

## UNDER SECRETARY FOR TRANSPORTATION

The additional office of "Under Secretary of Commerce for Transportation", in the Department of Commerce, was provided for by section 301 of Reorg. Plan No. 21 of 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, to be appointed by the President, by and with the advice and consent of the Senate, to receive compensation at the rate prescribed by law for Under Secretaries of Executive departments, and to perform such duties as the Secretary of Commerce shall prescribe.

**§ 1503a. Under Secretary of Commerce for Economic Affairs**

There shall be in the Department of Commerce an Under Secretary of Commerce for Economic Affairs who shall be appointed by the President by and with the advice and consent of the Senate. The Under Secretary shall perform such duties as the Secretary of Commerce shall prescribe.

(Pub. L. 97-195, §1(a), June 16, 1982, 96 Stat. 115.)

**§ 1503b. Under Secretary of Commerce for Oceans and Atmosphere; duties; appointment; compensation**

There shall be in the Department of Commerce an Under Secretary of Commerce for Oceans and Atmosphere who shall serve as the Administrator of the National Oceanic and Atmospheric Administration established by Reorganization Plan No. 4 of 1970 [5 U.S.C. App.] and perform such duties as the Secretary of Commerce shall prescribe. The Under Secretary shall be appointed by the President by and with the advice and consent of the Senate and shall be compensated at the rate now or hereafter provided for Level III of the Executive Schedule Pay Rates (5 U.S.C. 5314).

(Pub. L. 99-659, title IV, §407(a), Nov. 14, 1986, 100 Stat. 3739.)

## REFERENCES IN TEXT

Reorganization Plan No. 4 of 1970, referred to in text, is set out under section 1511 of this title.

## SERVICE BY INCUMBENT ADMINISTRATOR AND DEPUTY ADMINISTRATOR OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Pub. L. 99-659, title IV, §407(c), Nov. 14, 1986, 100 Stat. 3739, provided that: "The individual serving on the date of enactment of this Act [Nov. 14, 1986]—

"(A) as the Administrator of the National Oceanic and Atmospheric Administration shall also serve as the Under Secretary of Commerce for Oceans and Atmosphere until such time as a successor is appointed under subsection (a) of this section [enacting this section]; and

"(B) as the Deputy Administrator of the National Oceanic and Atmospheric Administration shall also serve as the Assistant Secretary of Commerce for Oceans and Atmosphere until such time as a successor is appointed under subsection (b) of this section [enacting section 1507(c) of this title]."

**§ 1504. Repealed. Pub. L. 97-195, §1(c)(1), June 16, 1982, 96 Stat. 115**

Section, acts Feb. 14, 1903, ch. 552, §2, 32 Stat. 826; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736; Mar. 3, 1917, ch. 163, §1, 39 Stat. 1111, provided for appointment by President of an Assistant Secretary of Commerce, who would per-

form such duties as prescribed by Secretary or required by law.

**§ 1505. Additional Assistant Secretary; duties, rank of Assistant Secretaries**

There shall be in the Department of Commerce one additional Assistant Secretary of Commerce, who shall be appointed by the President, by and with the advice and consent of the Senate. The Secretary of Commerce may assign to his Assistant Secretaries such duties, including the direction of the Bureau of Foreign and Domestic Commerce, as he shall prescribe, or may be required by law. The Assistant Secretaries of Commerce shall be without numerical distinction of rank.

(July 15, 1947, ch. 251, 61 Stat. 326.)

## CODIFICATION

Provisions of last sentence that fixed the compensation of the Assistant Secretaries of Commerce have been omitted as the positions are under the Executive Schedule under section 5315 of Title 5, Government Organization and Employees.

Section was formerly classified to section 592a of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

## PRIOR PROVISIONS

Prior provisions for an additional Assistant Secretary of Commerce were contained in act May 20, 1926, ch. 344, §8 (1st sentence), 44 Stat. 573, as amended June 23, 1938, ch. 601, §1107(k), 52 Stat. 1029. Said position was terminated by section 592a-1 of former Title 5, Executive Departments and Government Officers and Employees. Section 8 of act May 20, 1926, was subsequently repealed by Pub. L. 85-726, title XIV, §1401(a), Aug. 23, 1958, 72 Stat. 806, and Pub. L. 97-195, §1(c)(2), June 16, 1982, 96 Stat. 115.

## TRANSFER OF FUNCTIONS

Pursuant to powers transferred to Secretary of Commerce under Reorg. Plan No. 5 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1263, set out as a note under section 1501 of this title, Secretary has reassigned functions of Bureau of Foreign and Domestic Commerce to other officers of Department.

## ORDER OF SUCCESSION

For order of succession during any period when both Secretary and Deputy Secretary of Commerce are unable to perform functions and duties of office of Secretary, see Ex. Ord. No. 13242, Dec. 18, 2001, 66 F.R. 66260, listed in a table under section 3345 of Title 5, Government Organization and Employees.

**§ 1506. Additional Assistant Secretary; appointment; applicability of section 1505**

There shall be on and after July 2, 1954 in the Department of Commerce, in addition to the Assistant Secretaries now provided for by law, one additional Assistant Secretary of Commerce, who shall be appointed by the President by and with the advice and consent of the Senate, and who shall be subject in all respects to the provisions of section 1505 of this title, relating to Assistant Secretaries of Commerce.

(July 2, 1954, ch. 456, title III, §304, 68 Stat. 430.)

## CODIFICATION

Section constitutes the first sentence of section 304 of act July 2, 1954. The second sentence of such section 304 repealed section 3 of Reorg. Plan 5 of 1950, 15 F.R. 3174,

64 Stat. 1263, set out as a note under section 1501 of this title, which established the position of Administrative Assistant Secretary of Commerce.

Section was formerly classified to section 592a-3 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

**§ 1507. Additional Assistant Secretary; appointment; compensation; duties**

There shall be in the Department of Commerce, in addition to the Assistant Secretaries now provided by law, one additional Assistant Secretary of Commerce who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate prescribed by law for Assistant Secretaries of Commerce, and shall perform such duties as the Secretary of Commerce shall prescribe.

(Pub. L. 87-405, Feb. 16, 1962, 76 Stat. 9.)

CODIFICATION

Section was formerly classified to section 592a-4 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

**§ 1507a. Repealed. Pub. L. 97-31, § 12(5), Aug. 6, 1981, 95 Stat. 154**

Section, Pub. L. 91-469, § 42(a), Oct. 21, 1970, 84 Stat. 1038, related to appointment, compensation, and duties of the Assistant Secretary for Maritime Affairs.

**§ 1507b. Assistant Secretary of Commerce; appointment; compensation; duties**

There shall be in the Department of Commerce, in addition to the Assistant Secretaries provided by law as of November 12, 1977, one additional Assistant Secretary of Commerce who shall be appointed by the President, by and with the advice and consent of the Senate. Such Assistant Secretary shall perform such duties as the Secretary of Commerce shall prescribe.

(Pub. L. 95-173, § 9(a), Nov. 12, 1977, 91 Stat. 1360; Pub. L. 97-195, § 1(c)(4), June 16, 1982, 96 Stat. 115.)

AMENDMENTS

1982—Pub. L. 97-195 substituted “Such Assistant Secretary shall perform such duties” for “Such Assistant Secretary shall receive compensation at the rate prescribed by law for Assistant Secretaries of Commerce, and shall perform such duties”.

**§ 1507c. Assistant Secretary of Commerce for Oceans and Atmosphere; duties; appointment; compensation**

There shall be in the Department of Commerce, in addition to the Assistant Secretaries of Commerce provided by law before November 14, 1986, one additional Assistant Secretary of Commerce who shall have the title Assistant Secretary of Commerce for Oceans and Atmosphere and shall serve as the Deputy Administrator of the National Oceanic and Atmospheric Administration established by Reorganization Plan No. 4 of 1970 [5 U.S.C. App.] and perform such duties and functions as the Under Secretary of Commerce for Oceans and Atmosphere shall prescribe. The Assistant Secretary for

Oceans and Atmosphere shall be appointed by the President by and with the advice and consent of the Senate and shall be compensated at the rate now or hereafter provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315).

(Pub. L. 99-659, title IV, § 407(b), Nov. 14, 1986, 100 Stat. 3739.)

REFERENCES IN TEXT

Reorganization Plan No. 4 of 1970, referred to in text, is set out under section 1511 of this title.

SERVICE BY INCUMBENT ADMINISTRATOR AND DEPUTY ADMINISTRATOR OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Individuals serving on Nov. 14, 1986, as Deputy Administrator of National Oceanic and Atmospheric Administration to also serve as Assistant Secretary of Commerce for Oceans and Atmosphere, until successor is appointed, see section 407(c)(B) of Pub. L. 99-659, set out as a note under section 1503b of this title.

**§ 1508. General Counsel**

There shall be in the Department of Commerce a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate.

(Mar. 18, 1904, ch. 716, § 1, 33 Stat. 135; July 17, 1952, ch. 932, § 2, 66 Stat. 758; Aug. 20, 1954, ch. 776, 68 Stat. 753.)

CODIFICATION

Provisions of section that fixed the compensation of the General Counsel have been omitted as the position is under the Executive Schedule under section 5315 of Title 5, Government Organization and Employees.

Section was formerly classified to section 592b of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1954—Act Aug. 20, 1954, established rate of compensation.

1952—Act July 17, 1952, redesignated Solicitor as General Counsel and provided that “all laws and orders relating or referring to the Solicitor shall be deemed to relate or refer to the General Counsel”.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of Commerce, with certain exceptions, to Secretary of Commerce, with power to delegate, see Reorg. Plan No. 5 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1263, set out as a note under section 1501 of this title.

ORDER OF SUCCESSION

For order of succession during any period when both Secretary and Deputy Secretary of Commerce are unable to perform functions and duties of office of Secretary, see Ex. Ord. No. 13242, Dec. 18, 2001, 66 F.R. 66260, listed in a table under section 3345 of Title 5, Government Organization and Employees.

**§ 1509. Designation of officer to sign routine papers**

The Secretary may designate an officer of the Department to sign minor routine official papers and documents during the temporary absence of the Secretary, the Under Secretary, and the Assistant Secretaries of the Department.

(May 21, 1945, ch. 129, title III, § 301, 59 Stat. 188; July 15, 1947, ch. 251, 61 Stat. 326.)