(Added Pub. L. 109–8, title VI, § 601(a), Apr. 20, 2005, 119 Stat. 119; amended Pub. L. 111–327, § 2(c)(2), Dec. 22, 2010, 124 Stat. 3563.)

REFERENCES IN TEXT

The Federal Rules of Bankruptcy Procedure, referred to in subsec. (c)(3)(H), are set out in the Appendix to Title 11, Bankruptcy.

AMENDMENTS

2010—Subsec. (c)(3)(H). Pub. L. 111–327 inserted ''the'' after ''against''.

EFFECTIVE DATE

Pub. L. 109–8, title VI, § 601(c), Apr. 20, 2005, 119 Stat. 120, provided that: ''The amendments made by this section [enacting this section] shall take effect 18 months after the date of enactment of this Act [Apr. 20, 2005].''

CHAPTER 7—UNITED STATES COURT OF FEDERAL CLAIMS

Sec.
171. Appointment and number of judges; character of court; designation of chief judge.
172. Tenure and salaries of judges.
173. Times and places of holding court.
174. Assignment of judges; decisions.
175. Official duty station; residence.
176. Removal from office.
177. Disbarment of removed judges.
178. Retirement of judges of the Court of Federal Claims.
179. Personnel application and insurance programs.
[180. Repealed.]

AMENDMENTS

2000—Pub. L. 106–518, title III, § 309(b), Nov. 13, 2000, 114 Stat. 2420, substituted ''Personnel application and insurance programs'' for ''Insurance and annuities programs'' in item 179.

Pub. L. 106–398, § 1 [[div. A], title VI, § 654(b)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A–165, struck out item 180 ''Military retirement pay for retired judges''.

1992—Pub. L. 102–572, title IX, §§ 902(a), 903(b), Oct. 29, 1992, 106 Stat. 4516, 4517, substituted ''UNITED STATES COURT OF FEDERAL CLAIMS'' for ''UNITED STATES CLAIMS COURT'' as chapter heading, substituted ''Court of Federal Claims'' for ''Claims Court'' in item 178, and added items 179 and 180.

1990—Pub. L. 101–650, title III, § 306(a)(2), Dec. 1, 1990, 104 Stat. 5109, added item 178.

1982—Pub. L. 97–164, title I, § 105(a), Apr. 2, 1982, 96 Stat. 26, substituted ''UNITED STATES CLAIMS COURT'' for ''COURT OF CLAIMS'' as chapter heading, inserted ''; designation of chief judge'' in item 171, substituted ''Tenure and salaries of judges'' for ''Precedence of judges'' in item 172, substituted ''Times and places of holding court'' for ''Tenure and salaries of judges'' in item 173, substituted ''Assignment of judges; decisions'' for ''Terms'' in item 174, substituted ''Official duty station; residence'' for ''Assignment of judges; divisions; hearings; quorum; decisions'' in item 175, and added items 176 and 177.

1966—Pub. L. 89–425, § 3, May 11, 1966, 80 Stat. 140, substituted ''Assignment of judges; divisions; hearings; quorum; decisions'' for ''Quorum'' in item 175.

1954—Act Sept. 3, 1954, ch. 1263, § 38, 68 Stat. 1240, inserted ''; character of court'' in item 171.

§ 171. Appointment and number of judges; character of court; designation of chief judge

(a) The President shall appoint, by and with the advice and consent of the Senate, sixteen judges who shall constitute a court of record known as the United States Court of Federal Claims. The court is declared to be a court established under article I of the Constitution of the United States.

(b) The President shall designate one of the judges of the Court of Federal Claims who is less than seventy years of age to serve as chief judge. The chief judge may continue to serve as such until he reaches the age of seventy years or until another judge is designated as chief judge by the President. After the designation of another judge to serve as chief judge, the former chief judge may continue to serve as a judge of the court for the balance of the term to which appointed.

(June 25, 1948, ch. 646, 62 Stat 898; July 28, 1953, ch. 253, § 1, 67 Stat. 226; Sept. 3, 1954, ch. 1263, § 39(a), 68 Stat. 1240; Pub. L. 89–425, § 1(b), May 11, 1966, 80 Stat. 140; Pub. L. 97–164, title I, § 105(a), Apr. 2, 1982, 96 Stat. 27; Pub. L. 102–572, title IX, § 902(a), Oct. 29, 1992, 106 Stat. 4516.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed. § 241 (Mar. 3, 1911, ch. 231, § 136, 36 Stat. 1135; Feb. 25, 1919, ch. 29, § 4, 40 Stat. 1157; Dec. 13, 1926, ch. 6, § 1 44 Stat. 919).

This section contains a part of section 241 of title 28, U.S.C., 1940 ed. The remainder of such section, relating to tenure, salaries and oath, is incorporated in sections 173 and 453 of this title.

The term ''chief judge'' was substituted for ''Chief Justice.'' (See reviser's note under section 136 of this title.)

Words ''a court of record known as'' were added. For similar provision covering other Federal courts, see sections 132, 211, and 251 of this title.

The official status of the Chief Justice of the Court of Claims holding office on the effective date of this act is preserved by section 2 of the bill to enact revised title 28.

Minor changes were made in arrangement and phraseology.

AMENDMENTS

1992—Pub. L. 102–572 substituted ''United States Court of Federal Claims'' for ''United States Claims Court'' in subsec. (a) and ''Court of Federal Claims'' for ''Claims Court'' in subsec. (b).

1982—Pub. L. 97–164 designated existing provisions as subsec. (a), substituted ''sixteen judges who shall constitute a court of record known as the United States Claims Court'' for ''a chief judge and six associate judges who shall constitute a court of record known as the United States Court of Claims'' and ''The court is declared to be a court established under article I of the Constitution of the United States'' for ''Such court is hereby declared to be a court established under article III of the Constitution of the United States'' in subsec. (a) as so designated, and added subsec. (b).

1966—Pub. L. 89–425 increased the number of associate judges from four to six.

1954—Act Sept. 3, 1954, inserted ''; character or court'' in section catchline.

1953—Act July 28, 1953, inserted second sentence.

CHANGE OF NAME

Section 902(b) of Pub. L. 102–572 provided that: ''Reference in any other Federal law [meaning any Federal law other than chapters 7, 51, 91, and 165 of this title] or any document to—

''(1) the 'United States Claims Court' shall be deemed to refer to the 'United States Court of Federal Claims'; and

''(2) the 'Claims Court' shall be deemed to refer to the 'Court of Federal Claims'.''

EFFECTIVE DATE OF 1992 AMENDMENT

Section 911 of title IX of Pub. L. 102–572 provided that: ''This title [see Tables for classification] and the