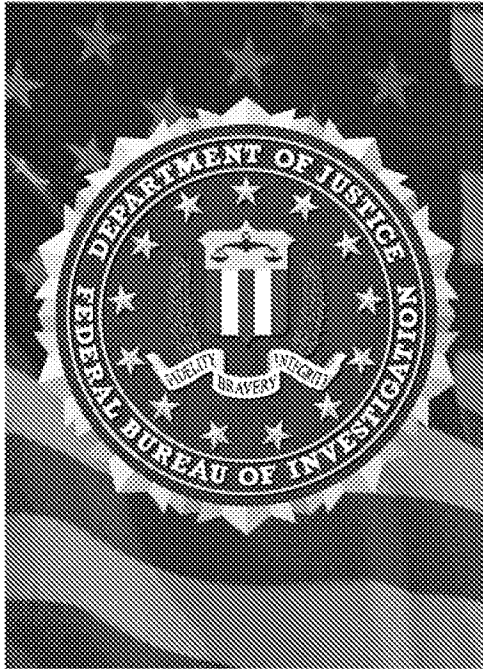


(U) Joint Task Force Policy Guide



(U) Federal Bureau of Investigation

(U) Criminal Investigative Division

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(U) General Information

(U) Questions or comments pertaining to this policy guide can be directed to:

(U) Federal Bureau of Investigation Headquarters (FBIHQ), Criminal Investigative Division (CID), Operational Support Section (OSS)

(U) Policy point of contact (POC): [REDACTED] OSS

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(U) Supersession Information

(U) This document supersedes:

- (U) *Manual of Investigative Operations and Guidelines* (MIOG) Part 2, Section 31, “Deputation Program.”
- (U) Electronic Communication [REDACTED]
[REDACTED]
- (U) *Gang and Criminal Enterprise Policy Directive and Policy Guide* (0555DPG), Section 3.

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(U) This policy guide is solely for the purpose of internal FBI guidance. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable by law by any party in any matter, civil or criminal, nor does it place any limitation on otherwise lawful investigative and litigative prerogatives of the Department of Justice and the FBI.

(U) Domestic Investigations and Operations Guide (DIOG) Provision

(U) No policy may contradict, alter, or otherwise modify the standards of the DIOG. Requests for DIOG modifications can be made to the Internal Policy Office, pursuant to DIOG subsection 3.2.2 paragraphs (A), (B), (C), and (D).

(U) Revision Log

Revised Section Number and Title	Deleted Section Number and Title

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1. (U) Introduction

1.1. (U) Purpose

(U) The purpose of the *Joint Task Force Policy Guide* is to set forth the Federal Bureau of Investigation's (FBI) requirements for the establishment, administration, and function of FBI task forces. Unless specifically noted otherwise, the term "joint task force" (JTF), as used in this policy guide (PG), encompasses all FBI-led task forces, including, but not limited to, joint terrorism task forces (JTTF), safe streets task forces, cyber task forces, counterintelligence task forces, [REDACTED]

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1.2. (U) Scope

(U) This policy is applicable to all FBI personnel, including task force personnel.

1.3. (U) Exemptions

(U) [REDACTED]

(U) [REDACTED]

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(U) [REDACTED]

(U) [REDACTED]

1.4. (U) Departures From Policy

(U/~~FOUO~~) A request for a departure from this PG must be submitted, reviewed, and approved in accordance with subsection 2.7 of the Domestic Investigations and Operations Guide (DIOG).

2. (U) Roles and Responsibilities

2.1. (U) FBI Headquarters (FBIHQ) Divisions Responsible for Joint Task Force Program

(U) The Criminal Investigative Division (CID), Cyber Division (CyD), Counterintelligence Division (CD), Counterterrorism Division (CTD), Directorate of Intelligence (DI), and Weapons of Mass Destruction Directorate (WMDD) must each:

- (U) Manage their respective JTF programs.
- (U) Designate an individual point of contact (POC) [redacted]

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2.2. (U) Field Office (FO) Heads (i.e., Assistant Directors in Charge [ADIC] and Special Agents in Charge [SAC])

(U) An FO head must:¹

- (U) Coordinate with the respective FBIHQ division when forming a new JTF.
- (U) Ensure that a JTF memorandum of understanding (MOU) is executed for every federal, state, local, tribal, and territorial agency that participates on a JTF and that the MOU is constructed and reviewed in accordance with the Memorandums of Understanding and Noncontractual Agreements Policy Guide (1031PG).
- (U) Ensure that requests for deputations are appropriately initiated, coordinated, and approved in consultation with the [redacted] Operational Support Section (OSS), CID.

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2.3. (U) Joint Task Force Supervisory Special Agents (SSA) (or Delegated Joint Task Force Coordinators)

(U) JTF SSAs must:

- (U) Supervise JTF personnel and ensure that they meet all applicable JTF requirements.
- (U) Review and approve overtime hours.

(U) JTF SSAs (or delegated JTF coordinators) must:

- (U) Track and review [redacted] to ensure that all information is accurate.
- (U) Initiate all MOUs in coordination with FO management.
- (U) Complete the applicable requirements outlined in Section 4.

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2.4. (U) Joint Task Force Personnel (i.e., Task Force Officers [TFO], Task Force Members [TFM], and Task Force Participants [TFP])

(U) JTF personnel must:

¹ (U) If a JTF is operated out of an FBIHQ division, the applicable FBIHQ unit chief (UC) must assume the role of FO head.

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- (U) Comply with all applicable FBI policies, including the roles and responsibilities outlined in DIOG subsection 3.3.1.
 - TFOs must adhere to subsection 2.2.2. of the Confidential Human Source Policy Guide (1116PG) [leads to a ~~SECRET//NOFORN~~ document] when assigned as co-case agents (co-CA) for potential confidential human sources (PCHS) and confidential human sources (CHS).
- (U) Ensure that the minimum requirements outlined in this PG are fulfilled (e.g., background investigation, deputation). See subsection 4.3. for more information.

2.5. (U) [redacted] **Operational Support Section, Criminal Investigative Division**

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(U) [redacted]
[redacted]

3. (U) Policy Statement

(U) The FBI employs JTFs to coordinate and multiply resources in order to address mutual law enforcement, national security, and intelligence activities and threats. JTFs leverage relationships with law enforcement, intelligence, and other entities to conduct and deconflict investigations and exchange intelligence in a coordinated strategy to disrupt threats against the United States. All FBI personnel, including TFOs, TFMs, and TFPs who serve on FBI JTFs, must follow the processes and procedures outlined in this PG.

4. (U) Processes and Procedures

4.1. (U) Creation, Command, Assignment, and Termination of Joint Task Forces

(U) [REDACTED]

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(U) [REDACTED]

(U) [REDACTED]

(U) [REDACTED]

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4.2. (U) Joint Task Force Memorandums of Understanding

(U) The purpose of a JTF MOU is to outline the JTF's mission and formalize the relationship between the FBI and federal, state, local, tribal, territorial, and other agency participants. The JTF MOU is also an agreement governing the sharing of information and the structure of the JTF. Deputation is a separate process that grants the TFO the authority to conduct law enforcement activities within the parameters of the MOU, which the TFO must read and acknowledge. It is the FO's responsibility to ensure that a JTF MOU is executed for every participating agency.

(U//~~FOUO~~) When a federal, state, local, tribal, or territorial agency requests to join an FBI JTF, the JTF SSA (or JTF coordinator) must ensure that the home agency officials sign the relevant JTF model MOU from the [REDACTED]

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(U//~~FOUO~~) The model MOUs are templates created and approved by the relevant FBIHQ operational division and the Office of General Counsel (OGC) for FO use and are in full compliance with the Memorandums of Understanding & Noncontractual Agreements Policy

² (U) The assignment of JTF personnel to FBI-led JTFs does not rely on the Intergovernmental Personnel Act (IPA).

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Guide (1031PG). The FBI uses model MOUs for FBI task forces to ensure consistency of content, support, supervision, information sharing, and expectations across all partner agencies.

(U//~~FOUO~~) Each model MOU indicates which sections the FO must fill out, and which ones the FO can change independently, without gaining additional FBIHQ and OGC approval. However, if the SAC, ASAC, or JTF SSA believes that additional changes are necessary, the chief division counsel (CDC) must obtain prior approval from both the relevant FBIHQ operational division and OGC. The FBIHQ operational division and OGC have final discretion as to what additional changes, if any, can be made. If an MOU is completed with no deviations from what is permitted in the relevant model MOU (e.g., nothing is modified other than the task force name), the FO must only obtain the review and approval of the CDC or associate division counsel (ADC).

(U//~~FOUO~~) A JTF MOU is required if an agency has someone working full-time on the JTF. In some cases, an MOU that covers a federal agency for a particular JTF in all FOs is held at the FBIHQ division level. It is the FO's responsibility to ensure that there is an executed JTF MOU for every participating agency.

