

111TH CONGRESS  
1ST SESSION

# H. R. 3632

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## AN ACT

To provide improvements for the operations of the Federal  
courts, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Judiciary Ad-  
3 ministrative Improvements Act of 2009”.

4 **SEC. 2. SENIOR JUDGE GOVERNANCE CORRECTION.**

5 (a) IN GENERAL.—Section 631(a) of title 28, United  
6 States Code, is amended in the first sentence by striking  
7 “(including any judge in regular active service” and all  
8 that follows through “was appointed)”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 subsection (a) shall take effect on the date of the enact-  
11 ment of this Act.

12 **SEC. 3. REVISION OF STATUTORY DESCRIPTION OF THE**  
13 **DISTRICT OF NORTH DAKOTA.**

14 (a) IN GENERAL.—Section 114 of title 28, United  
15 States Code, is amended to read as follows:

16 **“§ 114. North Dakota**

17 “North Dakota constitutes one judicial district.

18 “Court shall be held at Bismarck, Fargo,  
19 Grand Forks, and Minot.”.

20 (b) CURRENT CASES AND JURIES NOT AFFECTED.—

21 (1) PENDING CASES NOT AFFECTED.—The  
22 amendment made by subsection (a) shall not affect  
23 any action commenced before the effective date  
24 under subsection (c) and pending in the United  
25 States District Court for the District of North Da-  
26 kota on such date.

1           (2) JURIES NOT AFFECTED.—The amendment  
 2       made by subsection (a) shall not affect the composi-  
 3       tion, or preclude the service, of any grand or petit  
 4       jury summoned, empaneled, or actually serving in  
 5       the Judicial District of North Dakota on the effec-  
 6       tive date under subsection (c).

7       (c) EFFECTIVE DATE.—This section and the amend-  
 8       ment made by this section shall take effect 90 days after  
 9       the date of the enactment of this Act.

10   **SEC. 4. DISABILITY RETIREMENT AND COST-OF-LIVING AD-**  
 11                           **JUSTMENTS OF ANNUITIES FOR TERRI-**  
 12                           **TORIAL JUDGES.**

13       (a) IN GENERAL.—Section 373 of title 28, United  
 14       States Code, is amended—

15           (1) in subsection (c), by amending paragraph  
 16       (4) to read as follows:

17       “(4) Any senior judge performing judicial duties pur-  
 18       suant to recall under paragraph (2) of this subsection  
 19       shall be paid, while performing such duties, the same com-  
 20       pensation (in lieu of the annuity payable under this sec-  
 21       tion) and the same allowances for travel and other ex-  
 22       penses as a judge on active duty with the court being  
 23       served.”;

24           (2) by amending subsection (e) to read as fol-  
 25       lows:

1       “(e)(1) Any judge of the District Court of Guam, the  
2 District Court of the Northern Mariana Islands, or the  
3 District Court of the Virgin Islands who is not reappointed  
4 (as judge of such court) shall be entitled, upon attaining  
5 the age of 65 years or upon relinquishing office if the  
6 judge is then beyond the age of 65 years—

7               “(A) if the judicial service of such judge, con-  
8 tinuous or otherwise, aggregates 15 years or more,  
9 to receive during the remainder of the life of such  
10 judge an annuity equal to the salary received when  
11 the judge left office; or

12               “(B) if such judicial service, continuous or oth-  
13 erwise, aggregates less than 15 years, to receive dur-  
14 ing the remainder of the life of such judge an annu-  
15 ity equal to that proportion of such salary that the  
16 aggregate number of years of service of such judge  
17 bears to 15.

18       “(2) Any judge of the District Court of Guam, the  
19 District Court of the Northern Mariana Islands, or the  
20 District Court of the Virgin Islands who has served at  
21 least 5 years, continuously or otherwise, and who retires  
22 or is removed upon the sole ground of mental or physical  
23 disability, shall be entitled to receive during the remainder  
24 of the life of such judge an annuity equal to 40 percent  
25 of the salary received when the judge left office or, in the

1 case of a judge who has served at least 10 years, continu-  
2 ously or otherwise, an annuity equal to that proportion  
3 of such salary that the aggregate number of years of judi-  
4 cial service of such judge bears to 15.”; and

5 (3) by amending subsection (g) to read as fol-  
6 lows:

7 “(g) Any retired judge who is entitled to receive an  
8 annuity under this section shall be paid a cost-of-living  
9 adjustment as provided under section 8340(b) of title 5,  
10 except that in no case may the annuity payable to such  
11 retired judge, as increased under this subsection, exceed  
12 the salary of a judge in regular active service with the  
13 court on which the retired judge served before retiring.”.

