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.

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 courts'' for ''and district courts'', which amendment did not become effective pursuant to section 402(b) of Pub. L. 95–598, as amended, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

1958—Pub. L. 85–508 struck out provisions which included District Court for Territory of Alaska within definition of court. See section 81A of this title which establishes a United States District Court for the State of Alaska.

1951—Act Oct. 31, 1951, inserted reference to the District Court of Guam.

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 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 1958 AMENDMENT

Amendment by Pub. L. 85–508 effective Jan. 3, 1959, on admission of Alaska into the Union pursuant to Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85–508, see notes set out under section 81A of this title and preceding section 21 of Title 48, Territories and Insular Possessions.

TERMINATION OF UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE CANAL ZONE

For termination of the United States District Court for the District of the Canal Zone at end of the ''transition period'', being the 30-month period beginning Oct. 1, 1979, and ending midnight Mar. 31, 1982, see Paragraph 5 of Article XI of the Panama Canal Treaty of 1977 and sections 2101 and 2201 to 2203 of Pub. L. 96–70, title II, Sept. 27, 1979, 93 Stat. 493, formerly classified to sections 3831 and 3841 to 3843, respectively, of Title 22, Foreign Relations and Intercourse.

§611. Retirement of Director

(a) The Director may, by written election filed with the Chief Justice of the United States within 6 months after the date on which he takes office, waive coverage under chapter 83 of title 5, subchapter III (the Civil Service Retirement System) or chapter 84 of title 5 (the Federal Employees' Retirement System), whichever is applicable, and bring himself within the purview of this section. A Director who elects coverage under this section shall be deemed an ''employee'' for purposes of chapter 84 of title 5, subchapter III, regardless of whether he has waived the coverage of chapter 83, subchapter III, or chapter 84. Waiver of coverage under chapter 83, subchapter III, and election of this section shall not operate to foreclose to the Director, upon separation from service other than by retirement, such opportunity as the law may provide to secure retirement credit under chapter 83 for service as Director by depositing with interest the amount required by section 8334 of title 5. A Director who waives coverage under chapter 84 and elects this section may secure retirement credit under chapter 84 for service as Director by depositing with interest 1.3 percent of basic pay for service from January 1, 1984, through December 31, 1986, and the amount referred to in section 8422(a) of title 5, for service after December 31, 1986. Interest shall be computed under section 8334(e) of title 5.

(b) Upon the retirement of a Director who has elected coverage under this section and who has at least fifteen years of service and has attained

the age of sixty-five years the Administrative Office of the United States Courts shall pay him an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement.

Upon the retirement of a Director who has elected coverage under this section and who has at least ten years of service, but who is not eligible to receive an annuity under the first paragraph of this subsection, the Administrative Office of the United States Courts shall pay him an annuity for life equal to that proportion of 80 per centum of the salary of the office at the time of his retirement that the number of years of his service bears to fifteen, reduced by one-quarter of 1 per centum for each full month, if any, he is under the age of sixty-five at the time of separation from service.

(c) A Director who has elected coverage under this section and who becomes permanently disabled to perform the duties of his office shall be retired and shall receive an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement if he has at least fifteen years of service, or equal to that proportion of 80 percentum of such salary that the aggregate number of years of his service bears to fifteen if he has less than fifteen years of service, but in no event less than 50 per centum of such salary.

(d) For the purpose of this section, ''service'' means service, whether or not continuous, as Director of the Administrative Office of the United States Courts, and any service, not to exceed five years, as a judge of the United States, a Senator or Representative in Congress, a congressional employee in the capacity of primary administrative assistant to a Member of Congress or in the capacity of staff director or chief counsel for the majority or the minority of a committee or subcommittee of the Senate or House of Representatives, or a civilian official appointed by the President, by and with the advice and consent of the Senate.

(e) Each annuity payable under this section shall be increased by the same percentage amount and effective on the same date as annuities payable under chapter 83 of title 5, are increased as provided by section 8340 of title 5.

