

### Subpart F-1—Office of Intelligence Policy and Review

#### § 0.33a Organization.

The Office of Intelligence Policy and Review shall be headed by a Counsel for Intelligence Policy, appointed by the Attorney General.

[Order No. 960-81, 46 FR 52343, Oct. 27, 1981]

#### § 0.33b Functions.

The Counsel for Intelligence Policy shall:

(a) Advise and assist the Attorney General in carrying out his responsibilities under Executive Order 12036, "United States Intelligence Activities;"

(b) Serve as the Department representative on interdepartmental boards, committees and other groups dealing with intelligence and counterintelligence matters;

(c) Oversee the development, coordination and implementation of Department policy with regard to intelligence, counterintelligence and national security matters;

(d) Participate in the development, implementation and review of United States intelligence policies, including procedures for the conduct of intelligence and counterintelligence activities;

(e) Evaluate Departmental activities and existing and proposed domestic and foreign intelligence and counterintelligence activities to determine their consistency with United States intelligence policies and law;

(f) Formulate policy alternatives and recommend action by the Department and other executive agencies in achieving lawful United States intelligence and counterintelligence objectives;

(g) Analyze and interpret current statutes, Executive orders, guidelines, and other directives pertaining to domestic security, foreign intelligence and counterintelligence activities; and

(h) Review and comment upon proposed statutes, guidelines, and other directives with regard to intelligence activities; and, in conjunction with the Office of Legal Counsel, review and 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

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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.

(e) Coordinate and integrate information for investigations of an inter-

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national 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]