

“(b) The requirement that a person may not continue to serve as chief judge of the Court of International Trade after having reached the age of seventy years, as set forth in the amendment made by section 101 of this Act [amending this section], shall apply to any individual serving as chief judge on or after the date of enactment of this Act [Oct. 10, 1980].”

#### EFFECT ON PENDING CASES

Pub. L. 96-417, title VII, §704, Oct. 10, 1980, 94 Stat. 1748, provided that: “Nothing in this Act [see section 1 of Pub. L. 96-417, set out as a Short Title of 1980 Amendment note under section 1 of this title] shall cause the dismissal of any action commenced prior to the date of enactment of this Act [Oct. 10, 1980] under jurisdictional statutes relating to the Customs Court or the Court of Customs and Patent Appeals as in effect immediately prior to such date of enactment [Oct. 10, 1980].”

#### TENNESSEE VALLEY AUTHORITY LEGAL REPRESENTATION

Pub. L. 96-417, title VII, §705, Oct. 10, 1980, 94 Stat. 1748, provided that: “Nothing in this Act [see section 1 of Pub. L. 96-417, set out as a Short Title of 1980 Amendment note under section 1 of this title] affects the authority of the Tennessee Valley Authority under the Tennessee Valley Authority Act of 1933 [16 U.S.C. 831 et seq.] to represent itself by attorneys of its choosing.”

#### LIMITATION OR ALTERATION OF JURISDICTION

Act July 14, 1956, ch. 589, §4, 70 Stat. 532, provided that: “Nothing contained in this Act [amending this section and sections 292, 293, and 295 of this title] shall be construed in any way to limit or alter the jurisdiction heretofore conferred upon the United States Customs Court [now Court of International Trade] by any provision of law.”

#### CONTINUATION OF ORGANIZATION OF COURT

Act June 25, 1948, ch. 646, §2(b), 62 Stat. 985, provided in part that the provisions of this title as set out in section 1 of act June 25, 1948, with respect to the organization of the court, shall be construed as continuations of existing law, and the tenure of the judges, officers, and employees, in office on Sept. 1, 1948, shall not be affected by its enactment, but each of them shall continue to serve in the same capacity under the appropriate provisions of this title, pursuant to his prior appointment.

### § 252. Tenure and salaries of judges

Judges of the Court of International Trade shall hold office during good behavior. Each shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this title.

(June 25, 1948, ch. 646, 62 Stat. 899; Mar. 2, 1955, ch. 9, §1(f), 69 Stat. 10; Pub. L. 88-426, title IV, §403(f), Aug. 14, 1964, 78 Stat. 434; Pub. L. 94-82, title II, §205(b)(6), Aug. 9, 1975, 89 Stat. 423; Pub. L. 96-417, title V, §502, Oct. 10, 1980, 94 Stat. 1742.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §296 (Mar. 3, 1911, ch. 231, §187(a), as added Oct. 10, 1940, ch. 843, §1, 54 Stat. 1101; July 31, 1946, ch. 704, §1, 60 Stat. 716).

This section contains a part of section 296 of title 28, U.S.C., 1940 ed.,. Other provisions of such section are incorporated in sections 251, 253, 254, 456, 1581, 2071, 2639, and 2640 of this title.

A provision exempting judge's salaries from section 1790 of the Revised Statutes was omitted, as such sec-

tion was repealed by act Aug. 26, 1935, ch. 689, §1, 49 Stat. 864.

A provision for monthly salary payments was omitted since time of payment is a matter for administrative determination.

Changes were made in phraseology.

#### REFERENCES IN TEXT

Section 225 of the Federal Salary Act of 1967, referred to in text, is section 225 of Pub. L. 90-206, Dec. 16, 1967, 81 Stat. 642, as amended, which is classified to chapter 11 (§351 et seq.) of Title 2, The Congress.

#### AMENDMENTS

1980—Pub. L. 96-417 substituted “Judges of the Court of International Trade” for “Judge of the Customs Court”.

1975—Pub. L. 94-82 substituted provision that each judge shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967, as adjusted by section 461 of this title, for provision that each judge shall receive a salary of \$30,000 a year.

1964—Pub. L. 88-426 increased salaries of judges from \$22,500 to \$30,000 a year.

1955—Act Mar. 2, 1955, increased salaries of judges from \$15,000 to \$22,500 a year.

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-417 effective Nov. 1, 1980, and applicable with respect to civil actions pending on or commenced on or after such date, see section 701(a) of Pub. L. 96-417, set out as a note under section 251 of this title.

#### EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-426 effective on first day of first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

#### EFFECTIVE DATE OF 1955 AMENDMENT

Amendment by act Mar. 2, 1955, effective Mar. 1, 1955, see section 5 of act Mar. 2, 1955, set out as a note under section 4501 of Title 2, The Congress.

#### SALARY INCREASES

For adjustment of salaries of judges under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of Title 5, Government Organization and Employees.

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of Title 2, The Congress.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of Title 5, Government Organization and Employees.

Salaries of presiding judge and associate judges increased from \$10,000 to \$15,000 a year by act July 31, 1946, ch. 704, §1, 60 Stat. 716.

Salaries of presiding judge and associate judges increased from \$9,000 to \$10,000 a year by the Tariff Act of 1930, act June 17, 1930, ch. 497, title IV, §518, 46 Stat. 737.

### § 253. Duties of chief judge

(a) The chief judge of the Court of International Trade, with the approval of the court, shall supervise the fiscal affairs and clerical force of the court;<sup>1</sup>

(b) The chief judge shall promulgate dockets.

(c) The chief judge, under rules of the court, may designate any judge or judges of the court

<sup>1</sup> So in original. The semicolon probably should be a period.