

“(A) assigning personnel to State and major urban area fusion and intelligence centers for the specific purpose of identifying potential threats against the Federal judiciary and coordinating responses to such potential threats;

“(B) expanding the use of investigative analysts, physical security specialists, and intelligence analysts at the 94 judicial districts and territories to enhance the management of local and distant threats and investigations; and

“(C) increasing the number of United States Marshal Service personnel for the protection of the Federal judicial function and assigned to protective operations and details for the Federal judiciary.

“(2) INFORMATION SHARING.—If any of the activities of the United States Marshals Service uncover information related to threats to individuals other than Federal judges, the United States Marshals Service shall, to the maximum extent practicable, share such information with the appropriate Federal, State, and local law enforcement agencies.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Dec. 23, 2022], the Department of Justice, in consultation with the Administrative Office of the United States Courts, the United States Court of Appeals for Veterans Claims, the United States Court of Appeals for the Armed Forces, and the United States Tax Court, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the security of Federal judges arising from Federal prosecutions and civil litigation.

“(2) DESCRIPTION.—The report required under paragraph (1) shall describe—

“(A) the number and nature of threats and assaults against at-risk individuals handling prosecutions and other matters described in paragraph (1) and the reporting requirements and methods;

“(B) the security measures that are in place to protect at-risk individuals handling prosecutions described in paragraph (1), including threat assessments, response procedures, the availability of security systems and other devices, firearms licensing such as deputations, and other measures designed to protect the at-risk individuals and their immediate family members; and

“(C) for each requirement, measure, or policy described in subparagraphs (A) and (B), when the requirement, measure, or policy was developed and who was responsible for developing and implementing the requirement, measure, or policy.

“(3) PUBLIC POSTING.—The report described in paragraph (1) shall, in whole or in part, be exempt from public disclosure if the Attorney General determines that such public disclosure could endanger an at-risk individual.

“SEC. 5937. RULES OF CONSTRUCTION.

“(a) IN GENERAL.—Nothing in this subtitle shall be construed—

“(1) to prohibit, restrain, or limit—

“(A) the lawful investigation or reporting by the press of any unlawful activity or misconduct alleged to have been committed by an at-risk individual or their immediate family member; or

“(B) the reporting on an at-risk individual or their immediate family member regarding matters of public concern;

“(2) to impair access to decisions and opinions from a Federal judge in the course of carrying out their public functions;

“(3) to limit the publication or transfer of covered information with the written consent of the at-risk individual or their immediate family member; or

“(4) to prohibit information sharing by a data broker to a Federal, State, Tribal, or local government, or any unit thereof.

“(b) PROTECTION OF COVERED INFORMATION.—This subtitle shall be broadly construed to favor the protection

of the covered information of at-risk individuals and their immediate family members.

“SEC. 5938. SEVERABILITY.

“If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the amendments made by this subtitle, and the application of the remaining provisions of this subtitle and amendments to any person or circumstance shall not be affected.

“SEC. 5939. EFFECTIVE DATE.

“(a) IN GENERAL.—Except as provided in subsection (b), this subtitle shall take effect on the date of enactment of this Act [Dec. 23, 2022].

“(b) EXCEPTION.—Subsections (c)(1), (d), and (e) of section 5934 shall take effect on the date that is 120 days after the date of enactment of this Act.”

CHAPTER 41—ADMINISTRATIVE OFFICE OF UNITED STATES COURTS

Sec.	
601.	Creation; Director and Deputy Director.
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Editorial Notes

AMENDMENTS

2000—Pub. L. 106-518, title III, §304(b), Nov. 13, 2000, 114 Stat. 2418, added item 613.

1989—Pub. L. 101-162, title IV, §404(b)(2), Nov. 21, 1989, 103 Stat. 1015, added item 612.

1967—Pub. L. 90-219, title II, §201(b), Dec. 20, 1967, 81 Stat. 668, added item 611.

1959—Pub. L. 86-370, §5(a)(2), Sept. 23, 1959, 73 Stat. 652, substituted “Deputy Director” for “Assistant Director” in items 601 and 606.

1949—Act May 24, 1949, ch. 139, §72a, 63 Stat. 100, inserted an apostrophe after “Courts” and struck out comma after “Courts” in item 609.

§ 601. Creation; Director and Deputy Director

The Administrative Office of the United States Courts shall be maintained at the seat of government. It shall be supervised by a Director and a Deputy Director appointed and subject to removal by the Chief Justice of the United States, after consulting with the Judicial Conference. The Director and Deputy Director shall be deemed to be officers for purposes of title 5, United States Code.

(June 25, 1948, ch. 646, 62 Stat. 913; Pub. L. 86-370, §5(a)(1), Sept. 23, 1959, 73 Stat. 652; Pub. L. 101-650, title III, §307, Dec. 1, 1990, 104 Stat. 5112; Pub. L. 104-317, title VI, §602, Oct. 19, 1996, 110 Stat. 3857.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C. 1940 ed., §444 (Mar. 3, 1911, ch. 231, §302 as added Aug. 7, 1939, ch. 501, §1, 53 Stat. 1223).

¹ Section catchline amended by Pub. L. 104-106 without corresponding amendment of chapter analysis.

This section contains part of section 444 of title 28, U.S.C., 1940 ed. The remainder of said section 444 is incorporated in sections 603, 606 and 608 of this title.

Changes were made in phraseology.