(U//~~FOUO~~) A JTF MOU is also required for part-time participation if the participating individual will conduct case-related investigative operations (e.g., surveillance, arrests, interviews, and so on). A JTF MOU is not required for an agency with a part-time individual whose JTF role is limited to liaison for information-sharing purposes.

(U//~~FOUO~~) If an agency will provide parallel-assigned JTF personnel, the JTF SSA (or JTF coordinator) must ensure that the MOU with that agency covers parallel assignments, as described in subsection 4.14., or is updated appropriately using the JTF model MOU in the

[REDACTED]

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(U//~~FOUO~~) The JTF SSA (or JTF coordinator) must ensure that each TFO, TFM, and TFP is provided with a copy of the JTF MOU upon the individual's assignment to the JTF. JTF personnel are required to read and acknowledge the MOU. This acknowledgement must be memorialized as a record and uploaded into [REDACTED] under the JTFs to which the personnel are assigned.

(U//~~FOUO~~) The JTF MOU is the property of the FBI and may be loaned only with FO CDC or OGC approval. The CDC must coordinate with OGC prior to the release of any JTF MOU.

4.2.1. (U) Memorandum of Understanding Approval

(U//~~FOUO~~) All MOUs between federal, state, local, tribal, and territorial agencies and the FBI must be consistent with the Memorandums of Understanding & Noncontractual Agreements Policy Guide (1031PG).

(U) If an FO's relationship with a particular agency warrants a substantive deviation from an approved JTF MOU, the deviation must first be reviewed and approved by the CDC; the FBIHQ operational division PMs; the OGC unit assigned to the FBIHQ division; the head of the parent agency; and the ADIC/SAC. Once the draft JTF MOU is approved, it must be signed by the responsible ADIC/SAC and by the appropriate parent agency official(s).

4.2.2. (U) Records Management

(U//~~FOUO~~) FOs must maintain the original JTF MOUs [REDACTED]

[REDACTED]

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4.2.3. (U) Model Memorandum of Understanding Reviews and Updates

(U//~~FOUO~~) The FBIHQ operational divisions must keep their JTF model MOUs up to date and consistent with national policy. When updating JTF model MOUs, OGC and the relevant FBIHQ operational divisions must determine whether the proposed changes are substantive enough to warrant a national recall of previously signed JTF model MOUs that are still in effect. Any decision to recall JTF model MOUs requires approval from both OGC and the assistant director(s) (AD) of the relevant operational division(s). For example, if Executive Order (EO) 12333 changed in a way that fundamentally altered the FBI's responsibilities, the subsequent update to the JTF model MOU would likely constitute a substantial change and require existing TFOs to sign the updated model MOU.

(U//~~FOUO~~) The FBIHQ PM must notify all FOs of any changes to a standard JTF MOU by EC within 10 business days of the ADs' joint approval and provide copies of or access to the revised MOU. FBI FOs must update their JTF MOUs within 10 business days following AD approval of a substantial change.

(U//~~FOUO~~) The FBIHQ PMs and OGC must review their respective JTF model MOUs at least every three years, or when requested by the AD of the sponsored JTF. Consistent with subsection 2.1. of the Memorandums of Understanding & Noncontractual Agreements Policy Guide (1031PG), JTF MOUs must be reviewed and documented in Sentinel at least every three years. The respective FBIHQ division policy officer (DPO) must notify the Internal Policy Office (IPO) of any known policy changes that may significantly affect the role of a JTF. The FO must alert the FBIHQ operational division(s) of any obstacles that may delay or prevent an update of an existing JTF MOU.

4.2.4. (U) Termination Process

(U//~~FOUO~~) If a JTF or a parent agency decides to terminate a JTF MOU, the JTF SSA (or JTF coordinator) must notify the FBIHQ operational division in writing within 10 business days. The JTF SSA (or JTF coordinator) must provide sufficient details regarding the basis for the MOU's termination.

(U//~~FOUO~~) If a Bureauwide MOU regarding a series of JTFs is to be terminated, the FBIHQ division must notify all FOs within 10 business days and follow all termination and archiving requirements described in the Memorandums of Understanding & Noncontractual Agreements Policy Guide (1031PG).

4.3. (U) Definitions of Joint Task Force Personnel

(U) The following definitions are consistent with DIOG subsection 3.3.2.

4.3.1. (U) Task Force Officer

(U//~~FOUO~~) An individual is a TFO when all of the following apply:

- (U//~~FOUO~~) The individual is a certified federal, state, local, territorial, or tribal law enforcement officer (LEO).
- (U//~~FOUO~~) The individual is authorized to carry a firearm.
- (U//~~FOUO~~) The individual has appropriate federal authority to investigate and enforce violations of federal law within the scope of the individual's task force assignment. State and local TFOs must be deputized to have federal investigative and enforcement

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authority. Federal TFOs must also have federal investigative authority sufficient to meet their task force assignments or be appropriately deputized consistent with guidance from OGC and the FBIHQ division. See subsection 4.13 for additional information on deputations.

- (U//~~FOUO~~) The individual is eligible and has initiated the FBI's process for obtaining federal law enforcement credentials.
- (U//~~FOUO~~) The individual is assigned under the supervision of an FBI-led task force.
- (U//~~FOUO~~) The individual has initiated a request for a security clearance issued by the FBI. If the TFO fails to complete the security clearance process, he or she must be removed as a TFO.
- (U//~~FOUO~~) The individual is authorized to have access to FBI facilities.

(U//~~FOUO~~) An FBI TFO is mandated to attend all DIOG-related training and is bound by all rules, regulations, and policies set forth in the DIOG (and other applicable DIOG-related policies) when acting in the capacity of an FBI TFO.

4.3.2. (U) Task Force Member

(U//~~FOUO~~) An individual is a TFM when all of the following apply:

- (U//~~FOUO~~) The individual is an employee of a federal, state, local, territorial, or tribal agency.
- (U//~~FOUO~~) The individual is assigned under the supervision of an FBI-led task force.
- (U//~~FOUO~~) The individual has an active security clearance recognized by the FBI.
- (U//~~FOUO~~) The individual is authorized to have access to FBI facilities.

(U//~~FOUO~~) For example, a law enforcement or civilian employee of another federal, state, local, territorial, or tribal agency may have particular access or expertise that is needed by the task force, but does not satisfy the requirements to be a TFO (e.g., a Bureau of Prisons senior intelligence analyst who is not deputized but may hold a clearance from another agency).

(U//~~FOUO~~) An FBI TFM is mandated to attend all DIOG-related training and is bound by all rules, regulations, and policies set forth in the DIOG (and other applicable policies) when acting in the capacity of an FBI TFM.

4.3.3. (U) Task Force Participant

(U//~~FOUO~~) An individual is a TFP when all of the following apply:

- (U//~~FOUO~~) The individual is an employee of a federal, state, local, territorial, or tribal agency.
- (U//~~FOUO~~) The individual does not otherwise qualify as a TFO or a TFM.
- (U//~~FOUO~~) The individual has been approved as a TFP by the supervisor responsible for the task force, and the approval has been documented in the appropriate task force file.

(U//~~FOUO~~) For example, a civilian employee of another federal, state, local, territorial, or tribal agency may have particular expertise that is needed by the task force (e.g., forensic computer

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examiner), but the employee does not satisfy the requirements to be a TFO (e.g., the individual is not a sworn LEO) or a TFM (e.g., the individual does not have a security clearance).

(U//~~FOUO~~) When participating as an FBI TFP, the individual is bound by the rules, regulations, and policies set forth in the DIOG (and other applicable policies). DIOG-related training for a TFP may be required by the head of the FO or FBIHQ division that governs the activities of the JTF.

4.3.4. (U) Full-Time and Part-Time Designations

(U//~~FOUO~~) Full-time JTF personnel are assigned to and work on JTF investigations and assignments for at least 40 hours per week.

(U//~~FOUO~~) Part-time JTF personnel are assigned to and work on JTF investigations and assignments for less than 40 hours and are not eligible for program-funded overtime reimbursement.

(U//~~FOUO~~) If a national security TFO is serving on parallel assignments (see subsection 4.14.2.), the combined hours from all task force work are counted toward the 40-hour full-time designation.

4.4. (U) Time and Attendance and Overtime

(U//~~FOUO~~) JTF personnel must document their time worked on the JTF in accordance with the Time and Attendance Policy Directive and Policy Guide (0654DPG) and the Time Utilization and Recordkeeping Policy Directive (1078D).

(U) For the purposes of this PG, overtime is defined as time worked by a TFO in excess of 40 hours on JTF matters, as tasked by the JTF in a single week. TFOs are entitled to be paid by their employing agencies for overtime work. State and local law enforcement agencies employing full-time, funded JTF personnel may be eligible to receive reimbursement from the FBI for the overtime costs of these personnel, subject to applicable limitations established by the Finance and Facilities Division (FFD) and to the requirements of this PG. The reimbursement of overtime funds is not guaranteed and is subject to the availability of funds and operational necessity.

