The Attorney General and the Director in the procurement of law books, books of reference or periodicals may exchange or sell similar items and apply the allowance or proceeds to payment in whole or in part of the cost of the items procured.

(June 25, 1948, ch. 646, 62 Stat. 906; May 24, 1949, ch. 139, § 69, 63 Stat. 100; July 10, 1952, ch. 632, § 6, 66 Stat. 541.)

HISTORICAL AND REVISION NOTES

1948 ACT

Based on section 1131 of title 26, U.S.C., 1940 ed., Internal Revenue Code, title 28, U.S.C., 1940 ed., §§ 337, 530 (Mar. 3, 1911, ch. 231, § 229, 36 Stat. 1155; Mar. 2, 1929, ch. 488, § 1, 45 Stat. 1475; May 10, 1934, ch. 277, § 512, 48 Stat. 758; June 7, 1934, ch. 426, 48 Stat. 926; June 25, 1936, ch. 804, 49 Stat. 1921; Feb. 10, 1939, ch. 2, § 1131, 53 Stat. 163; May 14, 1940, ch. 189, title IV, 54 Stat. 210; July 2, 1942, ch. 472, title IV, 56 Stat. 504; June 28, 1943, ch. 173, title II, § 201, 57 Stat. 243; June 26, 1944, ch. 277, § 203, 58 Stat. 358; May 21, 1945, ch. 129, title IV, 59 Stat. 200; July 5, 1946, ch. 541, title IV, 60 Stat. 480.)

Section consolidates provisions of section 1131 of title 26, U.S.C., 1940 ed., relating to expenditures for ''lawbooks'' for the Tax Court of the United States, with sections 337 and 530 of title 28, U.S.C., 1940 ed., relating to purchase and distribution of reporter and digest volumes.

Other provisions of section 1131 of title 26, U.S.C., 1940 ed., are incorporated in section 604 of this title.

Provisions of section 530 of title 28, U.S.C., 1940 ed., limiting the price to be paid for volumes of the Federal Reporter and other similar reports were omitted after consultation with the Administrative Office of United States Courts as more properly covered by current appropriation acts. Similar provisions relating to the Federal Digest and the United States Code Annotated were omitted as covered in current appropriation acts. (See Act June 29, 1944, ch. 286, title II, § 212, 58 Stat. 361, 387.)

Provisions of said section 337 of title 28, U.S.C., 1940 ed., that books are to remain United States property, so marked, and transmitted to successors in office of persons receiving them, were omitted as covered by section 414 of this title.

Similar provisions in said section 530 of title 28, U.S.C., 1940 ed., are incorporated in section 414 of this title.

Provision in section 337 of title 28, U.S.C., 1940 ed., for distribution to the Court of Appeals and District Court for the District of Columbia was omitted as covered by the phrase ''Each place where a circuit court of appeals or district court is regularly held.''

The revised section is extended to include the Customs Court as well as the Court of Claims and Court of Customs and Patent Appeals. All judges receive the Supreme Court reports and digests under section 411 of this title. Presumably the Congress did not intend to deny distribution of the Federal Reporter and digests to the Customs Court while providing for all other courts under said section 337.

The revised section provides for distribution of volumes to the judiciary by the Director of the Administrative Office of the United States Courts. (See reviser's note under section 411 of this title.)

Similar publications are purchased by the Marshal of Supreme Court for the use of the Court. (See section 672(5) of this title.)

The provisions of section 337 of title 28, U.S.C., 1940 ed., requiring annual estimates and disbursement of moneys for the volumes under this section were omitted. Such provisions are covered by appropriate sections of title 31, U.S.C., 1940 ed., Money and Finance.

Provision of section 337 of title 28, U.S.C., 1940 ed., as to custody, use, and delivery to successors was omitted as obsolete on advice of the Administrative Office of the United States Courts.

Numerous changes were made in phraseology and superfluous language was omitted.

SENATE REVISION AMENDMENT

As finally enacted, part of act July 9, 1947, ch. 211, title IV, 61 Stat. 306, which was classified to Title 28, U.S.C., 1946 ed., § 530, 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.

Although section 1131 of Title 26, U.S.C. (Internal Revenue Code) is one of the sources of this section, it was struck out of the schedule of repeals by Senate amendment and accordingly remains in Title 26. See 80th Congress Senate Report No. 1559.

