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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

September 6, 2013

Via Electronic Transmission

The Honorable Mary Beck Briscoe
Chief Judge
United States Court of Appeals for the Tenth Circuit
Byron White U.S. Courthouse
1823 Stout Street
Denver, CO 80257.

Dear Chief Judge Beck Briscoe:

As a member of the United States Senate, it is my duty to be a good steward of taxpayer dollars and protect against waste, fraud and abuse. To that end, as Ranking Member of the Senate Judiciary Committee, I remain concerned about travel expenditures for annual circuit court conferences. Especially during this time of limited funding due to sequestration, it is important that all courts are utilizing their current funding allocations effectively.

After cancelling its conference in 2012, the Tenth Circuit apparently opted to resume its conference schedule in 2013, choosing as its destination the Broadmoor Resort in Colorado Springs, CO. As you know, the federal statute governing judicial court conferences permits, but does not require, circuit court chief judges to schedule annual or biannual meetings.

The 2013 conference at the Broadmoor Resort was held from August 29th to the 31st. According to the conference website¹, participants paid

¹ <http://tenthcircuitconference.org>

room rates starting at \$273/night plus 9.4 percent tax and a 2.25 percent public improvement fee. The resort also charged a separate resort fee of \$16 per day for single occupancy and \$2.50 per day for each additional occupant. While the website listed the official conference dates as August 29th to the 31st, the events schedule suggests that business meetings were also held on August 28th.

A training session on how to use an iPad, Kindle and other tablets was offered three separate times on August 29th and late in the day on August 30th, coinciding with the reception on the Mountain View Terrace. Moreover, the Administrative Office of the U.S. Courts (A.O.) sent the chief and staff members of the A.O.'s Judges Compensation and Retirement Services Office to provide individual benefits and retirement counseling sessions for circuit, district, bankruptcy and magistrate judges and their spouses during the conference.

The possibility of sequestration was under serious consideration for over a year. According to the sequestration plan the A.O. provided to my office, the Executive Committee of the Judicial Conference worked “throughout the fall and winter to develop emergency measures in the event that sequestration occur[ed].” In the letter accompanying the plan, the A.O. estimated that “up to 2000 on-board employees [would be] laid off or thousands of employees [face] furloughs for one day each pay period (a 10 percent pay cut).”² Most recently, 87 federal district court Chief Judges sent a letter to Vice President Joe Biden, President of the Senate, raising concerns about the impact of further funding cuts on the Judiciary. In the letter, the judges stated, “we have cut as much as possible while striving to uphold our core mission.”³

I fully recognize the need for education and training conferences. But I fail to see any justification for holding a conference at a luxury resort during a time of funding reductions. Given these concerns, therefore, I am requesting the following for the 2013 conference:

² Sean Reilly; “Courts seek \$73 M in emergency funding; *Federal Times*; <http://www.federaltimes.com/article/20130515/PERSONNEL03/305150010/Courts-seek-73M-emergency-funding>

³ <http://news.uscourts.gov/sites/default/files/Chief-Judges-Letter-to-Joseph-Biden.pdf>

1. A list of all expenses, in spreadsheet form, incurred by each attendee that were paid for or reimbursed with federal taxpayer dollars, including but not limited to: hotel room, transportation (including mode of transportation), meals and incidentals.
2. The total number of court employees who attended the conference and the roles they played during the conference. Please also provide the titles and affiliations of all other attendees, including U.S. Marshalls and any employees from other federal agencies in attendance.
3. The total amount paid for the use of conference facilities, including room rental, food, drink, hospitality room expenses, and all other expenses charged by the facility.
4. Copies of all contracts and/or agreements executed by the Tenth Circuit Court related to the conference, including those with the facilities, professional conference managers and services, convention bureaus and airlines, used to organize the conference and activities. In addition, please submit the proposals from bidders provided an opportunity to host the conference.
5. Please explain whether judges and other participants participated in the extracurricular activities while the official business of the court is being discussed or other educational legal programs are being conducted. Are there any mandatory programs that judges must attend?
6. The conference opens some events to family and spouses. What are the costs related to the attendance of family members and spouses covered by government funds? For instance, does the resort charge additional fees based on single or double occupancy for hotel rooms?
7. Please explain how this venue, rather than a teleconference or some other avenue for the Court to conduct its business, will lead to improving the administration of justice.

Please respond in writing by September 20, 2013. Should you have any questions, please do not hesitate to contact Janet Drew of my staff at (202) 224-5225. Thank you for your attention to this matter.

Sincerely,



Charles E. Grassley
Ranking Member