

Title 5, Ex. Ord. No. 12087 further provided that pursuant to the Legislative Branch Appropriation Act, 1979 [Pub. L. 95-391, title III, §304, Sept. 30, 1978, 92 Stat. 788, set out as a note under section 5318 of Title 5], funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1978, which was \$57,500.

1977—Salaries of judges increased to \$57,500 per annum, on recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

1976—Salaries of judges increased to \$46,800 effective on first day of first pay period beginning on or after Oct. 1, 1976, see Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43889, formerly set out as a note under section 5332 of Title 5, Government Organization and Employees. Ex. Ord. No. 11941, further provided that pursuant to the Legislative Branch Appropriation Act, 1977, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1976, which was \$44,600.

1969—Salaries of judges increased from \$33,000 to \$42,500 per annum, commencing Feb. 14, 1969, on recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

1946—Salaries of chief judge and associate judges increased from \$12,500 to \$17,500 a year by act July 31, 1946, ch. 704, §1, 60 Stat. 716.

1926—Salary of Chief Justice, now chief judge, increased from \$8,000 to \$12,500 a year, and salaries of associate justices, now judges, increased from \$7,500 to \$12,500 a year by act Dec. 13, 1926, ch. 6, §1, 44 Stat. 919.

1919—Salary of Chief Justice increased from \$6,500 to \$8,000 a year, and salaries of associate justices increased from \$6,000 to \$7,500 a year by act Feb. 25, 1919, ch. 29, §1, 40 Stat. 1156.

1911—Salary of chief justice set at \$6,500, and salaries of associate justices set at \$6,000 by Judicial Code of 1911, act Mar. 3, 1911, ch. 231, §1, 36 Stat. 1135.

§ 173. Times and places of holding court

The principal office of the United States Court of Federal Claims shall be in the District of Columbia, but the Court of Federal Claims may hold court at such times and in such places as it may fix by rule of court. The times and places of the sessions of the Court of Federal Claims shall be prescribed with a view to securing reasonable opportunity to citizens to appear before the Court of Federal Claims with as little inconvenience and expense to citizens as is practicable.

(June 25, 1948, ch. 646, 62 Stat. 898; Mar. 2, 1955, ch. 9, §1(d), 69 Stat. 10; Pub. L. 88-426, title IV, §403(d), Aug. 14, 1964, 78 Stat. 434; Pub. L. 94-82, title II, §205(b)(4), Aug. 9, 1975, 89 Stat. 422; Pub. L. 97-164, title I, §105(a), Apr. 2, 1982, 96 Stat. 27; Pub. L. 102-572, title IX, §902(a), Oct. 29, 1992, 106 Stat. 4516.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §241 (Mar. 3, 1911, ch. 231, §136, 36 Stat. 1135; Feb. 25, 1919, ch. 29, §4, 40 Stat. 1157; Dec. 13, 1926, ch. 6, §1, 44 Stat. 919; July 31, 1946, ch. 704, §1, 60 Stat. 716).

This section is based on part of section 241 of title 28, U.S.C., 1940 ed. That portion relating to number, appointment of judges and their oaths, is incorporated in sections 171 and 453 of this title.

A provision for monthly salary payments was omitted since time of payment is a matter for administrative determination. (See 20 Comp. Gen. 834.)

The term “chief judge” was substituted for “Chief Justice.” (See reviser’s note under section 136 of this title.)

Minor changes were made in phraseology.

AMENDMENTS

1992—Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims

Court” and “Court of Federal Claims” for “Claims Court” in three places.

1982—Pub. L. 97-164 amended section generally, substituting provisions relating to times and places of holding court (formerly contained in section 174) for provisions relating to the tenure and salaries of judges of the Court of Claims. See section 172 of this title.

1975—Pub. L. 94-82 substituted provision that the chief judge and associate judges 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 granting each such judge a salary of \$33,000 a year.

1964—Pub. L. 88-426 increased salaries of judges from \$25,500 to \$33,000 a year.

1955—Act Mar. 2, 1955, increased salaries of judges from \$17,500 to \$25,500 a year.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-164 effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as a note under section 171 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.

§ 174. Assignment of judges; decisions

(a) The judicial power of the United States Court of Federal Claims with respect to any action, suit, or proceeding, except congressional reference cases, shall be exercised by a single judge, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other judges.

(b) All decisions of the Court of Federal Claims shall be preserved and open to inspection.

(June 25, 1948, ch. 646, 62 Stat. 898; Pub. L. 97-164, title I, §105(a), Apr. 2, 1982, 96 Stat. 27; Pub. L. 102-572, title IX, §902(a), Oct. 29, 1992, 106 Stat. 4516.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §243 (Mar. 3, 1911, ch. 231, §138, 36 Stat. 1136).

This section is based on the first sentence of section 243 of title 28, U.S.C., 1940 ed. The remainder of said section is incorporated in section 175 of this title.

Words “the seat of government” were substituted for “the city of Washington” to conform to similar language respecting the Supreme Court. (See section 2 of this title.)

Words “to be fixed by rule of court” were added to provide greater flexibility in administering the business of the court. For similar provisions covering the district courts, see section 138 of this title.

Word “term” was substituted for “session” for uniformity.

Minor changes were made in phraseology.

AMENDMENTS

1992—Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims