

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

S. 1059

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

**SECTION 1. TAX RATE FOR POLITICAL ORGANIZATIONS.**

(a) IN GENERAL.—Paragraph (1) of section 527(b) of the Internal Revenue Code of 1986 (relating to tax imposed) is amended by striking “highest rate” and inserting “appropriate rates”.

(b) CONFORMING AMENDMENT.—Subsection (h) of section 527 of the Internal Revenue Code of 1986 (relating to special rule for principal campaign committees) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

By Mr. BIDEN (for himself, Mr. CARPER, Mr. SARBANES, Mr. NELSON of Florida, Mrs. CLINTON, Mr. EDWARDS, Mr. GRAHAM of South Carolina, Mr. HOLLINGS, Mr. LEVIN, Mr. PRYOR, Mr. REID, Mr. CHAMBLISS, Mr. MILLER, Mr. ALEXANDER, and Mr. GRAHAM of Florida):

S. 1061. A bill to authorize 36 additional bankruptcy judgeships, and for other purposes; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce the Bankruptcy Judgeship Act of 2003, along with over a dozen Senators of both parties who are joining me on this legislation. This bill creates new temporary and permanent bankruptcy judgeships in districts that need them, and extends and converts other temporary judgeships.

The substantial increase in bankruptcy case filings in recent years has created a dire need for additional bankruptcy judgeships. My bill would create 23 new permanent bankruptcy judgeships, 5 temporary judgeships, convert 2 temporary judgeships to permanent status and extend 2 other temporary judgeships. 17 States would receive new judgeships, as recommended by the Administrative Office for United States Courts.

Among other things, the bill authorizes four new bankruptcy judgeships, and converts one from temporary to permanent status, for the District of Delaware, the Nation's most overloaded bankruptcy district. The most recent data show weighted filings for the district of Delaware surpassing 13,500 per judge, while the next busiest district faces only about 3,000.

The bankruptcy bar in Delaware is among the most respected and accomplished in the country, as are our bankruptcy judges. But our judges are not superhuman. They must receive the assistance that this bill would grant them, and I intend to see that they get it.

The Bankruptcy Judgeship Act of 2003 is long overdue and I urge my colleagues to support it.

I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 1061

*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 2003”.

**SEC. 2. AUTHORIZATION FOR ADDITIONAL BANKRUPTCY JUDGESHIPS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SEC. 3. TEMPORARY BANKRUPTCY JUDGESHIPS.**

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

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

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

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

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

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

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

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

(b) VACANCIES.—

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

(A) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under subsection (a) to such office; and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge;

shall not be filled.

(2) TERM EXPIRATION.—In the case of a vacancy resulting from the expiration of the term of a bankruptcy judge not described in paragraph (1), that judge shall be eligible for reappointment as a bankruptcy judge in that district.

(c) EXTENSION OF EXISTING TEMPORARY BANKRUPTCY JUDGESHIPS.—

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

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

**SEC. 4. TRANSFER OF BANKRUPTCY JUDGESHIP SHARED BY THE MIDDLE DISTRICT OF GEORGIA AND THE SOUTHERN DISTRICT OF GEORGIA.**

The bankruptcy judgeship presently shared by the southern district of Georgia and the middle district of Georgia shall be converted to a bankruptcy judgeship for the middle district of Georgia.

**SEC. 5. CONVERSION OF EXISTING TEMPORARY BANKRUPTCY JUDGESHIPS.**

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

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

**SEC. 6. TECHNICAL AMENDMENTS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. SARBANES. Mr. President, I rise today in strong support of legislation to provide more bankruptcy judges for several States, including four additional bankruptcy judgeships for my own State of Maryland. This legislation is being introduced today by Senator BIDEN, and is being cosponsored by myself and Senators CARPER, NELSON of Florida, CLINTON, EDWARDS, GRAHAM of South Carolina, HOLLINGS, LEVIN, PRYOR, REID, CHAMBLISS, MILLER, ALEXANDER and GRAHAM of Florida.

This bill is another significant step forward in our efforts to strengthen Maryland's Federal bankruptcy court. We have been working for several years to get these additional judgeships approved, yet no legislation has been passed that would authorize them. With such inaction, the burden facing Maryland's sitting bankruptcy judges has grown, and Maryland has remained without the additional judgeships it so desperately needs to make our bankruptcy system work.

Maryland's four sitting bankruptcy judges continue to show remarkable dedication given the extraordinary burdens placed upon them. However, additional judgeships remain essential to the fair and timely administration of the Bankruptcy Code for all of the businesses and individuals that come before the Maryland District.

Since 1992, we have been requesting additional judgeships for the District of Maryland; thus far none have been approved. In 1992, there were approximately 15,000 bankruptcy filings in the District of Maryland. From 1998 to 2002, there were over 30,000 bankruptcy filings per year in Maryland. In the past few years the number of new filings per year has been closer to 35,000, and in 2002 there were 35,900 new cases. The caseload has more than doubled in the past ten years, and the Court still does its work with only four bankruptcy judges. This dire need for additional judgeships in Maryland has yet to be remedied by the Congress.