Editorial Notes

AMENDMENTS

1996—Pub. L. 104-317 inserted at end “The Director and Deputy Director shall be deemed to be officers for purposes of title 5, United States Code.”

1990—Pub. L. 101-650 substituted “Chief Justice of the United States, after consulting with the Judicial Conference” for “Supreme Court”.

1959—Pub. L. 86-370 substituted “Deputy Director” for “Assistant Director”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-370 effective Sept. 23, 1959, see section 7(a) of Pub. L. 86-370.

VETERANS' PREFERENCE IN JUDICIAL BRANCH APPOINTMENTS

Pub. L. 105-339, §4(d), Oct. 31, 1998, 112 Stat. 3186, provided that:

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Judicial Conference of the United States shall prescribe procedures to provide for—

“(A) veterans' preference in the consideration of applicants for employment, and in the conduct of any reductions in force, within the judicial branch; and

“(B) redress for alleged violations of any rights provided for under subparagraph (A).

“(2) PROCEDURES.—Under the procedures, a preference eligible (as defined by section 2108 of title 5, United States Code) shall be afforded preferences in a manner and to the extent consistent with preferences afforded to preference eligibles in the executive branch.

“(3) EXCLUSIONS.—Nothing in the procedures shall apply with respect to an applicant or employee—

“(A) whose appointment is made by the President with the advice and consent of the Senate;

“(B) whose appointment is as a judicial officer;

“(C) whose appointment is required by statute to be made by or with the approval of a court or judicial officer; or

“(D) whose appointment is to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code).

“(4) DEFINITIONS.—For purposes of this subsection, the term ‘judicial officer’ means a justice, judge, or magistrate judge listed in subparagraph (A), (B), (F), or (G) of section 376(a)(1) of title 28, United States Code.

“(5) SUBMISSION TO CONGRESS; EFFECTIVE DATE.—

“(A) SUBMISSION TO CONGRESS.—Not later than 12 months after the date of enactment of this Act [Oct. 31, 1998], the Judicial Conference of the United States shall submit a copy of the procedures prescribed under this subsection to the Committee on Government Reform and Oversight [now Committee on Oversight and Accountability] and the Committee on the Judiciary of the House of Representatives and the Committee on Governmental Affairs [now Committee on Homeland Security and Governmental Affairs] and the Committee on the Judiciary of the Senate.

“(B) EFFECTIVE DATE.—The procedures prescribed under this subsection shall take effect 13 months after the date of enactment of this Act.”

REFERENCE TO ASSISTANT DIRECTOR DEEMED REFERENCE TO DEPUTY DIRECTOR

Pub. L. 86-370, §5(a)(4), Sept. 23, 1959, 73 Stat. 652, provided that: “Whenever the Assistant Director of the Administrative Office of the United States Courts is referred to in any other law, such reference shall be

deemed to be to the Deputy Director of the Administrative Office of the United States Courts.”

CONTINUATION OF LAW EXISTING ON SEPT. 1, 1948

Act June 25, 1948, ch. 646, §2(b), 62 Stat. 985, provided that: “The provisions of title 28, Judiciary and Judicial Procedure, of the United States Code, set out in section 1 of this Act, with respect to the organization of each of the several courts therein provided for and of the Administrative Office of the United States Courts, shall be construed as continuations of existing law, and the tenure of the judges, officers, and employees thereof and of the United States attorneys and marshals and their deputies and assistants, in office on the effective date of this Act [Sept. 1, 1948], shall not be affected by its enactment, but each of them shall continue to serve in the same capacity under the appropriate provisions of title 28, as set out in section 1 of this Act, pursuant to his prior appointment: *Provided, however,* That each circuit court of appeals shall, as in said title 28 set out, hereafter be known as a United States court of appeals. No loss of rights, interruption of jurisdiction, or prejudice to matters pending in any of such courts on the effective date of this Act shall result from its enactment.”

§ 602. Employees

(a) The Director shall appoint and fix the compensation of necessary employees of the Administrative Office in accordance with the Administrative Office of the United States Courts Personnel Act of 1990.

(b) Notwithstanding any other law, the Director may appoint certified interpreters in accordance with section 604(a)(16)(B) of this title with regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, relating to classification and General Schedule pay rates, but the compensation of any person appointed under this subsection shall not exceed the appropriate equivalent of the highest rate of pay payable for the highest grade established in the General Schedule, section 5332 of title 5.

(c) The Director may obtain personal services as authorized by section 3109 of title 5, at rates not to exceed the appropriate equivalent of the highest rate of pay payable for the highest grade established in the General Schedule, section 5332 of title 5.

(d) All functions of other officers and employees of the Administrative Office and all functions of organizational units of the Administrative Office are vested in the Director. The Director may delegate any of the Director's functions, powers, duties, and authority (except the authority to promulgate rules and regulations) to such officers and employees of the judicial branch of Government as the Director may designate, and subject to such terms and conditions as the Director may consider appropriate; and may authorize the successive redelegation of such functions, powers, duties, and authority as the Director may deem desirable. All official acts performed by such officers and employees shall have the same force and effect as though performed by the Director in person.

(June 25, 1948, ch. 646, 62 Stat. 913; Pub. L. 95-539, §5, Oct. 28, 1978, 92 Stat. 2044; Pub. L. 101-474, §5(a), (q), Oct. 30, 1990, 104 Stat. 1099, 1101; Pub. L. 101-650, title III, §325(b)(4), Dec. 1, 1990, 104 Stat. 5121.)