1949 ACT

Subsection (a) of this section eliminates from section 413 of title 28, U.S.C., the provision for furnishing books to the Tax Court, which procures books under section 1131 of the Internal Revenue Code (26 U.S.C., 1946 ed., § 1131).

Subsection (b) of this section incorporates in section 413 of title 28, U.S.C., with changes in phraseology, the provisions of act of June 3, 1948 (ch. 400, title II, § 204, 62 Stat. 321), which was not incorporated in title 18 when the revision was enacted. As amended, section 413 is expanded to give like authority with respect to procurement of books to the Director of the Administrative Office of the United States Courts, as well as to the Attorney General, to prevent an obvious inconsistency.

AMENDMENTS

1952—Act July 10, 1952, amended section generally, and permitted delivery of publication to buildings controlled by the Government as well as to buildings owned by it.

1949—Act May 24, 1949, struck out reference to the Tax Court in former provisions enumerating judges and courts to receive certain publications, and inserted provisions set out as second par.

§ 414. Transmittal of books to successors

All government publications and law books furnished to justices, judges, clerks of courts, and United States attorneys of the United States and its territories and possessions, and other officers of the United States or an agency thereof shall be transmitted to their successors in office. All permanent or bound books and publications furnished under this chapter except those books furnished to the Library of Congress for international exchange shall remain the property of the United States and shall be marked plainly, ''The Property of the United States''.

(June 25, 1948, ch. 646, 62 Stat. 906; Pub. L. 87–845, § 7, Oct. 18, 1962, 76A Stat. 699.)

HISTORICAL AND REVISION NOTES

Based on section 90 of title 5, U.S.C., 1940 ed., Executive Departments and Government Officers and Employees, section 530 of title 28, U.S.C., 1940 ed., and section 92 of title 44, U.S.C., 1940 ed., Public Printing and Documents (Aug. 7, 1882, ch. 433, § 1, 22 Stat. 336; Jan. 12, 1895, ch. 23, § 74, 28 Stat. 620; June 20, 1936, ch. 630, §§ 11, 12, 49 Stat. 1552, 1553; May 14, 1940, ch. 189, title IV, 54 Stat. 210; June 28, 1941, ch. 258, title IV, 55 Stat. 301; July 2, 1942, ch. 472, title IV, 56 Stat. 504; June 28, 1943, ch. 173, title II, § 201, 57 Stat. 243; June 26, 1944, ch. 277, § 203, 58 Stat. 358; May 21, 1945, ch. 129, title IV, 59 Stat. 200; July 5, 1946, ch. 541, title IV, 60 Stat. 480).

Section consolidates section 90 of title 5, U.S.C., 1940 ed., providing that ''statutes'' shall be delivered to successors of United States attorneys and clerks and pro-

visions of section 530 of title 28, U.S.C., 1940 ed., requiring that all lawbooks for judges and others shall be marked as property of the United States and shall be transmitted to their successors, with section 92 of title 44, U.S.C., 1940 ed., relating to transmittal of ''Government publications.''

Words ''All Government publications and lawbooks'' and ''furnished under this chapter'' were used to cover ''all statutes'' and ''The Federal Reporter and continuations thereto.''

Words ''justices and judges of the United States'' were substituted for ''United States judges'' in conformity with uniform use of the phrase to describe all members of the Federal judiciary. Similar provisions in sections 334 and 377 of title 28, U.S.C., 1940 ed., were therefore omitted as covered by this revised section.

Other provisions of said section 530 of title 28, U.S.C., 1940 ed., were omitted. (See reviser's note under section 413 of this title.)

The words ''permanent or bound'' were inserted in the last sentence of the revised section to obviate the wasteful practice under existing law of marking temporary pamphlets.

Changes were made in phraseology.

SENATE REVISION AMENDMENT

As finally enacted, part of act July 9, 1947, ch. 211, title IV, 61 Stat. 306, which was classified to Title 28, U.S.C., 1946 ed., §530, 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.

AMENDMENTS

1962—Pub. L. 87–845 substituted ''furnished to justices, judges, clerks of courts, and United States attorneys of the United States and its territories and possessions, and other officers of the United States or an agency thereof'' for ''furnished to justices and judges of the United States and of the Territorial Courts, United States attorneys, clerks of courts, and other officers of the United States''.

