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Email: Interpol-USNCB.FOIA@usdoj.gov

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U.S. Department of Justice

INTERPOL Washington

U.S. National Central Bureau

Washington D.C. 20530

February 1, 2011

FOIA # 2011-052

This responds to your request dated December 12, 2010, to INTERPOL Washington, U.S. National Central Bureau (USNCB) pursuant to the Freedom of Information Act (FOIA). You asked for a copy of the internal history of the USNCB.

We received your request on December 23, 2010. Please refer to the above FOIA number assigned to your request in any additional correspondence.

Although the USNCB does not have a document exclusively summarizing its internal history, the attached document provides an overview of INTERPOL as well as the USNCB. This information is being provided to you, free of charge.

If you are not satisfied with the USNCB's action on your request, you may appeal by writing to:

Co-Director
Office of Information Policy
U.S. Department of Justice
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

You must make your appeal in writing and it must be received by the Office of Information Policy within 60-days of the date of the letter denying your request. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you have any questions concerning this request, please contact Allison Tanaka at (202) 353-0803.

Sincerely,

Timothy A. Williams
Director

A handwritten signature in black ink that reads "Kevin R. Smith". The signature is written in a cursive style with a prominent initial "K" and a distinct "S".

By: Kevin R. Smith
General Counsel



INTERPOL AND THE U.S. NATIONAL CENTRAL BUREAU

NOTE: 'INTERPOL' is registered with the U.S. Patent and Trademark Office. Use of the INTERPOL name without authorization may carry Federal civil and criminal penalties. Use of the INTERPOL insignia without authorization may carry Federal criminal penalties.

I. INTERPOL's Mission

Section 3 of INTERPOL's Constitution sets forth its mission:

"(a) To ensure and promote the widest possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the 'Universal Declaration of Human Rights';

(b) To establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes."

This mission is accomplished through the cooperation and coordination of the network of INTERPOL National Central Bureaus (NCBs), one in each of INTERPOL's member countries. Each NCB serves as a member country's point of contact with other member countries and with the INTERPOL General Secretariat in Lyon, France.

The NCBs are linked via INTERPOL's worldwide telecommunications network, thereby ensuring police-to-police interaction on all types of criminal investigations ranging from simple criminal history checks to cases involving drugs and weapons/explosives trafficking; terrorism; the location of international fugitives and assistance in their apprehension and return; fraud and economic crimes; murder; theft; weapons and explosives tracing; and victim identification, to name but a few. All information transmitted via the INTERPOL network is for police and court use only.

II. Administration and Structure of INTERPOL

For administrative purposes, INTERPOL divides the world into four regions: Africa, the Americas, Asia, and Europe.

INTERPOL's governing bodies are: (a) the General Assembly, and (b) the Executive Committee. These are deliberative organs, with decision-making and supervisory powers, which meet periodically.

The General Secretariat is the organization's permanent administrative body. It is responsible for implementing the decisions and recommendations adopted by the two deliberative organs. The General Secretariat's close contacts with the NCBs provide the framework for day-to-day international police cooperation.

The NCBs are responsible for liaison between the member countries and with the General Secretariat.

a. The General Assembly

The General Assembly is INTERPOL's supreme governing body. It is composed of delegates appointed by the governments of the member countries. The General Assembly meets once each year and makes major decisions affecting general policy, resources needed for international cooperation, working methods, finances, and programs of activities. The Assembly also elects the Organization's officers.

Generally speaking, the General Assembly makes decisions in the form of resolutions or recommendations by a simple majority vote. Each member country represented at the Assembly has one vote, regardless of its size or financial contribution to the organization.

b. The Executive Committee

The Executive Committee consists of thirteen members elected by the General Assembly from among the member countries' delegates: a President, three vice-presidents, and nine ordinary members.

The President of the Organization is elected for a four-year term of office. He or she chairs General Assembly sessions and Executive Committee meetings; makes certain that decisions by the Organization's governing bodies are implemented; and maintains close contact with the Secretary General.

The three Vice-Presidents and nine ordinary members are each elected for three-year terms of office.

The thirteen Executive Committee members are elected on the basis of equitable geographic distribution and must be from different countries.

