

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.

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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 4501 of Title 2, The Congress.

§ 174. Assignment of judges; decisions

(a) The judicial power of the United States Court of Federal Claims with respect to any action, suit, or proceeding, except congressional reference cases, shall be exercised by a single judge, who may preside alone and hold a regular or special session of court at the same time other sessions are held by other judges.

(b) All decisions of the Court of Federal Claims shall be preserved and open to inspection.

(June 25, 1948, ch. 646, 62 Stat. 898; 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., §243 (Mar. 3, 1911, ch. 231, §138, 36 Stat. 1136).

This section is based on the first sentence of section 243 of title 28, U.S.C., 1940 ed. The remainder of said section is incorporated in section 175 of this title.

Words “the seat of government” were substituted for “the city of Washington” to conform to similar language respecting the Supreme Court. (See section 2 of this title.)

Words “to be fixed by rule of court” were added to provide greater flexibility in administering the business of the court. For similar provisions covering the district courts, see section 138 of this title.

Word “term” was substituted for “session” for uniformity.

Minor changes were made in phraseology.

Editorial Notes

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 amended section generally, substituting provisions relating to assignment of judges (formerly contained in section 175) for provisions relating to terms of court. See section 173 of this title.

Statutory Notes and Related Subsidiaries

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.

§ 175. Official duty station; residence

(a) The official duty station of each judge of the United States Court of Federal Claims is the District of Columbia.

(b) After appointment and while in active service, each judge shall reside within fifty miles of the District of Columbia.

(c) Retired judges of the Court of Federal Claims are not subject to restrictions as to residence. The place where a retired judge maintains the actual abode in which such judge customarily lives shall be deemed to be the judge’s official duty station for the purposes of section 456 of this title.

(Added Pub. L. 89-425, §2, May 11, 1966, 80 Stat. 140; amended Pub. L. 97-164, title I, §105(a), Apr. 2, 1982, 96 Stat. 27; Pub. L. 102-572, title IX, §902(a)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 106-518, title III, §307, Nov. 13, 2000, 114 Stat. 2419.)

Editorial Notes

PRIOR PROVISIONS

A prior section 175, act June 25, 1948, ch. 646, 62 Stat. 898, required three judges of the Court of Claims to constitute a quorum and the concurrence of three judges for any decision, prior to repeal by section 2 of Pub. L. 89-425.

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-518 added subsec. (c).