

110TH CONGRESS
1ST SESSION

H. R. 580

AN ACT

To amend chapter 35 of title 28, United States Code, to provide for a 120-day limit to the term of a United States attorney appointed on an interim basis by the Attorney General, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. INTERIM APPOINTMENT OF UNITED STATES**
2 **ATTORNEYS.**

3 Section 546 of title 28, United States Code, is
4 amended by striking subsection (c) and inserting the fol-
5 lowing new subsections:

6 “(c) A person appointed as United States attorney
7 under this section may serve until the earlier of—

8 “(1) the qualification of a United States attor-
9 ney for such district appointed by the President
10 under section 541 of this title; or

11 “(2) the expiration of 120 days after appoint-
12 ment by the Attorney General under this section.

13 “(d) If an appointment expires under subsection
14 (c)(2), the district court for such district may appoint a
15 United States attorney to serve until the vacancy is filled.
16 The order of appointment by the court shall be filed with
17 the clerk of the court.

18 “(e) This section is the exclusive means for appoint-
19 ing a person to temporarily perform the functions of a
20 United States attorney for a district in which the office
21 of United States attorney is vacant.”.

22 **SEC. 2. APPLICABILITY.**

23 (a) **IN GENERAL.**—The amendments made by this
24 Act shall take effect on the date of the enactment of this
25 Act.

26 (b) **APPLICATION.**—

1 (1) IN GENERAL.—Any person serving as a
2 United States attorney on the day before the date of
3 the enactment of this Act who was appointed under
4 section 546 of title 28, United States Code, for a
5 district may serve until the earlier of—

6 (A) the qualification of a United States at-
7 torney for that district appointed by the Presi-
8 dent under section 541 of that title; or

9 (B) 120 days after the date of the enact-
10 ment of this Act.

11 (2) EXPIRED APPOINTMENTS.—If an appoint-
12 ment expires under paragraph (1)(B), the district
13 court for the district concerned may appoint a
14 United States attorney for that district under sec-
15 tion 546(d) of title 28, United States Code, as added
16 by this Act.

Passed the House of Representatives March 26,
2007.

Attest:

Clerk.

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