

U. S. DEPARTMENT OF LABOR
Office of the Solicitor
Washington 25

JUL 27 1965

MEMORANDUM #14

TO : ALL AGENCIES ADMINISTERING STATUTES REFERRED TO IN
29 CFR, SUBTITLE A, PART 5.

FROM : Harold C. Nystrom
Acting Solicitor of Labor

SUBJECT: Referrals to Department of Justice

Section 5.9(b) of Regulations, Part 5 (29 CFR, Subtitle A) provides for referral by the Agency Head to the Department of Justice of cases where violations of the labor standards stipulations required by Regulations, Part 5, and the applicable statutes listed in Section 5.1 thereof, are deemed wilful and in violation of a criminal statute.

As a result of conferences with representatives of the Department of Justice, and in order to expedite the criminal and administrative processing of labor standards violation cases, it has been found necessary to clarify the procedures to be followed in carrying out this provision of Regulations, Part 5, as follows:

1. The Department of Labor shall be notified by the contracting agency of referrals to the Department of Justice under this provision. A copy of the letter referring the case to a United States Attorney will be sent by the Department of Justice to the Department of Labor.

2. In all referrals of this nature, the contracting agency shall include a standard paragraph to the effect that the Regional Attorney of the Department of Labor (citing address of appropriate region as per listing attached) is familiar with these labor standards statutes and is available for assistance in the processing of this case.

3. Any additional investigative work which may be required for the processing of the criminal aspect of these cases will be under the direction of the United States Attorney involved. Further administrative processing of such cases by the agency and this Department

*This action
would be
taken by
JAG.*

pending conclusion of the proposed criminal case by the Department of Justice will be cleared by the Regional Attorney of the Labor Department with the United States Attorney.

4. The Department of Justice is notifying all United States Attorneys of the provisions of the above understanding.

Attachment

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