

## Calendar No. 241

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 986**

To allow media coverage of court proceedings.

## IN THE SENATE OF THE UNITED STATES

JUNE 5, 2001

Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. SMITH of New Hampshire, Mr. ALLARD, Mr. FEINGOLD, Mr. SPECTER, Mr. DURBIN, Mr. DEWINE, Mr. ALLEN, Mr. EDWARDS, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

NOVEMBER 29, 2001

Reported by Mr. LEAHY, without amendment

**A BILL**

To allow media coverage of court proceedings.

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. DEFINITIONS.**

4 In this Act:

5 (1) PRESIDING JUDGE.—The term “presiding  
6 judge” means the judge presiding over the court  
7 proceeding concerned. In proceedings in which more

than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) APPELLATE COURT OF THE UNITED STATES.—The term “appellate court of the United States” means any United States circuit court of appeals and the Supreme Court of the United States.

**SEC. 2. AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.**

(a) AUTHORITY OF APPELLATE COURTS.—Notwithstanding any other provision of law, the presiding judge of an appellate court of the United States may, in the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides.

(b) AUTHORITY OF DISTRICT COURTS.—

1           (1) IN GENERAL.—Notwithstanding any other  
2       provision of law, any presiding judge of a district  
3       court of the United States may, in the discretion of  
4       that judge, permit the photographing, electronic re-  
5       cording, broadcasting, or televising to the public of  
6       court proceedings over which that judge presides.

7           (2) OBSCURING OF WITNESSES.—

8           (A) IN GENERAL.—Upon the request of  
9       any witness in a trial proceeding other than a  
10      party, the court shall order the face and voice  
11      of the witness to be disguised or otherwise ob-  
12      scured in such manner as to render the witness  
13      unrecognizable to the broadcast audience of the  
14      trial proceeding.

15          (B) NOTIFICATION TO WITNESSES.—The  
16      presiding judge in a trial proceeding shall in-  
17      form each witness who is not a party that the  
18      witness has the right to request that the image  
19      and voice of that witness be obscured during  
20      the witness' testimony.

21      (c) ADVISORY GUIDELINES.—The Judicial Con-  
22      ference of the United States may promulgate advisory  
23      guidelines to which a presiding judge, in the discretion of  
24      that judge, may refer in making decisions with respect to  
25      the management and administration of photographing, re-

1 cording, broadcasting, or televising described under sub-  
2 sections (a) and (b).

3 **SEC. 3. SUNSET.**

4       The authority under section 2(b) shall terminate 3  
5 years after the date of the enactment of this Act.



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