

-EXPCITE-

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART III - COURT OFFICERS AND EMPLOYEES
CHAPTER 41 - ADMINISTRATIVE OFFICE OF UNITED STATES
COURTS

-HEAD-

Sec. 604. Duties of Director generally

-STATUTE-

(a) The Director shall be the administrative officer of the courts, and under the supervision and direction of the Judicial Conference of the United States, shall:

(1) Supervise all administrative matters relating to the offices of clerks and other clerical and administrative personnel of the courts;

(2) Examine the state of the dockets of the courts; secure information as to the courts' need of assistance; prepare and transmit semiannually to the chief judges of the circuits, statistical data and reports as to the business of the courts;

(3) Submit to the annual meeting of the Judicial Conference of the United States, at least two weeks prior thereto, a report of the activities of the Administrative Office and the state of the business of the courts, together with the statistical data submitted to the chief judges of the circuits under paragraph (a)(2) of this section, and the Director's recommendations, which report, data and recommendations shall be public documents.

(4) Submit to Congress and the Attorney General copies of the report, data and recommendations required by paragraph (a)(3) of this section;

(5) Fix the compensation of clerks of court, deputies, librarians, criers, messengers, law clerks, secretaries, stenographers, clerical assistants, and other employees of the courts whose compensation is not otherwise fixed by law, and, notwithstanding any other provision of law, pay on behalf of Justices and judges of the United States appointed to hold office

during good behavior, aged 65 or over, any increases in the cost of Federal Employees' Group Life Insurance imposed after April 24, 1999, including any expenses generated by such payments, as authorized by the Judicial Conference of the United States;

(6) Determine and pay necessary office expenses of courts, judges, and those court officials whose expenses are by law allowable, and the lawful fees of United States magistrate judges;

(7) Regulate and pay annuities to widows and surviving dependent children of justices and judges of the United States, judges of the United States Court of Federal Claims, bankruptcy judges, United States magistrate judges, Directors of the Federal Judicial Center, and Directors of the Administrative Office, and necessary travel and subsistence expenses incurred by judges, court officers and employees, and officers and employees of the Administrative Office, and the Federal Judicial Center, while absent from their official stations on official business, without regard to the per diem allowances and amounts for reimbursement of actual and necessary expenses established by the Administrator of General Services under section 5702 of title 5, except that the reimbursement of subsistence expenses may not exceed that authorized by the Director for judges of the United States under section 456 of this title;

(8) Disburse appropriations and other funds for the maintenance and operation of the courts;

(9) Establish pretrial services pursuant to section 3152 of title 18, United States Code;

(10)(A) Purchase, exchange, transfer, distribute, and assign the custody of lawbooks, equipment, supplies, and other personal property for the judicial branch of Government (except the Supreme Court unless otherwise provided pursuant to paragraph (17)); (B) provide or make available readily to each court appropriate equipment for the interpretation of proceedings in accordance with section 1828 of this title; and (C) enter into and perform contracts and other transactions upon such terms as the Director may deem appropriate as may be necessary to the conduct of the work of the judicial branch of Government (except

the Supreme Court unless otherwise provided pursuant to paragraph (17)), and contracts for nonpersonal services providing pretrial services, agencies, for the interpretation of proceedings, and for the provision of special interpretation services pursuant to section 1828 of this title may be awarded without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5);

(11) Audit vouchers and accounts of the courts, the Federal Judicial Center, the offices providing pretrial services, and their clerical and administrative personnel;

(12) Provide accommodations for the courts, the Federal Judicial Center, the offices providing pretrial services and their clerical and administrative personnel;

(13) Lay before Congress, annually, statistical tables that will accurately reflect the business transacted by the several bankruptcy courts, and all other pertinent data relating to such courts;

(14) Pursuant to section 1827 of this title, establish a program for the certification and utilization of interpreters in courts of the United States;

(15) Pursuant to section 1828 of this title, establish a program for the provision of special interpretation services in courts of the United States;

(16)(A) In those districts where the Director considers it advisable based on the need for interpreters, authorize the full-time or part-time employment by the court of certified interpreters; (B) where the Director considers it advisable based on the need for interpreters, appoint certified interpreters on a full-time or part-time basis, for services in various courts when he determines that such appointments will result in the economical provision of interpretation services; and (C) pay out of moneys appropriated for the judiciary interpreters' salaries, fees, and expenses, and other costs which may accrue in accordance with the provisions of sections 1827 and 1828 of this title;

(17) In the Director's discretion, (A) accept and utilize voluntary and uncompensated (gratuitous) services, including

services as authorized by section 3102(b) of title 5, United States Code; and (B) accept, hold, administer, and utilize gifts and bequests of personal property for the purpose of aiding or facilitating the work of the judicial branch of Government, but gifts or bequests of money shall be covered into the Treasury;

(18) Establish procedures and mechanisms within the judicial branch for processing fines, restitution, forfeitures of bail bonds or collateral, and assessments;

(19) Regulate and pay annuities to bankruptcy judges and United States magistrate judges in accordance with section 377 of this title and paragraphs (1)(B) and (2) of section 2(c) of the Retirement and Survivors' Annuities for Bankruptcy Judges and Magistrates Act of 1988;

(20) Periodically compile -

(A) the rules which are prescribed under section 2071 of this title by courts other than the Supreme Court;

(B) the rules which are prescribed under section 358 of this title; and

(C) the orders which are required to be publicly available under section 360(b) of this title;

so as to provide a current record of such rules and orders;

(21) Establish a program of incentive awards for employees of the judicial branch of the United States Government, other than any judge who is entitled to hold office during good behavior;

(22) Receive and expend, either directly or by transfer to the United States Marshals Service or other Government agency, funds appropriated for the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress/egress control, inspection of packages, directed security patrols, and other similar activities;

(23) Regulate and pay annuities to judges of the United States Court of Federal Claims in accordance with section 178 of this title; and

(24) Perform such other duties as may be assigned to him by the Supreme Court or the Judicial Conference of the United States.