The Executive Committee usually meets three times a year. It ensures that General Assembly decisions are implemented, prepares the agenda for General Assembly sessions, approves the program of activities and draft budget before they are submitted to the Assembly, and supervises the management of the General Secretariat.

c. The General Secretariat

The General Secretariat is the permanent administrative and technical body through which INTERPOL operates. It is staffed by the Secretary General and the technical and administrative personnel needed to carry out the Organization's work.

The Secretary General administers the General Secretariat. The Secretary General is appointed by the General Assembly for a five-year term of office. He or she is answerable to the General Assembly and the Executive Committee for the Organization's general and financial management. Ronald K. Noble, the current Secretary General, was appointed in 2000 and reappointed in 2005.

d. The National Central Bureaus

NCBs are created, staffed, and funded by individual INTERPOL member countries. In addition, each NCB operates independently within the parameters of its own national laws and policies.

INTERPOL's General Secretariat exercises no authority over the NCBs and has no power to determine which agency or person will represent a country. The Organization has, however, established very strict guidelines for exchanging, processing, and auditing the release of criminal investigative information, the purpose of which is to ensure that the rights of citizens are not violated.

To further this objective, an independent, international Supervisory Control Board, established in 1984 and headed by a judge, reviews the INTERPOL guidelines and processes any questions concerning the release of information.

Under the terms of Article 3 of INTERPOL's Constitution, the organization is prohibited from undertaking any intervention or activities of a political, military, religious, or racial character.

III. Formation of INTERPOL

The foundation for the formation of INTERPOL was laid at a 1914 meeting in Monte Carlo at which jurists, lawyers, and police officials from 24 countries discussed the need for an international effort to combat international crime. Two goals were established at this first International Criminal Police Congress. They were:

(1) to develop methods for the rapid exchange of information about international criminals; and

(2) to improve procedures for arresting and returning these criminals to the country in which they could stand criminal trial.

After an interruption by World War I, the idea for this international cooperative police effort was revived in 1923 by the Viennese police commissioner in response to European post-war financial disruption and the resultant new crop of internationally mobile forgers, swindlers, and black marketeers.

The 1923 meeting, with delegates from 20 countries, carried out the original two goals of the 1914 Congress and formed what later evolved into today's International Criminal Police Organization, known as INTERPOL.

World War II brought another break in the organization's operations in 1938, when Nazi Germany annexed Austria, where the Organization's headquarters were located. INTERPOL, as it was originally conceived, ceased to function until 1946 when it was reconstituted under a new constitution that provided for elected directors and other safeguards to prevent domination by any one member country.

At that time, France was chosen as the Organization's permanent headquarters, partly as a compromise between the Eastern and Western blocs. The Organization was renamed the International Criminal Police Organization and became widely known by its radio call sign -- INTERPOL.

187 countries currently hold membership in the Organization, testament to the universally recognized need for cooperation and coordination in the struggle against international criminal activity.

IV. United States Participation In INTERPOL

a. Mission of the INTERPOL - U.S. National Central Bureau (USNCB)

Title 28, Code of Federal Regulations, section 0.34, sets forth the USNCB's mission:

"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 Homeland Security:

- (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 United States 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 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."

United States participation in INTERPOL began in 1938 when Congress enacted Title 22, U.S.Code, Section 263a, to authorize the Attorney General to accept membership in the Organization on behalf of the United States Government. As the result of World War II, however, the United States delayed becoming a member until 1947.

At that time, the U.S. INTERPOL was established under the jurisdiction of the Federal Bureau of Investigation (FBI). The FBI withdrew from the Organization in 1950 and U.S. Department of the Treasury, anxious to maintain international contacts to aid in the enforcement of narcotics and currency laws, continued an informal liaison with INTERPOL.

In 1958, the Attorney General officially designated the Treasury Department as the United States representative to INTERPOL, and in 1969 Treasury created the INTERPOL-U.S. National Central Bureau (USNCB).

The USNCB remained under the jurisdiction of the Treasury Department until January 18, 1977, when a Memorandum of Understanding (MOU) between Justice and Treasury established dual authority to manage the USNCB. Four years later, in 1981, an amendment to the MOU placed the USNCB within the Department of Justice once again.

However, the Treasury Department, Office of the Under Secretary for Enforcement, continues its equal share in the management of the USNCB. Subsequent amendments to the MOU designated the Attorney General as the permanent representative to INTERPOL and the Secretary of the Treasury as the alternate representative.

