

117TH CONGRESS
1ST SESSION

S. 3059

To amend the Ethics in Government Act of 1978 to provide for a periodic transaction reporting requirement for Federal judicial officers and the online publication of financial disclosure reports of Federal judicial officers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 2021

Mr. CORNYN (for himself, Mr. COONS, Mr. KENNEDY, Mr. WHITEHOUSE, Mr. DURBIN, Mr. CRUZ, Mr. GRASSLEY, and Mr. OSSOFF) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Ethics in Government Act of 1978 to provide for a periodic transaction reporting requirement for Federal judicial officers and the online publication of financial disclosure reports of Federal judicial officers, 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 “Courthouse Ethics and
5 Transparency Act of 2021”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) recent reports indicate certain Federal
4 judges have failed to recuse themselves from cases
5 and controversies in which the financial interests of
6 the Federal judges are implicated;

7 (2) Federal law and the judicial recusal rules
8 applicable to Federal judges require that Federal
9 judges disqualify themselves in any proceeding in
10 which the impartiality of the Federal judges might
11 be reasonably questioned, including instances in
12 which a Federal judge has any financial interest in
13 the subject matter in controversy or in a party to
14 the proceeding;

15 (3) litigants and the public have an interest in
16 fair and impartial judicial proceedings, the results
17 and conduct of which avoid any appearance of im-
18 propriety; and

19 (4) in 2012, the STOCK Act (Public Law 112–
20 105; 126 Stat. 291) was enacted, which provides
21 that Members of Congress and Federal officials have
22 a duty of trust and confidentiality to not use infor-
23 mation obtained from their official duties for private
24 gain, including the purchase and sale of stocks,
25 bonds, commodities, futures, and other securities.

1 **SEC. 3. PERIODIC TRANSACTION REPORTS AND ONLINE**
2 **PUBLICATION OF FINANCIAL DISCLOSURE**
3 **REPORTS OF FEDERAL JUDICIAL OFFICERS.**

4 (a) PERIODIC TRANSACTION REPORTING REQUIRE-
5 MENT FOR FEDERAL JUDICIAL OFFICERS.—

6 (1) IN GENERAL.—Section 103(l) of the Ethics
7 in Government Act of 1978 (5 U.S.C. App.) is
8 amended by adding at the end the following:

9 “(11) Each judicial officer.”.

10 (2) EFFECTIVE DATE.—The amendment made
11 by paragraph (1) shall apply to applicable trans-
12 actions occurring on or after the date that is 90
13 days after the date of enactment of this Act.

14 (b) ONLINE PUBLICATION OF FINANCIAL DISCLO-
15 SURE REPORTS OF FEDERAL JUDICIAL OFFICERS.—Sec-
16 tion 105 of the Ethics in Government Act of 1978 (5
17 U.S.C. App.) is amended—

18 (1) by redesignating subsections (c) and (d) as
19 subsections (d) and (e), respectively; and

20 (2) by inserting after subsection (b) the fol-
21 lowing:

22 “(c) ONLINE PUBLICATION OF FINANCIAL DISCLO-
23 SURE REPORTS OF JUDICIAL OFFICERS.—

24 “(1) ESTABLISHMENT OF DATABASE.—Not
25 later than 180 days after the date of enactment of
26 the Courthouse Ethics and Transparency Act of

1 2021, the Administrative Office of the United States
2 Courts shall establish a searchable internet database
3 to enable public access to any report required to be
4 filed by a judicial officer under this title.

5 “(2) AVAILABILITY.—Not later than 90 days
6 after the date on which a report is required to be
7 filed under this title by a judicial officer, the Admin-
8 istrative Office of the United States Courts shall
9 make the report available on the database estab-
10 lished under paragraph (1) in a full-text searchable,
11 sortable, and downloadable format for access by the
12 public.

13 “(3) REDACTION.—Any report made available
14 on the database established under paragraph (1)
15 shall not contain any information that is redacted in
16 accordance with subsection (b)(3).”.

17 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

18 (1) Section 103(l) of the Ethics in Government
19 Act of 1978 (5 U.S.C. App.) (as amended by sub-
20 section (a)(1)) is amended—

21 (A) in paragraph (9), by striking “, as de-
22 fined under section 109(12)”; and

23 (B) in paragraph (10), by striking “, as
24 defined under section 109(13)”.

1 (2) Section 105 of the Ethics in Government
2 Act of 1978 (5 U.S.C. App.) (as amended by sub-
3 section (b)) is amended—

4 (A) in subsection (a)(1), by striking “be
5 revealing” and inserting “by revealing”; and

6 (B) in subsection (b)—

7 (i) in paragraph (1)—

8 (I) in the first sentence, by strik-
9 ing “be,,” and inserting “be,”; and

10 (II) in the third sentence, by
11 striking “may be may” and inserting
12 “may be, may”; and

13 (ii) in paragraph (3)(A), by striking
14 “described in section 109(8) or 109(10) of
15 this Act” and inserting “who is a judicial
16 officer or a judicial employee”.

17 (3) Section 107(a)(1) of the Ethics in Govern-
18 ment Act of 1978 (5 U.S.C. App) is amended in the
19 last sentence by striking “and (d)” and inserting
20 “and (e)”.

○