83D CONGRESS
2D SESSION

S. 3131

IN THE SENATE OF THE UNITED STATES

MARCH 15 (legislative day, MARCH 1), 1954

Mr. LANGER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, with respect to the United States Court of Customs and Patent Appeals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 211 of title 28, United States Code, is amended by adding at the end thereof the following paragraph:

"Such court is hereby declared to be a court established under article III of the Constitution of the United States."

SEC. 2. Section 291 (b) of title 28, United States Code, is amended to read as follows:

"(b) Upon request of the chief judge of any circuit, the Chief Justice of the United States may designate and assign temporarily any judge of the Court of Customs and Patent

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Appeals to serve as a circuit judge of such circuit to perform such duties as a judge of that circuit as he is willing to undertake. Upon request of the chief judge of the District Court for the District of Columbia, the Chief Justice of the United States may designate and assign temporarily any judge of the Court of Customs and Patent Appeals to serve as a judge of the District Court for the District of Columbia to perform such duties as a judge of that court as he is willing to undertake."

SEC. 3. Section 293 of title 28, United State Code, is amended to read as follows:

"§ 293. Circuit judges to Court of Customs and Patent Appeals

"The Chief Justice of the United States, upon presentation to him by the chief judge of the Court of Customs and Patent Appeals of a certificate of necessity, may designate and assign temporarily any circuit judge to perform such duties as a judge of that court as he is willing to undertake."

SEC. 4. Section 294 of title 28, United States Code, is amended by changing present subsection (d) to (f), and inserting after subsection (c) the following new subsections:

"(d) Upon request of the chief judge of any circuit, the Chief Justice of the United States may designate and assign temporarily any retired judge of the Court of Customs and Patent Appeals to perform such duties as a circuit judge

of that circuit as he is willing to undertake. Upon request of the chief judge of the District Court for the District of Columbia, the Chief Justice of the United States may designate and assign temporarily any retired judge of the Court of Customs and Patent Appeals to perform such duties as a judge of the District Court for the District of Columbia as he is willing to undertake.

"(e) The Chief Justice of the United States, upon presentation to him by the chief judge of the Court of Customs and Patent Appeals of a certificate of necessity, may designate and assign temporarily any retired circuit judge to perform such duties as a judge of that court as he is willing to undertake."

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By Mr. LANGER

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