EFFECTIVE DATE OF 1962 AMENDMENT

Section 25 of Pub. L. 87–845 provided that: ''This Act [enacting section 4210 of Title 18, Crimes and Criminal Procedure, and section 858 of Title 50, War and National Defense, and amending this section, sections 547, 1404, and 1406 of this title, section 14 of Title 18, section 1934 of Title 22, Foreign Relations and Intercourse, section 196 of Title 24, Hospitals and Asylums, and sections 191a and 191b of Title 50] takes effect January 2, 1963. Laws enacted after January 9, 1962, that are inconsistent with this Act, supersede it to the extent of the inconsistency.''

[§415. Repealed. Pub. L. 97–164, title I, §113, Apr. 2, 1982, 96 Stat. 29]

Section, acts June 25, 1948, ch. 646, 62 Stat. 906; May 24, 1949, ch. 139, §70, 63 Stat. 100, provided for distribution of copies of decisions of Court of Claims. See section 174(b) of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1982, see section 402 of Pub. L. 97–164, set out as an Effective Date of 1982 Amendment note under section 171 of this title.

CHAPTER 21—GENERAL PROVISIONS APPLICABLE TO COURTS AND JUDGES

Sec.
451. Definitions.
452. Courts always open; power unrestricted by expiration of sessions.[1]
453. Oath of justices and judges.[1]
454. Practice of law by justices and judges.
455. Disqualification of justice, judge, or magistrate judge.
456. Traveling expenses of justices and judges; official duty stations.
457. Records; obsolete papers.
458. Relative of justice or judge ineligible to appointment.
459. Administration of oaths and acknowledgments.
460. Application to other courts.
461. Adjustments in certain salaries.
462. Court accommodations.
463. Expenses of litigation.

[1] So in original. Does not conform to section catchline.

AMENDMENTS

1982—Pub. L. 97–164, title I, §§115(a)(2), (b)(2), (c)(2), 116(b), Apr. 2, 1982, 96 Stat. 31, 32, inserted ''; official duty stations'' in item 456, substituted ''other courts'' for ''Canal Zone, Guam and Virgin Islands'' in item 460, and added items 462 and 463.

1978—Pub. L. 95–598, title II, §§214(c), 217(b), Nov. 6, 1978, 92 Stat. 2661, struck out ''Alaska,'' after ''Application to'' in item 460 and struck out reference to referees in bankruptcy in item 455.

1975—Pub. L. 94–82, title II, §205(a)(2), Aug. 9, 1975, 89 Stat. 422, added item 461.

1974—Pub. L. 93–512, §2, Dec. 5, 1974, 88 Stat. 1610, substituted ''Disqualification of justice, judge, magistrate, or referee in bankruptcy'' for ''Interest of justice or judge'' in item 455.

1963—Pub. L. 88–139, §3(b), Oct. 16, 1963, 77 Stat. 248, substituted ''power unrestricted by expiration of sessions'' for ''powers unrestricted by terms'' in item 452.

1951—Act Oct. 31, 1951, ch. 655, §42, 65 Stat. 725, inserted '', Guam'' in item 460.

CHANGE OF NAME

Words ''magistrate judge'' substituted for ''magistrate'' in item 455 pursuant to section 321 of Pub. L. 101–650, set out as a note under section 631 of this title.

§451. Definitions

As used in this title:

The term ''court of the United States'' includes the Supreme Court of the United States, courts of appeals, district courts constituted by chapter 5 of this title, including the Court of International Trade and any court created by Act of Congress the judges of which are entitled to hold office during good behavior.

The terms ''district court'' and ''district court of the United States'' mean the courts constituted by chapter 5 of this title.

The term ''judge of the United States'' includes judges of the courts of appeals, district courts, Court of International Trade and any court created by Act of Congress, the judges of which are entitled to hold office during good behavior.

The term ''justice of the United States'' includes the Chief Justice of the United States and the associate justices of the Supreme Court.

The terms ''district'' and ''judicial district'' means the districts enumerated in Chapter 5 of this title.

The term ''department'' means one of the executive departments enumerated in section 1 of Title 5, unless the context shows that such term was intended to describe the executive, legislative, or judicial branches of the government.

The term ''agency'' includes any department, independent establishment, commission, administration, authority, board or bureau of the United States or any corporation in which the