(b) The clerical and administrative personnel of the courts shall comply with all requests by the Director for information or statistical data as to the state of court dockets.

(c) Inspection of court dockets outside the continental United States may be made through United States officials residing within the jurisdiction where the inspection is made.

(d) The Director, under the supervision and direction of the conference, shall:

(1) supervise all administrative matters relating to the offices of the United States magistrate judges;

(2) gather, compile, and evaluate all statistical and other information required for the performance of his duties and the duties of the conference with respect to such officers;

(3) lay before Congress annually statistical tables and other information which will accurately reflect the business which has come before the various United States magistrate judges, including (A) the number of matters in which the parties consented to the exercise of jurisdiction by a magistrate judge, (B) the number of appeals taken pursuant to the decisions of magistrate judges and the disposition of such appeals, and (C) the professional background and qualifications of individuals appointed under section 631 of this title to serve as magistrate judge;

(4) prepare and distribute a manual, with annual supplements and periodic revisions, for the use of such officers, which shall set forth their powers and duties, describe all categories of proceedings that may arise before them, and contain such other information as may be required to enable them to discharge their powers and duties promptly, effectively, and impartially.

(e) The Director may promulgate appropriate rules and regulations approved by the conference and not inconsistent with any provision of law, to assist him in the performance of the duties conferred upon him by subsection (d) of this section. Magistrate judges shall keep such records and make such reports as are specified in such rules and regulations.

(f) The Director may make, promulgate, issue, rescind, and amend rules and regulations (including regulations prescribing standards of conduct for Administrative Office employees) as may be necessary to carry out the Director's functions, powers, duties, and authority. The Director may publish in the Federal Register such rules, regulations, and notices for the judicial branch of Government as the Director determines to be of public interest; and the Director of the Federal Register hereby is authorized to accept and shall publish such materials.

(g)(1) When authorized to exchange personal property, the Director may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in such cases in whole or in part payment for the property acquired, but any transaction carried out under the authority of this subsection shall be evidenced in writing.

(2) The Director hereby is authorized to enter into contracts for public utility services and related terminal equipment for periods not exceeding ten years.

(3)(A) In order to promote the recycling and reuse of recyclable materials, the Director may provide for the sale or disposal of recyclable scrap materials from paper products and other consumable office supplies held by an entity within the judicial branch.

(B) The sale or disposal of recyclable materials under subparagraph (A) shall be consistent with the procedures provided in sections 541-555 of title 40 for the sale of surplus property.

(C) Proceeds from the sale of recyclable materials under subparagraph (A) shall be deposited as offsetting collections to the fund established under section 1931 of this title and shall remain available until expended to reimburse any appropriations for the operation and maintenance of the judicial branch.

(h)(1) The Director shall, out of funds appropriated for the operation and maintenance of the courts, provide facilities and pay necessary expenses incurred by the judicial councils of the circuits and the Judicial Conference under chapter 16 of this title, including mileage allowance and witness fees, at the same rate as provided in section 1821 of this title. Administrative and professional assistance from the Administrative Office of the

United States Courts may be requested by each judicial council and the Judicial Conference for purposes of discharging their duties under chapter 16 of this title.

(2) The Director of the Administrative Office of the United States Courts shall include in his annual report filed with the Congress under this section a summary of the number of complaints filed with each judicial council under chapter 16 of this title, indicating the general nature of such complaints and the disposition of those complaints in which action has been taken.

