

dicial Center, who shall serve at the pleasure of the Board;

(2) to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to the performance of the functions of the Federal Judicial Center set forth in this chapter, and each such department, agency, or instrumentality is directed to cooperate with the Board and, to the extent permitted by law, to furnish such information to the Center upon request of the Chairman or upon request of the Director when the Board has delegated this authority to him;

(3) to contract with and compensate government and private agencies or persons for research projects and other services, without regard to section 6101(b) to (d) of title 41, and to delegate such contract authority to the Director of the Federal Judicial Center, who is hereby empowered to exercise such delegated authority.

(Added Pub. L. 90-219, title I, §101, Dec. 20, 1967, 81 Stat. 666; amended Pub. L. 100-702, title III, §304(a), Nov. 19, 1988, 102 Stat. 4648; Pub. L. 111-350, §5(g)(3), Jan. 4, 2011, 124 Stat. 3848.)

#### Editorial Notes

##### AMENDMENTS

2011—Par. (3). Pub. L. 111-350 substituted “section 6101(b) to (d) of title 41” for “section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)”.

1988—Par. (1). Pub. L. 100-702 inserted “and the Deputy Director” after “Director”.

#### § 625. Director and staff

(a) The Director shall supervise the activities of persons employed by the Center and perform other duties assigned to him by the Board.

(b) The Director shall appoint and fix the compensation of such additional professional personnel as the Board may deem necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates: *Provided, however*, That the compensation of any person appointed under this subsection shall not exceed the annual rate of basic pay of level V of the Executive Schedule pay rates, section 5316, title 5, United States Code: *And provided further*, That the salary of a reemployed annuitant under the Civil Service<sup>1</sup> Retirement Act shall be adjusted pursuant to the provisions of section 8344, title 5, United States Code.

(c) The Director shall appoint and fix the compensation of such secretarial and clerical personnel as he may deem necessary, subject to the provisions of title 5, United States Code, governing appointments in competitive service without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(d) The Director may procure personal services as authorized by section 3109 of title 5, United

States Code, at rates not to exceed the daily equivalent of the highest rate payable under General Schedule pay rates, section 5332, title 5, United States Code. (e) The Director is authorized to incur necessary travel and other miscellaneous expenses incident to the operation of the Center.

(Added Pub. L. 90-219, title I, §101, Dec. 20, 1967, 81 Stat. 666; amended Pub. L. 102-572, title VI, §602(b), Oct. 29, 1992, 106 Stat. 4514.)

#### Editorial Notes

##### REFERENCES IN TEXT

The General Schedule, referred to in subsec. (b), is set out under section 5332 of Title 5, Government Organization and Employees.

The Civil Service Retirement Act, referred to in subsec. (b), is act May 29, 1930, ch. 349, 46 Stat. 468, as amended by act July 31, 1956, ch. 804, §401, 70 Stat. 743, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and reenacted by the first section thereof as subchapter III (§8331 et seq.) of chapter 83 of Title 5.

##### AMENDMENTS

1992—Subsec. (c). Pub. L. 102-572 substituted “competitive service without regard to” for “competitive service and”.

#### Statutory Notes and Related Subsidiaries

##### REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

##### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Jan. 1, 1993, see section 1101(a) of Pub. L. 102-572, set out as a note under section 905 of Title 2, The Congress.

#### § 626. Compensation of the Director and Deputy Director

The compensation of the Director of the Federal Judicial Center shall be the same as that of the Director of the Administrative Office of the United States Courts, and his appointment and salary shall not be subject to the provisions of title 5, United States Code, governing appointments in competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates: *Provided, however*, That any Director who is a justice or judge of the United States in active or retired status shall serve without additional compensation. The compensation of the Deputy Director of the Federal Judicial Center shall be the same as that of the Deputy Director of the Administrative Office of the United States Courts.

(Added Pub. L. 90-219, title I, §101, Dec. 20, 1967, 81 Stat. 666; amended Pub. L. 100-702, title III, §304(b)(1), Nov. 19, 1988, 102 Stat. 4648.)

<sup>1</sup> So in original. Should be “Service”.

**Editorial Notes**

## REFERENCES IN TEXT

The General Schedule, referred to in text, is set out under section 5332 of Title 5, Government Organization and Employees.

## AMENDMENTS

1988—Pub. L. 100-702 inserted “and Deputy Director” in section catchline and inserted at end of text “The compensation of the Deputy Director of the Federal Judicial Center shall be the same as that of the Deputy Director of the Administrative Office of the United States Courts.”

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-702, title III, §304(c), Nov. 19, 1988, 102 Stat. 4648, provided that: “The amendment made by subsection (b) [amending this section] shall be effective for fiscal years beginning on or after October 1, 1988.”

