

respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the paragraph under the heading 'SALARIES OF SUPPORTING PERSONNEL' in the Judiciary Appropriation Act, 1955 (Public Law 470, Eighty-third Congress), or in any subsequent appropriation Act, shall be increased by the amounts necessary to pay the additional basic compensation provided by this Act."

1951—Act Oct. 24, 1951, ch. 554, §1(d), 65 Stat. 613, provided that: "The limitations of \$9,600 and \$13,050 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the sixteenth paragraph under the head 'Miscellaneous salaries' in the Judiciary Appropriation Act, 1951 (Public Law 759, Eighty-first Congress), or in any subsequent appropriation Act, shall be increased by the amounts necessary to pay the additional basic compensation provided by this Act."

The particular paragraph of the "Judiciary Appropriation Act, 1951 (Public Law 759, Eighty-first Congress)", referred to above, is act Sept. 6, 1950, ch. 896, ch. III, title IV, §401 (part), 64 Stat. 631. The salary limitations therein, also referred to above, were identical with those in the Judiciary Appropriation Act, 1952 (act Oct. 22, 1951, ch. 533, title IV, §401 (part), 65 Stat. 596).

INCREASES IN COMPENSATION RATES

Increases in rates of basic compensation fixed pursuant to subsec. (a)(5) of this section, see notes under section 603 of this title.

TRAVEL AND SUBSISTENCE EXPENSES

Pub. L. 87-139, §6, Aug. 14, 1961, 75 Stat. 340, provided that: "The Director of the Administrative Office of the United States Courts shall promulgate, in accordance with section 604(a)(7) and section 456 of title 28 of the United States Code, such regulations as he may deem necessary to effectuate the increases provided by this Act [amending section 553 of this title, former Title 5, Executive Departments and Government Officers and Employees, and sections 237*o*, 287*q*, and 1471 of Title 22, Foreign Relations and Intercourse]."

§ 605. Budget estimates

The Director, under the supervision of the Judicial Conference of the United States, shall submit to the Office of Management and Budget annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the courts and the Administrative Office and the operation of the judicial survivors annuity fund, and such supplemental and deficiency estimates as may be required from time to time for the same purposes, according to law. The Director shall cause periodic examinations of the judicial survivors annuity fund to be made by an actuary, who may be an actuary employed by another department of the Government temporarily assigned for the purpose, and whose findings and recommendations shall be transmitted by the Director to the Judicial Conference.

Such estimates shall be approved, before presentation to the Office of Management and Budget, by the Judicial Conference of the United States, except that the estimate with respect to the Court of International Trade shall be approved by such court and the estimate with respect to the United States Court of Appeals for the Federal Circuit shall be approved by such court.

(June 25, 1948, ch. 646, 62 Stat. 915; July 9, 1956, ch. 517, §1(e), 70 Stat. 497; Aug. 3, 1956, ch. 944, §4, 70 Stat. 1026; Pub. L. 87-253, §3, Sept. 19, 1961, 75

Stat. 521; Pub. L. 96-417, title V, §501(14), Oct. 10, 1980, 94 Stat. 1742; Pub. L. 97-164, title I, §119(a), Apr. 2, 1982, 96 Stat. 33; Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1085.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §447 (Mar. 3, 1911, ch. 231, §305, as added Aug. 7, 1939, ch. 501, §1, 53 Stat. 1223).

This section contains provisions of section 447 of title 28, U.S.C., 1940 ed., relating to budget estimates. The remainder of said section 447 is incorporated in section 604 of this title.

The designation "senior circuit judges" was changed to "chief judges of the circuits" in conformity with section 45 of this title.

Changes were made in phraseology.

SENATE REVISION AMENDMENT

Those provisions of this section which related to the Tax Court were eliminated by Senate amendment. See 80th Congress Senate Report No. 1559.

Editorial Notes

AMENDMENTS

1982—Pub. L. 97-258 struck out paragraph which had provided that budget estimates be included in the budget without revision, but subject to the recommendations of the Bureau of the Budget, as provided by section 11 of Title 31 for the estimates of the Supreme Court. See section 1105(b) of Title 31, Money and Finance.

Pub. L. 97-164 substituted "Office of Management and Budget" for "Bureau of the Budget" wherever appearing and inserted requirement that the estimate of the expenditures and appropriations necessary for the maintenance and operation of the United States Court of Appeals for the Federal Circuit be approved by such court.

1980—Pub. L. 96-417 redesignated the Customs Court as the Court of International Trade.

1961—Pub. L. 87-253 struck out from second paragraph the requirement that the estimate with respect to the Court of Customs and Patent Appeals be approved by such court.

1956—Act Aug. 3, 1956, inserted provision to authorize the Director to include in the budget estimates of the courts the expenditures and appropriations necessary for the operation of the judicial survivors annuity fund, and inserted provision that Director shall cause periodic actuarial examinations to be made of the judicial survivors annuity fund and shall report the actuary's findings and recommendations to the Judicial Conference.

Act July 9, 1956, struck out "and the Court of Claims" after "the Customs Court" and substituted "and" for the comma after "the Court of Customs and Patents Appeals" in second par.

Statutory Notes and Related Subsidiaries

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 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.

