amendments made by this title shall take effect on the date of the enactment of this Act [Oct. 29, 1992].''

EFFECTIVE DATE OF 1982 AMENDMENT

Section 402 of Pub. L. 97–164 provided that: ''Unless otherwise specified, the provisions of this Act [see Short Title of 1982 Amendment note set out under section 1 of this title] shall take effect on October 1, 1982.''

CONTINUED SERVICE OF COMMISSIONERS OF COURT OF CLAIMS AS JUDGES

Section 167 of Pub. L. 97–164 provided that Commissioners of United States Court of Claims serving immediately prior to Oct. 1, 1982, became judges of United States Claims Court [now United States Court of Federal Claims] on such date, with initial terms expiring 15 years after date of employment or on Oct. 1, 1986, whichever occurred earlier, and with salaries equal to salaries of Commissioners of Court of Claims.

TENNESSEE VALLEY AUTHORITY LEGAL REPRESENTATION

Section 169 of Pub. L. 97–164 provided that: ''Nothing in this Act [see Short Title of 1982 Amendment note set out under section 1 of this title] affects the authority of the Tennessee Valley Authority under the Tennessee Valley Authority Act of 1933 [16 U.S.C. 831 et seq.] to represent itself by attorneys of its choosing.''

TRANSITION PROVISIONS: TRANSFER OF PENDING CASES

Section 403 of Pub. L. 97–164 provided for transfer of cases or matters pending on Oct. 1, 1982, before Court of Claims or United States Court of Customs and Patent Appeals to United States Court of Appeals for the Federal Circuit, directed that petitions for rehearing, reconsideration, or other changes in decisions of Court of Claims or United States Court of Customs and Patent Appeals rendered prior to such date be determined by United States Court of Appeals for the Federal Circuit, directed that matters pending before Commissioners of United States Court of Claims on such date be determined by United States Claims Court [now United States Court of Federal Claims], and directed that any case in which notice of appeal had been filed in district court of United States prior to such date would be decided by court of appeals to which the appeal was taken.

CONGRESSIONAL STATEMENT REGARDING APPOINTMENT OF JUDGES

For Congressional suggestion that the President select nominees for judgeships on the Claims Court [now Court of Federal Claims] and the Court of Appeals for the Federal Circuit from a broad range of qualified individuals, see section 168 of Pub. L. 97–164, set out as a note under section 44 of this title.

§ 172. Tenure and salaries of judges

(a) Each judge of the United States Court of Federal Claims shall be appointed for a term of fifteen years.

(b) Each judge shall receive a salary at the rate of pay, and in the same manner, as judges of the district courts of the United States.

(June 25, 1948, ch. 646, 62 Stat. 898; Pub. L. 97–164, title I, § 105(a), Apr. 2, 1982, 96 Stat. 27; Pub. L. 100–702, title X, § 1023, Nov. 19, 1988, 102 Stat. 4673; Pub. L. 102–572, title IX, § 902(a)(1), Oct. 29, 1992, 106 Stat. 4516.)

HISTORICAL AND REVISION NOTES

This section applies to the judges of the Court of Claims the same rule of precedence applicable to judges of other courts. (See sections 45, 136, 212, and 253 of this title.)

AMENDMENTS

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

1988—Subsec. (b). Pub. L. 100–702 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: ''Each judge shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title.''

1982—Pub. L. 97–164 amended section generally, substituting provisions relating to tenure and salaries of judges (formerly contained in section 173) for provisions relating to precedence of judges. See section 171 of this title.

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.

SALARY INCREASES

For increases in salaries of judges after Nov. 19, 1988, see notes set out under section 135 of this title relating to salary increases for district judges.

1988—Salaries of judges continued at $82,500 per annum by Ex. Ord. No. 12622, Dec. 31, 1987, 53 F.R. 222, formerly set out as a note under section 5332 of Title 5.

