118TH 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:
§ 7354. Gifts to Federal judges

(a) In General.—

(1) Prohibition.—A judicial officer may not accept a gift from any source unless—

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

(B) the aggregate value of gifts the judicial officer has received from the source in that calendar year is $100 or less, inclusive of the present gift.

(2) Exceptions.—The prohibition under paragraph (1) does not apply to any of the following circumstances:

(A) Anything for which the judicial officer pays the fair market value.

(B) Anything for which the judicial officer does not use and promptly returns to the person who provided the gift to the judicial officer.

(C) A gift from a relative.

(D) A gift from another judicial officer.

(E) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and as-
sociated food, refreshments, and entertainment
provided in the presentation of such degrees
and awards) paid for by an educational institu-
tion so long as only the educational institution
pays for, or sponsors, the award and invites the
judicial officer.

“(F) Opportunities and benefits that are—
“(i) available to the public or to a
class consisting of all Federal employees;
“(ii) offered to members of a group or
class for which membership in such group
or class is unrelated to service as a judicial
officer;
“(iii) offered to members of an orga-
nization open to all judicial officers;
“(iv) in the form of loans from banks
and other financial institutions on terms
generally available to the public; or
“(v) in the form of a reduction in
membership fees or fees for participation
in activities of an organization if such re-
duction is offered to all Federal employees
and such organization is a professional or-
ganization in which its membership is sole-
ly contingent on professional qualifications of the prospective member.

"(G) Reimbursement for reasonable expenses for transportation, food, lodging, and entertainment at a seminar or event relating to the law, the legal system, or the administration of justice so long as—

"(i) the judicial officer was not invited to the seminar or event by a prohibited source;

"(ii) the seminar or event is not organized, paid for, or sponsored by a prohibited source; and

"(iii) the total amount of reimbursement for the seminar or event is—

"(I) $2,000 or less; or

"(II) greater than $2,000 if such judicial officer received a written waiver from the Chief Justice of the United States (in the case of a justice) or the chief judge of the circuit or district of such officer (in the case of a judge).

"(H) Personal hospitality from an individual, who is not a prohibited source, in an
amount that does not exceed the dollar amount established under paragraph (1) of section 2503(b) (as adjusted under paragraph (2) of such section) of the Internal Revenue Code of 1986 (26 U.S.C. 2503(b)) with respect to such calendar year.

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

“(A) it is given with the knowledge and acquiescence of the judicial officer; and

“(B) the judicial officer has reason to believe the gift was given because of the official position of the judicial officer.

“(b) ENFORCEMENT.—

“(1) REFERRAL.—

“(A) ATTORNEY GENERAL.—The Judicial Conference, or any official designated by the Supreme Court or Congress to assist the justices in maintaining compliance with the Code of Conduct for Justices of the Supreme Court of the United States issued by the Court on November 13, 2023, or any successor rules or regulations governing ethical or conduct standards for justices, shall refer to the Attorney General
the name of any individual who the Conference
or the official has reasonable cause to believe
has accepted a gift prohibited by this section or
any other law or regulation.

"(B) Notification of referral.—
Whenever the Judicial Conference refers a judi-
cial officer to the Attorney General under this
subsection, the Conference shall notify the judi-
cial council of the circuit in which such referred
judicial officer serves.

"(2) Penalties.—

"(A) Civil penalties.—The Attorney
General may bring a civil action in any appro-
priate United States district court for a viola-
tion of this section, the penalties for which shall
be the same as the penalties for violating sec-
tion 13104 which are described in section
13106.

"(B) Criminal penalties.—In the case
of any knowing and willful violation of this sub-
section, the criminal penalties set forth in sec-
tion 13106(a)(2) shall apply.

"(e) Definitions.—In this section:

"(1) Gift.—The term ‘gift’ means any gra-
tuity, favor, discount, entertainment, hospitality,
loan, forbearance, or other item having monetary
value (including services, transportation, local travel,
lodgings, and meals) whether provided in-kind, by
purchase of a ticket, payment in advance, or reim-
bursement after the expense has been incurred.

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

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

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

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

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

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

“(4) PROHIBITED SOURCE.—The term ‘prohib-
ited source’ means any person—
“(A) who has, or is likely to, come before the judicial officer; or

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

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

“(f) IMPLEMENTATION.—Within 180 days of the enactment of this Act, the Supreme Court of the United States and the Judicial Conference of the United States shall each promulgate regulations to carry out this section and ensure compliance.

“(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to make it permissible for a judicial officer to accept a gift or other item of value that the judicial officer is prohibited from accepting under any other law, rule, or regulation.”