

108TH CONGRESS
2D SESSION

S. 2293

To provide for the orderly termination of the United States Court of Federal Claims, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2004

Mr. DORGAN (for himself and Mr. WYDEN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for the orderly termination of the United States
Court of Federal Claims, 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 “United States Court
5 of Federal Claims Termination Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) a fair and efficient Federal judiciary is a
9 bedrock of the Nation’s democracy;

1 (2) at a time of rising deficits and shrinking
2 budgets, it is imperative that Federal judiciary re-
3 sources be used wisely;

4 (3) the United States Court of Federal Claims
5 operates inefficiently;

6 (4) in calendar year 2002, on average, judges
7 of the Court of Federal Claims conducted only 1.5
8 trials and spent less than 66 hours in a courtroom;

9 (5) between calendar years 1997 and 2001, on
10 average, Court of Federal Claims judges had 45
11 cases on their docket each year;

12 (6) by contrast, during the same period, Fed-
13 eral district court judges had 478 cases on their
14 dockets each year;

15 (7) a comprehensive study by a respected legal
16 scholar concluded that the caseload of the Court of
17 Federal Claims could be handled more efficiently by
18 Federal district courts;

19 (8) transferring the caseload of the Court of
20 Federal Claims to the Federal district courts would
21 add less than 1 case each year to each Federal dis-
22 trict judgeship;

23 (9) there is no evidence that Federal district
24 courts are incapable of handling the caseload of the
25 Court of Federal Claims;

1 the end of that 1-year period shall not be transferred and
2 shall terminate.

3 (c) TERMINATION.—Notwithstanding any other pro-
4 vision of law, the United States Court of Federal Claims
5 is terminated effective on and after the date occurring 1
6 year after the date of enactment of this Act.

7 (d) REPORT.—Not later than 60 days after the date
8 of enactment of this Act, the Director of the Administra-
9 tive Office of United States Courts shall submit a report
10 to Congress containing recommendations for legislation to
11 carry out this Act, including recommendations for con-
12 forming amendments to Federal law.

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