgeship needs, the Judicial Conference employs, as a first step, a case weight formula devised by the Federal Judicial Center that is intended to provide a more accurate and useful measure of judicial workload than a mere count of filings does.

Pursuant to Conference policy, “if a district’s annual weighted caseload per authorized judgeship is 1,500 weighted filings or more, the district will receive consideration for an additional judgeship.”

With respect to the Conference’s current request for additional bankruptcy judgeships, the weighted case filings have increased by more than 55 percent for most of these districts since the last time additional judgeships were authorized in 2005, according to the Conference.

In addition, all 14 of the temporary bankruptcy judgeships that the bill converts to permanent status are set to lapse as of May 25, 2017.

To offset the cost of this legislation, H.R. 2266 increases the quarterly fee payable that chapter 11 debtors pay to the United States Trustee System Fund, but only with respect to debtors that have quarterly disbursements in excess of \$1 million dollars during the period when the Fund has less than \$200 million.

This provision is substantively identical to a legislative proposal made by the prior Administration as represented in President Barack Obama’s budget request for 2017.

Taken together, the resulting analysis provides a reliable basis upon which Congress may assess the necessity of authorizing additional judgeships and extending temporary judgeships.

For all of these reasons, I support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 2266, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PUBLIC SAFETY OFFICERS’ BENEFITS IMPROVEMENT ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 419) to require adequate reporting on the Public Safety Officers’ Benefits program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 419

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 “Public Safety Officers’ Benefits Improvement Act of 2017”.

SEC. 2. REPORTS.

Section 1205 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796c) is amended—

(1) in subsection (a), by inserting “Rules, regulations, and procedures issued under this part may include regulations based on standards developed by another Federal agency for programs related to public safety officer death or disability claims.” before the last sentence;

(2) in subsection (b)—

(A) by inserting “(1)” before “In making”; and

(B) by adding at the end the following:

“(2) In making a determination under section 1201, the Bureau shall give substantial weight to the evidence and all findings of fact presented by a State, local, or Federal administrative or investigative agency regarding eligibility for death or disability benefits.

“(3) If the head of a State, local, or Federal administrative or investigative agency, in consultation with the principal legal officer of the agency, provides a certification of facts regarding eligibility for death or disability benefits, the Bureau shall adopt the factual findings, if the factual findings are supported by substantial evidence.”; and

(3) by adding at the end the following:

“(e)(1)(A) Not later than 30 days after the date of enactment of this subsection, the Bureau shall make available on the public website of the Bureau information on all death, disability, and educational assistance claims submitted under this part that are pending as of the date on which the information is made available.

“(B) Not less frequently than once per week, the Bureau shall make available on the public website of the Bureau updated information with respect to all death, disability, and educational assistance claims submitted under this part that are pending as of the date on which the information is made available.

“(C) The information made available under this paragraph shall include—

“(i) for each pending claim—

“(I) the date on which the claim was submitted to the Bureau;

“(II) the State of residence of the claimant;

“(III) an anonymized, identifying claim number; and

“(IV) the nature of the claim; and

“(ii) the total number of pending claims that were submitted to the Bureau more than 1 year before the date on which the information is made available.

“(2) Not later than 180 days after the date of enactment of this subsection, the Bureau shall publish on the public website of the Bureau a report, and shall update such report on such website not less than once every 180 days thereafter, containing—

“(A) the total number of claims for which a final determination has been made during the 180-day period preceding the report;

“(B) the amount of time required to process each claim for which a final determination has been made during the 180-day period preceding the report;

“(C) as of the last day of the 180-day period preceding the report, the total number of claims submitted to the Bureau on or before that date for which a final determination has not been made;