

106TH CONGRESS
2D SESSION

S. 2990

To amend chapter 42 of title 28, United States Code, to establish the Judicial Education Fund for the payment of the reasonable expenses of judges participating in seminars, to prohibit the acceptance of seminar gifts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2000

Mr. KERRY (for himself, and Mr. FEINGOLD) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend chapter 42 of title 28, United States Code, to establish the Judicial Education Fund for the payment of the reasonable expenses of judges participating in seminars, to prohibit the acceptance of seminar gifts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. JUDICIAL EDUCATION AND SEMINARS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Judicial Education Reform Act of 2000”.

6 (b) JUDICIAL EDUCATION FUND.—

1 (1) ESTABLISHMENT.—Chapter 42 of title 28,
2 United States Code, is amended by adding at the
3 end the following:

4 **“§ 630. Judicial Education Fund**

5 “(a) There is established within the United States
6 Treasury a fund to be known as the ‘Judicial Education
7 Fund’ (in this section referred to as the ‘Fund’).

8 “(b) Amounts in the Fund may be made available for
9 the payment of necessary expenses, including reasonable
10 expenditures for transportation, food, lodging, seminar
11 fees and materials, incurred by a judge or justice in at-
12 tending a seminar approved by the Board of the Federal
13 Judicial Center. Necessary expenses shall not include ex-
14 penditures for recreational activities or entertainment
15 other than that provided to all attendees as an integral
16 part of the seminar. Any payment from the Fund shall
17 be approved by the Board.

18 “(c) The Board may approve a seminar after submis-
19 sion of information by the sponsor of that seminar that
20 includes—

21 “(1) the content of the seminar (including a list
22 of presenters, topics, and course materials);

23 “(2) the source of funding for the seminar;

1 “(3) the litigation activities of the sponsor and
2 the source of funding (including any litigation fund-
3 ed by the source of funding); and

4 “(4) litigation activities of all presenters at the
5 seminar (including the litigation activity of the em-
6 ployer of the presenter).

7 “(d) If the Board approves a seminar, the Board
8 shall make the information submitted under subsection (c)
9 relating to the seminar available to judges and the public
10 by posting the information (or a detailed summary of the
11 information) on the Internet.

12 “(e) The Judicial Conference shall promulgate guide-
13 lines to ensure that the Board only approves seminars that
14 are conducted in a manner so as to maintain the public’s
15 confidence in an unbiased and fair-minded judiciary.

16 “(f) In this section the term ‘seminar’ shall include
17 panel discussions, conferences, colloquia, symposia, and
18 other similar events.

19 “(g) There are authorized to be appropriated for de-
20 posit in the Fund \$2,000,000 for each of fiscal years
21 2001, 2002, 2003, 2004, and 2005, to remain available
22 until expended.”.

23 (2) TECHNICAL AND CONFORMING AMEND-
24 MENT.—The table of sections for chapter 42 of title

1 28, United States Code, is amended by adding at
2 the end the following:

“630. Judicial Education Fund.”.

3 (c) SEMINAR GIFTS PROHIBITED.—

4 (1) DEFINITION.—In this subsection the term
5 “seminar” shall include panel discussions, con-
6 ferences, colloquia, symposia, and other similar
7 events.

8 (2) IN GENERAL.—Not later than 240 days
9 after the date of enactment of this Act, the Judicial
10 Conference of the United States shall promulgate
11 regulations to apply section 7353(a) of title 5,
12 United States Code, to prohibit the solicitation or
13 acceptance of anything of value in connection with
14 a seminar.

15 (3) EXCEPTION.—The prohibition under the
16 regulations promulgated under paragraph (2) shall
17 not apply if—

18 (A) the judge or judicial employee partici-
19 pates in a seminar as a speaker, panel partici-
20 pant, or otherwise presents information;

21 (B) Federal judges are not the primary au-
22 dience at the seminar; and

23 (C) the thing of value accepted is—

24 (i) reimbursement from the seminar
25 sponsor of reasonable transportation, food,

1 or lodging expenses on any day on which
2 the judge or judicial employee speaks, par-
3 ticipates, or presents information, as appli-
4 cable;

5 (ii) attendance at the seminar on any
6 day on which the judge or judicial em-
7 ployee speaks, participates, or presents in-
8 formation, as applicable; or

9 (iii) anything excluded from the defi-
10 nition of a gift under regulations of the
11 Judicial Conference of the United States
12 under sections 7351 and 7353 of title 5,
13 United States Code, as in effect on the
14 date of enactment of this Act.

○