

1991, and 1992, such sums as are necessary to carry out the purposes of this section.”

PARIMUTUEL LICENSING SIMPLIFICATION

Pub. L. 100-413, Aug. 22, 1988, 102 Stat. 1101, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Parimutuel Licensing Simplification Act of 1988’.

“SEC. 2. SUBMISSION BY ASSOCIATION OF STATE REGULATORY OFFICIALS.

“(a) IN GENERAL.—An association of State officials regulating parimutuel wagering, designated for the purpose of this section by the Attorney General, may submit fingerprints to the Attorney General on behalf of any applicant for State license to participate in parimutuel wagering. In response to such a submission, the Attorney General may, to the extent provided by law, exchange, for licensing and employment purposes, identification and criminal history records with the State governmental bodies to which such applicant has applied.

“(b) DEFINITION.—As used in this section, the term ‘State’ means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

“SEC. 3. EFFECTIVE DATE.

“This Act shall take effect on July 1, 1989.”

FUNDS FOR EXCHANGE OF IDENTIFICATION RECORDS

Pub. L. 92-544, title II, §201, Oct. 25, 1972, 86 Stat. 1115, provided that: “The funds provided for Salaries and Expenses, Federal Bureau of Investigation, may be used hereafter, in addition to those uses authorized thereunder, for the exchange of identification records with officials or federally chartered or insured banking institutions to promote or maintain the security of those institutions, and, if authorized by State statute and approved by the Attorney General, to officials of State and local governments for purposes of employment and licensing, any such exchange to be made only for the official use of any such official and subject to the same restriction with respect to dissemination as that provided for under the aforementioned appropriation.”

§ 535. Investigation of crimes involving Government officers and employees; limitations

(a) The Attorney General and the Federal Bureau of Investigation may investigate any violation of Federal criminal law involving Government officers and employees—

- (1) notwithstanding any other provision of law; and
(2) without limiting the authority to investigate any matter which is conferred on them or on a department or agency of the Government.

(b) Any information, allegation, matter, or complaint witnessed, discovered, or received in a department or agency of the executive branch of the Government relating to violations of Federal criminal law involving Government officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, or the witness, discoverer, or recipient, as appropriate, unless—

- (1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of law; or
(2) as to any department or agency of the Government, the Attorney General directs otherwise with respect to a specified class of information, allegation, or complaint.

(c) This section does not limit—

- (1) the authority of the military departments to investigate persons or offenses over which the armed forces have jurisdiction under the Uniform Code of Military Justice (chapter 47 of title 10); or
(2) the primary authority of the Postmaster General to investigate postal offenses.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 616; amended Pub. L. 107-273, div. A, title II, §206, Nov. 2, 2002, 116 Stat. 1779.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 5 U.S.C. 311a, Aug. 31, 1954, ch. 1143, §1, 68 Stat. 998.

The section is reorganized for clarity and continuity. In subsection (a), the word ‘may’ is substituted for ‘shall have authority’. The word ‘is’ is substituted for ‘may have been or may hereafter be’. In subsection (c), the words ‘This section does not limit’ are substituted for ‘that the provisions of this section shall not limit, in any way’. The words ‘(chapter 47 of title 10)’ are added after ‘Uniform Code of Military Justice’ to reflect the codification of that Code in title 10, United States Code.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-273 substituted ‘Federal criminal law’ for ‘title 18’ in introductory provisions. Subsec. (b). Pub. L. 107-273, in introductory provisions, substituted ‘matter, or complaint witnessed, discovered, or’ for ‘or complaint’ and ‘Federal criminal law’ for ‘title 18’ and inserted ‘or the witness, discoverer, or recipient, as appropriate,’ after ‘agency,’.

TRANSFER OF FUNCTIONS

Office of Postmaster General of Post Office Department abolished and all functions, powers, and duties of Postmaster General transferred to United States Postal Service by Pub. L. 91-375, §4(a), Aug. 12, 1970, 84 Stat. 773, set out as a note under section 201 of Title 39, Postal Service.

§ 536. Positions in excepted service

All positions in the Federal Bureau of Investigation are excepted from the competitive service, and the incumbents of such positions occupy positions in the excepted service.

(Added Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 617.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 5 U.S.C. 300d, Aug. 31, 1964, Pub. L. 88-527, §201 (2nd par. under ‘Federal Bureau of Investigation’), 78 Stat. 718. Row 2: 5 U.S.C. 341c (last sentence), July 28, 1950, ch. 503, §5 (last sentence), 4 Stat. 380.

The section is revised and restated to eliminate ambiguity and give true effect to the prohibition against the use of appropriations to the Federal Bureau of Investigation. The language used to define the excepted status of the positions, officers, and employees is based on revised sections 2102 and 2103 of title 5, United States Code.

The provisions of this section were made permanent by the Act of July 28, 1950, 64 Stat. 380. Identical provisions appearing in former section 300d of title 5 are derived from the Department of Justice Appropriation