

“already retained.” The court’s conclusion that accomplishing the appointment in a single step, rather than two separate steps, “threaten[s] the structural liberty inherent in the separation of powers,” Dkt. 672 at 3, finds no support in text, context, history, or common sense.

c. Finally, the court erred by reading Sections 519 and 543 to cabin the scope of Section 515(b). According to the district court, because the Attorney General has authority under Section 543 to “appoint attorneys to assist United States attorneys,” and because that section is titled “Special attorneys,” it follows that that term’s “known meaning” consists solely “of attorneys appointed by the Attorney General to *assist* United States Attorneys.” Dkt. 672 at 30-31. As shown, however, the Attorney General has long had the authority to appoint special attorneys to play a variety of roles, whether “as a special assistant to the Attorney General, or to some one of the district attorneys, or as a special attorney.” 5 U.S.C. § 315 (1946 ed.). For many years, that authority existed in a single section; later, it was codified in two separate sections. But there is no evidence that, through this act of statutory reorganization, Congress withdrew the Attorney General’s longstanding power to appoint special attorneys to assist him directly. *See, e.g., Fourco Glass*, 353 U.S. at 227.

The district court’s reading of Section 519 was similarly misguided. That section provides that the Attorney General “shall supervise” all federal litigation