

## HISTORICAL AND REVISION NOTES

| <i>Derivation</i> | <i>U.S. Code</i> | <i>Revised Statutes and Statutes at Large</i>   |
|-------------------|------------------|---|
| .....             | 5 U.S.C. 295.    | R.S. §348.<br>July 11, 1890, ch. 667, §1 (words between 3d and 4th semicolons under "Department of Justice"), 26 Stat. 265.<br>Mar. 3, 1903, ch. 1006, §1 (so much of 2d par. under "Department of Justice" as provides for appointment, pay, and duties of an additional Assistant Attorney General), 32 Stat. 1062.<br>July 16, 1914, ch. 141, §1 (words between 3d and 4th semicolons under "Department of Justice"), 38 Stat. 497.<br>Mar. 4, 1915, ch. 141, §1 (words between 3d and 4th semicolons under "Department of Justice"), 38 Stat. 1038.<br>June 16, 1933, ch. 101, §16(b), 48 Stat. 308.<br>Mar. 2, 1943, ch. 7, 57 Stat. 4.<br>1950 Reorg. Plan No. 2, §4, eff. May 24, 1950, 64 Stat. 1261. |
| .....             | [Uncodified].    | 1953 Reorg. Plan No. 4, §2, eff. June 20, 1953, 67 Stat. 636.   |
| .....             | [Uncodified].    | Sept. 9, 1957, Pub. L. 85-315, §111, 71 Stat. 637.  |
| .....             | 5 U.S.C. 295-1.  |   |

The words "There shall be in the Department of Justice" are omitted as unnecessary as the title of the positions establishes their location in the Department of Justice.

The position of sixth Assistant Attorney General, referred to in the Acts of July 16, 1914, and Mar. 4, 1915, was made a permanent position by the Act of Mar. 4, 1915, ch. 141, §6, 38 Stat. 1049.

The number of Assistant Attorneys General referred to in the Act of Mar. 2, 1943, is changed from "six" to "nine" to reflect the three additional Assistant Attorneys General authorized by 1950 Reorg. Plan No. 2, 1953 Reorg. Plan No. 4, and the Act of Sept. 9, 1957.

The words "learned in the law" are omitted as unnecessary. Such a requirement is not made of the Attorney General, United States attorneys, or United States judges. (See reviser's note under 28 U.S.C. 501, 1964 ed.)

The reference in former section 295 of title 5 to the Assistant Attorneys General assisting the Solicitor General are omitted on authority of the transfer of functions made by 1950 Reorg. Plan No. 2 and 1953 Reorg. Plan No. 4.

Provisions of 1950 Reorg. Plan No. 2, §4, and 1953 Reorg. Plan No. 4, §2, abolishing positions and transferring incumbents are omitted as executed.

Provisions relating to pay of Assistant Attorneys General are omitted as superseded by §303(d) of the Act of August 14, 1964, Pub. L. 88-426, 78 Stat. 418, which is codified in section 5315 of title 5, United States Code.

## 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 At-

torney 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

| <i>Derivation</i> | <i>U.S. Code</i> | <i>Revised Statutes and Statutes at Large</i>                |
|-------------------|------------------|--|
| .....             | [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

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: [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.

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-325, §1, Dec. 16, 2016, 130 Stat. 1965, provided that: "This Act [amending provisions set out as a note under this section] may be cited as the 'Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016'."

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, as amended by Pub. L. 114-325, §2, Dec. 16, 2016, 130 Stat. 1965, 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;