

# Calendar No. 195

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1014

To provide for additional Federal district judgeships.

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## IN THE SENATE OF THE UNITED STATES

MAY 17, 2011

Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. CORNYN, Ms. KLOBUCHAR, Mr. MCCAIN, Mrs. HUTCHISON, Mr. FRANKEN, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

OCTOBER 17, 2011

Reported by Mr. LEAHY, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

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## A BILL

To provide for additional Federal district judgeships.

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 “Emergency Judicial  
5 Relief Act of 2011”.

1 **SEC. 2. FEDERAL DISTRICT JUDGESHIPS.**

2 (a) ADDITIONAL PERMANENT DISTRICT JUDGE-  
3 SHIP.—The President shall appoint, by and with the ad-  
4 vice and consent of the Senate—

5 (1) 2 additional district judges for the district  
6 of Arizona;

7 (2) 4 additional district judges for the eastern  
8 district of California;

9 (3) 1 additional district judge for the district of  
10 Minnesota;

11 (4) 1 additional district judge for the southern  
12 district of Texas; and

13 (5) 2 additional district judges for the western  
14 district of Texas.

15 (b) CONVERSION OF TEMPORARY JUDGESHIPS.—The  
16 existing judgeships for the district of Arizona and the cen-  
17 tral district of California authorized by section 312(c) of  
18 the 21st Century Department of Justice Appropriations  
19 Authorization Act (28 U.S.C. 133 note; Public Law 107–  
20 273; 116 Stat. 1788), as of the effective date of this Act,  
21 shall be authorized under section 133 of title 28, United  
22 States Code, and the incumbents in those offices shall hold  
23 the office under section 133 of title 28, United States  
24 Code, as amended by this Act.

1 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

2 The table contained in section 133(a) of title 28, United  
3 States Code, is amended—

4 (1) by striking the item relating to the district  
5 of Arizona and inserting the following:

“Arizona ..... 15”;

6 (2) by striking the item relating to California  
7 and inserting the following:

“California:  
Northern ..... 14  
Eastern ..... 10  
Central ..... 28  
Southern ..... 13”;

8 (3) by striking the item relating to the district  
9 of Minnesota and inserting the following:

“Minnesota ..... 8”;

10 and

11 (4) by striking the item relating to Texas and  
12 inserting the following:

“Texas:  
Northern ..... 12  
Southern ..... 20  
Eastern ..... 7  
Western ..... 15”.

13 (d) ~~INCREASE IN FILING FEES.~~—Section 1914(a) of  
14 title 28, United States Code, is amended by striking  
15 “\$350” and inserting “\$360”.

16 (d) *INCREASE IN FILING FEES.*—

1           (1) *IN GENERAL.*—Section 1914(a) of title 28,  
2           *United States Code, is amended by striking “\$350”*  
3           *and inserting “\$360”.*

4           (2) *EXPENDITURE LIMITATION.*—Incremental  
5           *amounts collected by reason of the enactment of this*  
6           *subsection shall be deposited in a special fund in the*  
7           *Treasury to be established after the date of enactment*  
8           *of this Act. Such amounts shall be available for the*  
9           *purposes specified in section 1931(a) of title 28,*  
10          *United States Code, but only to the extent specifically*  
11          *appropriated by an Act of Congress enacted after the*  
12          *date of enactment of this Act.*

13 **SEC. 3. WHISTLEBLOWER PROTECTION.**

14          (a) *IN GENERAL.*—No officer, employee, agent, con-  
15          *tractor, or subcontractor in the judicial branch may dis-*  
16          *charge, demote, threaten, suspend, harass or in any other*  
17          *manner discriminate against an employee in the terms and*  
18          *conditions of employment because of any lawful act done*  
19          *by the employee to provide information, cause information*  
20          *to be provided, or otherwise assist in an investigation re-*  
21          *garding any possible violation of Federal law or regulation,*  
22          *or misconduct, by a judge, justice, or any other employee*  
23          *in the judicial branch, which may assist in the investiga-*  
24          *tion of the possible violation or misconduct.*

1       **(b) CIVIL ACTION.**—*An employee injured by a viola-*  
2 *tion of subsection (a) may, in a civil action, obtain appro-*  
3 *prate relief.*

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