(U) FFD's Budget Section publishes an annual notice establishing overtime limitations and requires the execution of a formal cost reimbursement agreement (CRA) in addition to the JTF MOU. Requests to exceed these overtime caps must be approved in writing by the responsible FBIHQ PMs, with notification to the responsible FBIHQ division financial managers. Requests to exceed annual caps will only be granted in compelling circumstances where the necessary additional funding has been obtained from the FBIHQ program.

(U) Overtime will not be awarded for on-call or stand-by duties, unless otherwise required by law. The JTF SSA must approve the TFO's service of overtime hours before submission for reimbursement. TFOs must submit the overtime invoice(s) from their parent agencies to request reimbursement.

(U) In order for a full-time, funded TFO to receive overtime reimbursement, an active MOU and CRA with the TFO's parent agency are required. Overtime reimbursement does not include reimbursement to law enforcement agencies for benefits (e.g., health benefits).

(U) In addition, a full-time, funded TFO must:

- (U) Be deputized.

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- (U) Be registered in [] under the respective task force (see subsection 4.14. for more information).
- (U) Have an overtime rate letter on file for the current fiscal year.
- (U) Not be a federal employee (only nonfederal TFOs are eligible for overtime reimbursement).
- (U) Have a unique employee identifier (UEID).

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(U) Part-time TFOs are not authorized to receive overtime reimbursement or be assigned National Vehicle Lease Program (NVLP) vehicles from the FBI.

(U) TFMs and TFPs are not authorized to receive overtime reimbursement.

(U) TFOs on any JTF may not exceed the annual overtime cap without approval from the FBIHQ PM and program finance personnel.

4.5. (U) Work for Parent Agency

(U) JTF personnel must continue to report to their parent agencies for any noninvestigative administrative matters that are not specifically addressed in the applicable JTF MOU.

(U//~~FOUO~~) The FBI is not responsible for the conduct of JTF personnel that is outside the scope of their duties and assignments under the JTF MOU (see subsection 4.2.), their deputations, or the direction of the FBI, including the JTF SSA (or JTF coordinator).

(U) The FBI on occasion may call upon JTF personnel to undertake functions supporting the FBI's mission that go beyond the duties described in a particular JTF MOU. The FBI will only consider JTF personnel to be acting within the scope of FBI employment when the JTF personnel act at the direction of the FBI, including at the direction of the JTF SSA (or the JTF coordinator).

4.6. (U) Self-Inspection and Audit Protocol

4.6.1. (U) Field Office Review

(U) []
[]

4.6.2. (U) Federal Bureau of Investigation Headquarters Audits

(U) []
[]

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(U) For more information on [] refer to subsection 4.15.

4.7. (U) Onboarding of Joint Task Force Personnel

4.7.1. (U) Application

(U) To be on a JTF, an individual must satisfy the applicable qualifications listed in subsection 4.3. Depending upon the role the individual will have on the JTF, the individual may be nominated by his or her agency or the FBI may make a request to the individual's agency. In either event, the JTF SSA (or JTF coordinator) must document and serialize the nomination or request and the decision into the FO's JTF control file. The nomination, selection, or rejection of individuals for participation on a JTF is at the discretion of the FBI.

(U) For all approved incoming JTF personnel, JTF SSAs (or JTF coordinators) must notify the appropriate FBIHQ PMs and update [REDACTED]

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4.7.2. (U) Security Clearance and Access to FBI Space and Information Systems

(U//~~FOUO~~) Prior to being given access to classified information or unescorted access to FBI facilities, JTF personnel must have the appropriate security clearance, access approval, and a need to know. JTF personnel who require a security clearance and access to FBI information, facilities, and information technology (IT) systems must undergo background investigations. See the Personnel Security Clearance and Access Policy Guide (0192PG) for further details. [REDACTED]

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[REDACTED]
[REDACTED] See the Security Clearance Requirements for Access to FBI Information Systems Policy Directive (0607D) for further details on information systems.

(U//~~FOUO~~) JTF personnel assigned to a counterintelligence or counterterrorism JTF must already be in possession of a Top Secret (TS) clearance with SCI access or undergo background investigations and obtain this clearance.

(U) Individual programs may set system access requirements per their respective policies.

(U) [REDACTED]
[REDACTED]

b7E -7

(U) Exceptions to the security clearance requirement for JTF personnel require written Security Division (SecD) AD (i.e., the security programs manager) or designee approval via EC.

(U) Continued eligibility for access to classified information by JTF personnel will be assessed according to current Intelligence Community standards, as implemented by FBI and DOJ policy.

4.7.3. (U) Issuance of Property

(U) Based on clearance level, access, and need, JTF personnel may be issued the following property upon the completion of the requisite paperwork and approvals (via EC):

- (U) Security Access Control System (SACS) badge
- (U) Credentials (see the Federal Bureau of Investigation Credentials and Special Agent Gold Badges Policy Guide [1097PG])
- (U) USM-3A, "Application for Special Deputation" (Title 18 deputation) and/or the FD-739a, "Credential for Special Deputation" (Title 21 deputation)

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- (U) Courier card
- (U) Datawatch card
- (U) Office keys
- (U) Mobile device (see subsection 4.15.5.)
- (U) Gas Card
- (U) Leased/rental vehicle (see subsection 4.15.4.)
- (U) Travel card
- (U) Passport
- (U) RSA token
- (U) Radio
- (U) Other FBI-issued equipment

(U) The primary or full-time task force is responsible for property issuance to national security parallel-assigned JTF personnel see subsection 4.14.2.

4.8. (U) Training Requirements

(U) In addition to the DIOG training requirements referred to in subsections 4.3.1.-4.3.3., JTF personnel must complete all training required by the responsible FBIHQ divisions. National security parallel-assigned JTF personnel must complete all training required by all FBIHQ divisions sponsoring the assigned task forces

b7E -7,26

(U) While it is encouraged that JTF personnel obtain the necessary clearance, approvals, and access to FBI computer systems (e.g., FBI Network [FBINet], Sentinel), the Training Division (TD) must provide an alternate means of accessing any mandatory training programs for JTF personnel who do not have such access. However, individuals who do not have a security clearance will not be given access to any classified training programs. Failure to complete the mandatory training requirements necessary for the JTF assignment within a reasonable time will result in the individual's removal from the JTF.

(U) JTF personnel should attend and review trainings annually or as directed by the JTF SSA (or JTF coordinator).

4.9. (U) Vehicle Access and Use

(U) Only full-time, deputized TFOs from state, local, territorial, or tribal agencies can be assigned an NVLP vehicle. Only deputized TFOs are permitted to operate government vehicles under the same terms and conditions as FBI employees. Additionally, they may only operate NVLPs as long as doing so is consistent with the applicable JTF MOU governing the formation and administration of the JTF and the General Services Administration (GSA) Vehicle Lease Program. TFOs must execute any applicable vehicle use agreement (VUA).

(U) For all matters related to TFO access to and use of JTF vehicles, see the Government Vehicle Use Policy Guide (1093PG). See subsection 4.15.4. of this PG for eligibility for vehicle use and for details regarding tracking within

b7E -7

4.10. (U) Claims for Damages

(U) Under the Federal Tort Claims Act (FTCA), the United States may be sued under state law for the negligent or wrongful act or omission by an employee of the United States government (USG) while acting within the scope of his or her employment. For the purposes of the FTCA, “employee[s] of the government” include “employees of any federal agency” and “persons acting on behalf of a federal agency in an official capacity, temporarily or permanently in the service of the United States, whether with or without compensation” (Title 28 United States Code [U.S.C.] Section [§] 2671). For the purpose of defending civil actions arising out of JTF activities, federal and nonfederal personnel acting within the scope of their official duties on a JTF may be considered employees of the USG whose acts or omissions may subject the United States to liability under the FTCA.

(U) JTF personnel can be sued in their individual capacity in suits alleging constitutional violations. In connection with such suits, the DOJ may provide representation “when the actions for which representation is requested reasonably appear to have been performed within the scope of the employee’s employment and the Attorney General (AG) or his or her designee determines that providing representation would otherwise be in the interest of the United States” (Title 28 Code of Federal Regulations [CFR] § 50.15(a)). JTF personnel who are found liable for a constitutional tort may request indemnification from DOJ to satisfy an adverse judgment rendered against the person in his or her individual capacity. The criteria for indemnification are substantially similar to those used to determine whether the individual is entitled to DOJ representation under the same regulations (28 CFR § 50.15(c)).

(U) For additional information or guidance regarding FTCA or individual capacity claims, contact OGC or the FO CDC or ADC.

(U) Federal agents and TFOs who are sued or prosecuted under circumstances in which they have acted beyond the scope of their federal employment or federal mission provided by their particular deputation—as determined by the DOJ—may lose certain legal protections and immunities. See DIOG subsection 19.3.3.