Due to mass government reorganization, the Department of Justice entered into a new MOU with the Department of Homeland Security in May 2003. This replaces previous MOU with the Department of Treasury.

John Simpson, former Director of the U.S. Secret Service, was the first American to serve as President of INTERPOL. His term of office ran from 1984 through 1988. Other Americans who have served on the Executive Committee are:

H. Stuart Knight, former Director of the U.S. Secret Service and Vice President for the Americas,

Richard C. Stiener, former Chief of the USNCB and Delegate for the America,

William S. Sessions, former Director of the Federal Bureau of Investigation and Delegate for the Americas,

Ronald K. Noble, former Treasury Under Secretary for Enforcement and Delegate for the Americas; and current Secretary General,

Raymond W. Kelly, former Commissioner, U.S. Customs Service; Delegate for the Americas, and Vice President for the Americas,

Thomas J. Pickard, former Deputy Director, the Federal Bureau of Investigation and Delegate for the Americas,

Michael J. Garcia, former Assistant Secretary, Immigration and Customs Enforcement, Delegate for the Americas, and Vice President for the Americas,

Thomas V. Fuentes, current Special Agent in Charge, Office of International Operations, Federal Bureau of Investigation and Delegate for the Americas.

b. USNCB Staff

The USNCB staff consists of agents, analysts, communications specialists, translators, and administrative and clerical support personnel. Most are employees of the Justice Department. The agents, however, are detailed to the USNCB. In addition, a former state police officer oversees the USNCB State and Local Law Enforcement Division.

Service to the federal law enforcement community is afforded through investigative personnel detailed to the USNCB from the Bureau of Alcohol, Tobacco, Firearms and Explosives; Drug Enforcement Administration; Environmental Protection Agency; Federal Bureau of Investigation; Internal Revenue Service; Customs & Border Protection; Immigration and Customs Enforcement; the Marshals Service; Postal Inspection Service; Secret Service; Food and Drug Administration; Coast Guard, Department of Defense, Office of Personnel Management and Transportation Security Administration. State and local law enforcement served through a network of INTERPOL Liaison Coordinator offices in each state, U.S. territory, the District of Columbia, each international airport, and an ever-increasing number of major cities.

V. Filing a Request For International Assistance

The USNCB assists all U.S. federal, state, and local law enforcement agencies, as well as the police authorities of the INTERPOL member countries. It cannot accept requests from the general public.

- a. The request must be in writing. Although the INTERPOL - USNCB may accept an initial request by telephone in urgent cases only, the information cannot be released until the INTERPOL - USNCB has received a written copy of the request.
- b. There must be an international investigative aspect to the request.
- c. The request must not violate the accepted interpretation of *Article 3 of the INTERPOL Constitution* which prohibits involvement in matters of a religious, military, political or racial nature.
- d. The reason for the request must be clearly stated, indicating the type of investigation.
- e. To the fullest extent possible, provide identifying details of the subject:

- subject's full name, including, first, middle and last
- subject's date of birth
- subject's place of birth
- subject's parents' names
- subject's nationality and passport number
- subject's previous address in the foreign country concerned
- subject's fingerprints and photographs
- physical characteristics and markings
- other personal identifiers, if available

VI. Contacting the INTERPOL - USNCB

The INTERPOL - USNCB is available to the **law enforcement community** 24-hours a day, every day of the year.

Non-law enforcement individuals and organizations who believe they need foreign police assistance must contact the appropriate law enforcement agency. That law enforcement agency will contact the INTERPOL - USNCB if it determines international assistance is needed.

Any federal law enforcement agency may use its established procedures to contact the USNCB.

Any state law enforcement agency may contact the USNCB directly or through its State Police Headquarters.

Any local law enforcement agency may contact the USNCB directly or through its INTERPOL State Liaison Office. For state agency assistance, contact should be made with the appropriate State Police Headquarters or State Attorney General's Office.

Requests for investigative assistance may be directed to the INTERPOL - USNCB by means of the following channels:

Mail: Director
INTERPOL - USNCB
U.S. Department of Justice
Washington, D.C. 20530

Telephone: (202) 616-9000

Fax: (202) 616-8400

NLETS: DCINTEROO

For additional information, see the following Internet Homepages:

INTERPOL - USNCB <http://usdoj.gov/usncb>
INTERPOL - Secretariat General
<http://www.interpol-int>

June 2008