This legislation provides four additional judgeships for Maryland, in accordance with a September 2002 recommendation from the United States Judicial Conference. These four additional judgeships would help reduce the overwhelming workload of the four sitting bankruptcy judges. As of June 30,

2002, the national weighted filing average for bankruptcy judges was 1,641. The weighted filing per judge for Maryland's four bankruptcy judges was 3,030—almost twice the national average.

Mr. President, I urge my colleagues to support this legislation, which would provide much needed help on the bankruptcy courts in Maryland and across the Nation.

By Mr. CAMPBELL.:

S. 1062. A bill to amend section 924 of title 18, United States Code, to increase the maximum term of imprisonment for offenses involving stolen firearms; to the Committee on the Judiciary.

Mr. CAMPBELL. Mr. President, this week, May 11 through 17, is "National Police Week 2003."

This is the week when thousands of law enforcement officers from all over the United States gather here in our Nation's Capital. Representing a full spectrum of our Nation's law enforcement personnel including local, State, and Federal officers, they gather here to honor their fallen comrades, as well as to celebrate all who serve this country and its citizens. Some of this year's highlights include the May 11 "Law Ride," the May 13 "Candlelight Vigil at the National Law Enforcement Officers Memorial" and the May 15 "National Peace Officers' Memorial Day Service" which will be held on the Capitol grounds. These events are being held to specifically pay tribute to the more than 145 peace officers who were killed in the line of duty across the U.S. during 2002.

In honor of "National Police Week," today I am introducing two bills that will help improve our Nation's justice system and protect the law enforcement officers who put their lives on the line for us all on a daily basis.

The first bill I am introducing is the "Stolen Gun Penalty Enhancement Act of 2003" which would increase the maximum prison sentences for violating existing stolen gun laws.

A growing number of crimes in our country are being committed with stolen guns. The extent of this problem is reflected in a number of recent studies and news reports which indicate that almost half a million guns are stolen each year.

This problem is increasing, and is therefore especially alarming among young people. A Justice Department study of juvenile inmates in four States showed that over 50 percent of the inmates in those prison systems had stolen a gun. In the same study, gang members and drug sellers were also more likely to have stolen a gun.

Specifically, this bill would increase the maximum penalty for violating four provisions of the firearms laws. Under title 18 of the U.S. Code, it is illegal to knowingly transport or ship a stolen firearm or stolen ammunition. It is also illegal to knowingly receive, possess, conceal, store, sell, or otherwise dispose of a stolen firearm or sto-

len ammunition. The penalty for violating either of these provisions is a fine, a maximum term of imprisonment of 10 years, or both.

My bill increases the maximum prison sentence to 15 years.

I am a strong supporter of the rights of law-abiding gun owners. However, I firmly believe we need tougher penalties for the illegal use of firearms.

The "Stolen Gun Penalty Enhancement Act of 2003" will send a strong signal to criminals who are even thinking about stealing a firearm. I urge my colleagues to join in support of this legislation.

I ask unanimous consent that the text of the Stolen Gun Penalty Enhancement Act of 2003 be printed in the RECORD.

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

S. 1062

*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 "Stolen Gun Penalty Enhancement Act of 2003".

**SEC. 2. STOLEN FIREARMS.**

(a) IN GENERAL.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "(i), (j),"; and

(B) by adding at the end the following:

"(8) Whoever knowingly violates subsection (i) or (j) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.;"

(2) in subsection (i)(1), by striking "10 years" and inserting "15 years"; and

(3) in subsection (j), by striking "10 years" and inserting "15 years".

(b) SENTENCING COMMISSION.—The United States Sentencing Commission shall amend the Federal sentencing guidelines to reflect the amendments made under subsection (a).

By Mr. CAMPBELL:

S. 1065. A bill to establish a matching grant program to help State and local jurisdictions purchase bullet-resistant equipment for use by law enforcement departments; to the Committee on the Judiciary.

Mr. CAMPBELL. Mr. President, the second bill I am introducing today is the "Officer Dale Claxton Bullet Resistant Police Protective Equipment Act of 2003".

This bill is named in honor of Officer Dale Claxton of Cortez, CO, a fine law enforcement officer and family man, who was fatally shot through the windshield of his patrol car on May 29, 1998, after stopping a stolen truck. His assailants turned out to be dangerous fugitives and as a result, a large-scale man hunt was launched. The assailants were brought to justice, but Officer Claxton was tragically and prematurely taken away from his wife and four children.

"The Officer Dale Claxton Bullet Resistant Police Protective Equipment Act" would aid law enforcement agencies in acquiring bullet resistant equipment for their forces, including bullet