

115TH CONGRESS
1ST SESSION

S. 1124

To grant the Director of the United States Marshals Service authority to appoint criminal investigators in the excepted service.

IN THE SENATE OF THE UNITED STATES

MAY 15, 2017

Mr. HATCH (for himself, Mr. COONS, Mr. CORNYN, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To grant the Director of the United States Marshals Service authority to appoint criminal investigators in the excepted service.

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. SHORT TITLE.**

4 This Act may be cited as the “Patrick T. Carothers
5 U.S. Marshals Service Hiring Improvement Act of 2017”.

1 **SEC. 2. UNITED STATES MARSHALS SERVICE EXCEPTED**
2 **SERVICE APPOINTMENT AUTHORITY.**

3 (a) IN GENERAL.—Chapter 37 of title 28, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 570. Excepted service appointment authority**

7 “(a) DEFINITIONS.—In this section, the terms ‘com-
8 petitive service’ and ‘excepted service’ have the meanings
9 given those terms in sections 2102 and 2103, respectively,
10 of title 5.

11 “(b) AUTHORITY.—The Director may appoint a
12 qualified candidate to the position of deputy marshal or
13 criminal investigator—

14 “(1) in accordance with the statutes, rules, and
15 regulations governing appointments under Schedule
16 B of the excepted service; and

17 “(2) notwithstanding any statutes, rules, or
18 regulations governing appointments in the competi-
19 tive service.

20 “(c) RULE OF CONSTRUCTION.—The appointment of
21 a candidate to a position under the authority under sub-
22 section (b) shall not be considered to cause the position
23 to be converted from the competitive service to the ex-
24 cepted service.

1 “(d) LIMIT.—Service by an incumbent in a position
2 under the authority under subsection (b) may not exceed
3 4 years.

4 “(e) NONCOMPETITIVE CONVERSION.—The Director
5 may, upon satisfactory completion of 3 years of substan-
6 tially continuous service by a qualified incumbent who was
7 appointed to a position under the authority under sub-
8 section (b), convert the appointment of the individual,
9 without competition, to a career or career-conditional ap-
10 pointment.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENT.—
12 The table of sections for chapter 37 of title 28, United
13 States Code, is amended by adding at the end the fol-
14 lowing:

“570. Excepted service appointment authority.”.

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