14 (b) EFFECTIVE DATE.—

15 (1) COMPENSATION OF RECALLED JUDGES.—

16 The amendment made by subsection (a)(1) shall  
17 apply with respect to judicial duties pursuant to re-  
18 call that are performed on or after the date of the  
19 enactment of this Act.

20 (2) JUDGES WHO ARE NOT REAPPOINTED.—

21 The amendment made by subsection (a)(2) shall  
22 apply to a judge who relinquishes office under sec-  
23 tion 373(e)(1) of title 28, United States Code, as  
24 amended by such subsection, or who retires or is re-  
25 moved from office under section 373(e)(2) of such

1 title, as so amended, on or after the date of the en-  
2 actment of this Act.

3 (3) COST-OF-LIVING INCREASES.—The amend-  
4 ment made by subsection (a)(3) shall apply to  
5 judges who retire before, on, or after the date of the  
6 enactment of this Act.

7 **SEC. 5. ANNUAL LEAVE LIMIT FOR JUDICIAL BRANCH EX-**  
8 **ECUTIVES.**

9 (a) IN GENERAL.—Section 6304(f)(1) of title 5,  
10 United States Code, is amended—

11 (1) in subparagraph (F), by striking “or” at  
12 the end;

13 (2) in subparagraph (G), by striking the period  
14 and inserting “; or”; and

15 (3) by adding at the end the following:

16 “(H) a position in the judicial branch that  
17 is designated as a senior executive position—

18 “(i) in the United States courts, by  
19 the Judicial Conference of the United  
20 States;

21 “(ii) in the Federal Judicial Center,  
22 by the Board of the Federal Judicial Cen-  
23 ter; or

24 “(iii) in the United States Sentencing  
25 Commission, by the Commission.”.

1 (b) EFFECTIVE DATE.—The amendments made by  
2 subsection (a) shall take effect on the date of the enact-  
3 ment of this Act.

4 **SEC. 6. FEDERAL JUDICIAL CENTER PERSONNEL MATTERS.**

5 (a) IN GENERAL.—Section 625 of title 28, United  
6 States Code, is amended—

7 (1) by amending subsection (b) to read as fol-  
8 lows:

9 “(b) The Director shall appoint and fix the com-  
10 pensation of such additional professional personnel as the  
11 Board considers necessary, without regard to the provi-  
12 sions of title 5 governing appointments in competitive  
13 service, or the provisions of chapter 51 and subchapter  
14 III of chapter 53 of such title relating to classification and  
15 General Schedule pay rates, subject to the following:

16 “(1) The compensation of any person appointed  
17 under this subsection may not exceed the annual  
18 rate of basic pay for level V of the Executive Sched-  
19 ule under section 5316 of title 5, except that the Di-  
20 rector may fix the compensation of 4 positions of the  
21 Center at a level not to exceed the annual rate of  
22 pay in effect for level IV of the Executive Schedule  
23 under section 5315 of title 5.

24 “(2) The salary of a reemployed annuitant  
25 under subchapter III of chapter 83 of title 5 shall

1 be adjusted under section 8344 of such title, and the  
 2 salary of a reemployed annuitant under chapter 84  
 3 of title 5 shall be adjusted under section 8468 of  
 4 such title.”.

5 (2) in subsection (c), by striking “, United  
 6 States Code,”; and

7 (3) in subsection (d)—

8 (A) by striking “, United States Code,”;  
 9 and

10 (B) by striking “General Schedule pay  
 11 rates, section 5332, title 5, United States  
 12 Code” and insert “the General Schedule under  
 13 section 5332 of title 5”.

