

(b) ESTABLISHMENT OF FBI POLICE; DUTIES.—

(1) IN GENERAL.—Subject to the supervision of the Attorney General, the Director may establish a permanent police force, to be known as the FBI police.

(2) DUTIES.—The FBI police shall perform such duties as the Director may prescribe in connection with the protection of persons and property within FBI buildings and grounds.

(3) UNIFORMED REPRESENTATIVE.—The Director, or designated representative duly authorized by the Attorney General, may appoint uniformed representatives of the Federal Bureau of Investigation as FBI police for duty in connection with the policing of all FBI buildings and grounds.

(4) AUTHORITY.—

(A) IN GENERAL.—In accordance with regulations prescribed by the Director and approved by the Attorney General, the FBI police may—

(i) police the FBI buildings and grounds for the purpose of protecting persons and property;

(ii) in the performance of duties necessary for carrying out subparagraph (A), make arrests and otherwise enforce the laws of the United States, including the laws of the District of Columbia;

(iii) carry firearms as may be required for the performance of duties;

(iv) prevent breaches of the peace and suppress affrays and unlawful assemblies; and

(v) hold the same powers as sheriffs and constables when policing FBI buildings and grounds.

(B) EXCEPTION.—The authority and policing powers of FBI police under this paragraph shall not include the service of civil process.

(5) PAY AND BENEFITS.—

(A) IN GENERAL.—The rates of basic pay, salary schedule, pay provisions, and benefits for members of the FBI police shall be equivalent to the rates of basic pay, salary schedule, pay provisions, and benefits applicable to members of the United States Secret Service Uniformed Division.

(B) APPLICATION.—Pay and benefits for the FBI police under subparagraph (A)—

(i) shall be established by regulation;

(ii) shall apply with respect to pay periods beginning after January 1, 2003; and

(iii) shall not result in any decrease in the rates of pay or benefits of any individual.

(c) AUTHORITY OF METROPOLITAN POLICE FORCE.—This section does not affect the authority of the Metropolitan Police Force of the District of Columbia with respect to FBI buildings and grounds.

(Added Pub. L. 107–273, div. C, title I, §11024(a), Nov. 2, 2002, 116 Stat. 1830.)

Editorial Notes

PRIOR PROVISIONS

Another section 540C, added Pub. L. 107–306, title VIII, §824(a), Nov. 27, 2002, 116 Stat. 2428, related to annual

report on activities of Federal Bureau of Investigation personnel outside the United States. Pub. L. 108–177, title III, §361(i), (n), Dec. 13, 2003, 117 Stat. 2625, 2626, which, under the heading “Annual Report on Activities of FBI Personnel Outside the United States”, directed the repeal of section 540C of title 28, effective Dec. 31, 2003, was executed by repealing the section 540C added by Pub. L. 107–306, to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 540D. Multidisciplinary teams

(a) DEFINITIONS.—In this section—

(1) the term “child sexual abuse material” means a visual depiction described in section 2256(8)(A) of title 18;

(2) the term “covered investigation” means any investigation of child sexual exploitation or abuse, the production of child sexual abuse material, or child trafficking conducted by the Federal Bureau of Investigation;

(3) the term “Director” means the Director of the Federal Bureau of Investigation;

(4) the term “multidisciplinary team” means a multidisciplinary team established or used under subsection (b)(2);

(5) the term “relevant children’s advocacy center personnel” means children’s advocacy center staff that regularly participate in multidisciplinary child support settings, including the director of the children’s advocacy center, the coordinator of a multidisciplinary team, forensic interviewers, victim advocates, forensic medical evaluators, physicians, sexual assault nurse examiners, and mental health clinicians; and

(6) the term “victim advocate” means a person, whether paid or serving as a volunteer, who provides services to victims under the auspices or supervision of a victim services program.

