

§ 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 The second sentence of such section 304 repealed section 3 of Reorg.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 Repealed.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, amended section generally, establishing a General Counsel in the Department of Commerce and a rate of compensation. See Codification note above.

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.)

CODIFICATION

Assistant Secretary changed to Assistant Secretaries by act July 15, 1947, which provided for an additional Assistant Secretary. See section 1505 of this title.

Section was formerly classified to section 593a 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.

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.

§ 1510. Clerical assistants

There shall also be such clerical assistants as may from time to time be authorized by the Congress.

(Feb. 14, 1903, ch. 552, §2, 32 Stat. 826; July 16, 1952, ch. 878, §2, 66 Stat. 710.)

CODIFICATION

Section was formerly classified to section 594 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.

AMENDMENTS

1952—Act July 16, 1952, provided for clerical assistants instead of a disbursing clerk.

DISBURSEMENT CLERK

Section, act Feb. 14, 1903, ch. 552, §2, 32 Stat. 826, provided for a disbursing clerk in the Department of Commerce.

TRANSFER OF DISBURSEMENT AGENCIES

Division of Disbursement and certain other offices and agencies and their functions consolidated into Fiscal Service of Department of the Treasury by Reorg. Plan No. III of 1940, §1(a)(1), eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231, set out in the Appendix to Title 5, Government Organization and Employees. See section 306 of Title 31, Money and Finance.

§ 1511. Bureaus in Department

The following named bureaus, administrations, services, offices, and programs of the public service, and all that pertains thereto, shall

be under the jurisdiction and subject to the control of the Secretary of Commerce:

- (1) National Oceanic and Atmospheric Administration;
- (2) United States Travel and Tourism Administration;
- (3) National Institute of Standards and Technology;
- (4) United States Patent and Trademark Office¹
- (5) Bureau of the Census; and
- (6) such other bureaus or other organizational units as the Secretary of Commerce may from time to time establish in accordance with law.

(Feb. 14, 1903, ch. 552, §§4, 12, 32 Stat. 826, 830; June 17, 1910, ch. 301, §4, 36 Stat. 537; Aug. 23, 1912, ch. 350, §1, 37 Stat. 407; Mar. 4, 1913, ch. 141, §3, 37 Stat. 737; Jan. 5, 1923, ch. 23, §1, 42 Stat. 1109; June 30, 1932, ch. 314, pt. II, title V, §501, 47 Stat. 415; Feb. 22, 1934, Ex. Ord. 6611; May 27, 1936, ch. 463, §1, 49 Stat. 1380; 1939 Reorg. Plan No. II, §§2(a), 4(e), 6, eff. July 1, 1936, 4 F.R. 2731, 53 Stat. 1432; 1940 Reorg. Plan No. IV, §§7, 8, eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1235, 1236; 1946 Reorg. Plan No. 3, §§101-104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097; June 30, 1949, ch. 288, title I, §103(a), 63 Stat. 380; Aug. 4, 1949, ch. 393, §20, 63 Stat. 561; 1949 Reorg. Plan No. 7, §1, eff. Aug. 19, 1949, 14 F.R. 5228, 63 Stat. 1070; 1950 Reorg. Plan No. 21, §§101, 106, 201, 15 F.R. 3178, 64 Stat. 1273; Pub. L. 93-498, §23, Oct. 29, 1974, 88 Stat. 1549; Pub. L. 93-596, §3, Jan. 2, 1975, 88 Stat. 1949; Pub. L. 95-422, §2(c), Oct. 5, 1978, 92 Stat. 932; Pub. L. 97-31, §12(6), Aug. 6, 1981, 95 Stat. 154; Pub. L. 97-63, §4(a)(1), Oct. 16, 1981, 95 Stat. 1014; Pub. L. 100-418, title V, §5115(c), Aug. 23, 1988, 102 Stat. 1433; Pub. L. 106-113, div. B, §1000(a)(9) [title IV, §4732(b)(6)], Nov. 29, 1999, 113 Stat. 1536, 1501A-583; Pub. L. 106-503, title I, §110(b), Nov. 13, 2000, 114 Stat. 2302.)

CODIFICATION

Section was formerly classified to section 597 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.

Section was originally based on part of section 4 of act Feb. 14, 1903, which provided an initial list of offices and bureaus to be transferred to the Department of Commerce and Labor, and section 12 of the act, which authorized the President to transfer certain additional offices and bureaus to the Department. Section 12 of the act was amended generally by section 23 of Pub. L. 93-498, and the text enacted by that general amendment, along with subsequent amendments, now serves as the text of this section. See Amendment notes below. Section 12 of the 1903 act as originally enacted is set out as section 1517 of this title, and the rest of section 4 of the act is classified to sections 1515 and 1516 of this title. Explanation of laws cited as credits to this section prior to Pub. L. 93-498 can be found in various notes below.

AMENDMENTS

2000—Pars. (6), (7). Pub. L. 106-503 redesignated par. (7) as (6) and struck out former par. (6) which read as follows: “United States Fire Administration; and”.

1999—Pub. L. 106-113 redesignated pars. (a) to (g) as (1) to (7), respectively, realigned margins, and in par. (4) substituted “United States Patent and Trademark Office” for “Patent and Trademark Office;”.

¹ So in original. Probably should be followed by a semicolon.