

§0.33c

28 CFR Ch. I (7-1-06 Edition)

comment upon the form and legality of proposed Executive Orders that touch upon matters related to the function of this Office;

(i) Supervise the preparation of certifications and applications for orders under the Foreign Intelligence Surveillance Act and the representation of the United States before the United States Foreign Intelligence Surveillance Court;

(j) Recommend action by the Department of Justice with regard to applications for foreign intelligence and counterintelligence electronic surveillances, as well as for other investigative activities by executive branch agencies;

(k) Monitor intelligence and counterintelligence activities by executive branch agencies to insure conformity with Department objectives;

(l) Prepare periodic and special intelligence reports describing and evaluating domestic and foreign intelligence and counterintelligence activities and assessing trends or changes in these activities;

(m) Provide a quality control review for all outgoing intelligence and counterintelligence reports;

(n) Supervise the preparation of the Office's submission for the annual budget; and

(o) Perform other duties pertaining to intelligence activities as may be assigned by the Attorney General.

[Order No. 875-80, 45 FR 13729, Mar. 3, 1980, as amended by Order No. 960-81, 46 FR 52343, Oct. 27, 1981]

§0.33c Relationship to other departmental units.

(a) Internal security functions at §0.61 shall continue to be the responsibility of the Assistant Attorney General in charge of the Criminal Division.

(b) The Assistant Attorney General for Administration shall be responsible for providing advice relating to basic Department policy for security and shall direct all Department security programs assigned at §0.75(p).

(c) Responsibility for conducting criminal investigations shall continue to rest with the head of the Departmental investigative or prosecutive unit having jurisdiction over the subject matter.

(d) Responsibility for conducting intelligence activities shall continue to rest with the head of the Departmental unit having jurisdiction over the subject matter.

(e) In rendering legal opinions, the Counsel for Intelligence Policy shall consult with the Office of Legal Counsel whenever the Counsel determines:

(1) That a question raises significant implications for activities of the government other than intelligence activities, or

(2) That other facts or circumstances make such consultation appropriate.

[Order No. 875-80, 45 FR 13729, Mar. 3, 1980]

Subpart F-2—INTERPOL-United States National Central Bureau

§0.34 General functions.

The following functions are assigned to, and shall be conducted, handled, or supervised by, the Chief of the United States National Central Bureau, International Criminal Police Organization (INTERPOL—U.S. National Central Bureau), as authorized by statute and within guidelines prescribed by the Department of Justice, in conjunction with the Department of Treasury:

(a) Facilitate international law enforcement cooperation as the United States representative with the International Criminal Police Organization (INTERPOL), on behalf of the Attorney General, pursuant to 22 U.S.C. 263a.

(b) Represent the U.S. National Central Bureau at criminal law enforcement and international law enforcement conferences and symposia.

(c) Serve as a member of the Executive Committee of INTERPOL-United States National Central Bureau (INTERPOL-USNCB).

(d) Transmit information of a criminal justice, humanitarian, or other law enforcement related nature between National Central Bureaus of INTERPOL member countries, and law enforcement agencies within the United States and abroad; and respond to requests by law enforcement agencies, and other legitimate requests by appropriate organizations, institutions and individuals, when in agreement with the INTERPOL constitution.

Department of Justice

§ 0.39a

(e) Coordinate and integrate information for investigations of an international nature and identify those involving patterns and trends of criminal activities.

(f) Conduct analyses of patterns of international criminal activities, when specific patterns are observed.

(g) Establish and collect user fees to process name checks and background records for licensing, humanitarian and other non-law enforcement purposes.

[Order No. 960-81, 46 FR 52343, Oct. 27, 1981, as amended by Order No. 1295-88, 53 FR 30990, Aug. 17, 1988; Order No. 1441-90, 55 FR 32403, Aug. 9, 1990; Order No. 1491-91, 56 FR 21600, May 10, 1991]

Subpart G—Office of the Pardon Attorney

CROSS REFERENCE: For regulations pertaining to the Office of Pardon Attorney, see part 1 of this chapter.

§ 0.35 General functions; delegation of authority.

Under the general supervision of the Attorney General and the direction of the Associate Attorney General, the following-described matters are assigned to, and shall be conducted, handled or supervised by, the Pardon Attorney but subject to the limitation contained in § 0.36 of this chapter.

(a) Exercise of the powers and performance of the functions vested in the Attorney General by §§ 1.1 through 1.8 inclusive of this chapter.

(b) Performance of such other duties as may be assigned by the Attorney General or the Associate Attorney General.

[Order No. 1012-83, 48 FR 22290, May 18, 1983]

§ 0.36 Recommendations.

The Pardon Attorney shall submit all recommendations in clemency cases through the Associate Attorney General and the Associate Attorney General shall exercise such discretion and authority as is appropriate and necessary for the handling and transmittal of such recommendations to the President.

[Order No. 1012-83, 48 FR 22290, May 18, 1983]

Subpart G-1—Executive Office for United States Trustees

§ 0.37 Organization.

The Executive Office for United States Trustees shall be headed by a Director appointed by the Attorney General.

[Order No. 960-81, 46 FR 52344, Oct. 27, 1981]

§ 0.38 Functions.

The Director shall have responsibility for assisting the Attorney General and the Deputy Attorney General in supervising and providing general coordination and assistance to United States Trustees. The Director shall perform such duties relating to such functions and others under the Bankruptcy Reform Act of 1978 as may be assigned by the Attorney General or the Deputy Attorney General.

[Order No. 960-81, 46 FR 52344, Oct. 27, 1981]

Subpart G-2—Office of Professional Responsibility

SOURCE: Order No. 833-79, 45 FR 27754, Apr. 24, 1980, unless otherwise noted.

§ 0.39 Organization.

The Office of Professional Responsibility shall be headed by a Counsel, appointed by the Attorney General. The Counsel shall be subject to the general supervision and direction of the Attorney General or, whenever appropriate, of the Deputy Attorney General or the Associate Attorney General or the Solicitor General.

§ 0.39a Functions.

The Counsel on Professional Responsibility shall:

(a) Receive and review any information or allegation concerning conduct by a Department employee that may be in violation of law, regulations or orders, or of applicable standards of conduct or may constitute mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. However, this provision does not preempt the primary responsibility of internal inspection units of the Department to