

**CENTER for JUDICIAL ACCOUNTABILITY, INC.**

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*Elena Ruth Sassower, Coordinator*

BY CERTIFIED MAIL/RRR  
7099-3400-0001-2791-8677

May 1, 2000

Melanie Ann Pustay, Deputy Director  
Office of Information and Privacy  
Suite 570, Flag Building  
Department of Justice  
Washington, D.C. 20530-0001

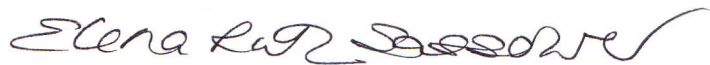
RE: Requests pursuant to F.O.I.A.

Dear Ms. Pustay:

Pursuant to F.O.I.A, request is made for a copy of the rules and regulations that the United States Attorney General was required to promulgate for "Disqualification of officers and employees of the Department of Justice", pursuant to 28 USC §528. This includes whether such rules and regulations "provide that a willful violation of any provision thereof shall result in removal from office". For your convenience, a copy of 28 USC §528 is annexed hereto.

Additionally, request is made for records and/or information pertaining to the jurisdiction of the Public Integrity Section of the Justice Department's Criminal Division, as well as of the U.S. Attorneys, to investigate and prosecute state governmental corruption which, because it involves high-ranking and powerful state officials and state agencies, is not investigated and prosecuted on the state level.

Yours for a quality judiciary  
and government integrity,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

Enclosure



**Change of Name of United States Magistrate.** United States magistrate appointed under section 631 of this title to be known as United States magistrate judge after Dec. 1, 1990, with any reference to United States magistrate or magistrate in this title, or in any other Federal statute, etc., deemed a reference to United States magistrate judge appointed under section 631 of this title, see section 321 of Pub.L. 101-650, set out as a note under section 631 of this title.

### § 527. Establishment of working capital fund

There is hereby authorized to be established a working capital fund for the Department of Justice, which shall be available, without fiscal year limitation, for expenses and equipment necessary for maintenance and operations of such administrative services as the Attorney General, with the approval of the Office of Management and Budget, determines may be performed more advantageously as central services. The capital of the fund shall consist of the amount of the fair and reasonable value of such inventories, equipment, and other assets and inventories on order pertaining to the services to be carried on by the fund as the Attorney General may transfer to the fund less related liabilities and unpaid obligations together with any appropriations made for the purpose of providing capital. The fund shall be reimbursed or credited with advance payments from applicable appropriations and funds of the Department of Justice, other Federal agencies, and other sources authorized by law for supplies, materials, and services at rates which will recover the expenses of operations including accrual of annual leave and depreciation of plant and equipment of the fund. The fund shall also be credited with other receipts from sale or exchange of property or in payment for loss or damage to property held by the fund. There shall be transferred into the Treasury as miscellaneous receipts, as of the close of each fiscal year, any net income after making provisions for prior year losses, if any.

(Added Pub.L. 93-613, § 1(1), Jan. 2, 1975, 88 Stat. 1975.)

#### EDITORIAL NOTES

**Capital Equipment Acquisition, Etc., by Income Retained from Working Capital Fund; Amounts and Limitations.** Pub.L. 102-140, Title I, Oct. 28, 1991, 105 Stat. 784, provided in part, that: "Of the total income of the Working Capital Fund in fiscal year 1992 and each fiscal year thereafter, not to exceed 4 percent of the total income may be retained, to remain available until expended, for the acquisition of capital equipment and for the improvement and implementation of the Department's financial management and payroll/personnel systems: *Provided*, That in fiscal year 1992, not to exceed \$4,000,000 of the total income retained shall be used for improvements to the Department's data processing operation: *Provided further*, That any proposed use of the

retained income in fiscal year 1992 and thereafter, except for the \$4,000,000 specified above, shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 606 of this Act [not classified to the Code]."

**Transfer of Funds into Capital Account of Working Capital Fund for Availability of Acquisition of Capital Equipment, Etc.; Limitations.** Pub.L. 102-140, Title I, Oct. 28, 1991, 105 Stat. 784, provided in part, that: "In addition, for fiscal year 1992 and thereafter, at no later than the end of the fifth fiscal year after the fiscal year for which funds are appropriated or otherwise made available, unobligated balances of appropriations available to the Department of Justice during such fiscal year may be transferred into the capital account of the Working Capital Fund to be available for the departmentwide acquisition of capital equipment, development and implementation of law enforcement or litigation related automated data processing systems, and for the improvement and implementation of the Department's financial management and payroll/personnel systems: *Provided*, That any proposed use of these transferred funds in fiscal year 1992 and thereafter shall only be made after notification to the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 606 of this Act [not classified to the Code]."

### § 528. Disqualification of officers and employees of the Department of Justice

The Attorney General shall promulgate rules and regulations which require the disqualification of any officer or employee of the Department of Justice, including a United States attorney or a member of such attorney's staff, from participation in a particular investigation or prosecution if such participation may result in a personal, financial, or political conflict of interest, or the appearance thereof. Such rules and regulations may provide that a willful violation of any provision thereof shall result in removal from office.

(Added Pub.L. 95-521, Title VI, § 603(a), Oct. 26, 1978, 92 Stat. 1874.)

### § 529. Annual report of Attorney General

Beginning on June 1, 1979, and at the beginning of each regular session of Congress thereafter, the Attorney General shall report to Congress on the activities and operations of the Public Integrity Section or any other unit of the Department of Justice designated to supervise the investigation and prosecution of—

(1) any violation of Federal criminal law by any individual who holds or who at the time of such violation held a position, whether or not elective, as a Federal Government officer, employee, or special employee, if such violation relates directly or indirectly to such individual's

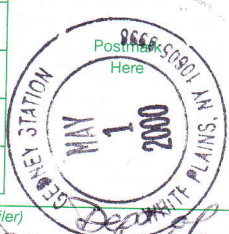


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*Melanie Ann Postay, Deputy Director*

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Street, Apt. No., or PO Box No.  
*Suite 570, Flag Building*  
City, State, ZIP+4  
*Washington, DC 20530-10001*

PS Form 3800, July 1999 See Reverse for Instructions

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*Melanie Ann Postay, Deputy Director, Office of Information + Privacy, Dept of Justice, Suite 570 Flag Building, Washington, DC 20530-10001*

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Form 3811, July 1999

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