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(June 25, 1948, ch. 646, 62 Stat. 914; Aug. 3, 1956, ch. 944, Sec. 3, 70 Stat. 1026; Pub. L. 90-219, title II, Sec. 203(a)-(c), Dec. 20, 1967, 81 Stat. 669; Pub. L. 90-578, title II, Sec. 201, title IV, Sec. 402(b)(2), Oct. 17, 1968, 82 Stat. 1114, 1118; Pub. L. 92-397, Sec. 4, Aug. 22, 1972, 86 Stat. 580; Pub. L. 93-619, title II, Sec. 204, Jan. 3, 1975, 88 Stat. 2089; Pub. L. 95-539, Secs. 3, 4, Oct. 28, 1978, 92 Stat. 2043; Pub. L. 95-598, title II, Sec. 225, Nov. 6, 1978, 92 Stat. 2664; Pub. L. 96-82, Sec. 5, Oct. 10, 1979, 93 Stat. 645; Pub. L. 96-458, Sec. 5, Oct. 15, 1980, 94 Stat. 2040; Pub. L. 96-523, Sec. 1(c)(1), Dec. 12, 1980, 94 Stat. 3040; Pub. L. 97-267, Sec. 7, Sept. 27, 1982, 96 Stat. 1139; Pub. L. 99-554, title I, Sec. 116, Oct. 27, 1986, 100 Stat. 3095; Pub. L. 100-185, Sec. 2, Dec. 11, 1987, 101 Stat. 1279; Pub. L. 100-659, Sec. 6(a), Nov. 15, 1988, 102 Stat. 3918; Pub. L. 100-702, title IV, Sec. 402(a), title X, Secs. 1008, 1010, 1011, 1020(a)(2), Nov. 19, 1988, 102 Stat. 4650, 4667, 4668, 4671; Pub. L. 101-474, Sec. 5(r), Oct. 30, 1990, 104 Stat. 1101; Pub. L. 101-647, title XXV, Sec. 2548, Nov. 29, 1990, 104 Stat. 4888; Pub. L. 101-650, title III, Secs. 306(e)(1), 321, 325(c)(1), Dec. 1, 1990, 104 Stat. 5111, 5117, 5121; Pub. L. 102-572, title V, Sec. 503, title IX, Sec. 902(b)(1), Oct. 29, 1992, 106 Stat. 4513, 4516; Pub. L. 106-113, div. B, Sec. 1000(a)(1) [title III, Sec. 305], Nov. 29, 1999, 113 Stat. 1535, 1501A-37; Pub. L. 106-518, title II, Sec. 204, title III, Sec. 304(d), Nov. 13, 2000, 114 Stat. 2414, 2418; Pub. L. 107-217, Sec. 3(g)(1), Aug. 21, 2002, 116 Stat. 1299; Pub. L. 107-273, div. C, title I, Sec. 11043(e), Nov. 2, 2002, 116 Stat.

1855.)

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HISTORICAL AND REVISION NOTES

Based on sections 726-1 and 726a of title 18, U.S.C., 1940 ed., Criminal Code and Criminal Procedure, and sections 1130(a)(b) and 1131 of title 26, U.S.C., 1940 ed., Internal Revenue Code, title 28, U.S.C., 1940 ed., Secs. 9, 128, 222a, 245, 268a, 278a, 302-306, 374b, 446, 447, 450, 544, 545, 547, 557, 558, 560, 561, 561a, 562, 563, 565, 566, 595, and 596 and sections 11-204 and 11-403, District of Columbia Code, 1940 ed. (R.S. Secs. 1075, 1085; Mar. 3, 1891, ch. 517, Secs. 2, 9, 26 Stat. 826, 829; Feb. 9, 1893, ch. 74, Sec. 4, 27 Stat. 435; July 30, 1894, ch. 172, Sec. 1, 28 Stat. 160; Mar. 3, 1901, ch. 854, Sec. 224, 31 Stat. 1224; June 30, 1902, ch. 1329, 32 Stat. 528; Mar. 3, 1905, ch. 1487, 33 Stat. 1259; Mar. 3, 1911, ch. 231, Sec. 5, 36 Stat. 1088; Mar. 3, 1911, ch. 231, Sec. 118a, as added June 17, 1930, ch. 509, 46 Stat. 774; Mar. 3, 1911, ch. 231, Sec. 118b, as added Feb. 17, 1936, ch. 75, 49 Stat. 1140; Mar. 3, 1911, ch. 231, Secs. 140, 163, 171, 189-193, 291, 36 Stat. 1136, 1140, 1141, 1143, 1167; Mar. 3, 1911, ch. 231, Secs. 304, 305, 308, as added Aug. 7, 1939, ch. 501, Sec. 1, 53 Stat. 1223; Aug. 23, 1912, ch. 350, 37 Stat. 412; Feb. 26, 1919, ch. 49, Secs. 1, 2, 3, 4, 5, 7, 8, 40 Stat. 1182; July 19, 1919, ch. 24, Sec. 1, 41 Stat. 210; Nov. 4, 1919, ch. 93, Sec. 1, 41 Stat. 338; Feb. 11, 1921, ch. 46, 41 Stat. 1099; Feb. 22, 1921, ch. 70, Sec. 7, 41 Stat. 1144; Mar. 4, 1921, ch. 161, 41 Stat. 1412; June 1, 1922, ch. 204, title II, 42 Stat. 616; Jan. 3, 1923, ch. 21, title II, 42 Stat. 1084; Mar. 4, 1923, ch. 265, 42 Stat. 1488; May 28, 1924, ch. 204, title II, 43 Stat. 221; Feb. 27, 1925, ch. 364, title II, 43 Stat. 1030; Apr. 29, 1926, ch. 195, title II, 44 Stat. 346, 347; May 21, 1928, ch. 659, 45 Stat. 645; Mar. 2, 1929, ch. 488, Sec. 1, 45 Stat. 1475; June 16, 1930, ch. 494, 46 Stat. 589; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1936, ch. 804, 49 Stat. 1921; Apr. 27, 1938, ch. 180, title II, Sec. 1, 52 Stat. 264; Feb. 10, 1939, ch. 2, Secs. 1130(a)(b), 1131, 53 Stat. 162, 163; June 29, 1939, ch. 248, title II, 53 Stat. 902; May 14, 1940, ch. 189, titles III,

IV, 54 Stat. 204, 209, 210; June 28, 1941, ch. 258, title IV, 55 Stat. 300-302; July 2, 1942, ch. 472, title IV, 56 Stat. 503, 504; June 28, 1943, ch. 173, title II, Sec. 201, 57 Stat. 242, 243; June 26, 1944, ch. 277, title II, Sec. 201, 58 Stat. 357; Dec. 7, 1944, ch. 522, Sec. 1, 58 Stat. 796; May 21, 1945, ch. 129, titles II, IV, 59 Stat. 184, 199; July 5, 1946, ch. 541, title IV, 60 Stat. 478, 479).

