

Department of Justice

§ 0.103a

Plan No. 2 of 1973 and not otherwise specifically assigned.

[Order No. 520-73, 38 FR 18380, July 10, 1973, as amended by Order No. 960-81, 46 FR 52348, Oct. 27, 1981; Order No. 1203-87, 52 FR 24447, July 1, 1987; Order No. 2204-99, 64 FR 4295, Jan. 28, 1999; Order No. 2666-2003, 68 FR 14899, Mar. 27, 2003]

§ 0.101 Specific functions.

The Administrator of the Drug Enforcement Administration shall be responsible for:

(a) The development and implementation of a concentrated program throughout the Federal Government for the enforcement of Federal drug laws and for cooperation with State and local governments in the enforcement of their drug abuse laws.

(b) The development and maintenance of a National Narcotics Intelligence System in cooperation with Federal, State, and local officials, and the provision of narcotics intelligence to any Federal, State, or local official that the Administrator determines has a legitimate official need to have access to such intelligence.

(c) The development and implementation of a procedure to release property seized under section 511 of the Controlled Substances Act (21 U.S.C. 881) to any innocent party having an immediate right to possession of the property, when the Administrator, in his discretion, determines it is not in the interests of justice to initiate forfeiture proceedings against the property.

(d) Payment of awards (including those over \$10,000) under 28 U.S.C. 524(c)(2) and purchase of evidence (including the authority to pay more than \$100,000) under 28 U.S.C. 524(c)(1)(F).

[Order No. 520-73, 38 FR 18380, July 10, 1973, as amended by Order No. 565-74, 39 FR 15876, May 6, 1974; Order No. 898-80, 45 FR 44267, July 1, 1980; Order No. 960-81, 46 FR 52348, Oct. 27, 1981; Order No. 1126-86, 51 FR 7443, Mar. 4, 1986]

§ 0.102 Drug enforcement policy coordination.

The Administrator of the Drug Enforcement Administration shall report to the Attorney General, through the Deputy Attorney General or the Asso-

ciate Attorney General, as directed by the Attorney General.

[Order No. 1429-90, 55 FR 28909, July 16, 1990]

§ 0.103 Release of information.

(a) The Administrator of DEA is authorized—

(1) To release information obtained by DEA and DEA investigative reports to Federal, State, and local officials engaged in the enforcement of laws related to controlled substances.

(2) To release information obtained by DEA and DEA investigative reports to Federal, State, and local prosecutors, and State licensing boards, engaged in the institution and prosecution of cases before courts and licensing boards related to controlled substances.

(3) To authorize the testimony of DEA officials in response to subpoenas or demands issued by the prosecution in Federal, State, or local criminal cases involving controlled substances.

(b) Except as provided in paragraph (a) of this section, all other production of information or testimony of DEA officials in response to subpoenas or demands of courts or other authorities is governed by subpart B of part 16 of this chapter. However, it should be recognized that subpart B is not intended to restrict the release of noninvestigative information and reports as deemed appropriate by the Administrator of DEA. For example, it does not inhibit the exchange of information between governmental officials concerning the use and abuse of controlled substances as provided for by section 503(a)(1) of the Controlled Substances Act (21 U.S.C. 873(a)(1)).

[Order No. 520-73, 38 FR 18380, July 10, 1973, as amended by Order No. 2614-2002, 67 FR 58990, Sept. 19, 2002]

§ 0.103a Delegations respecting claims against the Drug Enforcement Administration.

(a) The Administrator of DEA is authorized to exercise the power and authority vested in the Attorney General under the Act of December 7, 1989, Public Law 101-203, 103 Stat. 1805 (31 U.S.C. 3724) with regard to claims thereunder arising out of the lawful activities of DEA personnel in an amount not to exceed \$50,000.00 in any one case.