4.11. (U) Standards of Conduct

4.11.1. (U) Personal Conduct

(U) The FBI’s Ethics and Integrity Program Policy Guide (1120PG) uses the definition of “employee” from the Standards of Ethical Conduct for Employees of the Executive Branch (hereafter referred to as the Standards of Conduct). This definition includes employees of state or local governments who are serving on detail to an agency pursuant to the Intergovernmental Personnel Act (IPA) (5 U.S.C. § 3371 et. seq.). The FBI’s JTFs function as joint ventures with the partnering agencies, meaning that state and local officers serving on the JTFs generally do not serve pursuant to the IPA; therefore, they are generally not subject to the Standards of Conduct or the provisions of the Ethics and Integrity Program Policy Guide (1120PG) unless specifically noted otherwise (e.g., regarding personal use of FBI resources and outside employment). Although its provisions are generally not binding on nonemployees, the *Ethics and*

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Integrity Program Policy Guide (1120PG) may, and often should, be used for guidance in the areas it covers for all personnel.

(U) The Hatch Act, which governs the political activity of federal employees, specifically applies to JTF personnel serving pursuant to the IPA. JTF personnel who do not serve pursuant to the IPA are also subject to the Hatch Act at all times while performing FBI duties. Therefore, while performing FBI duties, JTF personnel may not engage in prohibited political activity, defined by the Hatch Act as activity directed toward the success or failure of a political party, a candidate for partisan office, or a partisan political group.

(U) Questions regarding the scope or applicability of the Standards of Conduct, the *Ethics and Integrity Program Policy Guide* (1120PG), or the Hatch Act to JTF personnel must be directed to the on-site ethics advisor (i.e., the CDC or ADC) or the Office of Integrity and Compliance (OIC).

(U) JTF personnel must ensure that all public disclosures of FBI information are made in accordance with the Prepublication Review Policy Guide (1065PG) and the Public Affairs Policy Guide: Media Relations, External Communications, and Personal Use of Social Media (1002PG).

4.11.2. (U) Drug Use

(U//~~FOUO~~) All JTF personnel are subject to the FBI's Preemployment Drug Adjudication Policy Guide (1146PG). Additionally, while assigned to a JTF, personnel are subject to the FBI's [REDACTED]

b7E -27

4.12. (U) Termination of Joint Task Force Status and Debriefing of Personnel

4.12.1. (U) Removal of JTF Personnel at the Request of the FBI

(U) [REDACTED]
[REDACTED]

- (U) [REDACTED]
[REDACTED]
- (U) [REDACTED]
[REDACTED]

b7E -2,4,7 per FBI

(U) The JTF SSA or JTF coordinator is responsible for notifying [REDACTED] and the FBIHQ PM via EC and updating [REDACTED] accordingly [REDACTED] is responsible for notifying the United States Marshals Service (USMS).

(U) [REDACTED]
[REDACTED]

(U) [REDACTED]
[REDACTED]

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(U) [REDACTED]

b7E -2,4

4.12.2. (U) Termination of JTF Participation by a Parent Agency

(U) An agency can withdraw its membership from a JTF in accordance with the applicable MOU. If an agency decides to leave a JTF, the JTF SSA (or JTF coordinator) must notify FO management, the appropriate FBIHQ PM, and [REDACTED]

b7E -2,7

(U) If a parent agency that had agreed to national security parallel assignment of JTF personnel withdraws only from the primary or full-time task force, affected JTF personnel may remain as full- or part-time personnel on the parallel task force, with the documented agreement of the parallel task force's JTF SSA. The parallel task force then becomes the assigned task force with full responsibility for the JTF personnel and assumes all fiscal and property duties noted in the MOU.

4.12.3. (U) Termination and Departure of JTF Personnel

(U) Regardless of the reason, when an individual on a JTF departs from the task force, the JTF SSA (or JTF coordinator) must ensure that the following occurs within 10 business days of the individual's departure:

- (U) [REDACTED] and the FBIHQ PM(s) are notified via an EC and status is updated in [REDACTED]
- (U//~~FOUO~~) The CSO is notified that the departing individual's security clearances must be removed if the individual is departing the FBI permanently.
- (U//~~FOUO~~) FBI-issued property is returned consistent with the Return of Government Property Upon Separation From the FBI Policy Directive (0873D).
 - (U//~~FOUO~~) The JTF SSA (or JTF coordinator) must collect and document on an FD-281 any returned property that was not previously recorded in the Asset Management System (AMS).
 - (U//~~FOUO~~) All removable electronic storage (RES) used for the purposes of an FBI JTF remains FBI property. [REDACTED]
- (U//~~FOUO~~) The USMS deputation authorities are terminated consistent with subsection 4.13.6 if the individual is departing the FBI permanently.

b7E -2,7

b7E -1

4.12.4. (U) Debriefing and Return of JTF Property

(U) An individual serving on a JTF who intends to resign or separate from the JTF must contact the FO's CSO to complete the necessary debriefing and administrative requirements pursuant to subsection 4.3. of the Personnel Security Clearance and Access Policy Guide (0192PG). JTF personnel must:

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- (U) Complete Standard Form (SF)-312 “Classified Information Nondisclosure Agreement”
- (U) Complete Form 4414, “Sensitive Compartmented Information Nondisclosure Agreement.” if SCI access was granted.
- (U) Complete the FD-193 “Employee Out-Processing Record.”
- (U) Ensure that all items are removed from any safes and, if the departing individual is responsible for a safe, ensure that ownership is transferred.

(U) The CSO must send the SF-312 and/or Form 4414 to the Continuous Evaluation and Periodic Reinvestigations Unit (CEPRU), Background Operations Security Section (BOSS), SecD. In addition, the CSO must collect the FD-193 upon completion and submit it to the Payroll Management Unit (PMU), Human Resources Division (HRD).

(U) The individual’s SSA or CSO must collect any assigned property items if the individual is departing the FBI permanently.

(U) RES devices, including, but not limited to, laptops, smart phones, tablets, or thumb drives, that are issued to a parent agency for use by JTF personnel when working on an FBI JTF investigation or activities are subject to removal. If the RES data storage center cannot be removed, the entire device will become the property of the FBI.

4.12.5. (U) Replacement of Departing JTF Personnel

(U) To the greatest extent practicable, at least six months prior to the end of a TFO’s, TFM’s, or TFP’s assignment, the JTF SSA (or JTF coordinator) should contact the parent agency to identify a recommended person to replace the individual. The JTF SSA should meet with the recommended replacement and provide concurrence. If the JTF SSA does not concur with the selection, a new selection should be recommended. If the JTF SSA concurs with the selection, the clearance process must be initiated to ensure a prompt transition.

4.13. (U) Deputation

(U) The deputation requirement applies to all full- and part-time federal, state, local, tribal, and territorial TFOs. Deputation must occur before a TFO participates in any law enforcement activity authorized by the Attorney General’s Guidelines for Domestic FBI Operations (AGG-Dom) or the DIOG. All deputation matters are handled by [REDACTED] BOSS, CID.

b7E -2

(U) Title 18 investigative jurisdiction over federal violations is not uniform across all federal law enforcement agencies. Therefore, a TFO coming from another federal law enforcement agency must be federally deputized to perform law enforcement activities against the Title 18 violations that are outside the statutory or territorial jurisdiction of the TFO’s parent agency while the TFO is working on the FBI task force.

(U) [REDACTED]

[REDACTED]

b7E -14

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(U) Federal agents who are sued or prosecuted under circumstances in which they have acted beyond the scope of their federal employment—as determined by the DOJ—may lose certain legal protections and immunities. See DIOG subsection 19.3.3.

(U) Nonfederal JTF personnel may be issued FBI credentials subsequent to their deputations. See the Federal Bureau of Investigation Credentials and Special Agent Gold Badges Policy Guide (1097PG) for more information.

4.13.1. (U) United States Code Title 18 Deputation Authority

(U) Pursuant to 28 CFR § 0.112, the USMS can deputize federal, state, local, territorial, or tribal LEOs to enforce Title 18 criminal offenses only [redacted] must coordinate all Title 18 deputation requests with the USMS and is the FBI's POC to the USMS for all deputation matters.

b7E -2

(U) Pursuant to USMS Policy 17.11, *Special Deputation Program*, and as stipulated on Form USM-3B, "Special Deputation Oath of Office, Authorization, and Appointment," deputized individuals have Title 18 authority to perform any of the following federal law enforcement functions:

- (U) Seek and execute arrest warrants and search warrants.
- (U) Make arrests without a warrant if there is probable cause to believe that the suspect has violated or is violating federal law.
- (U) Serve subpoenas and other legal writs.
- (U) Monitor Title III intercepts (i.e., electronic surveillance [ELSUR]) and Foreign Intelligence Surveillance Act (FISA) intercepts.
- (U) Carry firearms for personal protection or the protection of those covered under the federal assault statutes.

(U) Form USM-3A, "Application for Special Deputation," must include [redacted]

b7E Per USMS

(U) Once deputized, the TFO will be assigned to a specific FO's task force in [redacted] under the sponsoring operational division's or branch's JTF.

