

of the Administration Office of the United States Courts. (See sections 604 and 607 of this title.) The Director, however, exercises no authority in Supreme Court matters.

Section 542 of title 28, U.S.C., 1940 ed., provided that the clerk "shall not retain", out of fees received, more than \$6,000 annually above clerk hire and expenses; that the surplus should be paid into the Treasury. Such indirect and unusual provision is simplified in this section by providing that his salary shall be fixed by the Court. Such salary limitation is omitted as inconsistent with larger salaries paid other clerks of courts.

The provisions that the Court shall fix the compensation of deputy clerks, and that the clerk shall fix the compensation of assistants and messengers with the approval of the Chief Justice, are new. Current appropriation Acts providing that the compensation of officers and employees of the Supreme Court, other than clerk and reporter shall be fixed by the court, unnecessarily burden the court with administrative details. Provision for allowance and approval of payments of compensation and office expenses by the clerk upon allowance and approval by the Chief Justice, instead of by the Court, was inserted with the approval of the Judicial Conference Committee on Revision of the Judicial Code as not inconsistent with section 542 of title 28, U.S.C., 1940 ed.

References in sections 541 and 542 of title 28, U.S.C., 1940 ed., to certification of expenses by the justices and for audit and allowances by the General Accounting Office, were omitted as unnecessary in view of this section.

Changes were made in phraseology.

#### AMENDMENTS

1972—Subsec. (b). Pub. L. 92-310 repealed subsec. (b) which related to bond of Clerk of Supreme Court.

1964—Subsec. (c). Pub. L. 88-279 struck out provision for disbursement by clerk of compensation of clerk, his deputies, assistants, and messengers and the necessary expenses of office from the fees collected by clerk, upon allowance and approval by Chief Justice of the United States.

Subsec. (d). Pub. L. 88-279 substituted "moneys collected by him" for "emoluments of his office over and above his lawful disbursements".

#### EFFECTIVE DATE OF 1964 AMENDMENT

Pub. L. 88-279, § 4, Mar. 10, 1964, 78 Stat. 158, provided that: "The amendments proposed in this Act [amending this section and section 672 of this title] shall become effective only when funds have been appropriated and are available to pay the salaries and other expenses of the clerk's office."

#### APPROPRIATIONS

Pub. L. 88-279, § 3, Mar. 10, 1964, 78 Stat. 158, provided that: "There are hereby authorized to be appropriated annually such sums as are necessary to carry out the provisions of this Act [amending this section and section 672 of this title]."

### § 672. Marshal

(a) The Supreme Court may appoint a marshal, who shall be subject to removal by the Court, and may fix his compensation.

(b) The marshal may, with the approval of the Chief Justice of the United States, appoint and fix the compensation of necessary assistants and other employees to attend the Court, and necessary custodial employees.

(c) The marshal shall:

- (1) Attend the Court at its sessions;
- (2) Serve and execute all process and orders issued by the Court or a member thereof;
- (3) Take charge of all property of the United States used by the Court or its members;

(4) Disburse funds appropriated for work upon the Supreme Court building and grounds under the jurisdiction of the Architect of the Capitol upon certified vouchers submitted by the Architect;

(5) Disburse funds appropriated for the purchase of books, pamphlets, periodicals and other publications, and for their repair, binding, and rebinding, upon vouchers certified by the librarian of the Court;

(6) Pay the salaries of the Chief Justice, associate justices, and all officers and employees of the Court and disburse other funds appropriated for disbursement, under the direction of the Chief Justice;

(7) Pay the expenses of printing briefs and travel expenses of attorneys in behalf of persons whose motions to appear in forma pauperis in the Supreme Court have been approved and when counsel have been appointed by the Supreme Court, upon vouchers certified by the clerk of the Court;

(8) Oversee the Supreme Court Police.

(June 25, 1948, ch. 646, 62 Stat. 918; Pub. L. 88-279, § 2, Mar. 10, 1964, 78 Stat. 158; Pub. L. 97-390, § 2, Dec. 29, 1982, 96 Stat. 1958.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§ 325, 331, and section 13d of title 40, U.S.C., 1940 ed., Public Buildings, Property and Works (Mar. 3, 1911, ch. 231, §§ 219, 224, 36 Stat. 1152, 1153; April 11, 1928, ch. 358, 45 Stat. 424; May 7, 1934, ch. 222, § 4, 48 Stat. 668).

This section consolidates part of section 325 of title 28, U.S.C., 1940 ed., with section 331 of such title and section 13d of title 40, U.S.C., 1940 ed.

Provisions of section 325 of title 28, U.S.C., 1940 ed., relating to appointment of clerk and reporter of the Supreme Court are incorporated in sections 671 and 673 of this title.

Provision of section 331 of title 28, U.S.C., 1940 ed., fixing the marshal's salary at "not to exceed \$5,500 per annum" was omitted and the court given authority to fix the salary in conformity with sections 671 and 673 of this title relating to the clerk and the reporter.

Part of subsection (c)(5) is new. It recognizes the propriety of certification by the Court Librarian of vouchers for expenditures for the library. (See reviser's note under section 674 of this title.)

The marshal's duties as superintendent of the Supreme Court building are incorporated in section 13c of title 40, U.S.C., 1940 ed.

Changes were made in phraseology.

#### AMENDMENTS

1982—Subsec. (c)(8). Pub. L. 97-390 added par. (8).

1964—Subsec. (c)(6). Pub. L. 88-279, § 2(a), struck out "except the clerk, his deputies and employees," after "employees of the Court".

Subsec. (c)(7). Pub. L. 88-279, § 2(b), added par. (7).

#### EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-279 effective upon appropriation and availability of funds to pay salaries and other expenses of the clerk's office, see section 4 of Pub. L. 88-279, set out as a note under section 671 of this title.

#### APPROPRIATIONS

Annual appropriations to carry out amendment of this section by Pub. L. 88-279, see section 3 of Pub. L. 88-279, set out as a note under section 671 of this title.

### § 673. Reporter

(a) The Supreme Court may appoint and fix the compensation of a reporter of its decisions who shall be subject to removal by the Court.