

**§ 377.4 Functions.**

The DIS is a law enforcement, personnel security investigative, and industrial security agency and shall:

(a) Provide a single, centrally directed personnel security investigative service to conduct personnel security investigations for DoD Components within the United States and its Trust Territories and, when authorized by the DUSD(P), for other U.S. Government departments and agencies. The DIS shall request the Military Departments, or when appropriate other U.S. Government activities, to accomplish investigative requirements assigned to it in other geographic areas.

(b) Operate a consolidated Personnel Security Investigations Center in accordance with DoD Directive 5200.27<sup>1</sup>.

(c) Manage the Defense Central Index of Investigations.

(d) Administer the Defense Industrial Security Program (DISP) under DoD 5220.22-R.

(e) Operate the DISCO as a consolidated central facility to process industrial personnel security clearances.

(f) Administer the Defense Industrial Facilities Protection Program (DIFPP) under DoD Directive 5160.54<sup>2</sup>.

(g) Provide inspection policy and procedures essential to assess DoD contractor compliance with DoD physical security requirements for the protection of sensitive conventional arms, ammunition and explosives (AA&E) under DoD Instruction 5220.30<sup>3</sup>.

(h) As authorized by the DUSD(P) and under 32 CFR part 213 provide support for law enforcement investigations involving DoD personnel, facilities, or contractors conducted by authorized investigative agencies of the Military Departments, Inspector General, Department of Defense (IG, DoD), the Federal Bureau of Investigation, or other Federal investigative agencies.

(i) Conduct investigations of unauthorized disclosure of classified information not under the jurisdiction of the Military Departments and other in-

vestigations as the DUSD(P) may direct.

(j) Review criminal history record information at police local, State, or Federal law enforcement agencies; and related record repositories, as required.

(k) Conduct surveys and prepare analyses and estimates of managed programs.

(l) Provide administrative and computer support to the Defense Integrated Management Information System (DIMIS).

(m) Maintain an official seal and attest to the authenticity of official DIS records under that seal.

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**§ 377.5 Responsibilities.**

(a) The *Director, Defense Investigative Service*, shall:

(1) Organize, direct, and manage the DIS and all assigned resources.

(2) Establish standards and procedures for certification and accreditation of DIS personnel assigned to perform investigative and industrial security duties.

(3) Provide for industrial security and personnel security investigative training for DIS personnel and information and industrial security training for DoD and other U.S. Government personnel, employees of U.S. Government contractors, and selected foreign governments.

(4) Program, budget, account for, and report the activities of the DIS in accordance with the policies and procedures established by the Secretary of Defense.

(5) Refer to the appropriate civilian and military investigative agency matters developed as a result of DIS investigations that involve alleged criminal misconduct or have a significant intelligence or counterintelligence aspect.

(6) Under normal circumstances, refer alleged criminal activity by DIS personnel to the Office of the Assistant Inspector General for Investigations (OAIG-INV), DoD who shall make referral to the Department of Justice (DoJ). If the OAIG-INV or DoJ decline investigative jurisdiction, the Director shall assign DIS personnel to conduct

<sup>1</sup>Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

<sup>2</sup>See footnote 1 to § 377.4(b).

<sup>3</sup>See footnote 1 to § 377.4(b).

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an investigation and determine appropriate administrative action to be taken.

(7) Administer the DISP, DIFPP, and the AA&E Programs.

(8) Develop, publish, and implement procedures under the policy guidance and general supervision of the DUSD(P) with respect to the DISP, DIFPP, and AA&E Programs.

(9) Arrange, conduct, and participate in meetings, seminars, and conferences between industry, industrial and professional associations, international organizations, foreign governments, and the Department of Defense and other U.S. Government agencies concerning all aspects of industrial security.

(10) Administer the Security Classification Management Program in industry under E.O. 10865 and E.O. 12356, including promulgation of policy, regulatory provisions, educational requirements, and resolution of problems.

(11) Under the general supervision and approval of the DUSD(P), prepare and publish Industrial Security Letters and Industrial Security Bulletins.

(12) Obtain reports, information advice, and assistance, consistent with DoD Directive 5000.19<sup>4</sup> as may be necessary for the performance of assigned functions and responsibilities.

(13) Ensure that all allegations of wrongdoing directed against DIS employees are promptly and thoroughly reviewed, evaluated, and processed in accordance with Office of Personnel Management (OPM), DoD, and DIS regulations, instructions, directives and where applicable, Federal statutes.

(b) The *Heads of DoD Components* shall cooperate with and assist the Director, DIS, by providing access to information within their respective fields as required for the DIS to carry out functions assigned by this part.

(c) The *Secretaries of the Military Departments* shall ensure that the overseas military investigative agencies provide prompt responses to DIS personnel security lead requests in order

<sup>4</sup>See footnote 1 to § 377.4(b).

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to expedite personnel security investigative matters within the DIS.

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### § 377.6 Relationships.

The Director, DIS, shall carry out the above responsibilities under the direction, authority and control of the DUSD(P) and shall:

(a) Maintain liaison with other DoD Components, law enforcement agencies, industry, professional associations, academies, international organizations, foreign governments, and other agencies for the exchange of information in the field of assigned responsibility and shall render assistance, as appropriate, within the limits of established policy.

(b) Maintain a close working relationship with industrial representatives to encourage industry participation and cooperation in the furtherance of the DISP.

(c) Use existing DoD facilities and services whenever practical to achieve maximum efficiency.

### APPENDIX A TO PART 377—DELEGATIONS OF AUTHORITY

The Director, DIS, or in the absence of the Director, a person acting for the Director, is hereby delegated, subject to the direction, authority, and control of the DUSD(P), and in accordance with DoD policies, directives, and instructions, and pertinent publications, authority as required in the administration and operation of the DIS to:

1. In accordance with 5 U.S.C. 302 and 3101, employ, direct, and administer DIS civilian personnel.

2. Fix rates of pay for wage board employees exempt from 5 U.S.C. chapter 51, on the basis of rates established under the Coordinated Federal Wage System. In fixing those rates, the wage schedules established by DoD Wage Fixing Authority shall be followed.

3. Establish advisory committees and part-time advisors for the performance of DIS functions pursuant to 10 U.S.C. 173, and to hire Branch of the Federal government or any other oath required by law in connection with employment therein, in accordance with 5 U.S.C. 2903(b), and to designate in writing other officers and employees of the DIS to perform this function or to administer oaths incident to any investigation conducted by the DIS.

5. Establish a DIS Incentive Awards Board and pay cash awards to, and incur necessary