(b) FBI VICTIM SUPPORT REQUIREMENTS.—

(1) IN GENERAL.—To carry out the functions described in subsection (c) in connection with each covered investigation conducted by the Federal Bureau of Investigation, the Director shall, unless unavailable or otherwise inconsistent with applicable Federal law—

(A) use a multidisciplinary team; and

(B) in accordance with paragraph (3), use—

(i) a trained Federal Bureau of Investigation child adolescent forensic interviewer; or

(ii) in the absence of a trained Federal Bureau of Investigation child adolescent forensic interviewer, a trained forensic interviewer at a children’s advocacy center.

(2) USE AND COORDINATION.—The Director shall use and coordinate with children’s advo-

cacy center-based multidisciplinary teams as necessary to carry out paragraph (1).

(3) CHILDREN'S ADVOCACY CENTERS.—The Director—

(A) may work with children's advocacy centers to implement a multidisciplinary team approaches¹ for purposes of covered investigations; and

(B) shall allow, facilitate, and encourage multidisciplinary teams to collaborate with a children's advocacy center with regard to availability, provision, and use of services to and by victims and families that are participants in or affected by the actions at issue in a covered investigation.

(4) REPORT.—The Director shall submit to the Attorney General an annual report identifying any interview of a victim reporting child sexual abuse material or child trafficking that took place—

(A) without the use of—

- (i) a multidisciplinary approach;
- (ii) a trained forensic interviewer; or
- (iii) either the use of a multidisciplinary approach or a trained forensic interviewer; and

(B) for each interview identified under subparagraph (A), describing the exigent circumstances that existed with respect to the interview, in accordance with paragraph (1).

(5) MEMORANDA OF UNDERSTANDING.—The Director shall seek to enter into a memorandum of understanding with a reputable national accrediting organization for children's advocacy centers—

(A) under which—

- (i) the children's advocacy services of the national organization are made available to field offices of the Federal Bureau of Investigation in the United States; and
- (ii) special agents and other employees of the Federal Bureau of Investigation are made aware of the existence of such memoranda and its purposes; and

(B) which shall reflect a trauma-informed, victim-centered approach and provide for case review.

(c) FUNCTIONS.—The functions described in this subsection are the following:

(1) To provide for the sharing of information among the members of a multidisciplinary team, when such a team is used, and with other appropriate personnel regarding the progress of a covered investigation by the Federal Bureau of Investigation.

(2) To provide for and enhance collaborative efforts among the members of a multidisciplinary team, when such a team is used, and other appropriate personnel regarding a covered investigation.

(3) To enhance the social services available to victims in connection with a covered investigation, including through the enhancement of cooperation among specialists and other personnel providing such services in connection with a covered investigation.

(4) To carry out other duties regarding the response to investigations of child sexual abuse or trafficking.

(d) PERSONNEL.—

(1) IN GENERAL.—Each multidisciplinary team shall be composed of the following:

(A) Appropriate investigative personnel.

(B) Appropriate mental health professionals.

(C) Appropriate medical personnel.

(D) Victim advocates or victim specialists.

(E) Relevant children's advocacy center personnel, with respect to covered investigations in which the children's advocacy center or personnel of the children's advocacy center were used in the course of the covered investigation.

(F) Prosecutors, as appropriate.

(2) EXPERTISE AND TRAINING.—

(A) IN GENERAL.—Any individual assigned to a multidisciplinary team shall possess such expertise, and shall undertake such training as is required to maintain such expertise, in order to ensure that members of the team remain appropriately qualified to carry out the functions of the team under this section.

(B) REQUIREMENT.—The training and expertise required under subparagraph (A) shall include training and expertise on special victims' crimes, including child sexual abuse.

(e) SHARING OF INFORMATION.—

(1) ACCESS TO INFORMATION.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), relevant children's advocacy center personnel who are assigned to work on a covered investigation under this section shall be granted access to the case information necessary to perform their role conducting forensic interviews and providing mental health treatment, medical care, and victim advocacy for Federal Bureau of Investigation cases.

