

proviso of such section 578a, prohibiting the collection of fees from the United States, was omitted as covered by section 2412 of this title, providing that the United States should be liable only for fees when such liability is expressly provided by Congress.

The provision of section 578a of title 28, U.S.C., 1940 ed., requiring that fees and emoluments collected by the marshal shall be deposited by him in accordance with the provisions of section 495 of title 31, U.S.C., 1940 ed., Money and Finance, was omitted as said section 495 governs such deposits without implementation in this section.

Editorial Notes

PRIOR PROVISIONS

A prior section 567, added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 620, related to expenses of marshals, prior to repeal by Pub. L. 100-690, §7608(a)(1). See section 565 of this title.

AMENDMENTS

1988—Pub. L. 100-690 renumbered section 572 of this title as this section.

§ 568. Practice of law prohibited

A United States marshal or deputy marshal may not practice law in any court of the United States.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 621, §575; renumbered §568, Pub. L. 100-690, title VII, §7608(a)(2)(B), Nov. 18, 1988, 102 Stat. 4514.)

HISTORICAL AND REVISION NOTES

1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	28 U.S.C. 556.	[None].

The words “may not” are substituted for “shall not”.

1948 ACT

Prior section 556.—Based on title 28, U.S.C., 1940 ed., §§395 and 396 (Mar. 3, 1911, ch. 231, §§273, 274, 36 Stat. 1164).

Section consolidates parts of sections 395 and 396 of title 28, U.S.C., 1940 ed. Similar provisions in said sections, relating to clerks, are incorporated in section 955 of this title.

The revised section substitutes, as simpler and more appropriate, the prohibition against practice of law “in any court of the United States” for the more involved language of section 395 of title 28, U.S.C., 1940 ed., which provided that no clerks or marshals, deputies, or assistants within the district for which appointed “shall act as solicitor, proctor, attorney or counsel, in any cause depending in any of said courts, or in any district for which he is acting as such officer.”

Provisions of section 396 of title 28, U.S.C., 1940 ed., for striking the name of an offender from the roll of attorneys and for recommendation of dismissal, were omitted as unnecessary and as covered by section 541 of this title.

Changes were made in phraseology.

Editorial Notes

PRIOR PROVISIONS

A prior section 568, added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 620, related to availability of appropriations for transfer of prisoners to narcotic farms, prior to repeal by Pub. L. 100-690, §7608(a)(1).

AMENDMENTS

1988—Pub. L. 100-690 renumbered section 575 of this title as this section.

§ 569. Reemployment rights

(a) A United States marshal for a judicial district who was appointed from a position in the competitive service (as defined in section 2102 of title 5) in the United States Marshals Service and who, for reasons other than misconduct, neglect of duty, or malfeasance, is removed from such office, is entitled to be reemployed in any vacant position in the competitive service in the United States Marshals Service at the same grade or pay level, or lower, as the individual's former position if—

(1) the individual is qualified for the vacant position; and

(2) the individual has made application for the position not later than ninety days after being removed from office as a United States marshal.

Such individual shall be so reemployed within thirty days after making such application or after being removed from office, whichever is later. An individual denied reemployment under this section in a position because the individual is not qualified for that position may appeal that denial to the Merit Systems Protection Board under section 7701 of title 5.

(b) Any United States marshal serving on the effective date of this section shall continue to serve for the remainder of the term for which such marshal was appointed, unless sooner removed by the President.

(Added Pub. L. 98-473, title II, §1211(a), Oct. 12, 1984, 98 Stat. 2163, §576; renumbered §569, Pub. L. 100-690, title VII, §7608(a)(2)(B), Nov. 18, 1988, 102 Stat. 4514.)

Editorial Notes

REFERENCES IN TEXT

The effective date of this section, referred to in subsec. (b), is Oct. 1, 1984. See Effective Date note set out below.

PRIOR PROVISIONS

A prior section 569, added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 620; amended Pub. L. 95-598, title II, §221, Nov. 6, 1978, 92 Stat. 2662; Pub. L. 96-417, title V, §501(12), Oct. 10, 1980, 94 Stat. 1742; Pub. L. 99-466, §3(a), Oct. 14, 1986, 100 Stat. 1191, related to powers and duties generally and supervision by the Attorney General, prior to repeal by Pub. L. 100-690, §7608(a)(1). See section 566 of this title.

AMENDMENTS

1988—Pub. L. 100-690 renumbered section 576 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 98-473, title II, §1212, Oct. 12, 1984, 98 Stat. 2163, provided that: “The amendments made by this subpart [subpart B (§§1211, 1212) of part F of chapter XII of title II of Pub. L. 98-473, enacting this section] shall take effect on October 1, 1984.”

[§§ 570, 571. Repealed. Pub. L. 100-690, title VII, § 7608(a)(1), Nov. 18, 1988, 102 Stat. 4512]

Section 570, added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 620, granted United States marshals the power of a sheriff in executing laws of the United States in a State. See section 564 of this title.