

Subsec. (i). Pub. L. 106-518, §101(2), (4), redesignated subsec. (j) as (i) and substituted “judiciary” for “Judiciary” in two places, “authority of subsection (c)(1)(B)” for “authority of subparagraph (c)(1)(B)”, and “under subsection (c)(1)(B)” for “under (c)(1)(B)”. Former subsec. (i) redesignated (h).

Subsecs. (j), (k). Pub. L. 106-518, §101(2), redesignated subsecs. (j) and (k) as (i) and (j), respectively.

1997—Subsec. (f). Pub. L. 105-85 substituted “division E of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.)” for “the Information Technology Management Reform Act of 1996”.

Subsec. (l). Pub. L. 105-119 struck out subsec. (l) which read as follows:

“(l) TERMINATION OF AUTHORITY.—The Fund, and the authorities conferred by this section, terminate on September 30, 1998. All unobligated amounts remaining in the Fund on that date shall be deposited into the fund established under section 1931 of this title to be used to reimburse other appropriations.”

1996—Pub. L. 104-106, §5602(b)(1), substituted “Information Technology Fund” for “Automation Fund” in section catchline.

Subsec. (a). Pub. L. 104-106, §5602(b)(3), substituted “information technology” for “automatic data processing” wherever appearing.

Pub. L. 104-106, §5602(b)(2), substituted “Information Technology Fund” for “Automation Fund”.

Subsecs. (b), (c)(2), (e). Pub. L. 104-106, §5602(b)(3), substituted “information technology” for “automatic data processing” wherever appearing.

Subsec. (f). Pub. L. 104-106, §5602(b)(3), substituted “information technology” for “automatic data processing”.

Pub. L. 104-106, §5602(a)(1), substituted “the provisions of law, policies, and regulations applicable to executive agencies under the Information Technology Management Reform Act of 1996” for “section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759)”.

Subsec. (g). Pub. L. 104-106, §5602(a)(2), substituted “section 201 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481)” for “sections 111 and 201 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 and 759)”.

Subsec. (h)(1). Pub. L. 104-106, §5602(b)(3), substituted “information technology” for “automatic data processing”.

Subsec. (l). Pub. L. 104-208, §101(a) [title III, §305], substituted “September 30, 1998” for “September 30, 1997”.

Pub. L. 104-106, §5602(a)(3), (4), redesignated subsec. (m) as (l) and struck out former subsec. (l) which read as follows:

“(l) DEFINITION.—For purposes of this section, the term ‘automatic data processing equipment’ has the meaning given that term in section 111(a)(2)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(a)(2)(A)).”

Subsec. (m). Pub. L. 104-106, §5602(a)(3), redesignated subsec. (m) as (l).

1994—Subsec. (a). Pub. L. 103-429, §2(1), inserted “program activities included in the courts of appeals, district courts, and other judicial services account of” after “equipment for” and substituted “, support personnel in the courts and in the Administrative Office of the United States Courts, and other costs, for the effective management, coordination, operation, and use of automatic data processing equipment purchased by the Fund. In addition, all agencies of the judiciary may make deposits into the Fund to meet their automatic data processing needs in accordance with subsections (b) and (c)(2)” for “and other costs, for the effective management, coordination, operation, and use of automatic data processing equipment in the judicial branch”.

Subsec. (b)(1). Pub. L. 103-420, §2(2), substituted “activities funded under subsection (a) and shall include an annual estimate of any fees that may be collected under section 404 of the Judiciary Appropriations Act,

1991 (Public Law 101-515; 104 Stat. 2133)” for “judicial branch”.

Subsec. (b)(2). Pub. L. 103-420, §2(3), substituted “activities funded under subsection (a)” for “judicial branch of the United States”.

Subsec. (c)(1)(A). Pub. L. 103-420, §2(4), inserted “, all fees collected after the date of the enactment of the Judicial Amendments Act of 1994 by the judiciary under section 404 of the Judiciary Appropriations Act, 1991 (Public Law 101-515; 104 Stat. 2133)” after “surplus property”.

Subsec. (e)(1). Pub. L. 103-420, §2(5), struck out “(A)” before “In fiscal year 1990” and substituted “amounts estimated to be collected under subsection (c) for that fiscal year” for “\$75,000,000”.

Subsec. (h). Pub. L. 103-420, §2(6), amended subsec. (h) generally. Prior to amendment, subsec. (h) read as follows: “ANNUAL REPORT.—The Director shall submit to the Congress an annual report on the operation of the Fund, including on the inventory, use, and acquisition of automatic data processing equipment from the Fund and the consistency of such acquisition with the plan prepared under subsection (b). The report shall set forth the amounts deposited into the Fund under subsection (c).”

Subsec. (i). Pub. L. 103-420, §2(7), substituted “may transfer amounts up to \$1,000,000 from the Fund into the account to which the funds were originally appropriated. Any amounts transferred from the Fund in excess of \$1,000,000 in any fiscal year may only be transferred by following reprogramming procedures in compliance with section 606 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1989 (Public Law 100-459; 102 Stat. 2227)” for “and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, may use amounts deposited into the Fund under subparagraph (c)(1)(B) for purposes other than those established in subsection (a) only by following reprogramming procedures in compliance with provisions set forth in section 606 of Public Law 100-459.”