(U) TFOs exercising federal law enforcement authority must always operate within the scope of the federal mission provided by the federal deputation itself.

b7E -4,7,8
b3 -5

(U) [redacted]

4.13.1.1. (U) Deputation Requirements for Title 18 Authority

(U) To request Title 18 deputation, the FO must obtain/complete:

- (U) A letter of assignment (LOA) from the officer's parent agency on the parent agency's letterhead to the FO head consenting to the officer's participation on the JTF. The LOA must contain two main statements expressing the following:
 - (U) The parent agency office is aware of and approves the officer's participation on the task force(s) (including the task force name[s] and type as described in the USM-3A, "Application for Special Deputation").
 - (U) The officer does not have any open internal affairs issues.
- (U) A limited background investigation (LBI), including, but not limited to, indices, National Crime Information Center (NCIC) outstanding wants and warrants, and criminal history.
- (U) The USM-3A, "Application for Special Deputation," which must be signed [redacted]
[redacted]
- (U) An EC to [redacted] (with the individual's full social security number [SSN]) requesting Title 18 deputation and enclosing both the TFO's parent agency LOA and [redacted] b7E -2, Per FBI, Per USMS USM-3A, "Application for Special Deputation." In addition, the EC must identify the name of the specific JTF(s) where the TFO is to be assigned (e.g., SSTF). The EC must be completed by an FBI employee.

(U) [redacted]

- (U) Submit the formal deputation request to the USMS. b7E -2,7 Per FBI, Per USMS
- (U) Enter the appropriate information [redacted]
[redacted]

(U) After deputation is approved, TFOs must carry [redacted]
[redacted]

[redacted] Title 18 special deputation authority is valid for three years and expires on the last day of the month in which it was approved by the USMS. (For example, if a TFO received deputation on July 9, 2009, the authority would expire on July 31, 2012.)

(U) If a TFO is reassigned, the FO must submit an EC with an information-only lead or an e-mail (marked as a record) to [redacted]
[redacted]

b7E -1,2

4.13.2. (U) United States Code Title 21 Deputation Authority

(U) The FBI may provide TFOs with federal authority to investigate federal drug crimes. After they are federally deputized, TFOs acting under FBI supervision may participate fully in FBI drug investigations and enforce Title 21 of the U.S.C. Deputation under Title 21 is conveyed upon TFOs by the FBI ADIC/SAC or, if appropriately delegated in writing, by the ASAC. Partners from other federal agencies receive their Title 21 deputation authority from SACs.

4.13.3. (U) Deputation Requirements for Title 21 Cross-Designation

(U) To request a Title 21 deputation, the FO must:

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- (U) Obtain an LBI, including, but not limited to, indices, NCIC outstanding wants and warrants, and criminal history.
- (U) Complete the FD-815 “Title 21 Deputation Request,” which must be signed and dated by the officer and the sponsoring agency, as well as the FD-739 “Oath of Office – Special Deputation” and FD-739a “Credential for Special Deputation” forms.
- (U) Initiate, renew, and report the Title 21 special deputation to [REDACTED]

(U) [REDACTED]

b7E -2,7

(U) [REDACTED]

(U) Upon taking the oath of office given by the SAC or ASAC, the TFO will receive the FD-739a “Credential for Special Deputation” and a copy of the FD-739 “Oath of Office – Special Deputation” form. After deputation, TFOs must carry their FD-739a forms with them at all times. Title 21 authority ends on October 1 of the year after the officer is deputized. (For example, if a TFO receives deputation on June 9, 2019, the authority will expire on October 1, 2020.)

4.13.4. (U) Transfers and Reassignments of Deputized Task Force Officers

(U) FOs may reassign TFOs to other task forces under the same designation (i.e., criminal, cyber, or national security) without terminating the original deputations or executing new deputations. For example, an FO can transfer a deputized TFO on a CD task force to a CTD task force in the FO without requiring a new deputation.

(U) The ability to transfer TFOs within the same sponsoring division or branch does not permit an FO to assign TFOs to JTFs across sponsoring divisions or branches (i.e., a TFO cannot be assigned concurrently to a public corruption JTF [a CID task force] and a counterintelligence JTF [a national security task force]), except as described in the paragraph below. The transfer flexibility also is not intended to permit TFOs to be substituted freely or used interchangeably across operational division or branch JTFs based solely on their JTF designation on the USM-3A. Instead, this flexibility is designed primarily to eliminate the requirement that prior deputations be terminated or renewed if it becomes operationally necessary to transfer or reassign a TFO to another JTF within the same operational division’s or branch’s sponsorship.

(U) [REDACTED]

b3 -5
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(U) If an FO wishes to reassign or transfer a TFO within the same sponsoring division or branch, the FO must complete an EC [REDACTED]

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identifying the name of the new JTF where the TFO is being reassigned or transferred. The FO must also execute a new MOU corresponding to the new program to memorialize the TFO's new assignment before updating the TFO's [] entry.

b7E -7

(U) Dual deputation is defined as a TFO being deputized by two federal agencies. The FBI will not authorize the dual assignment of federally deputized FBI TFOs to both FBI-led and non-FBI-led federal JTFs at the same time.

(U) **Example:** A state LEO is federally deputized by USMS and provided Title 18 federal enforcement authority. This state LEO is then assigned to an FBI Safe Streets Task Force (SSTF). This FBI TFO may not simultaneously serve on a United States Secret Service (USSS) task force as a USSS TFO. This is because an FBI TFO cannot be under the supervision of both the FBI/DOJ and the USSS/Department of Homeland Security (DHS) at the same time.

(U) Under certain circumstances, a TFO may be permitted to work or assist on another FBI-led JTF. See subsection 4.14 for more information.

4.13.5. (U) Renewing Deputation

(U/~~FOUO~~) All paperwork for renewing a deputation is the same as for the initial submission (see subsections 4.13.1.1 and 4.13.3). Background investigations (and reinvestigations) are required consistent with the *Personnel Security Clearance and Access PG (0192PG)*,
[]

Renewal requests for Title 18 deputations must be submitted to the USMS within 60 days of the expiration of the deputation. To ensure timely renewal, the appropriate paperwork must be submitted to [] at least 90 days prior to the expiration of the deputation. If the deputation expires prior to the renewal, a new request is required. If a TFO's deputation authority expires, the TFO cannot participate in Title 18 or Title 21 JTF investigations until it is renewed, including operating JTF vehicles.

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4.13.6. (U) Terminating Deputation

(U) When a TFO departs all FBI JTFs for any reason, the JTF SSA (or JTF coordinator) must notify [] to terminate the officer's deputation authorities and update []
[] if applicable, the JTF SSA or JTF coordinator is responsible for notifying the appropriate FO personnel when a deputation is terminated. Deputation should be terminated only if the TFO is not transferring to a permitted JTF under the terms of the TFO's existing USM-3A, "Application for Special Deputation."

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4.13.6.1. (U) Terminating Title 18 Deputation Authority

(U) To terminate a TFO's Title 18 deputation authority, the responsible JTF SSA (or JTF coordinator) must obtain the TFO's original USM-3B "Special Deputation Oath of Office, Authorization, and Appointment" form. The TFO must return the original USM-3B form, as well as all other FBI property, to the JTF SSA (or JTF coordinator) prior to the TFO's termination or departure. The JTF SSA (or JTF coordinator) must also submit an EC or an e-mail (marked as a record) to [] and the FBIHQ PM that provides the date the individual left the JTF, or the date the SAC approved the termination of deputation, and attach a copy of the USM-3B credentials form.

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(U) If the TFO is unable to return the original USM-3B due to it being lost, stolen, or otherwise unavailable, the TFO must immediately notify the JTF SSA (or JTF coordinator) and submit an

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FD-500 "Report of Lost or Stolen Property" form. The JTF SSA (or JTF coordinator) must notify in writing the local USMS office that the USM-3B form has been lost, stolen, or is otherwise unavailable and request that the TFO's deputation authority be terminated.

4.13.6.2. (U) Terminating Title 21 Deputation Authority

(U) To terminate a TFO's Title 21 deputation authority, the responsible JTF SSA (or JTF coordinator) must obtain the TFO's original FD-739a "Credential for Special Deputation" form. The TFO must return the original FD-739a form, as well as all other FBI property, to the JTF SSA (or JTF coordinator) prior to the TFO's termination or departure. The JTF SSA (or JTF coordinator) must also submit an EC to the attention of the SAC requesting that the TFO's Title 21 deputation authority be terminated. The JTF SSA (or JTF coordinator) must attach the original FD-739a form to the EC and serialize the EC into an appropriate FO file, as well as to [REDACTED]. A notice copy of this EC must be distributed to [REDACTED] OSS, CID and the FBIHQ PM.

b7E -1,2

(U) If the TFO is unable to return the original FD-739a due to it being lost, stolen, or otherwise unavailable, the TFO must immediately notify the JTF SSA (or JTF coordinator) and submit an FD-500 "Report of Lost or Stolen Property" form. The JTF SSA (or JTF coordinator) must still submit an EC as set forth in the preceding paragraph, except that a copy of the FD-739a form may be attached in lieu of the original.