14 (b) EFFECTIVE DATE.—The amendments made by  
 15 subsection (a) shall take effect on the date of the enact-  
 16 ment of this Act.

17 **SEC. 7. SEPARATION OF THE JUDGMENT AND STATEMENT**  
 18 **OF REASONS FORMS.**

19 (a) IN GENERAL.—Section 3553(c)(2) of title 18,  
 20 United States Code, is amended by striking “the written  
 21 order of judgment and commitment” and inserting “a  
 22 statement of reasons form issued under section  
 23 994(w)(1)(B) of title 28”.

1 (b) EFFECTIVE DATE.—The amendment made by  
 2 subsection (a) shall take effect on the date of the enact-  
 3 ment of this Act.

4 **SEC. 8. PRETRIAL SERVICES FUNCTIONS FOR JUVENILES.**

5 (a) IN GENERAL.—Section 3154 of title 18, United  
 6 States Code, is amended—

7 (1) by redesignating paragraph (14) as para-  
 8 graph (15); and

9 (2) by inserting after paragraph (13) the fol-  
 10 lowing:

11 “(14) Perform, in a manner appropriate for ju-  
 12 veniles, any of the functions identified in this section  
 13 with respect to juveniles awaiting adjudication, trial,  
 14 or disposition under chapter 403 of this title who  
 15 are not detained.”.

16 (b) EFFECTIVE DATE.—The amendments made by  
 17 subsection (a) shall take effect on the date of the enact-  
 18 ment of this Act.

19 **SEC. 9. STATISTICAL REPORTING SCHEDULE FOR CRIMI-**  
 20 **NAL WIRETAP ORDERS.**

21 (a) IN GENERAL.—Section 2519 of title 18, United  
 22 States Code, is amended—

23 (1) in paragraph (1), by striking “Within thirty  
 24 days” and all that follows through “issuing or deny-  
 25 ing judge” and inserting “In January of each year,

any judge who has issued an order (or an extension thereof) under section 2518 that expired during the preceding calendar year, or who has denied approval of an interception during that year,”;

(2) in paragraph (2), by striking “In January of each year” and inserting “In March of each year”; and

(3) in paragraph (3), by striking “In April of each year” and inserting “In June of each year”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

**SEC. 10. THRESHOLDS FOR ADMINISTRATIVE REVIEW OF  
OTHER THAN COUNSEL CASE COMPENSA-  
TION.**

(a) IN GENERAL.—Section 3006A of title 18, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (A), in the second sentence, by striking “\$500” and inserting “\$800”; and

(ii) in subparagraph (B), by striking “\$500” and inserting “\$800”; and

1 (B) in paragraph (3), in the first sentence,  
2 by striking “\$1,600” and inserting “\$2,400”;  
3 and  
4 (2) by adding at the end the following:

5 “(5) ADJUSTMENT OF DOLLAR AMOUNTS.—

6 “(A) IN GENERAL.—The dollar amounts  
7 provided in paragraphs (2) and (3) shall be ad-  
8 justed by an amount, rounded to the nearest  
9 multiple of \$100, equal to the percentage of the  
10 cumulative adjustments taking effect under sec-  
11 tion 5303 of title 5 in the rates of pay under  
12 the General Schedule since the date on which  
13 the dollar amounts provided in paragraphs (2)  
14 and (3), respectively, were last modified by stat-  
15 ute.

16 “(B) EFFECTIVE DATE.—Each adjustment  
17 under subparagraph (A) shall take effect on the  
18 same day on which the corresponding adjust-  
19 ment under section 5303 of title 5 takes ef-  
20 fect.”.

21 (b) EFFECTIVE DATE.—

22 (1) INCREASE IN DOLLAR AMOUNTS.—The  
23 amendments made by subsection (a)(1) shall take ef-  
24 fect on the date of the enactment of this Act.

1           (2) ANNUAL ADJUSTMENTS.—The amendment  
2       made by subsection (a)(2) shall apply with respect to  
3       adjustments taking effect under section 5303 of title  
4       5, United States Code, after the date of the enact-  
5       ment of this Act.

      Passed the House of Representatives October 28,  
2009.

Attest:

*Clerk.*



11<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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