(b) The business of the Foundation shall be conducted by a Board that shall have seven members, including a chairman. Three members, including the chairman, shall be appointed by the Chief Justice of the United States, two by the President Pro Tempore of the Senate, and two by the Speaker of the House of Representatives. The term of office of each member of the Board shall be 5 years, except that the initial terms shall be 5 years for the chairman, one member appointed by the President Pro Tempore and one member appointed by the Speaker, 3 years for the other member appointed by the President Pro Tempore and the other member appointed by the Speaker, and two years for the two other members appointed by the Chief Justice. Members of the Board shall serve without compensation but, upon authorization of the Director of the Center, shall be reimbursed by the Federal Judicial Center for actual and necessary expenses incurred in the performance of their official duties. No person who is a Federal or State judge in regular active service or otherwise eligible to perform judicial duties shall be eligible for membership on the Board. The Center shall provide all administrative support and facilities necessary for the operation of the Board.

(c) The Federal Judicial Center is authorized to administer and use gifts received by the Foundation under this section. The gifts shall be used to further the goals of the Center as determined by the Board of the Center.

(d) Gifts of money and proceeds from sales of other property received as gifts shall be deposited in a separate fund in the Treasury of the United States and disbursed on the order of the Director of the Center, in accordance with policies established by the Board of the Center.

(e) The Board of the Foundation shall, not later than October 1 of each year, submit to the Committees on the Judiciary of the United States Senate and House of Representatives a report with respect to gifts received under this section during the preceding 12-month period, including the source of each such gift, the amount of each gift of cash or cash equivalent, and a description of any other gift. The Center shall include in its annual report of the activities of the Center under section 623(a)(3) a description of the purposes for which gifts were used during the year covered by the report.

(f) For the purpose of Federal income, estate, and gift taxes, property accepted under this section shall be considered as a gift or bequest to or for the use of the United States.

(Added Pub. L. 100–702, title III, § 301(a), Nov. 19, 1988, 102 Stat. 4646.)

PRIOR PROVISIONS

A prior section 629, added Pub. L. 90–219, title I, § 101, Dec. 20, 1967, 81 Stat. 667, related to organization provisions for the Board, prior to repeal by Pub. L. 95–598, title II, § 230(1), Nov. 6, 1978, 92 Stat. 2665, effective Nov. 6, 1978.

CHAPTER 43—UNITED STATES MAGISTRATE JUDGES

Sec.
631. Appointment and tenure.
632. Character of service.
633. Determination of number, locations, and salaries of magistrate judges.
634. Compensation.
635. Expenses.
636. Jurisdiction, powers, and temporary assignment.
637. Training.
638. Dockets and forms; United States Code; seals.
639. Definitions.

AMENDMENTS

1972—Pub. L. 92–239, § 3, Mar. 1, 1972, 86 Stat. 47, substituted ''Jurisdiction, powers, and temporary assignment'' for ''Jurisdiction and powers'' in item 636.

1968—Pub. L. 90–578, title I, § 101, Oct. 17, 1968, 82 Stat. 1108, substituted ''MAGISTRATES'' for ''COMMISSIONERS'' in chapter heading, and ''Character of service'' for ''Park commissioners; jurisdiction and powers; procedure'' in item 632, ''Determination of number, locations, and salaries of magistrates'' for ''Fees and expenses'' in item 633, ''Compensation'' for ''Salaries of park commissioners; disposition of fees'' in item 634, ''Expenses'' for ''Park commissioners; residence'' in item 635, ''Jurisdiction and powers'' for ''Accounts'' in item 636, ''Training'' for ''Oaths, acknowledgments, affidavits and depositions'' in item 637, ''Dockets and forms; United States Code; seals'' for ''Seals'' in item 638, and ''Definitions'' for ''Dockets and forms; United States Code'' in item 639.

1954—Act Aug. 13, 1954, ch. 728, § 1(c), 68 Stat. 704, inserted ''and expenses'' after ''Fees'' in item 633.

CHANGE OF NAME

''UNITED STATES MAGISTRATE JUDGES'' substituted for ''UNITED STATES MAGISTRATES'' in chapter heading and ''magistrate judges'' substituted for ''magistrates'' in item 633 pursuant to section 321 of Pub. L. 101–650, set out as a note under section 631 of this title.

§ 631. Appointment and tenure

(a) The judges of each United States district court and the district courts of the Virgin Islands, Guam, and the Northern Mariana Islands (including any judge in regular active service and any judge who has retired from regular active service under section 371(b) of this title, when designated and assigned to the court to which such judge was appointed) shall appoint United States magistrate judges in such numbers and to serve at such locations within the judicial districts as the Judicial Conference may determine under this chapter. In the case of a magistrate judge appointed by the district court of the Virgin Islands, Guam, or the Northern Mariana Islands, this chapter shall apply as though the court appointing such a magistrate judge were a United States district court. Where there is more than one judge of a district court, the appointment, whether an original appointment or a reappointment, shall be by the concurrence of a majority of all the judges of such district court, and when there is no such concurrence, then by the chief judge. Where the conference deems it desirable, a magistrate judge may be designated to serve in one or more districts adjoining the district for which he is appointed. Such a designation shall be made by the concurrence of a majority of the judges of each of the district courts involved and shall specify the duties to be performed by the magistrate judge in the adjoining district or districts.

(b) No individual may be appointed or reappointed to serve as a magistrate judge under this chapter unless: