

(i) The LAIR shall hold meetings at least three times per year. In the course of its work, LAIR should conduct outreach to Federal, State, local, Tribal, and international officials, technical advisors, and non-governmental organizations, among others, as necessary to carry out its mission (including public defender organizations and offices and legal aid organizations and providers).

(j) The LAIR members are encouraged to provide support, including by detailing personnel, to LAIR. Members of LAIR shall serve without any additional compensation for their work.

SEC. 4. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) Independent agencies are strongly encouraged to comply with the provisions in this memorandum.

(d) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(e) The Attorney General is authorized and directed to publish this memorandum in the Federal Register.

J.R. BIDEN, JR.

§ 509A. National Security Division

(a) There is a National Security Division of the Department of Justice.

(b) The National Security Division shall consist of the elements of the Department of Justice (other than the Federal Bureau of Investigation) engaged primarily in support of the intelligence and intelligence-related activities of the United States Government, including the following:

(1) The Assistant Attorney General designated as the Assistant Attorney General for National Security under section 507A of this title.

(2) The Office of Intelligence Policy and Review (or any successor organization).

(3) The counterterrorism section (or any successor organization).

(4) The counterespionage section (or any successor organization).

(5) Any other element, component, or office designated by the Attorney General.

(Added Pub. L. 109–177, title V, § 506(b)(1), Mar. 9, 2006, 120 Stat. 248.)

§ 509B. Section to enforce human rights laws

(a) Not later than 90 days after the date of the enactment of the Human Rights Enforcement Act of 2009, the Attorney General shall establish a section within the Criminal Division of the Department of Justice with responsibility for the enforcement of laws against suspected participants in serious human rights offenses.

(b) The section established under subsection (a) is authorized to—

(1) take appropriate legal action against individuals suspected of participating in serious human rights offenses; and

(2) coordinate any such legal action with the United States Attorney for the relevant jurisdiction.

(c) The Attorney General shall, as appropriate, consult with the Secretary of Homeland Security and the Secretary of State.

(d) In determining the appropriate legal action to take against individuals who are suspected of committing serious human rights offenses under Federal law, the section shall take into consideration the availability of criminal prosecution under the laws of the United States for such offenses or in a foreign jurisdiction that is prepared to undertake a prosecution for the conduct that forms the basis for such offenses.

(e) The term “serious human rights offenses” includes violations of Federal criminal laws relating to genocide, torture, war crimes, and the use or recruitment of child soldiers under sections 1091, 2340, 2340A, 2441, and 2442 of title 18, United States Code.

(Added Pub. L. 111–122, § 2(b), Dec. 22, 2009, 123 Stat. 3480.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the Human Rights Enforcement Act of 2009, referred to in subsec. (a), is the date of enactment of Pub. L. 111–122, which was approved Dec. 22, 2009.

§ 510. Delegation of authority

The Attorney General may from time to time make such provisions as he considers appropriate authorizing the performance by any other officer, employee, or agency of the Department of Justice of any function of the Attorney General.

(Added Pub. L. 89–554, § 4(c), Sept. 6, 1966, 80 Stat. 612.)

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, § 2, eff. May 24, 1950, 64 Stat. 1261.

The words “including any function transferred to the Attorney General by the provisions of this reorganization plan” are omitted as executed and unnecessary as the words “any function of the Attorney General” include the functions transferred to the Attorney General by 1950 Reorg. Plan. No. 2.

Editorial Notes

PRIOR PROVISIONS

A prior section 510, act June 25, 1948, ch. 646, 62 Stat. 910, related to clerical assistants and messengers for United States attorneys, prior to repeal by Pub. L. 89–554, § 8(a), and reenactment in section 550 of this title by section 4(c) of Pub. L. 89–554.

§ 511. Attorney General to advise the President

The Attorney General shall give his advice and opinion on questions of law when required by the President.

(Added Pub. L. 89–554, § 4(c), Sept. 6, 1966, 80 Stat. 612.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 303.	R.S. §354. Feb. 27, 1877, ch. 69, §1 (8th full par. on p. 241), 19 Stat. 241.

§ 512. Attorney General to advise heads of executive departments

The head of an executive department may require the opinion of the Attorney General on questions of law arising in the administration of his department.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 613.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 304.	R.S. §356.

§ 513. Attorney General to advise Secretaries of military departments

When a question of law arises in the administration of the Department of the Army, the Department of the Navy, or the Department of the Air Force, the cognizance of which is not given by statute to some other officer from whom the Secretary of the military department concerned may require advice, the Secretary of the military department shall send it to the Attorney General for disposition.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 613.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 307.	R.S. §357.

The Department of War was designated the Department of the Army by the Act of July 26, 1947, ch. 343, §205, 61 Stat. 501. "Department of the Air Force" is added on authority of the Act of July 26, 1947, ch. 343, §207(a), (f), 61 Stat. 502. The word "Secretary" is substituted for "head." The words "military department" are substituted for "department" to conform to section 102 of title 5, United States Code, and section 101 of title 10, United States Code. The words "for disposition" are substituted for "to be by him referred to the proper officer in his department, or otherwise disposed of as he may deem proper."

§ 514. Legal services on pending claims in departments and agencies

When the head of an executive department or agency is of the opinion that the interests of the United States require the service of counsel on the examination of any witness concerning any claim, or on the legal investigation of any claim, pending in the department or agency, he shall notify the Attorney General, giving all facts necessary to enable him to furnish proper professional service in attending the examination or making the investigation, and the Attorney General shall provide for the service.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 613.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 48.	R.S. §187.
.....	5 U.S.C. 313.	R.S. §364.

Sections 187 and 364 of the Revised Statutes are combined into one section since they both deal with the same subject matter and are derived from the Act of Feb. 14, 1871, ch. 51, §3, 16 Stat. 412.

The words "executive department" are substituted for "Department" because "Department", as used in R.S. §§187 and 364, meant "executive department". (See R.S. §159.) The word "agency" is substituted for "bureau" as it has a more common current acceptance. The word "concerning" is substituted for "touching". Reference to application for a subpoena is omitted as R.S. §364 gives the department head the same authority to request aid from the Attorney General whether or not application has been made for a subpoena.

Section 187 of the Revised Statutes was part of title IV of the Revised Statutes. The Act of July 26, 1947, ch. 343, §201(d), as added Aug. 10, 1949, ch. 412, §4, 63 Stat. 579 (former 5 U.S.C. 171-1), which provides "Except to the extent inconsistent with the provisions of this Act [National Security Act of 1947], the provisions of title IV of the Revised Statutes as now or hereafter amended shall be applicable to the Department of Defense" is omitted from this title but is not repealed.

Minor changes are made in phraseology to allow for the combining of the two sections.

§ 515. Authority for legal proceedings; commission, oath, and salary for special attorneys

(a) The Attorney General or any other officer of the Department of Justice, or any attorney specially appointed by the Attorney General under law, may, when specifically directed by the Attorney General, conduct any kind of legal proceeding, civil or criminal, including grand jury proceedings and proceedings before committing magistrate judges, which United States attorneys are authorized by law to conduct, whether or not he is a resident of the district in which the proceeding is brought.

(b) Each attorney specially retained under authority of the Department of Justice shall be commissioned as special assistant to the Attorney General or special attorney, and shall take the oath required by law. Foreign counsel employed in special cases are not required to take the oath. The Attorney General shall fix the annual salary of a special assistant or special attorney.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 613; amended Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117; Pub. L. 107-273, div. A, title II, §203(b), Nov. 2, 2002, 116 Stat. 1775.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a)	5 U.S.C. 310.	June 30, 1906, ch. 3935, 34 Stat. 816.
(b)	5 U.S.C. 315.	R.S. §366. Apr. 17, 1930, ch. 174, 46 Stat. 170. June 25, 1948, ch. 646, §3, 62 Stat. 985.
.....	[Uncodified].	Aug. 5, 1953, ch. 328, §202 (1st and 2d provisos, as applicable to special assistants and special attorneys), 67 Stat. 375.
.....	[Uncodified].	July 2, 1954, ch. 456, §202 (as applicable to special assistants and special attorneys), 68 Stat. 421.