§ 606. Duties of Deputy Director

The Deputy Director shall perform the duties assigned to him by the Director, and shall act as

Director during the absence or incapacity of the Director or when the Director's office is vacant. (June 25, 1948, ch. 646, 62 Stat. 915; Pub. L. 86-370, § 5(a)(1), Sept. 23, 1959, 73 Stat. 652.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 444 (Mar. 3, 1911, ch. 231, § 302, as added Aug. 7, 1939, ch. 501, § 1, 53 Stat. 1223).

This section contains provisions as to duties of Assistant Director in section 444 of title 28, U.S.C., 1940 ed. The remainder of said section 444 is incorporated in sections 601, 603 and 608 of this title.

Editorial Notes

AMENDMENTS

1959—Pub. L. 86-370 substituted “Deputy Director” for “Assistant Director”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-370 effective Sept. 23, 1959, see section 7(a) of Pub. L. 86-370.

REFERENCE TO ASSISTANT DIRECTOR DEEMED REFERENCE TO DEPUTY DIRECTOR

References in any other law to Assistant Director of the Administrative Office of the United States Courts deemed to be reference to the Deputy Director of the Administrative Office of the United States Courts, see note set out under section 601 of this title.

§ 607. Practice of law prohibited

An officer or employee of the Administrative Office shall not engage directly or indirectly in the practice of law in any court of the United States.

(June 25, 1948, ch. 646, 62 Stat. 915.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 445 (Mar. 3, 1911, ch. 231, § 303, as added Aug. 7, 1939, ch. 501, § 1, 53 Stat. 1223).

This section contains the last paragraph of title 28, U.S.C., 1940 ed., § 445. The remainder of said section is incorporated in sections 602 and 603 of this title.

Changes were made in phraseology.

§ 608. Seal

The Director shall use a seal approved by the Supreme Court. Judicial notice shall be taken of such seal.

(June 25, 1948, ch. 646, 62 Stat. 915.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 444 (Mar. 3, 1911, ch. 231, § 302, as added Aug. 7, 1939, ch. 501, § 1, 53 Stat. 1223).

This section contains a part of section 444 of title 28, U.S.C., 1940 ed. The remainder of said section 444 is incorporated in sections 601, 603 and 606 of this title.

Changes were made in phraseology.

§ 609. Courts' appointive power unaffected

The authority of the courts to appoint their own administrative or clerical personnel shall not be limited by any provisions of this chapter.

(June 25, 1948, ch. 646, 62 Stat. 915.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed. § 446 (Mar. 3, 1911, ch. 231, § 304, as added Aug. 7, 1939, ch. 501, § 1, 53 Stat. 1223).

This section contains the last clause of section 446(1) of title 28, U.S.C., 1940 ed.

A similar provision with respect to the Attorney General's authority over United States attorneys and their assistants, and United States marshals and their deputies was omitted as unnecessary since there is nothing in this chapter that could affect such authority of the Attorney General.

For other provisions of section 446 of title 28, U.S.C., 1940 ed., see section 604 of this title.

Minor changes were made in phraseology.

§ 610. Courts defined

As used in this chapter the word “courts” includes the courts of appeals and district courts of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Federal Claims, and the Court of International Trade.

(June 25, 1948, ch. 646, 62 Stat. 915; Oct. 31, 1951, ch. 655, § 44, 65 Stat. 725; Pub. L. 85-508, § 12(e), July 7, 1958, 72 Stat. 348; Pub. L. 95-598, title II, § 226, Nov. 6, 1978, 92 Stat. 2665; Pub. L. 96-417, title V, § 501(15), Oct. 10, 1980, 94 Stat. 1742; Pub. L. 97-164, title I, § 120(a), Apr. 2, 1982, 96 Stat. 33; Pub. L. 102-572, title IX, § 902(b)(1), Oct. 29, 1992, 106 Stat. 4516.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 450 (Mar. 3, 1911, ch. 231, § 308, as added Aug. 7, 1939, ch. 501, § 1, 53 Stat. 1223).

Words “and the United States Court for China” were omitted. See reviser's note under section 411 of this title.

Provisions making this chapter and sections 332 and 333 of this title expressly applicable to the Court of Appeals for the District of Columbia were omitted as covered by “courts of appeals.” (See section 41 of this title and reviser's notes under such section and section 44 of this title.)

A definition of “continental United States” as “the States of the Union and the District of Columbia” is omitted as unnecessary. (See reviser's note under section 333 of this title.)

The term “district courts in the United States” in this section includes the District Court for the District of Columbia. (See section 88 of this title.)

Other provisions of section 450 of title 28, U.S.C., 1940 ed., are incorporated in sections 333 and 604 of this title.

The phrase “all other courts of the United States established by Act of Congress” was added to provide for future growth of the Federal judicial system. [See Senate Revision Amendment below.]

Changes in arrangement and phraseology were made.

SENATE REVISION AMENDMENT

Those provisions of this section which related to the Tax Court were eliminated by Senate amendment. See 80th Congress Senate Report No. 1559.

Editorial Notes

AMENDMENTS

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

1982—Pub. L. 97-164 substituted “the United States Claims Court” for “the Court of Claims, the Court of Customs and Patent Appeals”.

1980—Pub. L. 96-417 redesignated the Customs Court as the Court of International Trade.

1978—Pub. L. 95-598 directed the amendment of section by substituting “, district courts, and bankruptcy