

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

# S. 2136

To provide funds to help establish the William H. Rehnquist Center on Constitutional Structures and Judicial Independence at the University of Arizona James E. Rogers College of Law.

---

## IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2005

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

---

## A BILL

To provide funds to help establish the William H. Rehnquist Center on Constitutional Structures and Judicial Independence at the University of Arizona James E. Rogers College of Law.

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 “William H. Rehnquist  
5        Center Act of 2005”.

6        **SEC. 2. FINDINGS.**

7        Congress finds the following:

1           (1) The late William H. Rehnquist, the 16th  
2 Chief Justice of the United States, distinguished  
3 himself with one of the longest and most influential  
4 tenures on the United States Supreme Court.

5           (2) The judicial branch of government, in Chief  
6 Justice Rehnquist’s own words, is “a vital and  
7 uniquely American institutional participant in the  
8 everlasting search of civilized society for the proper  
9 balance between liberty and authority, between the  
10 state and the individual.”.

11          (3) Among the principles that the Chief Justice  
12 held dearest were those of constitutional federalism,  
13 judicial independence, and the separation of powers.  
14 These principles are central to the Supreme Court’s  
15 role in the governance of our Nation.

16          (4) Because of the crucial nature of federalism,  
17 judicial independence, and the separation of powers,  
18 the public would be well-served by a more robust  
19 body of scholarship and broader education about  
20 these aspects of American constitutional law.

21          (5) Honoring the legacy of Chief Justice  
22 Rehnquist and creating a forum for greater scholar-  
23 ship and public education about the principles of  
24 federalism, judicial independence, and the separation  
25 of powers would best be achieved by establishing the

1 William H. Rehnquist Center on Constitutional  
2 Structures and Judicial Independence at the Univer-  
3 sity of Arizona James E. Rogers College of Law,  
4 which would advance non-partisan scholarship about  
5 the judicial branch of government and create an aca-  
6 demic center for discussions about the judicial  
7 branch of government.

8 **SEC. 3. GRANTS AUTHORIZED.**

9 In recognition of the contributions of the late William  
10 H. Rehnquist, Chief Justice of the United States Supreme  
11 Court, to the democratic process of governance, the Attor-  
12 ney General is authorized to make grants in accordance  
13 with the provisions of this Act to assist in the establish-  
14 ment of the William H. Rehnquist Center on Constitu-  
15 tional Structures and Judicial Independence at the Uni-  
16 versity of Arizona James E. Rogers College of Law.

17 **SEC. 4. APPLICATION.**

18 No payment may be made under this Act except upon  
19 an application at such time, in such manner, and con-  
20 taining or accompanied by such information as the Attor-  
21 ney General may require.

22 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There are authorized to be appro-  
24 priated to carry out the provisions of this Act \$2,000,000  
25 for each of fiscal years 2007 through 2011.

1       (b) UNOBLIGATED AMOUNTS.—Any amounts appro-  
2   priated under subsection (a) that are unexpended and un-  
3   obligated after December 31, 2011, shall be covered into  
4   the general fund of the Treasury.

○