

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.)

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.

EFFECTIVE DATE

Section 1212 of subpart B (§§1211, 1212) of part F of chapter XII of title II of Pub. L. 98-473 provided that: "The amendments made by this subpart [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 Repealed.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.

Section 571, added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 621; amended Pub. L. 95-598, title II, §§222, 223, Nov. 6, 1978, 92 Stat. 2662; Pub. L. 97-258, §2(g)(2), Sept. 13, 1982, 96 Stat. 1060, related to disbursement of salaries and moneys.

[§ 572. Renumbered § 567]

[§§ 572a to 574. Repealed. Pub. L. 100-690, title VII, §7608(a)(2)(A), Nov. 18, 1988, 102 Stat. 4514]

Section 572a, added Pub. L. 97-258, §2(g)(3)(B), Sept. 13, 1982, 96 Stat. 1060, related to depositing of public moneys. See section 566(f) of this title.

Section 573, added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 621, related to delivery of prisoners to a successor. See section 566(g)(1) of this title.

Section 574, added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 621, related to delivery of unserved process to a successor. See section 566(g)(2) of this title.

[§§ 575, 576. Renumbered §§ 568, 569]

CHAPTER 39—UNITED STATES TRUSTEES

Sec.	United States trustees.
581.	Assistant United States trustees.
582.	Oath of office.
583.	Official stations.
584.	Vacancies.
585.	Duties; supervision by Attorney General.
586.	Salaries.
587.	Expenses.
588.	Staff and other employees.
589a.	United States Trustee System Fund.
589b.	Bankruptcy data.

AMENDMENTS

2005—Pub. L. 109-8, title VI, §602(b), Apr. 20, 2005, 119 Stat. 122, added item 589b.

1986—Pub. L. 99-554, title I, §115(b), Oct. 27, 1986, 100 Stat. 3095, added item 589a.

UNITED STATES TRUSTEE PILOT; REPEAL OF BANKRUPTCY PROVISIONS RELATING TO UNITED STATES TRUSTEES

Pub. L. 95-598, title IV, §408, Nov. 6, 1978, 92 Stat. 2686, as amended by Pub. L. 98-166, title II, §200, Nov. 28, 1983, 97 Stat. 1081; Pub. L. 98-353, title III, §323, July 10, 1984, 98 Stat. 358; Pub. L. 99-429, Sept. 30, 1986, 100 Stat. 985; Pub. L. 99-500, §101(b) [title II, §200], Oct. 18, 1986, 100 Stat. 1783-39, 1783-45, and Pub. L. 99-591, §101(b) [title II, §200], Oct. 30, 1986, 100 Stat. 3341-39, 3341-45; Pub. L. 99-554, title III, §307(a), Oct. 27, 1986, 100 Stat. 3125, which provided that the Attorney General conduct such studies and surveys as necessary to evaluate needs, feasibility, and effectiveness of the United States trustee system, and report result of such studies and surveys to Congress, the President, and the Judicial Conference of the United States, beginning on or before January 3, 1980, and annually thereafter during the transition period; that not later than January 3, 1984, the Attorney General report to Congress, the President, and the Judicial Conference of the United States, as to the feasibility, projected annual cost and effectiveness of the United States trustee system, as determined on the basis of the studies and surveys respecting the operation of the United States trustee system in the districts, together with recommendations as to the desirability and method of proceeding with implementation of the United States trustee system in all judicial districts of the United States; and that chapter 15 of title 11 and chapter 39 of this title were repealed, and all references to the United States trustee contained in this title were deleted, 30 days after the effective date of Pub. L. 99-554 (see section 302 of Pub. L. 99-554, set out as a note under section 581 of this title), with service of any United States trustee, of any assistant United States trustee, and of any employee employed or appointed under the authority of such chapter 39 was terminated on such date, was repealed by Pub. L. 99-554, title III, §307(b), Oct. 27, 1986, 100 Stat. 3125.

§ 581. United States trustees

(a) The Attorney General shall appoint one United States trustee for each of the following regions composed of Federal judicial districts (without regard to section 451):

(1) The judicial districts established for the States of Maine, Massachusetts, New Hampshire, and Rhode Island.

(2) The judicial districts established for the States of Connecticut, New York, and Vermont.

(3) The judicial districts established for the States of Delaware, New Jersey, and Pennsylvania.

(4) The judicial districts established for the States of Maryland, North Carolina, South Carolina, Virginia, and West Virginia and for the District of Columbia.

(5) The judicial districts established for the States of Louisiana and Mississippi.

(6) The Northern District of Texas and the Eastern District of Texas.

(7) The Southern District of Texas and the Western District of Texas.

(8) The judicial districts established for the States of Kentucky and Tennessee.

(9) The judicial districts established for the States of Michigan and Ohio.