For purposes of uniformity, all provisions of law governing the regulation and allowance of office, travel, and subsistence expenses of all officers and employees of the courts, except those provisions relating to Supreme Court officers and employees, are incorporated in subsection (a)(6)(7) of this section. Likewise the provisions respecting the compensation of court officers and employees, except those of the Supreme Court, are incorporated in subsection (a)(5). In each instance the power to fix and determine such salaries and expenses is transferred to the Director of the Administrative Office of the United States Courts. This change is in conformity with the Administrative Office Act 1939 included in this chapter.

Compensation of bailiffs however is provided by sections 713 and 755 of this title and that of court reporters by section 753 of this title.

Salaries and travel expenses of Court of Claims Commissioners are covered by section 792 of this title.

The language "and the lawful fees of United States Commissioners" in subsection (a)(6) and "the offices of the United States Commissioners" in subsection (a)(9) is new. It conforms with sections 633, 636 and 639 of this title.

Subsection (a)(5)(7) covers the provisions of section 726-1 and 726a of title 18, U.S.C., 1940 ed., which provided that probation officers' salaries should not be less than \$1,800 nor more than \$3,600 per annum and their traveling expenses should not exceed more than 4 cents per mile.

Words "and officers and employees of the Administrative Office" were added in subsection (a)(7) to expressly authorize travel and subsistence expenses of such officers and employees.

The power to fix such pay and allowances is transferred to the

Director as above indicated, and conforms with the Administrative Office Act of 1939. For further explanation of the general supervision of probation officers, see reviser's note under section 3654, H. Rept. to accompany H.R. 3190 for revision of title 18, U.S.C.

Subsection (a)(8) covers the provisions of section 1131 of title 26, U.S.C. 1940 ed. Such section 1131 authorized the Tax Court, successor to the Board of Tax Appeals, to make expenditures for personal services, rent, law books, reference books, periodicals, and provided that all expenditures should be paid out of appropriations for the Tax Court, on itemized vouchers approved by the court.

Two references to "officials and employees covered by this chapter" were changed to "clerical and administrative personnel," following the language of paragraph (a)(1), conferring general power to supervise such personnel as respects administrative matters.

Similar language was used in paragraph (b) instead of "The clerks of the district courts, their deputies and assistants, and all other employees of said courts."

The provisions of section 374b of title 28, U.S.C., 1940 ed., based on successive acts relating to classification and compensation of secretaries and law clerks were omitted as temporary and unnecessary in revision, in view of subsection (a)(5) of this section under which the salaries of all personnel are necessarily limited by current appropriation acts.

For increases in basic rates of compensation for other judicial officers and employees see, also, section 521 of Act June 30, 1945, ch. 212.

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

Provisions of section 11-204 of District of Columbia Code, 1940 ed., relating to appointment of clerk of the United States Court of Appeals for the District of Columbia, and deputy clerk, crier, and messenger thereof, and the provisions relating to accounting for fees, are incorporated in sections 711 and 713 of this title.

Provisions of said section, requiring the clerk of such court to give bond, were omitted as covered by section 952 of this title. Provisions of said section, relating to regulation of clerk's fees by such court were omitted so as to render uniform the method of such regulation as prescribed by section 1913 of this title, and the provisions of said section, placing a maximum of five hundred dollars per year on the office expenditures of the clerk of such court, were omitted as inconsistent with this consolidated section.

For distribution of other provisions of sections on which this section is based, see Distribution Table.

Changes were made in phraseology and arrangement.

SENATE REVISION AMENDMENTS

By Senate amendment, all provisions relating to the Tax Court were eliminated, therefore, as finally enacted, sections 1130(a)(b) and 1131 of Title 26, U.S.C., Internal Revenue Code [1940 ed.], did not constitute part of the source of this section. However, no change in the text of the section was necessary. See 80th Congress Senate Report No. 1559.

As finally enacted, part of act July 9, 1947, ch. 211, title IV, 61 Stat. 304, 305, which was classified to title 28, U.S.C., 1946 ed., Sec. 374b, became one of the sources of this section and was accordingly included in the schedule of repeals by Senate amendment. See 80th Congress Senate Report No. 1559.

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REFERENCES IN TEXT

Section 2(c) of the Retirement and Survivors' Annuities for Bankruptcy Judges and Magistrates Act of 1988, referred to in subsec. (a)(19), is section 2(c) of Pub. L. 100-659, Nov. 15, 1988, 102 Stat. 3916, which is set out as a note under section 377 of this title.

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AMENDMENTS

2002 - Subsec. (a)(20)(B). Pub. L. 107-273, Sec. 11043(e)(1)(A),

substituted "358" for "372(c)(11)".

Subsec. (a)(20)(C). Pub. L. 107-273, Sec. 11043(e)(1)(B), substituted "360(b)" for "372(c)(15)".

Subsec. (g)(3)(B). Pub. L. 107-217 substituted "sections 541-555 of title 40" for "section 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)".

Subsec. (h)(1). Pub. L. 107-273, Sec. 11043(e)(2)(A), substituted "chapter 16" for "section 372" in two places.

Subsec. (h)(2). Pub. L. 107-273, Sec. 11043(e)(2)(B), substituted "chapter 16" for "section 372(c)".

