

118TH CONGRESS
1ST SESSION

S. 251

To amend title 18, United States Code, to provide for penalties for the unauthorized disclosure of confidential information by officers or employees of the Supreme Court, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2023

Mr. CASSIDY (for himself, Mrs. HYDE-SMITH, Mr. RUBIO, Mr. WICKER, Mr. DAINES, Mrs. BLACKBURN, and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for penalties for the unauthorized disclosure of confidential information by officers or employees of the Supreme Court, 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 “Stop Supreme Court
5 Leakers Act of 2023”.

1 **SEC. 2. OBSTRUCTION OF SUPREME COURT DELIBERA-**
2 **TIONS.**

3 (a) IN GENERAL.—Chapter 73 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 1522. Obstruction of Supreme Court deliberations**

7 “(a) DEFINITION.—In this section, the term ‘con-
8 fidential information’ includes—

9 “(1) internal notes taken by an employee of the
10 Supreme Court of the United States on cases heard
11 by the Supreme Court;

12 “(2) any communication between the Chief Jus-
13 tice of the United States or an associate justice of
14 the Supreme Court of the United States and an em-
15 ployee or officer of the Supreme Court;

16 “(3) a communication between officers and em-
17 ployees of the Supreme Court of the United States
18 on a matter pending before the Supreme Court;

19 “(4) a draft opinion or a final opinion prior to
20 the date on which such opinion is released to the
21 public;

22 “(5) personal information of the Chief Justice
23 of the United States or an associate justice of the
24 Supreme Court of the United States that is not oth-
25 erwise legally available to the public; and

1 “(6) any other information designated to be
2 confidential by the Chief Justice of the United
3 States prior to the date on which a violation of sub-
4 section (b) occurs.

5 “(b) PROHIBITION.—It shall be unlawful for any per-
6 son, while serving as an officer or employee of the Su-
7 preme Court, to knowingly publish, divulge, disclose, or
8 make known in any manner or to any extent not author-
9 ized by law any confidential information coming to that
10 officer or employee in the course of the employment or
11 official duties of that officer or employee.

12 “(c) CRIMINAL PENALTIES.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (2), any individual who violates, or conspires
15 to violate, subsection (b) shall be imprisoned not
16 more than 10 years and fined under this title.

17 “(2) INTERNAL NOTES.—Any individual who
18 violates, or conspires to violate, subsection (a) with
19 confidential information described in subsection
20 (a)(1) shall be fined \$10,000.”.

21 (b) CRIMINAL FORFEITURE.—Section 982(a)(2)(B)
22 of title 18, United States Code, is amended by striking
23 “1029, or 1030” and inserting “1029, 1030, or 1522”.

1 (c) TABLE OF CONTENTS.—The table of sections for
2 chapter 73 of title 18, United States Code, is amended
3 by adding at the end the following:

“1522. Obstruction of Supreme Court deliberations.”.