(10) The Central District of Illinois and the Southern District of Illinois; and the judicial districts established for the State of Indiana.

(11) The Northern District of Illinois; and the judicial districts established for the State of Wisconsin.

(12) The judicial districts established for the States of Minnesota, Iowa, North Dakota, and South Dakota.

(13) The judicial districts established for the States of Arkansas, Nebraska, and Missouri.

(14) The District of Arizona.

(15) The Southern District of California; and the judicial districts established for the State of Hawaii, and for Guam and the Commonwealth of the Northern Mariana Islands.

(16) The Central District of California.

(17) The Eastern District of California and the Northern District of California; and the judicial district established for the State of Nevada.

(18) The judicial districts established for the States of Alaska, Idaho (exclusive of Yellowstone National Park), Montana (exclusive of Yellowstone National Park), Oregon, and Washington.

(19) The judicial districts established for the States of Colorado, Utah, and Wyoming (including those portions of Yellowstone National Park situated in the States of Montana and Idaho).

(20) The judicial districts established for the States of Kansas, New Mexico, and Oklahoma.

(21) The judicial districts established for the States of Alabama, Florida, and Georgia and for the Commonwealth of Puerto Rico and the Virgin Islands of the United States.

(b) Each United States trustee shall be appointed for a term of five years. On the expiration of his term, a United States trustee shall continue to perform the duties of his office until his successor is appointed and qualifies.

(c) Each United States trustee is subject to removal by the Attorney General.

(Added Pub. L. 95-598, title II, § 224(a), Nov. 6, 1978, 92 Stat. 2662; amended Pub. L. 99-554, title I, § 111(a)-(c), Oct. 27, 1986, 100 Stat. 3090, 3091.)

CODIFICATION

Section 408(c) of Pub. L. 95-598, as amended, which provided for the repeal of this section and the deletion of any references to United States Trustees in this title at a prospective date, was repealed by section 307(b) of Pub. L. 99-554. See note set out preceding section 581 of this title.

AMENDMENTS

1986—Subsec. (a). Pub. L. 99-554, § 111(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: "The Attorney General shall appoint one United States trustee for each of the following districts or groups of districts:

"(1) District of Maine, District of New Hampshire, District of Massachusetts, and District of Rhode Island.

"(2) Southern District of New York.

"(3) District of Delaware and District of New Jersey.

"(4) Eastern District of Virginia and District of District of Columbia.

"(5) Northern District of Alabama.

"(6) Northern District of Texas.

"(7) Northern District of Illinois.

"(8) District of Minnesota, District of North Dakota, District of South Dakota.

"(9) Central District of California.

"(10) District of Colorado and District of Kansas."

Subsec. (b). Pub. L. 99-554, § 111(b), substituted "five years" for "seven years" and "office" for "Office".

Subsec. (c). Pub. L. 99-554, § 111(c), struck out "for cause" after "removal".

EFFECTIVE DATE OF 1986 AMENDMENT; TRANSITION AND ADMINISTRATIVE PROVISIONS

Pub. L. 99-554, title III, Oct. 27, 1986, 100 Stat. 3118, as amended by Pub. L. 101-650, title III, § 317(a), (c), Dec. 1, 1990, 104 Stat. 5115, 5116; Pub. L. 103-65, § 1, Aug. 6, 1993, 107 Stat. 311; Pub. L. 106-518, title V, § 501, Nov. 13, 2000, 114 Stat. 2421; Pub. L. 109-8, title X, § 1001(c), Apr. 20, 2005, 119 Stat. 186, provided that:

"SEC. 301. INCUMBENT UNITED STATES TRUSTEES.

"(a) AREA FOR WHICH APPOINTED.—Notwithstanding any paragraph of section 581(a) of title 28, United States Code, as in effect before the effective date of this Act, a United States trustee serving in such office on the effective date of this Act shall serve the remaining term of such office as United States trustee for the region specified in a paragraph of such section, as amended by this Act, that includes the site at which the primary official station of the United States trustee is located immediately before the effective date of this Act.

"(b) TERM OF OFFICE.—Notwithstanding section 581(b) of title 28, United States Code, as in effect before the effective date of this Act, the term of office of any United States trustee serving in such office on the date of the enactment of this Act [Oct. 27, 1986] shall expire—

"(1) 2 years after the expiration date of such term of office under such section, as so in effect, or

"(2) 4 years after the date of the enactment of this Act, whichever occurs first.

"SEC. 302. EFFECTIVE DATES; APPLICATION OF AMENDMENTS.

"(a) GENERAL EFFECTIVE DATE.—Except as provided in subsections (b), (c), (d), (e), and [former] (f), this Act and the amendments made by this Act [see Short Title of 1986 Amendment note below] shall take effect 30 days