

§0.17

28 CFR Ch. I (7-1-05 Edition)

(4) Assist INS in conducting training concerning asylum and assist in resolving questions of policy that may arise.

(g) The Deputy Attorney General is authorized to exercise the authority vested in the Attorney General under section 528(a), Public Law 101-509, to accept from federal departments and agencies the services of attorneys and non-law enforcement personnel to assist the Department of Justice in the investigation and prosecution of fraud or other criminal or unlawful activity in or against any federally insured financial institution or the Resolution Trust Corporation, and to supervise such personnel in the conduct of such investigations and prosecutions.

[Order No. 960-81, 46 FR 52340, Oct. 27, 1981, as amended by Order No. 1063-84, 49 FR 32065, Aug. 10, 1984; Order No. 1097-85, 50 FR 25708, June 21, 1985; Order No. 1176-87, 52 FR 11044, Apr. 7, 1987; Order No. 1251-88, 53 FR 5370, Feb. 24, 1988; Order No. 1479-91, 56 FR 10510, Mar. 13, 1991; Order No. 1949-95, 60 FR 9777, Feb. 22, 1995]

§0.17 Office of Investigative Agency Policies.

(a) *Organization.* The Office of Investigative Agency Policies is headed by a Director appointed by the Attorney General. The Director shall be responsible to, and report directly to, the Deputy Attorney General, and shall serve at the pleasure of the Attorney General. The Director shall be chosen from among the heads of the criminal investigative agencies of the Department, i.e., the Federal Bureau of Investigation, Drug Enforcement Administration, United States Marshals Service and Immigration and Naturalization Service. The Director shall serve concurrently as the Director of Investigative Agency Policies and as head of the agency for which he or she was nominated and confirmed. The Director shall be supported by a staff consisting of personnel detailed from the criminal investigative agencies of the Department, and from the Criminal Division. The staff shall be nominated by these various agencies, subject to the approval of the Director.

(b) *Functions.* Subject to the general supervision and direction of the Attorney General and Deputy Attorney General, the Director shall in the areas of

overlapping jurisdiction of the criminal investigative agencies:

(1) Take all steps necessary to improve coordination among the criminal investigative agencies of the Department, both within the United States and abroad;

(2) Assure, to the extent appropriate, consistent operational guidelines for the criminal investigative agencies of the Department;

(3) Establish procedures, structures and mechanisms for coordinating the collection and dissemination of intelligence relating to the Department's law enforcement responsibilities;

(4) Establish procedures and policies relating to procurement for the criminal investigative agencies of the Department, including but not limited to procurement of communications and computer systems;

(5) Determine and establish procedures for the coordination of all automation systems;

(6) Determine and establish plans to ensure the effective deployment of criminal investigative agency task forces;

(7) Establish procedures for coordinating the apprehension of fugitives;

(8) Establish programs to coordinate training among the criminal investigative agencies of the Department;

(9) Provide advice to the Attorney General and the Deputy Attorney General on all investigative policies, procedures and activities that warrant uniform treatment or coordination among the criminal investigative agencies of the Department;

(10) Provide advice to the Attorney General and the Deputy Attorney General on the budgetary and resource requests of the criminal investigative agencies of the Department;

(11) Perform such other functions as may be necessary for the effective policy-level coordination of criminal investigations by the criminal investigative agencies of the Department, particularly with respect to drug trafficking, fugitive apprehension, violence, and related areas, and for the elimination of waste and duplication in these functions.

Department of Justice

§0.19

(12) Perform such special duties as may be assigned by the Attorney General or the Deputy Attorney General from time to time.

(c) *Cooperation.* Officials of the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Marshals Service, the Immigration and Naturalization Service and all other components of the Department that may be requested by the Director of Investigative Agency Policies shall provide such information as the Director may request.

(d) *Review.* Prior to making any decision having a significant impact on any criminal investigative agency of the Department, the Director shall consult with the head of such agency, or the designee of the head of such agency. Any head of a criminal investigative agency shall have an opportunity to seek review of any decision of the Director by the Deputy Attorney General or the Attorney General.

(e) *Scope.* Nothing in this section shall be interpreted to alter or diminish the responsibilities of the Department's criminal investigative agencies, or of other components of the Department, including the Criminal Division and the United States Attorneys, in the investigation and prosecution of violations of federal criminal law.

(f) *Reservation.* This policy is set forth solely for the purpose of internal Department of Justice guidance. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, that are enforceable at law by any party in any matter, civil or criminal, nor does it place any limitations on otherwise lawful investigative or litigative prerogatives of the Department of Justice.

[Order No. 1814-93, 58 FR 62260, Nov. 26, 1993]

§0.18a Office of Small and Disadvantaged Business Utilization.

The Office of Small and Disadvantaged Business Utilization is headed by a Director appointed by the Attorney General, who shall be responsible to, and report directly to, the Deputy Attorney General. Subject to the general supervision and direction of the Deputy Attorney General, the Director shall:

(a) Be responsible for the implementation and execution of the functions

and duties required by sections 637 and 644 of title 15 U.S. Code;

(b) Establish Department goals for the participation by small businesses, including small businesses owned and controlled by socially and economically disadvantaged individuals, in Department procurement contracts;

(c) Have supervisory authority over Department personnel to the extent that the functions and duties of such personnel relate to the functions and duties described in paragraph (a) of this section;

(d) Provide resource information and technical training and assistance regarding utilization of small businesses, including small businesses owned and controlled by socially and economically disadvantaged individuals, to Department personnel who perform procurement functions;

(e) Assign a small business technical adviser to any Department offices to which the Small Business Administration assigns a procurement center representative, in accordance with section 644(k)(6) of title 15 U.S. Code;

(f) Develop and implement appropriate outreach programs to include small minority businesses in procurement contracts;

(g) Cooperate and consult regularly with the Small Business Administration with respect to the functions and duties described in paragraph (a) of this section;

(h) Review, evaluate and report to the Deputy Attorney General on the performance of organizational units of the Department in accomplishing the goals for utilization of small and disadvantaged businesses; and

(i) Prepare the Department's annual report to the Small Business Administration on the extent of participation by small and disadvantaged businesses in Department procurement contracts.

[Order No. 906-80, 45 FR 52145, Aug. 6, 1980]

Subpart C-1—Office of the Associate Attorney General

§0.19 Associate Attorney General.

(a) The Associate Attorney General shall advise and assist the Attorney General and the Deputy Attorney General in formulating and implementing