

PRIOR PROVISIONS

A prior section 506, act June 25, 1948, ch. 646, 62 Stat. 909, related to vacancies in the office of United States attorney, prior to repeal by Pub. L. 89-554, §8(a), and reenactment in section 546 of this title by section 4(c) of Pub. L. 89-554.

AMENDMENTS

2006—Pub. L. 109-177 substituted “11” for “ten”.
1978—Pub. L. 95-598 substituted “ten” for “nine”.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Nov. 6, 1978, see section 402(d) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

§ 507. Assistant Attorney General for Administration

(a) The Attorney General shall appoint, with the approval of the President, an Assistant Attorney General for Administration, who shall perform such duties as the Attorney General may prescribe.

(b) The position of Assistant Attorney General for Administration is in the competitive service.

(c) Notwithstanding the provisions of section 901 of title 31, United States Code, the Assistant Attorney General for Administration shall be the Chief Financial Officer of the Department of Justice.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 612; amended Pub. L. 106-113, div. B, §1000(a)(1) [title I, §111], Nov. 29, 1999, 113 Stat. 1535, 1501A-20.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: [Uncodified], 1950 Reorg. Plan No. 2, §5 eff. May 24, 1950, 64 Stat. 1261.

The title of the position was changed to “Assistant Attorney General for Administration” by §307 of the Act of Aug. 14, 1964, Pub. L. 88-426, 78 Stat. 432.

The words “competitive service” are substituted for “classified civil service” because the term “classified civil service” formerly used to designate the merit system established by the Civil Service Act of 1883 has become ambiguous due to the creation of the “classified” pay system. The term “competitive service” is now customarily used, and appears throughout title 5, United States Code, in place of “classified civil service”.

The words “There shall be in the Department of Justice” are omitted as unnecessary as the title of the position and the fact of appointment by the Attorney General establish the location of the position in the Department of Justice.

The last 12 words of section 5 of the Reorganization Plan are omitted on authority of the Act of June 5, 1952, ch. 369, §1101 (3d proviso), 66 Stat. 121. The salary of the position is now fixed by §303(e) of the Act of Aug. 14, 1964, Pub. L. 88-426, 78 Stat. 420, which is codified in section 5316 of title 5, United States Code.

PRIOR PROVISIONS

A prior section 507, acts June 25, 1948, ch. 646, 62 Stat. 910; May 24, 1949, ch. 139, §71, 63 Stat. 100, related to duties of United States attorneys, and to supervision by the Attorney General, prior to repeal by Pub. L. 89-554, §8(a), and reenactment in sections 509 and 547 of this title by section 4(c) of Pub. L. 89-554.

AMENDMENTS

1999—Subsec. (c). Pub. L. 106-113 added subsec. (c).

§ 507A. Assistant Attorney General for National Security

(a) Of the Assistant Attorneys General appointed under section 506, one shall serve, upon the designation of the President, as the Assistant Attorney General for National Security.

(b) The Assistant Attorney General for National Security shall—

(1) serve as the head of the National Security Division of the Department of Justice under section 509A of this title;

(2) serve as primary liaison to the Director of National Intelligence for the Department of Justice; and

(3) perform such other duties as the Attorney General may prescribe.

(Added Pub. L. 109-177, title V, §506(a)(1), Mar. 9, 2006, 120 Stat. 247.)

§ 508. Vacancies

(a) In case of a vacancy in the office of Attorney General, or of his absence or disability, the Deputy Attorney General may exercise all the duties of that office, and for the purpose of section 3345 of title 5 the Deputy Attorney General is the first assistant to the Attorney General.

(b) When by reason of absence, disability, or vacancy in office, neither the Attorney General nor the Deputy Attorney General is available to exercise the duties of the office of Attorney General, the Associate Attorney General shall act as Attorney General. The Attorney General may designate the Solicitor General and the Assistant Attorneys General, in further order of succession, to act as Attorney General.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 612; amended Pub. L. 95-139, §2, Oct. 19, 1977, 91 Stat. 1171.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: [Uncodified], R.S. §347 (last sentence), 1953 Reorg. Plan No. 4, §1, eff. June 20, 1953, 67 Stat. 636.

The last sentence of R.S. §347 is cited as authority inasmuch as the function contained therein was the function transferred to the Deputy Attorney General by 1953 Reorg. Plan No. 4. The word “may” is substituted for “have the power”. The words “During any period of time” are omitted as unnecessary.

PRIOR PROVISIONS

A prior section 508, acts June 25, 1948, ch. 646, 62 Stat. 910; Mar. 2, 1955, ch. 9, §2(a), 69 Stat. 10; Oct. 11, 1962, Pub. L. 87-793, §1003(a), 76 Stat. 865; Aug. 14, 1964, Pub. L. 88-426, title III, §306(a)(1), 78 Stat. 428; Oct. 6, 1964, Pub. L. 88-631, §3(b), 78 Stat. 1008, related to salaries of United States attorneys, assistant United States attorneys, and special attorneys, prior to repeal by Pub. L. 89-554, §8(a), and reenactment in section 548 of this title by section 4(c) of Pub. L. 89-554.

AMENDMENTS

1977—Subsec. (b). Pub. L. 95-139 substituted “the Associate Attorney General shall act as Attorney General. The Attorney General may designate the Solicitor General and the Assistant Attorneys General, in further order of succession, to act as Attorney General” for “the Assistant Attorneys General and the Solicitor General, in such order of succession as the Attorney

General may from time to time prescribe, shall act as Attorney General”.