4.13.7. (U) Title 21 Cross-Designations

(U) Pursuant to 21 U.S.C. §§ 873(b) and 965, the AG has the authority to request another federal agency to assist in the enforcement of the Controlled Substances Act (21 U.S.C. §§ 801-904) and the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971). The process for requesting assistance is commonly referred to as cross-designation.

(U) The AG delegated the authority to cross-designate to the Director of the FBI and the Administrator of the DEA, pursuant to the provisions of 28 CFR §§ 0.85(a) and 0.100, respectively. The Director delegated his cross-designation authority to the AD of CID; this authority, in turn, was redelegated to the deputy assistant director (DAD) of CID. Effective May 1, 2020, the authority to swear in federal officers for cross-designation was redelegated to the SACs. See [REDACTED] (March 17, 2020) for more information.

b7E -1

(U) The FBI cross-designation program allows non-Title 21 LEOs of the GS-1811 series to actively conduct transnational criminal enterprise investigations actively under the supervision of an FBI JTF SSA.

(U) To request cross-designation of Title 21 authority, the requirements in subsection 4.13.3 must be completed.

(U) Cross-designation of Title 21 authority ends on October 1 of the year after the officer is deputized, unless otherwise noted on the FD-739 "Oath of Office – Special Deputation" form.

(U) [REDACTED]
[REDACTED]

b7E -30

4.13.8. (U) National Security Authorities

(U) USMS Title 18 deputation does not provide the deputized individual with any FBI counterintelligence or national security authorities that are afforded to the FBI, including authorities conferred by Title 50 or Executive Order 12333, as amended. In order to operate under the FBI's counterintelligence or national security authorities, a TFO must be detailed by a separate MOU to the FBI before being assigned to an FBI task force.

4.14. (U) Assistance to Other Joint Task Forces and Parallel Assignment of Joint Task Force Personnel

(U) Criminal and national security JTF personnel have separate procedures for providing assistance and receiving parallel assignment. The JTF SSA (or JTF coordinator) must ensure that the JTF MOU is appropriately updated to cover the parallel assignment (see subsection 4.2). These procedures do not apply to cyber JTF personnel.

4.14.1. (U) Criminal JTF Personnel Assisting Other Criminal JTFs

4.14.1.1. (U) Temporary Assistance

(U) Criminal JTF personnel may be permitted to work temporarily and on a limited basis on a criminal JTF sponsored by the same FO without having to be redeputized into the other JTF. Concurrence from both the parent agency and FO executive management must be obtained. All other legal, policy, and administrative requirements must be satisfied as well.

(U) For example, a TFO assigned to a particular criminal JTF (the hypothetical "CID Task Force") may be asked to participate in the execution of federal search warrants on another criminal JTF due to exceptional circumstances where an immediate surge in resources is critically necessary on a particular day. The "CID Task Force" TFO may provide this temporary and limited assistance to the other program without a new deputation or a formal reassignment.

(U) The ability to provide temporary and limited assistance or to formally transfer criminal TFOs within the same sponsoring FO without restarting the USMS deputation process does not permit an FO to assign a criminal TFO to two or more task forces at the same time. Criminal TFOs may only be permanently assigned to one specific task force at one time; [redacted] will not reflect otherwise. This flexibility also is not intended to permit criminal TFOs to be substituted freely or used interchangeably across FO task forces based solely on their task force designation on the USM-3A, "Application for Special Deputation."

b7E -7

4.14.1.2. (U) Permanent Reassignment

(U//~~FOUO~~) When criminal JTF personnel are permanently reassigned to a different criminal JTF (since a criminal TFO may only be assigned to one JTF at one time), a new MOU specific to the new permanent assignment must be executed.

(U) For example, an FO may transfer a deputized TFO in a CID SSTF to another CID-sponsored task force (e.g., the Hate Crimes Task Force [HCTF]) in the same office without requiring a new deputation. [redacted]

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[redacted] The FO must also ensure the completion of a new MOU specific to the new program to which the TFO is being transferred.

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4.14.2. (U) Parallel Assignment of National Security JTF Personnel

(U) JTF personnel may serve on more than one national security task force³ with the agreement of their parent agencies, FBI FO executive management (ASAC or higher), and the FBIHQ operational division responsible for each JTF under the following circumstances:

- (U) The TFO, TFM, or TFP has been assigned to each national security task force under the governing MOUs between the task forces and the individual's parent agency.
- (U//~~FOUO~~) [REDACTED]
- (U) The respective FBIHQ operational divisions' ADs (or their designees) have given prior written approval.
- (U) The TFO, TFM, or TFP has the appropriate investigative authority to work on each task force (i.e., each task force MOU recognizes the individual's Title 50 investigative authority, or the individual is a TFP who retains sufficient Title 50 investigative authority from his or her parent agency to work on each task force).
- (U) For each task force, FO executive management have formulated an appropriate agreement regarding how they will share the supervision and direction of the TFO, TFM, or TFP in accordance with operational need, law, and policy.

b7E -30

(U) For example, a TFO assigned to the CTD JTTF who meets the above requirements is permitted to work on a CD JTF as long as (1) FO leadership is in agreement, (2) CTD and CD's ADs (or their designees) both give prior approval, (3) the parent agency concurs, (4) the MOUs are updated with the TFO's new investigative responsibilities and any necessary limits to the TFO's efforts, and (5) the agreement is adequately documented in an EC.

(U) If a TFO, TFM, or TFP meets the requirements of this subsection and FO executive management and the individual's parent agency agree that the individual may serve on each task force, the agreement must be set forth in an EC that fully describes the arrangement and establishes that the individual meets the requirements of this subsection. [REDACTED]

b7E -7

(U) The TFO, TFM, or TFP must not work on the additional national security task force until all requirements of this section have been met, including, but not limited to, obtaining a fully approved EC that documents the agreement and ensuring that the individual has been properly assigned to each task force under the governing MOUs.

³ (U) For the purposes of this PG, [REDACTED]

b7E -2

4.14.2.1. (U) Parallel Assignment of National Security Task Force Officers

(U) A full-time TFO who is deputized and assigned to a national security task force is permitted to work on another national security task force as long as the TFO meets the requirements outlined in subsection 4.14.2. and both FO executive management (ASAC or higher) and the parent agency agree to the parallel assignment. [REDACTED]

[REDACTED]

[REDACTED]

b7E -1,7

(U) The TFO must be listed in [REDACTED] under both task forces. The primary task force is the task force for which the TFO was deputized originally per the documentation accompanying the USM-3A "Application for Special Deputation" form, or to which the TFO was originally assigned or detailed. [REDACTED]

[REDACTED]

b7E -30

agreement is captured in the parallel assignment EC. If the TFO joins both JTFs at the same time, the primary task force must be determined by agreement between FO executive management and the relevant FBIHQ operational divisions. The final determination must be documented in the parallel assignment EC.

(U) In [REDACTED] the TFO "status" for the primary task force must be recorded as "full-time." The TFO "status" for the secondary task force (if applicable) will be recorded as "parallel." This parallel status [REDACTED]

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(U) The TFO's work, including the exercise of law enforcement authorities, must continue to conform to the legal parameters articulated in the original MOU, including the functions that Title 18 deputation permits the TFO to exercise and any limitations arising from a parent agency's authorities outside Title 18.

(U) TFOs assigned in parallel are eligible for overtime for hours worked in excess of 40 each week consistent with subsection 4.4. Overtime CRAs must be included in the parallel assignment ECs.

4.14.2.2. (U) Parallel Assignment of National Security Task Force Members and Task Force Participants

(U) A full-time TFM or TFP who is assigned to a national security task force is permitted to work on another national security task force as long as the TFM or TFP meets the requirements outlined in subsection 4.14.2. and both FO executive management (i.e., ASAC or higher) and the parent agency agree to the parallel assignment. [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED] The affected FBIHQ divisions must be copied on the parallel assignment agreement.

(U) The TFM or TFP must be listed in [REDACTED] under both task forces. The primary task force is the task force to which the individual was originally assigned or detailed. [REDACTED]

[REDACTED]

The JTF coordinator must ensure that the

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[REDACTED]

b7E -30

e-mail marked as a record. If the TFM or TFP joins both JTFs at the same time, the primary task force must be determined by agreement between FO executive management and the FBIHQ operational divisions.

(U) In [REDACTED] the TFM's or TFP's "status" for the primary task force must be recorded as "full-time." The individual's "status" for the secondary task force (if applicable) will be recorded as "parallel." This parallel status will still count against the secondary task force's FSL. The TFM's or TFP's work must continue to conform to any articulated legal parameters in the original MOU.

b7E -7

4.15. (U) [REDACTED]

(U) [REDACTED]

[REDACTED]

b7E -2,4,7

(U) [REDACTED]

[REDACTED]

(U) [REDACTED]

[REDACTED]

b7E -1,2,4,7

(U) [REDACTED]

[REDACTED]

4.15.1. (U) [REDACTED]

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(U) [REDACTED]

[REDACTED]

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4.15.2. (U) [REDACTED]

(U) JTF SSAs (or JTF coordinators) must enter task force expenditures (e.g., common expenses and overtime) into [REDACTED]. A TFO must be properly registered in [REDACTED] and must be approved for benefits to be eligible to receive overtime reimbursement. See subsection 4.15.6 for required TFO registration information. For additional information regarding the payment of overtime, see subsection 4.4.

