

107TH CONGRESS
2D SESSION

S. 1977

To amend chapter 37 of title 28, United States Code, to provide for appointment of United States marshals by the Attorney General.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2002

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

A BILL

To amend chapter 37 of title 28, United States Code, to provide for appointment of United States marshals by the Attorney General.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. APPOINTMENTS OF UNITED STATES MAR-**
4 **SHALS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “United States Marshals Service Reform Act of 2002”.

7 (b) APPOINTMENTS OF MARSHALS.—

8 (1) IN GENERAL.—Chapter 37 of title 28,
9 United States Code, is amended—

10 (A) in section 561(c)—

1 (i) by striking “The President shall
 2 appoint, by and with the advice and con-
 3 sent of the Senate,” and inserting “The
 4 Attorney General shall appoint”; and

5 (ii) by inserting “United States mar-
 6 shals shall be appointed subject to the pro-
 7 visions of title 5 governing appointments in
 8 the competitive civil service, and shall be
 9 paid in accordance with the provisions of
 10 chapter 51 and subchapter III of chapter
 11 53 of such title relating to classification
 12 and pay rates.” after the first sentence;

13 (B) by striking subsection (d) of section
 14 561;

15 (C) by redesignating subsections (e), (f),
 16 (g), (h), and (i) of section 561 as subsections
 17 (d), (e), (f), (g), and (h), respectively; and

18 (D) by striking section 562.

19 (2) TECHNICAL AND CONFORMING AMEND-
 20 MENT.—The table of sections for chapter 37 of title
 21 28, United States Code, is amended by striking the
 22 item relating to section 562.

23 (c) MARSHALS IN OFFICE BEFORE EFFECTIVE
 24 DATE.—Notwithstanding the amendments made by this
 25 Act, each marshal appointed under chapter 37 of title 28,

1 United States Code, before the effective date of this Act
2 shall, unless that marshal resigns or is removed by the
3 President, continue to perform the duties of that office
4 until the expiration of that marshal's term and the ap-
5 pointment of a successor.

6 (d) EFFECTIVE DATE.—This Act and the amend-
7 ments made by this Act shall take effect on January 20,
8 2005, and shall apply to appointments made on and after
9 that date.

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