(B) INCLUDED INFORMATION.—The case information described in subparagraph (A) to which relevant children's advocacy center personnel shall be granted access includes—

- (i) case outcome of forensic interviews;
- (ii) medical evaluation outcomes;
- (iii) mental health treatment referrals and treatment completion;
- (iv) safety planning and child protection issues;
- (v) victim service needs and referrals addressed by the victim advocate;
- (vi) case disposition;
- (vii) case outcomes; and
- (viii) any other information required for a children's advocacy centers¹ as a part of the standards of practice of the children's advocacy center; and

(C) EXEMPT INFORMATION.—The case information described in subparagraph (A) does not include—

- (i) classified information;
- (ii) the identity of confidential informants; or
- (iii) other investigative information not included as a part of the standards of practice of the children's advocacy center.

(2) SHARING INFORMATION WITH FBI.—Children's advocacy centers shall provide the Fed-

¹ So in original.

eral Bureau of Investigation with forensic interview recordings and documentation, medical reports, and other case information on Federal Bureau of Investigation-related cases.

(3) SECURITY CLEARANCES.—

(A) IN GENERAL.—The Federal Bureau of Investigation may provide security clearances to relevant children’s advocacy center personnel for purposes of case review by multidisciplinary teams, if it is determined that those personnel are eligible and possess a need-to-know specific classified information to perform or assist in a lawful and authorized government function.

(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary to carry out subparagraph (A).

(f) USE OF TEAMS.—Multidisciplinary teams used under this section shall be made available to victims reporting child sexual abuse or child trafficking in covered investigations, regardless of the age of the victim making the report.

(g) CASE REVIEW BY MULTIDISCIPLINARY TEAM.—Throughout a covered investigation, a multidisciplinary team supporting an investigation under this section shall, at regularly scheduled times, convene to—

- (1) share information about case progress;
- (2) address any investigative or prosecutorial barriers; and
- (3) ensure that victims receive support and needed treatment.

(h) AVAILABILITY OF ADVOCATES.—The Director shall make advocates available to each victim who reports child sexual abuse or child trafficking in connection with an investigation by the Federal Bureau of Investigation.

(i) RULES OF CONSTRUCTION.—

(1) INVESTIGATIVE AUTHORITY.—Nothing in this section shall be construed to augment any existing investigative authority of the Federal Bureau of Investigation or to expand the jurisdiction of any Federal law enforcement agency.

(2) PROTECTING INVESTIGATIONS.—Nothing in this section shall be construed to limit the legal obligations of the Director under any other provision of law, including section 552a of title 5 (commonly known as the “Privacy Act of 1974”), or require the sharing of classified information with unauthorized persons.

(Added Pub. L. 117-354, §2(a), Jan. 5, 2023, 136 Stat. 6270.)

CHAPTER 35—UNITED STATES ATTORNEYS

Sec.	
541.	United States attorneys.
542.	Assistant United States attorneys.
543.	Special attorneys.
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Editorial Notes

AMENDMENTS

1990—Pub. L. 101-647, title XXXVI, §3626(b), Nov. 29, 1990, 104 Stat. 4965, substituted “Clerical assistants,

messengers, and private process servers” for “Clerical assistants and messengers” in item 550.

1966—Pub. L. 89-554, §4(c), Sept. 6, 1966, 80 Stat. 617, added chapter 35 and items 541 to 550.

§ 541. United States attorneys

(a) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney for each judicial district.

(b) Each United States attorney shall be appointed for a term of four years. On the expiration of his term, a United States attorney shall continue to perform the duties of his office until his successor is appointed and qualifies.

(c) Each United States attorney is subject to removal by the President.

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

HISTORICAL AND REVISION NOTES 1966 ACT

Derivation	U.S. Code	Revised Statutes and Statutes at Large
(a)	28 U.S.C. 501.	[None].
(b)	28 U.S.C. 504(a).	[None].
(c)	28 U.S.C. 504(b) (less 2d sentence).	[None].