(U) All fiscal year task force funding requests must be submitted via [REDACTED] and approved by the JTF SSA, ASAC, and FBIHQ division. The process must be managed by the respective FBIHQ operational division. The funding request must be provided to the FBIHQ division's budget unit at the close of the request period.

4.15.3. (U) [REDACTED]

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(U) [REDACTED]

[REDACTED] This does not replace the requirement to upload these official documents into Sentinel. [REDACTED]

4.15.4. (U) [REDACTED]

(U) The FBIHQ PM must assign the appropriate number of vehicle and gas card slots to the task force, but once those are entered in [REDACTED] the information and assignments can be managed at the task force level. A full-time deputized local, state, territorial, or tribal TFO must be properly registered in [REDACTED] and must be approved for benefits in order to be assigned a vehicle. See subsection 4.15.6 for required TFO registration information. When a TFO leaves the task force, the vehicle must be returned and documented within [REDACTED].

4.15.5. (U) Mobile Devices

(U) [REDACTED]
[REDACTED]
[REDACTED] See subsection 4.15.6 for required TFO registration information. When a TFO departs from all FBI task forces, the equipment must be returned and documented in [REDACTED]. Mobile devices must be used in accordance with the Mobile Devices and Mobile Applications Policy Guide (1119PG).

b7E -4,7

4.15.6. (U) Required Information to Register Task Force Personnel in [REDACTED] and Sentinel

(U) JTF SSAs (or JTF coordinators) must enter the below information into [REDACTED]
[REDACTED] JTF SSAs (or JTF coordinators) must update information in [REDACTED] as soon as practicable, but no later than 30 business days, after the information changes. National security parallel-assigned JTF personnel must be registered to each task force they serve.

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4.15.6.1. (U) Required Information for Task Force Officers

(U) The following information must be entered into [redacted]

- (U) [redacted]
[redacted]
- (U) [redacted] b7E -4,7
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]

(U) The following information must be entered into [redacted]

- (U) [redacted]
[redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]
- (U) [redacted]

4.15.6.2. (U) Required Information for Other JTF Personnel

(U) The following information must be entered into [REDACTED]

- (U) [REDACTED] b7E -4,7
- (U) [REDACTED]
- (U) [REDACTED]
- (U) [REDACTED]
- (U) [REDACTED]
- (U) [REDACTED]
- (U) [REDACTED]
- (U) [REDACTED]

4.16. (U) [REDACTED]

(U) [REDACTED]

4.17. (U) Information Sharing

(U) The sharing and dissemination of all FBI information must conform with the relevant AG guidelines, the DIOG, and other relevant FBI policies. All information in any FBI file or system is the property of the FBI and must not be shared or disclosed by JTF personnel—even to their parent agencies—without the prior approval of their FBI supervisors. Parent agency heads will be briefed on JTF matters by FBI management, as appropriate. [REDACTED]

[REDACTED]

(U) JTF personnel must use FBI forms to prepare all investigative reports. Subject to any legal or policy restrictions, copies of FBI documents created by JTF personnel for a JTF matter based upon information obtained from JTF participation are considered to be federal documents under the control of the FBI and must be maintained in accordance with the Records Management Policy Guide (0769PG). JTF materials and investigative records, including any MOU, originate with, belong to, and will be maintained by the FBI. Every individual participating on a JTF must sign an FD-868, “Nondisclosure Agreement for Joint Task Force Members, Contractors, Detailees, Assignees, and Interns,” which is maintained by the CSO.

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(U) Information learned during a JTF investigation is subject to all information-sharing authorities that govern the FBI. JTF personnel must comply with all applicable dissemination restrictions when sharing information with non-JTF individuals. In addition to the mandatory dissemination restrictions applicable to all FBI employees and task force personnel, including any relevant MOUs, information obtained during the course of the JTF's investigation may not be disclosed outside of the FBI without the approval of the JTF SSA. It is important to note that some classification and dissemination restrictions are binding and survive the duration of the JTF or the TFO's tenure on the JTF. These restrictions include, but are not limited to, classification rules, content indicators including law enforcement sensitive (LES) or law enforcement sensitive-not releasable to foreign nationals (LES-NOFORN), grand jury information, foreign government information, any originator-controlled caveats, and statutory authorities such as the Privacy Act (5 U.S.C. § 552a). For example, JTF information may identify individuals whose information is protected by the Privacy Act of 1974 and by EO 12333 and may not be disseminated except as provided by those authorities. See the FBI Information Sharing Activities with other Government Agencies Policy Directive (0012D) and the Privacy Policy Guide (1113PG) for more information.

(U) Like all FBI employees, JTF personnel are strictly prohibited from disclosing any classified information to individuals who do not possess the appropriate security clearance and a need to know. JTF personnel are not permitted to discuss official JTF business with a parent agency supervisor or another individual not assigned to the JTF, unless the supervisor or other individual possesses the appropriate security clearance and need to know and the dissemination or discussion is specifically approved by the JTF SSA in advance. [REDACTED]

b7E -14

(U) [REDACTED]
[REDACTED] All JTF personnel are prohibited from disclosing such information except in accordance with applicable law and regulation.

(U//~~FOUO~~) The dissemination of all classified and unclassified FBI information to foreign recipients must be done in accordance with the [REDACTED]
[REDACTED]

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4.17.1. (U) Data Leaks, Spillage, or Breaches

(U//~~FOUO~~) The FBI and the parent agency must immediately report to each other every instance wherein data received from the other is used, disclosed, or accessed in an unauthorized manner (including any data losses or breaches). See the Security Compliance Program Policy Guide (0934PG) and the Roles and Responsibilities for Reporting a Data Breach Policy Directive (0504D) for additional information.

4.17.2. (U) Access to Investigative Documents

(U) For JTF personnel with no access to FBI computer systems, only FBI employees may provide hard copies of electronic documents within the systems to the JTF personnel, and only if the JTF personnel have the appropriate security clearance and a need to know. Before providing

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such documents to JTF personnel, FBI employees must ensure that the JTF personnel satisfy these access requirements.

4.17.3. (U)

(U)

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4.18. (U) Use of Force Requirements

4.18.1. (U) Deadly Force

(U) Pursuant to DIOG subsection 3.3.2, JTF personnel must abide by their own agencies' deadly force policies. See DIOG Appendix F.

(U//~~FOUO~~) Any use of deadly force during FBI operations will be investigated in accordance with the Shooting Incident Response Procedures Policy Directive (0782D). The Inspection Division (INSD) is responsible for overseeing investigations of shooting incidents involving FBI TFOs participating in authorized FBI JTFs.

(U//~~FOUO~~) A TFO travelling within the United States on official FBI business must abide by the policies of the TFO's parent agency and meet the same standards as an FBI special agent (SA) with regard to the possession or carrying of a firearm

(U//~~FOUO~~) A TFO travelling outside the United States on official FBI business also must abide by the same standards as an FBI SA with regard to the possession or carrying of a firearm. Any such possession or carrying of a firearm must be approved in advance by the appropriate legal attaché (Legat) office(s). Regular duty weapons and any personally owned weapons must be left in the United States. Any TFO approved to carry a firearm while in a foreign country will be issued a firearm from the respective Legat's inventory. For additional details regarding firearms abroad, please refer to the International Operations Division Policy Guide (1102PG).

4.18.2. (U) Less-than-Lethal Force

(U//~~FOUO~~) When use of force is required, but deadly force may not be appropriate, FBI SAs and TFOs may employ less-than-lethal weapons to temporarily incapacitate a subject. While the intent is to avoid causing serious harm to a subject, significant injury and death can result from the use of less-than-lethal devices.

(U//~~FOUO~~) In order for a TFO to be authorized to carry less-than-lethal devices issued by his or her parent agency when participating in JTF operations, the following requirements must be met:

- (U//~~FOUO~~) The TFO's parent agency must advise the FBI in writing (preferably as part of the MOU between the FBI and the agency regarding the individual's task force participation) that:

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- (U//~~FOUO~~) The agency will ensure that while the individual is participating as a TFO in FBI-led task force operations, the individual will carry only less-than-lethal devices that the parent agency has issued to the individual and that the individual has been trained in accordance with the agency's policies and procedures.
- (U//~~FOUO~~) The agency's policies and procedures for the use of any less-than-lethal device that the TFO will carry are consistent with the *Department of Justice Policy Statement on the Use of Less-Than-Lethal Devices* (see DIOG Appendix E).
- (U//~~FOUO~~) The FBI task force supervisor must ensure that written documentation of certification to carry less-than-lethal devices is obtained for the TFO and must maintain a copy of that documentation in [REDACTED]

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(U//~~FOUO~~) Notwithstanding any existing written authorization to carry less-lethal devices, the JTF SSA still retains the discretion to prohibit a TFO from carrying a particular less-than-lethal device on any FBI-led operation where, in the judgment of the JTF SSA, the particular device may pose a hazard or risk to the operation or participants.

