

[118H8830]

.....
(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit Federal judges from receiving gifts valued over \$50 in an instance or \$100 in the aggregate in a year from a source unless excepted, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. RASKIN introduced the following bill; which was referred to the Committee
on _____

A BILL

To prohibit Federal judges from receiving gifts valued over \$50 in an instance or \$100 in the aggregate in a year from a source unless excepted, 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. SHORT TITLE.**

4 This Act may be cited as the “High Court Gift Ban
5 Act”.

6 **SEC. 2. PROHIBITION ON GIFTS.**

7 Subchapter V of chapter 73 of title 5, United States
8 Code, is amended by adding at the end the following:

1 **“§ 7354. Gifts to Federal judges**

2 “(a) IN GENERAL.—

3 “(1) PROHIBITION.—A judicial officer may not
4 accept a gift from any source unless—

5 “(A) the judicial officer reasonably and in
6 good faith believes the gift has a value of less
7 than \$50; and

8 “(B) the aggregate value of gifts the judi-
9 cial officer has received from the source in that
10 calendar year is \$100 or less, inclusive of the
11 present gift.

12 “(2) EXCEPTIONS.—The prohibition under
13 paragraph (1) does not apply to any of the following
14 circumstances:

15 “(A) Anything for which the judicial offi-
16 cer pays the fair market value.

17 “(B) Anything for which the judicial offi-
18 cer does not use and promptly returns to the
19 person who provided the gift to the judicial offi-
20 cer.

21 “(C) A gift from a relative.

22 “(D) A gift from another judicial officer.

23 “(E) Honorary degrees (and associated
24 travel, food, refreshments, and entertainment)
25 and other bona fide, nonmonetary awards pre-
26 sented in recognition of public service (and as-

1 sociated food, refreshments, and entertainment
2 provided in the presentation of such degrees
3 and awards) paid for by an educational institu-
4 tion so long as only the educational institution
5 pays for, or sponsors, the award and invites the
6 judicial officer.

7 “(F) Opportunities and benefits that are—

8 “(i) available to the public or to a
9 class consisting of all Federal employees;

10 “(ii) offered to members of a group or
11 class for which membership in such group
12 or class is unrelated to service as a judicial
13 officer;

14 “(iii) offered to members of an orga-
15 nization open to all judicial officers;

16 “(iv) in the form of loans from banks
17 and other financial institutions on terms
18 generally available to the public; or

19 “(v) in the form of a reduction in
20 membership fees or fees for participation
21 in activities of an organization if such re-
22 duction is offered to all Federal employees
23 and such organization is a professional or-
24 ganization in which its membership is sole-

1 ly contingent on professional qualifications
2 of the prospective member.

3 “(G) Reimbursement for reasonable ex-
4 penses for transportation, food, lodging, and en-
5 tertainment at a seminar or event relating to
6 the law, the legal system, or the administration
7 of justice so long as—

8 “(i) the judicial officer was not invited
9 to the seminar or event by a prohibited
10 source;

11 “(ii) the seminar or event is not orga-
12 nized, paid for, or sponsored by a prohib-
13 ited source; and

14 “(iii) the total amount of reimburse-
15 ment for the seminar or event is—

16 “(I) \$2,000 or less; or

17 “(II) greater than \$2,000 if such
18 judicial officer received a written
19 waiver from the Chief Justice of the
20 United States (in the case of a jus-
21 tice) or the chief judge of the circuit
22 or district of such officer (in the case
23 of a judge).

24 “(H) Personal hospitality from an indi-
25 vidual, who is not a prohibited source, in an

1 amount that does not exceed the dollar amount
2 established under paragraph (1) of section
3 2503(b)(as adjusted under paragraph (2) of
4 such section) of the Internal Revenue Code of
5 1986 (26 U.S.C. 2503(b)) with respect to such
6 calendar year.

7 “(3) GIFTS TO RELATIVES.—A gift to a relative
8 of the judicial officer shall be considered a gift to
9 the judicial officer if—

10 “(A) it is given with the knowledge and ac-
11 quiescence of the judicial officer; and

12 “(B) the judicial officer has reason to be-
13 lieve the gift was given because of the official
14 position of the judicial officer.

15 “(b) ENFORCEMENT.—

16 “(1) REFERRAL.—

17 “(A) ATTORNEY GENERAL.—The Judicial
18 Conference, or any official designated by the
19 Supreme Court or Congress to assist the jus-
20 tices in maintaining compliance with the Code
21 of Conduct for Justices of the Supreme Court
22 of the United States issued by the Court on No-
23 vember 13, 2023, or any successor rules or reg-
24 ulations governing ethical or conduct standards
25 for justices, shall refer to the Attorney General

1 the name of any individual who the Conference
2 or the official has reasonable cause to believe
3 has accepted a gift prohibited by this section or
4 any other law or regulation.

5 “(B) NOTIFICATION OF REFERRAL.—

6 Whenever the Judicial Conference refers a judi-
7 cial officer to the Attorney General under this
8 subsection, the Conference shall notify the judi-
9 cial council of the circuit in which such referred
10 judicial officer serves.

11 “(2) PENALTIES.—

12 “(A) CIVIL PENALTIES.—The Attorney
13 General may bring a civil action in any appro-
14 priate United States district court for a viola-
15 tion of this section, the penalties for which shall
16 be the same as the penalties for violating sec-
17 tion 13104 which are described in section
18 13106.

19 “(B) CRIMINAL PENALTIES.—In the case
20 of any knowing and willful violation of this sub-
21 section, the criminal penalties set forth in sec-
22 tion 13106(a)(2) shall apply.

23 “(e) DEFINITIONS.—In this section:

24 “(1) GIFT.—The term ‘gift’ means any gra-
25 tuity, favor, discount, entertainment, hospitality,

1 loan, forbearance, or other item having monetary
2 value (including services, transportation, local travel,
3 lodgings, and meals) whether provided in-kind, by
4 purchase of a ticket, payment in advance, or reim-
5 bursement after the expense has been incurred.

6 “(2) JUDICIAL OFFICER.—The term ‘judicial
7 officer’ has the meaning given that term in section
8 13101.

9 “(3) PERSONAL HOSPITALITY FROM AN INDI-
10 VIDUAL.—The term ‘personal hospitality from an in-
11 dividual’ means hospitality extended—

12 “(A) by an individual for a nonbusiness
13 purpose;

14 “(B) at the personal residence, property,
15 or facilities owned by the individual or the indi-
16 vidual’s family;

17 “(C) without payment or reimbursement
18 from any other person (except the judicial offi-
19 cer or a relative of the judicial officer) for such
20 hospitality; and

21 “(D) with the individual or the individual’s
22 family present on the property at the time in
23 which a judicial officer is being hosted.

24 “(4) PROHIBITED SOURCE.—The term ‘prohib-
25 ited source’ means any person—

1 “(A) who has, or is likely to, come before
2 the judicial officer; or

3 “(B) whose interests have, or are likely to,
4 come before the judicial officer.

5 “(5) RELATIVE.—The term ‘relative’ has the
6 meaning given that term in section 13101.

7 “(f) IMPLEMENTATION.—Within 180 days of the en-
8 actment of the , the Supreme Court of the United States
9 and the Judicial Conference of the United States shall
10 each promulgate regulations to carry out this section and
11 ensure compliance.

12 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion shall be construed to make it permissible for a judicial
14 officer to accept a gift or other item of value that the judi-
15 cial officer is prohibited from accepting under any other
16 law, rule, or regulation.”.