In subsection (c), the word “is” is substituted for “shall be”.

1948 ACT

Prior section 501.—Based on title 28, U.S.C., 1940 ed., §481, sections 643 and 863 of title 48, U.S.C., 1940 ed., Territories and Insular Possessions, and section 11-1001, District of Columbia Code, 1940 ed. (R.S., §767; June 26, 1876, ch. 147, §1, 4, 19 Stat. 61, 62; Feb. 24, 1879, ch. 97, §8, 20 Stat. 320; Mar. 3, 1881, ch. 144, §7, 21 Stat. 507; Apr. 25, 1882, ch. 87, §1, 3, 22 Stat. 47; July 20, 1882, ch. 312, §3, 22 Stat. 172; Aug. 5, 1886, ch. 928, §7, 24 Stat. 309; Feb. 22, 1889, ch. 180, §21, 25 Stat. 682; July 3, 1890, ch. 656, §16, 26 Stat. 217; July 10, 1890, ch. 664, §16, 26 Stat. 225; Mar. 3, 1893, ch. 220, 27 Stat. 745; July 16, 1894, ch. 138, §§14, 16, 28 Stat. 110, 111; June 24, 1898, ch. 495, §1, 30 Stat. 487; Apr. 12, 1900, ch. 191, §34, 31 Stat. 85; Apr. 30, 1900, ch. 339, §86, 31 Stat. 158; May 12, 1900, ch. 391, §9, 31 Stat. 176; Jan. 22, 1901, ch. 105, §§4, 7, 31 Stat. 736, 737; Feb. 12, 1901, ch. 355, §§5, 7, 31 Stat. 782; Mar. 2, 1901, ch. 801, §§3, 5, 31 Stat. 881; Mar. 3, 1901, ch. 854, §183, 31 Stat. 1220; Mar. 11, 1902, ch. 183, §§5, 6, 32 Stat. 66; June 30, 1902, ch. 1329, 32 Stat. 527; Mar. 2, 1905, ch. 1305, §§4, 6, 33 Stat. 824; Mar. 3, 1905, ch. 1427, §§13, 15, 19, 33 Stat. 995, 996; June 16, 1906, ch. 3335, §13, 34 Stat. 275; Mar. 3, 1909, ch. 269, §1, 35 Stat. 838; Jan. 7, 1913, ch. 6, 37 Stat. 648; Mar. 3, 1915, ch. 100, §§3, 4, 38 Stat. 961; Mar. 2, 1917, ch. 145, §41, 39 Stat. 965; Mar. 4, 1921, ch. 161, §1, 41 Stat. 1412; July 9, 1921, ch. 42, §313, 42 Stat. 119; May 28, 1926, ch. 414, §2(b), 44 Stat. 672; Apr. 21, 1928, ch. 393, 45 Stat. 437; Mar. 26, 1928, ch. 51, §2, 52 Stat. 118).

Section consolidates section 481 of title 28, U.S.C., 1940 ed., and section 11-1001 of the District of Columbia Code, 1940 ed., with parts of sections 643 and 863 of title 48, U.S.C., 1940 ed., relating to appointment of United States attorneys.

The term “United States attorney” was adopted in this section for “attorney for the United States.” Since the decision of the Supreme Court of the United States in *In re Neagle*, 1890 (10 S. Ct. 658, 135 U.S. 1, 34, L. Ed. 55) where the terms “attorneys of the United States” and “district attorneys” were used interchangeably, Congress has also designated such officers as either “United States attorneys” or as “district attorneys.” See Acts of Feb. 22, 1886, ch. 928, §7, 24 Stat. 309; July 3, 1890, ch. 656, §16, 26 Stat. 217; July 10, 1890, ch. 664, §16, 26 Stat. 225, and Acts of July 20, 1882, ch. 312, §3, 22 Stat. 172; Mar. 3, 1915, ch. 100, §3, 38 Stat. 961; May 28, 1926, ch. 414, §2(b), 44 Stat. 672.