2000 - Subsec. (a)(8). Pub. L. 106-518, Sec. 304(d), amended par. (8) generally. Prior to amendment, par. (8) read as follows: "Disburse, directly or through the several United States marshals, moneys appropriated for the maintenance and operation of the courts;"

Subsec. (a)(24). Pub. L. 106-518, Sec. 204, struck out the second par. (24) which read as follows: "Lay before Congress, annually, statistical tables that will accurately reflect the business imposed on the Federal courts by the savings and loan crisis."

1999 - Subsec. (a)(5). Pub. L. 106-113 inserted before semicolon at end ", and, notwithstanding any other provision of law, pay on behalf of Justices and judges of the United States appointed to hold office during good behavior, aged 65 or over, any increases in the cost of Federal Employees' Group Life Insurance imposed after April 24, 1999, including any expenses generated by such payments, as authorized by the Judicial Conference of the United States".

1992 - Subsec. (a)(7), (23). Pub. L. 102-572, Sec. 902(b)(1), substituted "United States Court of Federal Claims" for "United States Claims Court".

Subsec. (g)(3). Pub. L. 102-572, Sec. 503, added par. (3).

1990 - Subsec. (a)(7). Pub. L. 101-650, Sec. 325(c)(1), amended Pub. L. 100-702, Sec. 1011. See 1988 Amendment note below.

Pub. L. 101-650, Sec. 306(e)(1)(B)(i), inserted "judges of the United States Claims Court," before "bankruptcy judges".

Subsec. (a)(19). Pub. L. 101-474, Sec. 5(r), and Pub. L. 101-650, Sec. 306(e)(1)(A), made identical technical amendment to directory language of Pub. L. 100-702, Sec. 402(a)(1). See 1988 Amendment

note below.

Subsec. (a)(23). Pub. L. 101-650, Sec. 306(e)(1)(B)(iii), added par. (23). Former par. (23) redesignated (24).

Pub. L. 101-474, Sec. 5(r), and Pub. L. 101-650, Sec. 306(e)(1)(A), made identical technical amendments to directory language of Pub. L. 100-702, Sec. 402(a)(1). See 1988 Amendment note below.

Subsec. (a)(24). Pub. L. 101-650, Sec. 306(e)(1)(B)(ii), redesignated par. (23), relating to performance of other duties, as (24).

Pub. L. 101-647 added par. (24) relating to statistical tables.

1988 - Subsec. (a)(2). Pub. L. 100-702, Sec. 1020(a)(2), substituted "semiannually" for "quarterly".

Subsec. (a)(7). Pub. L. 100-702, Sec. 1011, as amended by Pub. L. 101-650, Sec. 325(c)(1), which directed amendment of par. (7) "by [sic] at the end the following: 'without regard to the per diem allowances and amounts for reimbursement of actual and necessary expenses established by the Administrator of General Services under section 5702 of title 5, except that the reimbursement of subsistence expenses may not exceed that authorized by the Director for judges of the United States under section 456 of this title;' " was executed by inserting the new language after the comma at the end to reflect the probable intent of Congress.

Pub. L. 100-659, Sec. 6(a)(1), inserted "bankruptcy judges, United States magistrates," after "United States,".

Subsec. (a)(14), (15). Pub. L. 100-702, Sec. 1008(1), redesignated par. (14), relating to provision of special interpretation services in courts of United States, as (15). Former par. (15) redesignated (16).

Subsec. (a)(16), (17). Pub. L. 100-702, Sec. 1008(1), redesignated pars. (15) and (16) as (16) and (17), respectively. Former par. (17) redesignated (18).

Subsec. (a)(18). Pub. L. 100-702, Sec. 1008(1), redesignated par. (17) as (18). Former par. (18), as added by Pub. L. 100-659, redesignated (19).

Pub. L. 100-659, Sec. 6(a)(3), added par. (18). Former par. (18) redesignated (19).

Subsec. (a)(19). Pub. L. 100-702, Sec. 1008(2), redesignated par. (19), as added by Pub. L. 100-702, Sec. 402(a)(2), as (20).

Pub. L. 100-702, Sec. 402(a), as amended by Pub. L. 101-474, Sec. 5(r), and Pub. L. 101-650, Sec. 306(e)(1)(A), redesignated par. (19), relating to performance of other duties, as (23) and added par. (19) relating to compilation of rules and orders.

Pub. L. 100-659, Sec. 6(a)(2), redesignated par. (18), relating to performance of other duties, as (19).

Subsec. (a)(20). Pub. L. 100-702, Sec. 1008(2), redesignated par. (19), as added by Pub. L. 100-702, Sec. 402(a)(2), as (20).

Subsec. (a)(21). Pub. L. 100-702, Sec. 1008(2), added par. (21).

Subsec. (a)(22). Pub. L. 100-702, Sec. 1010, added par. (22).

Subsec. (a)(23). Pub. L. 100-702, Sec. 402(a)(1), as amended by Pub. L. 101-474, Sec. 5(r), and Pub. L. 101-650, Sec. 306(e)(1)(A), redesignated par. (19), relating to performance of other duties, as (23).

1987 - Subsec. (a)(17), (18). Pub. L. 100-185 added par. (17) and redesignated former par. (17) as (18).

1986 - Subsec. (f). Pub. L. 99-554 struck out subsec. (f) as added by Pub. L. 99-598, Sec. 225(b), which related to the Director naming qualified persons to membership on the panel of trustees, their number, qualifications, removal, etc.