Subsec. (j). Pub. L. 103-420, §2(8), substituted “not specified in statute by Congress” for “not specified by Congress” in second sentence.

Subsec. (k). Pub. L. 103-420, §2(9), added subsec. (k). Former subsec. (k) redesignated (l).

Subsec. (l). Pub. L. 103-420, §2(9), redesignated subsec. (k) as (l). Former subsec. (l) redesignated (m).

Subsec. (m). Pub. L. 103-420, §2(9), (10), redesignated subsec. (l) as (m) and substituted “September 30, 1997” for “September 30, 1994” and “fund established under section 1931 of this title” for “Judicial Services Account”.

## Statutory Notes and Related Subsidiaries

### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, div. E, title LVII, Feb. 10, 1996, 110 Stat. 702.

### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report required under subsec. (g) of this section is listed on page 143), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

## § 613. Disbursing and certifying officers

(a) DISBURSING OFFICERS.—The Director may designate in writing officers and employees of the judicial branch of the Government, including the courts as defined in section 610 other than the Supreme Court, to be disbursing offi-

cers in such numbers and locations as the Director considers necessary. Such disbursing officers shall—

(1) disburse moneys appropriated to the judicial branch and other funds only in strict accordance with payment requests certified by the Director or in accordance with subsection (b);

(2) examine payment requests as necessary to ascertain whether they are in proper form, certified, and approved; and

(3) be held accountable for their actions as provided by law, except that such a disbursing officer shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate for which a certifying officer is responsible under subsection (b).

(b) CERTIFYING OFFICERS.—

(1) IN GENERAL.—The Director may designate in writing officers and employees of the judicial branch of the Government, including the courts as defined in section 610 other than the Supreme Court, to certify payment requests payable from appropriations and funds. Such certifying officers shall be responsible and accountable for—

(A) the existence and correctness of the facts recited in the certificate or other request for payment or its supporting papers;

(B) the legality of the proposed payment under the appropriation or fund involved; and

(C) the correctness of the computations of certified payment requests.

(2) LIABILITY.—The liability of a certifying officer shall be enforced in the same manner and to the same extent as provided by law with respect to the enforcement of the liability of disbursing and other accountable officers. A certifying officer shall be required to make restitution to the United States for the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificates made by the certifying officer, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

(c) RIGHTS.—A certifying or disbursing officer—

(1) has the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment request presented for certification; and

(2) is entitled to relief from liability arising under this section in accordance with title 31.

(d) OTHER AUTHORITY NOT AFFECTED.—Nothing in this section affects the authority of the courts with respect to moneys deposited with the courts under chapter 129 of this title.

(Added Pub. L. 106-518, title III, § 304(a), Nov. 13, 2000, 114 Stat. 2417.)

**Statutory Notes and Related Subsidiaries**

CONSTRUCTION

Pub. L. 106-518, title III, § 304(c), Nov. 13, 2000, 114 Stat. 2418, provided that: “The amendment made by

subsection (a) [enacting this section] shall not be construed to authorize the hiring of any Federal officer or employee.”

SIMILAR PROVISIONS

Pub. L. 106-553, § 1(a)(2) [title III, § 304], Dec. 21, 2000, 114 Stat. 2762, 2762A-83, provided that:

“(a) The Director of the Administrative Office of the United States Courts (the Director) may designate in writing officers and employees of the judicial branch of the United States Government, including the courts as defined in section 610 of title 28, United States Code, but excluding the Supreme Court, to be disbursing officers in such numbers and locations as the Director considers necessary. These disbursing officers will: (1) disburse moneys appropriated to the judicial branch and other funds only in strict accordance with payment requests certified by the Director or in accordance with subsection (b) of this section; (2) examine payment requests as necessary to ascertain whether they are in proper form, certified, and approved; and (3) be held accountable as provided by law. However, a disbursing officer will not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate for which a certifying officer is responsible under subsection (b) of this section.

“(b)(1) The Director may designate in writing officers and employees of the judicial branch of the United States Government, including the courts as defined in section 610 of title 28, United States Code, but excluding the Supreme Court, to certify payment requests payable from appropriations and funds. These certifying officers will be responsible and accountable for: (A) the existence and correctness of the facts recited in the certificate or other request for payment or its supporting papers; (B) the legality of the proposed payment under the appropriation or fund involved; and (C) the correctness of the computations of certified payment requests.

“(2) The liability of a certifying officer will be enforced in the same manner and to the same extent as provided by law with respect to the enforcement of the liability of disbursing and other accountable officers. A certifying officer shall be required to make restitution to the United States for the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificates made by the certifying officer, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

“(c) A certifying or disbursing officer: (1) has the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment request presented for certification; and (2) is entitled to relief from liability arising under this section as provided by law.

“(d) The Director shall disburse, directly or through officials designated pursuant to this section, appropriations and other funds for the maintenance and operation of the courts.

“(e) Nothing in this section affects the authority of the courts to receive or disburse moneys in accordance with chapter 129 of title 28, United States Code.

“(f) This section shall be effective for fiscal year 2001 and hereafter.”

**CHAPTER 42—FEDERAL JUDICIAL CENTER**

Sec.	
620.	Federal Judicial Center.
621.	Board; composition, tenure of members, compensation.
622.	Meetings; conduct of business.
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