§ 509. Functions of the Attorney General

All functions of other officers of the Department of Justice and all functions of agencies and employees of the Department of Justice are vested in the Attorney General except the functions—

- (1) vested by subchapter II of chapter 5 of title 5 in administrative law judges employed by the Department of Justice;
- (2) of the Federal Prison Industries, Inc.; and
- (3) of the Board of Directors and officers of the Federal Prison Industries, Inc.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 612; amended Pub. L. 95-251, §2(a)(6), Mar. 27, 1978, 92 Stat. 183; Pub. L. 98-473, title II, §228(a), Oct. 12, 1984, 98 Stat. 2030; Pub. L. 107-273, div. A, title II, §204(d), div. B, title IV, §4003(b)(1), Nov. 2, 2002, 116 Stat. 1776, 1811.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	[Uncodified].	1950 Reorg. Plan No. 2, §1, eff. May 24, 1950, 64 Stat. 1261.

The section is restated to allow incorporation into this chapter.

[The Historical and Revision Notes for former section 507, from which this section is partially derived, is set out under section 547 of this title.]

PRIOR PROVISIONS

A prior section 509, act June 25, 1948, ch. 646, 62 Stat. 910, related to expenses of United States attorneys, prior to repeal by Pub. L. 89-554, §8(a), and reenactment in section 549 of this title by section 4(c) of Pub. L. 89-554.

AMENDMENTS

2002—Par. (3). Pub. L. 107-273, §§204(d), 4003(b)(1), amended par. (3) identically, striking out second period at end.

1984—Pub. L. 98-473 inserted “and” at end of par. (2), substituted a period for “; and” at end of par. (3), and struck out par. (4) which related to functions of Board of Parole.

1978—Par. (1). Pub. L. 95-251 substituted “administrative law judges” for “hearing examiners”.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-473, title II, §235(a)(1)(B)(ii)(IV), Oct. 12, 1984, 98 Stat. 2032, provided that the amendment made by Pub. L. 98-473 is effective Oct. 12, 1984.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the Domestic Emergency Support Teams of the Department of Justice, including the functions of the Attorney General relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(4) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, set out as a note under section 542 of Title 6.

EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to the Attorney General, see Parts 1, 2, and 11 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

UNSOLVED CIVIL RIGHTS CRIMES

Pub. L. 110-344, Oct. 7, 2008, 122 Stat. 3934, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Emmett Till Unsolved Civil Rights Crime Act of 2007’.

“SEC. 2. SENSE OF CONGRESS.

“It is the sense of Congress that all authorities with jurisdiction, including the Federal Bureau of Investigation and other entities within the Department of Justice, should—

“(1) expeditiously investigate unsolved civil rights murders, due to the amount of time that has passed since the murders and the age of potential witnesses; and

“(2) provide all the resources necessary to ensure timely and thorough investigations in the cases involved.

“SEC. 3. DEPUTY CHIEF OF THE CRIMINAL SECTION OF THE CIVIL RIGHTS DIVISION.

“(a) IN GENERAL.—The Attorney General shall designate a Deputy Chief in the Criminal Section of the Civil Rights Division of the Department of Justice.

“(b) RESPONSIBILITY.—

“(1) IN GENERAL.—The Deputy Chief shall be responsible for coordinating the investigation and prosecution of violations of criminal civil rights statutes that occurred not later than December 31, 1969, and resulted in a death.

“(2) COORDINATION.—In investigating a complaint under paragraph (1), the Deputy Chief may coordinate investigative activities with State and local law enforcement officials.

“(c) STUDY AND REPORT.—

“(1) STUDY.—The Attorney General shall annually conduct a study of the cases under the jurisdiction of the Deputy Chief or under the jurisdiction of the Supervisory Special Agent and, in conducting the study, shall determine—

“(A) the number of open investigations within the Department for violations of criminal civil rights statutes that occurred not later than December 31, 1969;

“(B) the number of new cases opened pursuant to this Act since the previous year’s study;

“(C) the number of unsealed Federal cases charged within the study period, including the case names, the jurisdiction in which the charges were brought, and the date the charges were filed;

“(D) the number of cases referred by the Department to a State or local law enforcement agency or prosecutor within the study period, the number of such cases that resulted in State charges being filed, the jurisdiction in which such charges were filed, the date the charges were filed, and if a jurisdiction declines to prosecute or participate in an investigation of a case so referred, the fact it did so;

“(E) the number of cases within the study period that were closed without Federal prosecution, the case names of unsealed Federal cases, the dates the cases were closed, and the relevant federal statutes;

“(F) the number of attorneys who worked, in whole or in part, on any case described in subsection (b)(1); and

“(G) the applications submitted for grants under section 5, the award of such grants, and the purposes for which the grant amount were expended.

“(2) REPORT.—Not later than 6 months after the date of enactment of this Act [Oct. 7, 2008], and each year thereafter, the Attorney General shall prepare and submit to Congress a report containing the results of the study conducted under paragraph (1).

“SEC. 4. SUPERVISORY SPECIAL AGENT IN THE CIVIL RIGHTS UNIT OF THE FEDERAL BUREAU OF INVESTIGATION.

“(a) IN GENERAL.—The Attorney General shall designate a Supervisory Special Agent in the Civil Rights