1982 - Subsec. (a)(9). Pub. L. 97-267, Sec. 7(1), struck out "agencies" after "pretrial services".

Subsec. (a)(10). Pub. L. 97-267, Sec. 7(2), substituted "providing pretrial services" for "for pretrial services agencies".

Subsec. (a)(11). Pub. L. 97-267, Sec. 7(3), substituted "offices providing pretrial services" for "pretrial service agencies".

Subsec. (a)(12). Pub. L. 97-267, Sec. 7(4), substituted "offices providing pretrial services" for "pretrial services agencies".

1980 - Subsec. (a)(16)(A). Pub. L. 96-523 inserted "(b)" after "3102".

Subsec. (h). Pub. L. 96-458 added subsec. (h).

1979 - Subsec. (d)(3). Pub. L. 96-82 added cls. (A), (B), and (C).

1978 - Subsec. (a)(10). Pub. L. 95-539, Sec. 3(a), expanded the duties of the Director to include providing or making available

equipment for interpretation of proceedings in accordance with section 1828 of this title and to include entering into and performing contracts necessary to the conduct of the work of the judicial branch and exempted from the provisions of section 5 of title 41 contracts for nonpersonal services for pretrial agencies, for interpretation of proceedings, and for special interpretation services pursuant to section 1828 of this title.

Subsec. (a)(13), (14). Pub. L. 95-598, Sec. 225(a), added par. (13) relating to annual statistical tables reflecting the business of the several bankruptcy courts, and redesignated former par. (13), relating to provision of special interpretation services in courts of the United States, as (14).

Subsec. (a)(13) to (16). Pub. L. 95-539, Sec. 3(b), (c), added pars. (13) to (16). Former par. (13) redesignated (17).

Subsec. (a)(17). Pub. L. 95-539, Sec. 3(b), redesignated former par. (13) as (17).

Subsec. (f). Pub. L. 95-598, Sec. 225(b), added subsec. (f) relating to the naming of qualified persons to membership on the panel of trustees.

Subsecs. (f), (g). Pub. L. 95-539, Sec. 4, added subsecs. (f) and (g).

1975 - Subsec. (a)(9). Pub. L. 93-619 added par. (9). Former par. (9) redesignated (10).

Subsec. (a)(10). Pub. L. 93-619 redesignated former par. (9) as (10) and substituted "the offices of the United States magistrates and commissioners, and the offices of pretrial services agencies" for "and the Administrative Office and the offices of the United States magistrates". Former par. (10) redesignated (11).

Subsec. (a)(11). Pub. L. 93-619 redesignated former par. (10) as (11) and inserted reference to pretrial service agencies. Former par. (11) redesignated (12).

Subsec. (a)(12). Pub. L. 93-619 redesignated former par. (11) as (12) and inserted reference to pretrial service agencies. Former par. (12) redesignated (13).

Subsec. (a)(13). Pub. L. 93-619 redesignated former (12) as (13).

1972 - Subsec. (a)(7). Pub. L. 92-397 substituted "children of justices and judges of the United States" for "children of judges".

1968 - Subsec. (a)(9). Pub. L. 90-578, Sec. 201(a), substituted "United States magistrates" for "United States Commissioners".

Subsecs. (d), (e). Pub. L. 90-578 Sec. 201(b), added subsecs. (d) and (e).

1967 - Subsec. (a)(7). Pub. L. 90-219, Sec. 203(a), amended par. (7) generally, inserting ", Directors of the Federal Judicial Center, and Directors of the Administrative Office," after "judges" and "and the Federal Judicial Center," after "Administrative Office".

Subsec. (a)(9). Pub. L. 90-219, Sec. 203(b), inserted ", the Federal Judicial Center," after "courts".

Subsec. (a)(10), (11). Pub. L. 90-219, Sec. 203(c), inserted ", the Federal Judicial Center," after "courts".

1956 - Subsec. (a)(7). Act Aug. 3, 1956, inserted "annuities to widows and surviving dependent children of judges and" after "Regulate and pay".

-CHANGE-

CHANGE OF NAME

"United States magistrate judges", "magistrate judge", "magistrate judges", and "Magistrate judges" substituted for "United States magistrates", "magistrate", "magistrates", and "Magistrates", respectively, wherever appearing in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of this title. Previously, "United States magistrates" substituted for "United States Commissioners" pursuant to section 402(b)(2) of Pub. L. 90-578. See chapter 43 (Sec. 631 et seq.) of this title.

-MISC3-

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by section 503 of Pub. L. 102-572 effective Jan. 1, 1993, see section 1101(a) of Pub. L. 102-572, set out as a note under section 905 of Title 2, The Congress.

Amendment by section 902(b)(1) of 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 1990 AMENDMENT

Amendment by section 306(e)(1) of Pub. L. 101-650 applicable to judges of, and senior judges in active service with, the United States Court of Federal Claims on or after Dec. 1, 1990, see section 306(f) of Pub. L. 101-650, as amended, set out as a note under section 8331 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by section 402(a) of Pub. L. 100-702 effective Dec. 1, 1988, see section 407 of Pub. L. 100-702, set out as a note under section 2071 of this title.