**§ 627. Retirement; employee benefits**

(a) The Director, Deputy Director, the professional staff, and the clerical and secretarial employees of the Federal Judicial Center shall be deemed to be officers and employees of the judicial branch of the United States Government within the meaning of subchapter III of chapter 83 (relating to civil service retirement), chapter 84 (relating to the Federal Employees' Retirement System), chapter 87 (relating to Federal employees' life insurance program), and chapter 89 (relating to Federal employees' health benefits program) of title 5, United States Code: *Provided, however*, That the Director, upon written notice filed with the Director of the Administrative Office of the United States Courts within 6 months after the date on which he takes office, may waive coverage under chapter 83 of title 5, subchapter III (the Civil Service Retirement System) or chapter 84 of title 5 (the Federal Employees' Retirement System), whichever is applicable, and elect coverage under the retirement and disability provisions of this section. A Director who elects coverage under this section shall be deemed an “employee” for purposes of chapter 84 of title 5, subchapter III, regardless of whether he has waived the coverage of chapter 83, subchapter III, or chapter 84: *And provided further*, That upon his nonretirement separation from the Federal Judicial Center, waiver of coverage under chapter 83, subchapter III, and election of this section shall not operate to foreclose to the Director such opportunity as the law may provide to secure retirement credit under chapter 83 for service as Director by depositing with interest the amount required by section 8334 of title 5. A Director who waives coverage under chapter 84 and elects this section may secure retirement credit under chapter 84 for service as Director by depositing with interest 1.3 percent of basic pay for service from January 1, 1984, through December 31, 1986, and the amount referred to in section 8422(a) of title 5, for service after December 31, 1986. Interest shall be computed under section 8334(e) of title 5.

(b) Upon the retirement of a Director who has elected coverage under this section and who has at least fifteen years of service and has attained the age of sixty-five years the Director of the

Administrative Office of the United States Courts shall pay him an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement.

Upon the retirement of a Director who has elected coverage under this section and who has at least ten years of service, but who is not eligible to receive an annuity under the first paragraph of this subsection, the Administrative Office of the United States Courts shall pay him an annuity for life equal to that proportion of 80 per centum of the salary of the office at the time of his retirement that the number of years of his service bears to fifteen, reduced by one-quarter of 1 per centum for each full month, if any, he is under the age of sixty-five at the time of separation from service.

(c) A director who has elected coverage under this section and who becomes permanently disabled to perform the duties of his office shall be retired and shall receive an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement if he has at least fifteen years of service, or equal to that proportion of 80 per centum of such salary that the aggregate number of years of his service bears to fifteen if he has less than fifteen years of service, but in no event less than 50 per centum of such salary.

(d) For the purpose of this section, “service” means service, whether or not continuous, as Director of the Federal Judicial Center, and any service, not to exceed five years, as a judge of the United States, a Senator or Representative in Congress, a congressional employee in the capacity of primary administrative assistant to a Member of Congress or in the capacity of staff director or chief counsel for the majority or the minority of a committee or subcommittee of the Senate or House of Representatives, or a civilian official appointed by the President, by and with the advice and consent of the Senate.

(e) Each annuity payable under this section shall be increased by the same percentage amount and effective on the same date as annuities payable under chapter 83 of title 5, are increased as provided by section 8340 of title 5.

(Added Pub. L. 90-219, title I, §101, Dec. 20, 1967, 81 Stat. 666; amended Pub. L. 100-702, title X, §§1004(a), 1006(a)(2), Nov. 19, 1988, 102 Stat. 4665, 4666; Pub. L. 104-317, title VI, §604, Oct. 19, 1996, 110 Stat. 3857; Pub. L. 106-518, title III, §§301(b), 312(a), Nov. 13, 2000, 114 Stat. 2416, 2421.)

**Editorial Notes**

## AMENDMENTS

2000—Subsec. (a). Pub. L. 106-518, §312(a), redesignated subsec. (b) as (a) and struck out former subsec. (a) which read as follows: “A Director of the Federal Judicial Center who attains the age of seventy years shall be retired from that office.”

Subsec. (b). Pub. L. 106-518, §312(a)(2), redesignated subsec. (c) as (b). Former subsec. (b) redesignated (a).

Subsec. (c). Pub. L. 106-518, §312(a)(2), redesignated subsec. (d) as (c). Former subsec. (c) redesignated (b).

Pub. L. 106-518, §301(b)(2), in first par., substituted “who has at least fifteen years of service and has” for “who has served at least fifteen years and” and, in second par., substituted “who has at least ten years of service,” for “who has served at least ten years.”

Subsec. (d). Pub. L. 106-518, §312(a)(2), redesignated subsec. (e) as (d). Former subsec. (d) redesignated (c).