(Added Pub. L. 90–219, title II, § 201(a), Dec. 20, 1967, 81 Stat. 668; amended Pub. L. 100–702, title X, §§ 1004(a), 1006(a)(1), Nov. 19, 1988, 102 Stat. 4665, 4666; Pub. L. 106–518, title III, § 301(a), Nov. 13, 2000, 114 Stat. 2416.)

AMENDMENTS

2000—Subsec. (b). Pub. L. 106–518, § 301(a)(2), substituted ''who has at least fifteen years of service and has'' for ''who has served at least fifteen years and'' in first par. and ''who has at least ten years of service,'' for ''who has served at least ten years,'' in second par.

Subsec. (c). Pub. L. 106–518, § 301(a)(3), substituted ''at least fifteen years of service,'' for ''served at least fifteen years,'' and ''less than fifteen years of service,'' for ''served less than fifteen years,''.

Subsec. (d). Pub. L. 106–518, § 301(a)(1), inserted ''a congressional employee in the capacity of primary administrative assistant to a Member of Congress or in the capacity of staff director or chief counsel for the majority or the minority of a committee or subcommittee of the Senate or House of Representatives,'' after ''Congress,''.

1988—Subsec. (a). Pub. L. 100–702, § 1006(a)(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: ''The Director may, by written election filed with the Chief Justice of the United States within six months after the date on which he takes office, waive coverage under subchapter III (relating to civil service retirement) of chapter 83, Title 5, United States Code, and bring himself within the purview of this section. Such waiver and election shall not operate to foreclose to the Director, upon separation from service other than by retirement, such opportunity as the law may provide to secure civil service retirement credit for service as Director by depositing with interest the amount required by section 8334 of title 5, United States Code.''

Subsec. (e). Pub. L. 100–702, § 1004(a), added subsec. (e).

EFFECTIVE DATE OF 1988 AMENDMENT

Section 1004(b) of title X of Pub. L. 100–702 provided that: ''The amendments made by this section [amending this section and section 627 of this title] shall apply to cost-of-living increases that go into effect on or after the date of enactment of this title [Nov. 19, 1988] with respect to any annuity being paid or becoming payable on or after such date.''

Section 1006(b) of title X of Pub. L. 100–702 provided that: ''The amendments made by this section [amending this section and section 627 of this title] shall apply to persons holding the offices of Director of the Administrative Office of the United States Courts, Director of the Federal Judicial Center, and Administrative Assistant to the Chief Justice on the date of enactment of this title [Nov. 19, 1988].''

RETROACTIVE EFFECT

Section 205 of Pub. L. 90–219 provided that:

''(a) Except as provided in subsection (b), the amendments made by this title [enacting this section and amending sections 376 and 604 of this title], insofar as they relate to retirement and survivorship benefits of the Director of the Administrative Office of the United States Courts, shall be applicable only with respect to persons first appointed to such office after the date of enactment of this Act [Dec. 20, 1967].

''(b) The provisions of section 611(a), the first paragraph of section 611(b), and section 376(s), of title 28, United States Code, as added by such amendments, shall be applicable to a Director or former Director of the Administrative Office of the United States Courts who was first appointed prior to the date of enactment of this Act [Dec. 20, 1967] if at the time such Director or former Director left or leaves such office he had, or shall have, attained the age of sixty-five years and completed fifteen years of service as Director of the Administrative Office of the United States Courts and if, on or before the expiration of six months following the date of enactment of this Act [Dec. 20, 1967], he makes the election referred to in section 611(a) or section 376(s), or both, as the case may be.''

§ 612. Judiciary Information Technology Fund

(a) ESTABLISHMENT AND AVAILABILITY OF FUND.—There is hereby established in the Treasury of the United States a special fund to be known as the ''Judiciary Information Technology Fund'' (hereafter in this section referred to as the ''Fund''). Moneys in the Fund shall be available to the Director without fiscal year limitation for the procurement (by lease, purchase, exchange, transfer, or otherwise) of information technology resources for program activities included in the courts of appeals, district courts, and other judicial services account of the judicial branch of the United States. The Fund shall also be available for expenses, including personal services, support personnel in the courts and in the Administrative Office of the