

§ 0.20

(3) Exercise the power and authority vested in the Attorney General to authorize the Director of the U.S. Marshals Service to deputize persons to perform the functions of a Deputy U.S. Marshal.

(b) The Associate Attorney General may redelegate the authority provided in paragraph (a)(1) of this section to the official in the Office of the Deputy Attorney General responsible for attorney personnel management.

(c) The Associate Attorney General is the Attorney General's designee for purposes of determining whether, under part 39 of this title, a handicapped person can achieve the purpose of a program without fundamental changes in its nature, and whether an action would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. The Associate Attorney General may not redelegate this authority.

[Order No. 960-81, 46 FR 52341, Oct. 27, 1981, as amended by Order No. 1047-84, 49 FR 6485, Feb. 22, 1984; Order No. 1106-85, 50 FR 36055, Sept. 5, 1985; Order No. 1251-88, 53 FR 5370, Feb. 24, 1988]

Subpart D—Office of the Solicitor General

§ 0.20 General functions.

The following-described matters are assigned to, and shall be conducted, handled, or supervised by, the Solicitor General, in consultation with each agency or official concerned:

(a) Conducting, or assigning and supervising, all Supreme Court cases, including appeals, petitions for and in opposition to certiorari, briefs and arguments, and, in accordance with § 0.163, settlement thereof.

(b) Determining whether, and to what extent, appeals will be taken by the Government to all appellate courts (including petitions for rehearing *en banc* and petitions to such courts for the issuance of extraordinary writs) and, in accordance with § 0.163, advising on the approval of settlements of cases in which he had determined that an appeal would be taken.

(c) Determining whether a brief *amicus curiae* will be filed by the Govern-

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ment, or whether the Government will intervene, in any appellate court.

(d) Assisting the Attorney General, the Deputy Attorney General and the Associate Attorney General in the development of broad Department program policy.

[Order No. 423-69, 34 FR 20388, Dec. 31, 1969, as amended by Order No. 445-70, 35 FR 19397, Dec. 23, 1970; Order No. 960-81, 46 FR 52341, Oct. 27, 1981]

§ 0.21 Authorizing intervention by the Government in certain cases.

The Solicitor General may in consultation with each agency or official concerned, authorize intervention by the Government in cases involving the constitutionality of acts of Congress.

Subpart D-1—Executive Office for U.S. Attorneys

§ 0.22 General functions.

The Executive Office for United States Attorneys shall be under the direction of a Director who shall:

(a) Provide general executive assistance and supervision to the offices of the U.S. Attorneys, including:

(1) Evaluating the performance of the offices of the U.S. Attorneys, making appropriate reports and inspections and taking corrective action where indicated.

(2) Coordinating and directing the relationship of the offices of the U.S. Attorneys with other organizational units of the Department of Justice.

(b) Publish and maintain a U.S. Attorneys' Manual and a United States Attorneys' Bulletin for the internal guidance of the U.S. Attorneys' offices and those other organizational units of the Department concerned with litigation.

(c) Supervise the operation of the Office of Legal Education, the Attorney General's Advocacy Institute and the Legal Education Institute, which shall develop, conduct and authorize the training of all Federal legal personnel.

(d) Provide the Attorney General's Advisory Committee of United States Attorneys with such staff assistance and funds as are reasonably necessary to carry out the Committee's responsibilities (28 CFR 0.10(d)).

Department of Justice

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(e) Establish policy and procedures for the satisfaction, collection, or recovery of criminal fines, special assessments, penalties, interest, bail bond forfeitures, restitution, and court costs in criminal cases consistent with §0.171 of this chapter.

[Order No. 960-81, 46 FR 52341, Oct. 27, 1981, as amended by Order No. 1413-90, 55 FR 19064, May 8, 1990]

Subpart D-2—Office of Legal Policy

§0.23 General functions.

The Office of Legal Policy shall be headed by an Assistant Attorney General. The principal responsibilities of the Office shall be to plan, develop, and coordinate the implementation of major policy initiatives of high priority to the Department and to the Administration. In addition, the Assistant Attorney General, Office of Legal Policy, shall:

(a) Examine and study legislation and other policy proposals and coordinate Departmental efforts to secure enactment of those of special interest to the Department and the Administration.

(b) Assist the Attorney General and the Deputy Attorney General in fulfilling responsibilities of the Federal Legal Council to promote coordination and communication among Federal legal offices with the goal of achieving effective, consistent, and efficient management of legal resources throughout the Federal Government.

(c) Manage and coordinate the discharge of Departmental responsibilities related to the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a), including coordination and implementation of policy development and compliance within executive agencies and Departmental units relative to the Freedom of Information Act and within Departmental units relative to the Privacy Act; and supervise the Office of Information and Privacy which will, except as otherwise directed by the Attorney General, act on appeals taken from Departmental denials of access to records under the Privacy Act and the Freedom of Information Act.

(d) Advise and assist the Attorney General and the Deputy Attorney General regarding the selection and appointment of Federal judges.

(e) Administer the Federal Justice Research Program.

(f) Represent the Department on the Administrative Conference of the United States and, as appropriate, on regulatory reform matters.

(g) Participate, as appropriate, in internal budget hearings of the Department with regard to policy implications of resource allocations and resource implications of major policy initiatives; and advise the Assistant Attorney General for Administration with regard to information requirements for Departmental policy formulation.

(h) Advise appropriate Departmental officials, from time to time, on investigation, litigation, negotiation, penal, or correctional policies to insure the compatibility of those policies with overall Departmental goals.

(i) Perform such other duties and functions as may be specially assigned by the Attorney General and the Deputy Attorney General.

In carrying out his responsibilities under this section, the Assistant Attorney General, Office of Legal Policy, shall have the right to call upon the relevant Departmental units for personnel and other assistance.

[Order No. 960-81, 46 FR 52341, Oct. 27, 1981, as amended by Order No. 1054-84, 49 FR 10118, Mar. 19, 1984; Order No. 1055-84, 49 FR 12253, Mar. 29, 1984]

§0.23a Office of Information and Privacy.

(a) There is established, in the Office of Legal Policy, the Office of Information and Privacy, which, under the general supervision and direction of the Assistant Attorney General, Office of Legal Policy, shall:

(1) Act on behalf of the Attorney General on Freedom of Information Act and Privacy Act appeals under §§16.8, 16.48, 16.50(d) and 16.52, respectively, under the supervision of the Assistant Attorney General, Office of Legal Policy, except that: