

SEC. [1228.] 1126. BANKRUPTCY JUDGESHIPS.

(a) **SHORT TITLE.**—This section may be cited as the “Bankruptcy Judgeship Act of 1999”.

(b) **TEMPORARY JUDGESHIPS.**—

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

(A) One additional bankruptcy judgeship for the eastern district of California.

(B) Four additional bankruptcy judgeships for the central district of California.

(C) One additional bankruptcy judgeship for the southern district of Florida.

(D) Two additional bankruptcy judgeships for the district of Maryland.

(E) One additional bankruptcy judgeship for the eastern district of Michigan.

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

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

(H) One additional bankruptcy judgeship for the eastern district of New York.

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

(J) One additional bankruptcy judgeship for the southern district of New York.

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

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

(M) One additional bankruptcy judgeship for the western district of Tennessee.

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

(2) **VACANCIES.**—The first vacancy occurring in the office of a bankruptcy judge in each of the judicial districts set forth in paragraph (1) that—

(A) results from the death, retirement, resignation, or removal of a bankruptcy judge; and

(B) occurs 5 years or more after the appointment date of a bankruptcy judge appointed under paragraph (1); shall not be filled.

(c) **EXTENSIONS.**—

(1) **IN GENERAL.**—The temporary bankruptcy judgeship positions authorized for the northern district of Alabama, the district of Delaware, the district of Puerto Rico, the district of South Carolina, and the eastern district of Tennessee under section 3(a) (1), (3), (7), (8), and (9) of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) are extended until the first vacancy occurring in the office of a bankruptcy judge in the applicable district resulting from the death, retirement, resignation, or removal of a bankruptcy judge and occurring—

(A) 8 years or more after November 8, 1993, with respect to the northern district of Alabama;

(B) 10 years or more after October 28, 1993, with respect to the district of Delaware;

(C) 8 years or more after August 29, 1994, with respect to the district of Puerto Rico;

(D) 8 years or more after June 27, 1994, with respect to the district of South Carolina; and

(E) 8 years or more after November 23, 1993, with respect to the eastern district of Tennessee.

(2) **APPLICABILITY OF OTHER PROVISIONS.**—All other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 remain applicable to such temporary judgeship positions.

(d) **TECHNICAL AMENDMENT.**—The first sentence of section 152(a)(1) of title 28, United States Code, is amended to read as follows: “Each bankruptcy judge to be appointed for a judicial district as provided in paragraph (2) shall be appointed by the United States court of appeals for the circuit in which such district is located.”.

(e) **TRAVEL EXPENSES OF BANKRUPTCY JUDGES.**—Section 156 of title 28, United States Code, is amended by adding at the end the following:

“(g)(1) In this subsection, the term ‘travel expenses’—

“(A) means the expenses incurred by a bankruptcy judge for travel that is not directly related to any case assigned to such bankruptcy judge; and

“(B) shall not include the travel expenses of a bankruptcy judge if—

“(i) the payment for the travel expenses is paid by such bankruptcy judge from the personal funds of such bankruptcy judge; and

“(ii) such bankruptcy judge does not receive funds (including reimbursement) from the United States or any other person or entity for the payment of such travel expenses.

“(2) Each bankruptcy judge shall annually submit the information required under paragraph (3) to the chief bankruptcy judge for the district in which the bankruptcy judge is assigned.

“(3)(A) Each chief bankruptcy judge shall submit an annual report to the Director of the Administrative Office of the United States Courts on the travel expenses of each bankruptcy judge assigned to the applicable district (including the travel expenses of the chief bankruptcy judge of such district).

“(B) The annual report under this paragraph shall include—

“(i) the travel expenses of each bankruptcy judge, with the name of the bankruptcy judge to whom the travel expenses apply;

“(ii) a description of the subject matter and purpose of the travel relating to each travel expense identified under clause (i), with the name of the bankruptcy judge to whom the travel applies; and

“(iii) the number of days of each travel described under clause (ii), with the name of the bankruptcy judge to whom the travel applies.

“(4)(A) The Director of the Administrative Office of the United States Courts shall—

“(i) consolidate the reports submitted under paragraph (3) into a single report; and

“(ii) annually submit such consolidated report to Congress.

“(B) The consolidated report submitted under this paragraph shall include the specific information required under paragraph (3)(B), including the name of each bankruptcy judge with respect to clauses (i), (ii), and (iii) of paragraph (3)(B).”.

TITLE [XIII] XVII—GENERAL EFFECTIVE DATE; APPLICATION OF AMENDMENTS

SEC. [1301.] 1201. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) **EFFECTIVE DATE.**—Except as provided otherwise in this Act, this Act and the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

(b) **APPLICATION OF AMENDMENTS.**—The amendments made by this Act shall not apply with respect to cases commenced under title 11, United States Code, before the effective date of this Act.

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk to the pending bankruptcy bill.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative assistant read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on Calendar No. 109, S. 625, a bill to amend title 11 of the United States Code, and for other purposes.

Trent Lott, Chuck Grassley, Paul Coverdell, Mike Crapo, Craig Thomas, Larry Craig, Orrin Hatch, Don Nickles, Conrad Burns, Mitch McConnell, Pat Roberts, Fred Thompson, Slade Gorton, Phil Gramm, and Mike DeWine.

Mr. LOTT. Mr. President, I ask unanimous consent that the vote occur on this motion at 5:30 p.m. on Tuesday, September 21, with the mandatory live quorum waived.

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

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Members permitted to speak for up to 10 minutes each.

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

ORDER OF BUSINESS

Mr. LOTT. I know Senators are interested in the schedule for the remainder of the day. We believe we have worked out an agreement of a reasonable time for discussion on the District of Columbia appropriations conference report. Then that would be followed with a recorded vote. We would need to have a recorded vote under our arrangement where if we do not have a recorded vote on an appropriations bill when it goes through the Senate, then we do have a recorded vote on it when it comes back from conference. So we will need that recorded vote.

We hope to get the UC locked down, and hopefully, then, at around 2 or so we could get to final passage on the D.C. appropriations conference report. Therefore, then, there would not be the necessity, obviously, for there to be a vote on it at 10 o'clock on Friday.

JUDICIAL NOMINATIONS

Mr. LOTT. Mr. President, we have one other block of remaining issues of consideration, and that is judicial nominations. We had planned to go forward with three judges—two that have been cleared and one that may require time for discussion, and a vote on that at some point. There may need to be, as I said, time for discussion. I hope we can get a reasonable agreement on that.

I would not want to have to file cloture on Federal judges. I think it would be a bad practice if we began to have filibusters on Federal judicial nominations, requiring only 41 votes to defeat a judicial nomination. I guess that has been done in the past but not recently, not since I have been majority leader, that I know of.

So I hope we can work out an agreement on time, as we have done on the nomination of Mr. White of Missouri. We have a time agreement. At some