Amendment by Pub. L. 100-659 effective Nov. 15, 1988, and applicable to bankruptcy judges and magistrate judges who retire on or after Nov. 15, 1988, with exception for judges and magistrate judges retiring on or after July 31, 1987, see section 9 of Pub. L. 100-659, as amended, set out as an Effective Date note under section 377 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-554 effective 30 days after Oct. 27, 1986, see section 302(a) of Pub. L. 99-554, set out as a note under section 581 of this title.

EFFECTIVE DATE OF 1980 AMENDMENTS

Amendment by Pub. L. 96-523 effective sixty days after Dec. 12, 1980, see section 3 of Pub. L. 96-523, set out as a note under section 3102 of Title 5, Government Organization and Employees.

Amendment by Pub. L. 96-458 effective Oct. 1, 1981, see section 7 of Pub. L. 96-458, set out as a note under section 331 of this title.

EFFECTIVE DATE OF 1978 AMENDMENTS

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(c) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

Amendment by Pub. L. 95-539 effective Oct. 28, 1978, see section 10(a) of Pub. L. 95-539, set out as a note under section 602 of this title.

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-578 effective Oct. 17, 1968, except when a later effective date is applicable, which is the earlier of date when implementation of amendment by appointment by magistrates [now United States magistrate judges] and assumption of office takes place or third anniversary of enactment of Pub. L. 90-578 on Oct. 17, 1968, see section 403 of Pub. L. 90-578, set out as a note under section 631 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsecs. (a)(4), (d)(3), and (h)(2) of this section relating to reporting certain information annually to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 12 of House Document No. 103-7.

REPORTS BY DIRECTOR OF ADMINISTRATIVE OFFICE OF UNITED STATES

COURTS

For requirement that Director of Administrative Office of the United States Courts include statistical information about implementation of chapter 44 of this title in annual report under section 604(a)(3) of this title, see section 903(a) of Pub. L. 100-702, set out as a note under section 651 of this title.

1970 INCREASE IN PAY RATES OF JUDICIAL BRANCH EMPLOYEES WHOSE RATES

OF PAY ARE FIXED BY ADMINISTRATIVE ACTION

Adjustment of rates of pay of judicial branch employees whose rates of pay are fixed by administrative action by not to exceed the amounts of the adjustment for corresponding rates for employees

subject to the section 2(a) of Pub. L. 91-231, which raised such corresponding rates by 6 percent, effective on the first day of the first pay period which begins on or after Dec. 27, 1969, see Pub. L. 91-231, set out as a note under section 5332 of Title 5, Government Organization and Employees.

COMPENSATION AND APPOINTMENT OF SECRETARIES AND LAW CLERKS

Provisions authorizing the appointment and compensation of secretaries and law clerks to circuit and district judges in such number and at such rates of compensation as may be determined by the Judicial Conference of the United States were contained in the following appropriation acts:

Dec. 12, 1985, Pub. L. 99-180, title IV, 99 Stat. 1154.

Aug. 30, 1984, Pub. L. 98-411, title IV, 98 Stat. 1571.

Nov. 28, 1983, Pub. L. 98-166, title IV, 97 Stat. 1099.

Dec. 21, 1982, Pub. L. 97-377, Sec. 101(d) [S. 2956, title IV], 96 Stat. 1866.

Dec. 15, 1981, Pub. L. 97-92, Sec. 101(h) [incorporating Pub. L. 96-536, Sec. 101(o); H.R. 7584, title IV], 95 Stat. 1190.

Dec. 16, 1980, Pub. L. 96-536, Sec. 101(o) [H.R. 7584, title IV], 94 Stat. 3169.

Sept. 24, 1979, Pub. L. 96-68, title IV, 93 Stat. 428.

Oct. 10, 1978, Pub. L. 95-431, title IV, 92 Stat. 1037.

Aug. 2, 1977, Pub. L. 95-86, title IV, 91 Stat. 435.

July 14, 1976, Pub. L. 94-362, title IV, 90 Stat. 953.

Oct. 21, 1975, Pub. L. 94-121, title IV, 89 Stat. 630.

Oct. 5, 1974, Pub. L. 93-433, title IV, 88 Stat. 1202.

Nov. 27, 1973, Pub. L. 93-162, title IV, 87 Stat. 651.

Oct. 25, 1972, Pub. L. 92-544, title IV, 86 Stat. 1126.

Aug. 10, 1971, Pub. L. 92-77, title IV, 85 Stat. 262.

Oct. 21, 1970, Pub. L. 91-472, title IV, 84 Stat. 1056.

Dec. 24, 1969, Pub. L. 91-153, title IV, 83 Stat. 419.

Aug. 9, 1968, Pub. L. 90-470, title IV, 82 Stat. 685.

Nov. 8, 1967, Pub. L. 90-133, title IV, 81 Stat. 427.

Nov. 8, 1966, Pub. L. 89-797, title IV, 80 Stat. 1499.

Sept. 2, 1965, Pub. L. 89-164, title IV, 79 Stat. 638.