1987—Salaries of judges increased to $82,500 per annum, on recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

Salaries of judges increased to $72,300 effective on first day of first pay period beginning on or after Jan. 1, 1987, by Ex. Ord. No. 12578, Dec. 31, 1986, 52 F.R. 505, formerly set out as a note under section 5332 of Title 5, Government Organization and Employees.

1985—Salaries of judges increased to $70,200 effective on first day of first pay period beginning on or after Jan. 1, 1985, by Ex. Ord. No. 12496, Dec. 28, 1984, 50 F.R. 211, as amended by Ex. Ord. No. 12540, Dec. 30, 1985, 51 F.R. 577, formerly set out as a note under section 5332 of Title 5.

1984—Salaries of judges set at $67,800 effective on first day of first pay period beginning on or after Jan. 1, 1984, by Ex. Ord. No. 12456, Dec. 30, 1983, 49 F.R. 347, as amended Ex. Ord. No. 12477, May 23, 1984, 49 F.R. 22041; Ex. Ord. No. 12487, Sept. 14, 1984, 49 F.R. 36493, formerly set out as a note under section 5332 of Title 5.

1982—Salaries of judges set at $65,200 effective on first day of first pay period beginning on or after Oct. 1, 1982, by Ex. Ord. No. 12387, Oct. 8, 1982, 47 F.R. 44981, formerly set out as a note under section 5332 of Title 5. Ex. Ord. No. 12387 further provided that pursuant to section 101(e) of Pub. L. 97–276 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1982, which was $57,500.

Maximum rate payable after Dec. 17, 1982, increased from $57,500 to $65,200, see Pub. L. 97–377, title I, § 129(b)–(d), Dec. 21, 1982, 96 Stat. 1914, set out as a note under section 5318 of Title 5.

Limitations on use of funds for fiscal year ending Sept. 30, 1983, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above level V of the Executive Schedule, see section 101(e) of Pub. L. 97–276, as amended, set out as a note under section 5318 of Title 5.

1981—Salaries of judges increased to $74,300 effective on first day of first pay period beginning on or after Oct. 1, 1981, by Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, formerly set out as a note under section 5332 of Title 5.

Limitations on use of funds for fiscal year ending Sept. 30, 1982, appropriated by any Act to pay the sal-

ary or pay of any individual in legislative, executive, or judicial branch in position equal to or above level V of the Executive Schedule, see sections 101(g) and 141 of Pub. L. 97–92, set out as a note under section 5318 of Title 5.

1980—Salaries of judges increased to $70,900 effective on first day of first pay period beginning on or after Oct. 1, 1980, by Ex. Ord. No. 12248, Oct. 16, 1980, 45 F.R. 69199, formerly set out as a note under section 5332 of Title 5. Ex. Ord. No. 12248 further provided that pursuant to Pub. L. 96–369 funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1980, which was $60,662.50.

Limitations on use of funds for fiscal year ending Sept. 30, 1981, appropriated by any Act to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above level V of the Executive Schedule, see section 101(c) of Pub. L. 96–536, as amended, set out as a note under section 5318 of Title 5.

1979—Salaries of judges increased to $65,000 effective on first day of first pay period beginning on or after Oct. 1, 1979, by Ex. Ord. No. 12165, Oct. 9, 1979, 44 F.R. 58671, as amended by Ex. Ord. No. 12200, Mar. 12, 1980, 45 F.R. 16443, formerly set out as a note under section 5332 of Title 5. Ex. Ord. No. 12165 further provided that pursuant to Pub. L. 96–86 funds appropriated for fiscal year 1980 may not be used to pay a salary at a rate which exceeds an increase of 5.5 percent over the applicable rate payable for such position or office in effect on Sept. 30, 1978, which was $60,662.50.

Applicability to funds appropriated by any Act for fiscal year ending Sept. 30, 1980, of limitation of section 304 of Pub. L. 95–391 on use of funds to pay the salary or pay of any individual in legislative, executive, or judicial branch in position equal to or above Level V of the Executive Schedule, see section 101 of Pub. L. 96–86, set out as a note under section 5318 of Title 5.