(U//~~FOUO~~) Refer to the *Less-Than-Lethal Devices Policy Guide* (0517PG) for more information.

4.19. (U) Overseas Deployment and Investigations

(U//~~FOUO~~) A TFO, TFM, or TFP deployed abroad for official JTF matters must have an official passport. The TFO, TFM, or TFP and the responsible JTF SSA (or JTF coordinator) must coordinate with the International Operations Division's (IOD) [REDACTED]

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[REDACTED] With the exception of a TFO, TFM, or TFP on a JTF with extraterritorial responsibilities, no TFO, TFM, or TFP will be able to obtain [REDACTED]

[REDACTED] When operating outside the United States or its territories, TFOs, TFMs, and TFPs must follow the requirements set forth for FBI employees in DIOG Section 13 and the *International Operations Division Policy Guide* (1102PG).

4.20. (U) Body-Worn Cameras (BWC)

(U//~~FOUO~~) Federally deputized TFOs enforcing federal law while assigned to FBI task forces under federal supervision must comply with FBI policy requirements in accordance with the *Body-Worn Cameras Policy Notice* (1216N), including those covering authorized use and activation of BWCs.

(U//~~FOUO~~) TFOs may wear and use their home agencies' BWC equipment but must do so in accordance with the processes and procedures in the *Body-Worn Cameras Policy Notice* (1216N).

(U) Questions about TFOs' use of BWCs should be directed to CDCs.

5. (U) Authorities

- (U) 28 CFR § 0.85(a)
- (U) 28 CFR § 50.15
- (U) 28 CFR § 0.112
- (U) 21 U.S.C. § 878
- (U) 28 U.S.C. § 533
- (U) Computer Fraud and Abuse Act (18 U.S.C. § 1030)
- (U) 28 CFR §0.104
- (U) 28 CFR § 0.104 App. To Subpart R; Redelelegation Functions
- (U) 21 U.S.C. §§ 873(b) and 965
- (U) 28 U.S.C. §1346(b)
- (U) DOJ *Policy on the Use of Body-Worn Cameras by Federally Deputized Task Force Officers*

Appendix A: (U) References

(U) BUNET Sites

- (U) OGC's Privacy and Civil Liberties Unit's (PCLU) [REDACTED]

[REDACTED]

- (U) [REDACTED]

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(U) Policies

- (U) Body-Worn Cameras Policy Notice (1216N)
- (U) DIOG
- (U) Drug-Free Workplace Policy Guide (0985PG)
- (U) Ethics and Integrity Program Policy Guide (1120PG)
- (U) FBI Information Sharing Activities with other Government Agencies Policy Directive (0012D)
- (U) Federal Bureau of Investigation Credentials and Special Agent Gold Badges Policy Guide (1097PG)
- (U) Foreign Dissemination of Information Policy Guide (1015PG)
- (U) Government Vehicle Use Policy Guide (1093PG)
- (U) International Operations Division Policy Guide (1102PG)
- (U) Less-Than-Lethal Devices Policy Guide (0517PG)
- (U) Memorandums of Understanding and Noncontractual Agreements Policy Guide (1031PG)
- (U) Mobile Devices and Mobile Applications Policy Guide (1119PG)
- (U) Personnel Security Clearance and Access Policy Guide (0192PG)
- (U) Preemployment Drug Adjudication Policy Guide (1146PG)
- (U) Privacy Policy Guide (1113PG)
- (U) Public Affairs Policy Guide: Media Relations, External Communications, and Personal Use of Social Media (1002PG)
- (U) Records Management Policy Guide (0769PG)
- (U) Return of Government Property Upon Separation From the FBI Policy Directive (0873D)
- (U) Roles and Responsibilities for Reporting a Data Breach Policy Directive (0504D)
- (U) Security Clearance Requirements for Access to FBI Information Systems Policy Directive (0607D)
- (U) Sensitive Compartmented Information Access Policy Directive (0693D)

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- (U) Security Compliance Program Policy Guide (0934PG)
- (U) Shooting Incident Response Procedures Policy Directive (0782D)
- (U) Time and Attendance Policy Directive and Policy Guide (0654DPG)
- (U) Time Utilization and Recordkeeping Policy Directive (1078D)
- (U) USMS Policy 17.11, *Special Deputation Program*

(U) Forms

- (U) Form 4414, "Sensitive Compartmented Information Nondisclosure Agreement"
- (U) FD-193, "Employee Out-Processing Record"
- (U) FD-500, "Report of Lost or Stolen Property" (InfoPath form)
- (U) FD-739 "Oath of Office – Special Deputation"
- (U) FD-739a, "Credential for Special Deputation"
- (U) FD-815 "Title 21 Deputation Request"
- (U) FD-868, "Nondisclosure Agreement for Joint Task Force Members, Contractors, Detailees, Assignees, and Interns"
- (U) SF-312, "Classified Information Nondisclosure Agreement"
- (U) USM-3A, "Application for Special Deputation"
- (U) USM-3B, "Special Deputation Oath of Office, Authorization, and Appointment"

Appendix B: (U) Definitions and Acronyms

(U) Definitions

(U) Task force: a temporary organization created to solve a particular problem.

(U) Unrestricted task force officer: a TFO who has received a full security clearance and has access to FBI facilities and information systems.

(U) Restricted task force officer: a TFO who has not received a full security clearance (e.g., a TFO who only has an LBI) and does not have access to FBI facilities and information systems.

(U) Acronyms

AD	assistant director
ADC	associate division counsel
ADIC	assistant director in charge
AG	Attorney General
AGG-Dom	<i>Attorney General's Guidelines for Domestic FBI Operations</i>
AMS	Asset Management System
ASAC	assistant special agent in charge
BOSS	Background Operations Security Section
BWC	body-worn camera
CD	Counterintelligence Division
CDC	chief division counsel
CEHTTF	Child Exploitation and Human Trafficking Task Force
CEPRU	Continuous Evaluation and Periodic Reinvestigations Unit
CFR	Code of Federal Regulations
CID	Criminal Investigative Division
CHS	confidential human source
CJIS	Criminal Justice Information Services Division
CRA	cost reimbursement agreement

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CSO	chief security officer
CTD	Counterintelligence Division
CTF	Cyber Task Force
CyD	Cyber Division
DAD	deputy assistant director
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DI	Directorate of Intelligence
DIOG	<i>Domestic Investigations and Operations Guide</i>
DOJ	Department of Justice
DOS	Department of State
DPO	division policy officer
EC	electronic communication
ELSUR	electronic surveillance
EO	executive order
FBI	Federal Bureau of Investigation
FBIHQ	Federal Bureau of Investigation Headquarters
FBINet	Federal Bureau of Investigation Network
FFD	Finance and Facilities Division
FISA	Foreign Intelligence Surveillance Act
FO	field office
FSL	funded staffing level
FTCA	Federal Tort Claims Act
GSA	General Services Administration
HCTF	Hate Crimes Task Force

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HRD	Human Resources Division
HUMINT	human intelligence
INSD	Inspection Division
IOD	International Operations Division
IPA	Intergovernmental Personnel Act
IPO	Internal Policy Office
JTF	joint task force
JTTF	Joint Terrorism Task Force
LBi	limited background investigation
LEO	law enforcement officer
LES	law enforcement sensitive
LES-NOFORN	law enforcement sensitive- not releasable to foreign nationals
LOA	letter of assignment
LOTU	Logistics and Official Travel Unit
MIOG	Manual of Investigative Operations and Guidelines
MOU	memorandum of understanding
NCIC	National Crime Information Center
NCIJTF	National Cyber Investigative Joint Task Force
NIP	National Intelligence Program
NSL	National Security Letter
NVLP	National Vehicle Lease Program
OCDETF	Organized Crime Drug Enforcement Task Force
OGC	Office of the General Counsel
OSS	Operational Support Section
PCII	Protected Critical Infrastructure Information

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PCHS	potential confidential human source
PCLU	Privacy and Civil Liberties Unit (OGC)
PG	policy guide
PM	program manager
PMU	Payroll Management Unit
POC	point of contact
PR	periodic reinvestigation
RES	removable electronic storage
SA	special agent
SAC	special agent in charge
SACS	Security Access Control System
SC	section chief
SCI	sensitive compartmented information
SecD	Security Division
SSA	supervisory special agent
SSN	social security number
TD	Training Division
TFM	task force member
TFO	task force officer
TFP	task force participant
TS	Top Secret
UC	unit chief

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UEID	unique employee identifier
U.S.	United States
U.S.C.	United States Code
USAO	United States Attorney's Office
USG	United States government
USMS	United States Marshals Services
USSS	United States Secret Service
VUA	vehicle use agreement
WMDD	Weapons of Mass Destruction Directorate