Aug. 31, 1964, Pub. L. 88-527, title IV, 78 Stat. 729.
Dec. 30, 1963, Pub. L. 88-245, title IV, 77 Stat. 795.
Oct. 18, 1962, Pub. L. 87-843, title IV, 76 Stat. 1099.
Sept. 21, 1961, Pub. L. 87-264, title III, 75 Stat. 555.
Aug. 31, 1960, Pub. L. 86-678, title III, 74 Stat. 566.
July 13, 1959, Pub. L. 86-84, title III, 73 Stat. 192.
June 30, 1958, Pub. L. 85-474, title III, 72 Stat. 254.
June 11, 1957, Pub. L. 85-40, title III, 70 Stat. 65.
June 20, 1956, ch. 414, title III, 70 Stat. 310.
July 7, 1955, ch. 279, title III, 69 Stat. 276.
July 2, 1954, ch. 455, title II, 68 Stat. 410.
Aug. 1, 1953, ch. 304, title II, 67 Stat. 334.
July 10, 1952, ch. 651, title IV, 66 Stat. 569.
Oct. 22, 1951, ch. 533, title IV, 65 Stat. 596.
Sept. 6, 1950, ch. 896, Ch. III, title IV, 64 Stat. 631.

LIMITATION ON AGGREGATE SALARIES OF SECRETARIES AND LAW CLERKS

1967 - Pub. L. 90-206, title II, Sec. 213(b), Dec. 16, 1967, 81 Stat. 635, provided that: "The limitations provided by applicable law on the effective date of this section [see Effective Date of 1967 Amendment Note set out under section 5332 of Title 5, Government Organization and Employees] with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by amounts which reflect the respective applicable increases provided by section 202(a) of this title [amending section 5332(a) of Title 5] in corresponding rates of compensation for officers and employees subject to section 5332 of Title 5, United States Code".

Section 213(b) of Pub. L. 90-206 effective as of the beginning of the first pay period which begins on or after Oct. 1, 1967, see section 220(a)(2) of Pub. L. 90-206, set out as a note under section 5332 of Title 5.

1966 - Pub. L. 89-504, title II, Sec. 202(b), July 18, 1966, 80 Stat. 294, provided that: "The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit

and district judges are hereby increased by amounts which reflect the respective applicable increases provided by section 102(a) of title I of this Act [amending section 1113(b) of former Title 5, Executive Departments and Government Officers and Employees] in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended [chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees]."

Provision effective first day of first pay period which begins on or after July 1, 1966, see section 203 of Pub. L. 89-504, set out as a note under section 603 of this title.

1965 - Pub. L. 89-301, Sec. 12(b), Oct. 29, 1965, 79 Stat. 1122, provided that: "The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by amounts which reflect the respective applicable increases provided by section 2(a) of this Act [amending section 1113(b) of former Title 5, Executive Departments and Government Officers and Employees] in corresponding

rates of compensation for officers and employees subject to the Classification Act of 1949, as amended [chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees]."

1964 - Pub. L. 88-426, title IV, Sec. 402(b), Aug. 14, 1964, 78 Stat. 433, provided that: "The limitation provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by amounts which reflect the respective applicable increases provided by the title I of this Act in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended [chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees]."

1962 - Pub. L. 87-793, title VI, Sec. 1004(b), Oct. 11, 1962, 76 Stat. 866, provided that: "The limitations provided by applicable law on the effective date of this section with respect to the

aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by two amounts, the first amount to be effective for the period beginning as of the first day of the first pay period which begins on or after the date of enactment of this Act [Oct. 11, 1962], and ending immediately prior to the first day of the first pay period which begins on or after January 1, 1964, and the second amount to be effective on the first day of the first pay period which begins on or after January 1, 1964, and thereafter, which reflect the respective applicable increases provided by title II of this part in corresponding rates of compensation for officers and employees subject to the Classification Act of 1949, as amended [chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees]."

1960 - Pub. L. 86-568, title I, Sec. 116(b), July 1, 1960, 74 Stat. 303, provided that: "The limitations provided by applicable law on the effective date of this section with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges are hereby increased by the amounts necessary to pay the additional basic compensation provided by this part."

Words "this part", referred to above, means Part B of Pub. L. 86-568, which enacted section 932e of former Title 5, Executive Departments and Government Officers and Employees, amended section 753 of this title, sections 1113, 2091, 2252 and 3002 of former Title 5, sections 867 and 870 of Title 22, Foreign Relations and Intercourse, and former sections 4103, 4107 and 4108 of Title 38, Veterans' Benefits, and enacted notes set out under sections 603 and 604 of this title, sections 60a and 60f of Title 2, The Congress, sections 1113, and 2252 of former Title 5, section 590h of Title 16, Conservation, and section 867 of Title 22,

1958 - Pub. L. 85-462, Sec. 3(b), June 20, 1958, 72 Stat. 207, provided that: "The limitations of \$13,485 and \$18,010 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the paragraph designated "Salaries of supporting personnel" in the Judiciary Appropriation Act, 1958 (71 Stat. 65; Public Law 85-49), or any subsequent appropriation Act, shall be increased by the amounts necessary to

pay the additional basic compensation provided by this Act."

1955 - Act June 28, 1955, ch. 189, Sec. 3(b), 69 Stat. 175, provided that: "The limitations of \$10,560 and \$14,355 with 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, Sec. 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, Sec. 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, Sec. 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, Sec. 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 237o, 287q, and 1471 of Title 22, Foreign Relations and Intercourse]."

-SECREP-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 374, 602, 1871 of this title; title 5 section 5307; title 18 sections 3155, 3611, 3612.

-End-

-CITE-

28 USC Sec. 605

01/19/04

-EXPCITE-

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART III - COURT OFFICERS AND EMPLOYEES
CHAPTER 41 - ADMINISTRATIVE OFFICE OF UNITED STATES
COURTS

-HEAD-

Sec. 605. Budget estimates

-STATUTE-

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