

Public Law 92-489

AN ACT

October 13, 1972
[H. R. 7378]

To Create a Commission on Revision of the Federal Court Appellate System of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission on Revision of the Federal Court Appellate System (hereinafter referred to as "Commission") whose function shall be—

Commission on Revision of the Federal Court Appellate System. Establishment.

(a) to study the present division of the United States into the several judicial circuits and to report to the President, the Congress, and the Chief Justice its recommendations for changes in the geographical boundaries of the circuits as may be most appropriate for the expeditious and effective disposition of judicial business.

Reports to President, Congress and Chief Justice.

(b) to study the structure and internal procedures of the Federal courts of appeal system, and to report to the President, the Congress, and the Chief Justice its recommendations for such additional changes in structure or internal procedure as may be appropriate for the expeditious and effective disposition of the caseload of the Federal courts of appeal, consistent with fundamental concepts of fairness and due process.

SEC. 2. (a) The Commission shall be composed of sixteen members appointed as follows:

Membership.

(1) four members appointed by the President of the United States;

(2) four Members of the Senate appointed by the President pro tempore of the Senate;

(3) four Members of the House of Representatives appointed by the Speaker of the House of Representatives, and

(4) four members appointed by the Chief Justice of the United States.

(b) Any vacancy in the Commission shall be filled in the same manner as the original appointment.

Vacancies.

(c) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(d) Nine members of the Commission shall constitute a quorum, but three may conduct hearings.

Quorum.

SEC. 3. (a) Members of the Commission who are officers, or full-time employees, of the United States shall receive no additional compensation for their services, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission, but not exceeding the maximum amounts authorized under section 456 of title 28, United States Code.

Travel expenses.

67 Stat. 488;
73 Stat. 285.

(b) Members of the Commission from private life shall receive \$100 per diem for each day (including traveltime) during which he is engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties, but not in excess of the maximum amounts authorized under section 456 of title 28, United States Code.

SEC. 4. (a) The Commission may appoint an Executive Director who shall receive compensation at a rate not exceeding that prescribed for level V of the Executive Schedule.

Executive Director.

83 Stat. 863.
5 USC 5315
note.

(b) The Executive Director, with approval of the Commission, may appoint and fix the compensation of such additional personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service or

Personnel compensation.

5 USC 101 et seq.

the provisions of chapter 51 and subchapter III of chapter 53 relating to classification and General Schedule pay rates: *Provided, however*, That such compensation shall not exceed the annual rate of basic pay for GS-18 of the General Schedule under section 5332, title 5, United States Code.

80 Stat. 443, 467.
5 USC 5101, 5331.
5 USC 5332 note.
Experts and consultants.
80 Stat. 416.

(c) The Director may procure personal services of experts and consultants as authorized by section 3109 of title 5, United States Code, at rates not to exceed the highest level payable under the General Schedule pay rates, section 5332, title 5, United States Code.

(d) The Administrative Office of the United States Courts shall provide administrative services, including financial and budgeting services, for the Commission on a reimbursable basis. The Federal Judicial Center shall provide necessary research services on a reimbursable basis.

Governmental cooperation.

SEC. 5. The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance it deems necessary to carry out its functions under this Act and each such department, agency, and independent instrumentality is authorized to provide such information and assistance to the extent permitted by law when requested by the Chairman of the Commission.

Reports to President, Congress, and Chief Justice.

SEC. 6. The Commission shall transmit to the President, the Congress, and the Chief Justice—

(1) its report under section 1(a) of this Act within one hundred and eighty days of the date on which its ninth member is appointed; and

(2) its report under section 1(b) of this Act within fifteen months of the date on which its ninth member is appointed.

Termination.

The Commission shall cease to exist ninety days after the date of the submission of its second report.

Appropriation.

SEC. 7. There are hereby authorized to be appropriated to the Commission such sums, but not more than \$270,000, as may be necessary to carry out the purposes of this Act. Authority is hereby granted for appropriated money to remain available until expended.

Approved October 13, 1972.

Public Law 92-490

JOINT RESOLUTION

October 13, 1972
[H. J. Res. 1211]

To amend the joint resolution providing for membership and participation by the United States in the South Pacific Commission.

South Pacific Commission.
U.S. participation.
84 Stat. 1876.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of Public Law 403, Eightieth Congress, as amended (22 U.S.C. 280b), is hereby further amended (1) by striking out "not to exceed \$250,000 per fiscal year" and (2) by inserting before the period at the end thereof the following: "except that in no event shall that payment for any fiscal year of the Commission exceed 20 per centum of all expenses apportioned among participating governments of the Commission for that year".

Approved October 13, 1972.