1978—Salaries of judges increased to $60,700 effective on first day of first pay period beginning on or after Oct. 1, 1978, by Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, formerly set out as a note under section 5332 of Title 5. Ex. Ord. No. 12087 further provided that pursuant to the Legislative Branch Appropriation Act, 1979 [Pub. L. 95–391, title III, § 304, Sept. 30, 1978, 92 Stat. 788, set out as a note under section 5318 of Title 5], funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1978, which was $57,500.

1977—Salaries of judges increased to $57,500 per annum, on recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

1976—Salaries of judges increased to $46,800 effective on first day of first pay period beginning on or after Oct. 1, 1976, see Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43889, formerly set out as a note under section 5332 of Title 5, Government Organization and Employees. Ex. Ord. No. 11941, further provided that pursuant to the Legislative Branch Appropriation Act, 1977, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1976, which was $44,600.

1969—Salaries of judges increased from $33,000 to $42,500 per annum, commencing Feb. 14, 1969, on recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

1946—Salaries of chief judge and associate judges increased from $12,500 to $17,500 a year by act July 31, 1946, ch. 704, § 1, 60 Stat. 716.

1926—Salary of Chief Justice, now chief judge, increased from $8,000 to $12,500 a year, and salaries of associate justices, now judges, increased from $7,500 to $12,500 a year by act Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919.

1919—Salary of Chief Justice increased from $6,500 to $8,000 a year, and salaries of associate justices increased from $6,000 to $7,500 a year by act Feb. 25, 1919, ch. 29, § 1, 40 Stat. 1156.

1911—Salary of chief justice set at $6,500, and salaries of associate justices set at $6,000 by Judicial Code of 1911, act Mar. 3, 1911, ch. 231, § 1, 36 Stat. 1135.

§ 173. Times and places of holding court

The principal office of the United States Court of Federal Claims shall be in the District of Columbia, but the Court of Federal Claims may hold court at such times and in such places as it may fix by rule of court. The times and places of the sessions of the Court of Federal Claims shall be prescribed with a view to securing reasonable opportunity to citizens to appear before the Court of Federal Claims with as little inconvenience and expense to citizens as is practicable.

(June 25, 1948, ch. 646, 62 Stat. 898; Mar. 2, 1955, ch. 9, § 1(d), 69 Stat. 10; Pub. L. 88–426, title IV, § 403(d), Aug. 14, 1964, 78 Stat. 434; Pub. L. 94–82, title II, § 205(b)(4), Aug. 9, 1975, 89 Stat. 422; 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; July 31, 1946, ch. 704, § 1, 60 Stat. 716).

This section is based on part of section 241 of title 28, U.S.C., 1940 ed. That portion relating to number, appointment of judges and their oaths, is incorporated in sections 171 and 453 of this title.

A provision for monthly salary payments was omitted since time of payment is a matter for administrative determination. (See 20 Comp. Gen. 834.)

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

Minor changes were made in phraseology.

Amendments

1992—Pub. L. 102–572 substituted ''United States Court of Federal Claims'' for ''United States Claims Court'' and ''Court of Federal Claims'' for ''Claims Court'' in three places.

1982—Pub. L. 97–164 amended section generally, substituting provisions relating to times and places of holding court (formerly contained in section 174) for provisions relating to the tenure and salaries of judges of the Court of Claims. See section 172 of this title.

1975—Pub. L. 94–82 substituted provision that the chief judge and associate judges receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967, as adjusted by section 461 of this title, for provision granting each such judge a salary of $33,000 a year.

1964—Pub. L. 88–426 increased salaries of judges from $25,500 to $33,000 a year.

1955—Act Mar. 2, 1955, increased salaries of judges from $17,500 to $25,500 a year.

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 1964 Amendment

Amendment by Pub. L. 88–426 effective on first day of first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88–426, see section 501 of Pub. L. 88–426.

Effective Date of 1955 Amendment

Amendment by act Mar. 2, 1955, effective Mar. 1, 1955, see section 5 of act Mar. 2, 1955, set out as a note under section 31 of Title 2, The Congress.