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FEDERAL BUREAU OF INVESTIGATION

Domestic Investigations and Operations Guide (DIOG) Overview

OVERALL CLASSIFICATION:
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Policy Environment for Domestic Operations

Constitution, Statutes, and Executive Orders

AG GUIDELINES (AGG-Dom)

Apply to domestic national security and criminal investigative activities, including interagency coordination and intelligence analysis.

FBI's Domestic Investigations and Operations Guide (DIOG)

Program Policy Implementation Guides

Program
Guide

Program
Guide

Program
Guide

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DIOG Table of Contents

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Assessments Approval and Monitoring Summary¹

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#	Purpose (Seeking/obtaining Information about/related to)	Approval			File Type
		Criminal	National Security	Sensitive Invest. Matters	
1	Activities constituting violations of federal criminal law or threats to the national security	FD-71.	FD-71 or Guardian	CDC Review, SAC approval as soon as practical.	
2	The involvement or role of individuals, groups, or organizations in such activities (# 1 above)	with recurring 30 day justification review	recurring 30 day justification review		
3	Potential targets of or vulnerabilities to criminal activities in violation of federal law or threats to the national security (collection requirements)	Prior SSA or SIA approval required; certain methods require higher approval. File has recurring standard file review		Prior CDC Review, SAC approval	
4	Obtaining information to inform or facilitate intelligence analysis and planning			Subject to standard recurring file review	
5	Identify, assess, validate or maintain the cover or credibility of a CHS	FBI CHS Policy Manual and conformity with AGG - CHS		FBI CHS Policy Manual and conformity with AGG - CHS	
6	Matters of Foreign Intelligence (FI) Interest responsive to FI requirements	HQ Approval always required. Subject to standard recurring file review		HQ Approval always required. Subject to standard recurring file review	

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1. Incidental collection of Foreign Intelligence is authorized in any open Assessment or Predicated Investigation.

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Predicated Investigation Summary

Type	Opening Approval	Closing Approval	Notification
Preliminary Investigation	SSA	SSA	
Full Investigation	SSA	SSA	FBIHQ substantive unit; DOJ/NSD for USPER national security cases
Enterprise Investigation	SSA; FBIHQ unit	SSA; FBIHQ unit; 30 days unless advised to the contrary by the FBI	FBIHQ substantive unit; DOJ; US Attorney's Office (USAO)
Sensitive Investigative Matters (SIM)	CDC review; SAC approval; * Sensitive Operations Review Committee (SORC) Review	SAC	DOJ/ USAO; FBIHQ substantive section
Foreign Intelligence	FBIHQ - CMS	FBIHQ - CMS	FBIHQ CMS, DOJ NSD

* In certain circumstances as policy dictates.

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Field Office Investigations Chart

Investigation	Purpose	Duration	Documentation	Approval	Justification Review	SIM	Responsible Entity
Type 1	Activities constituting violations of federal/criminal law or threats to the national security	As long as necessary to achieve purpose and objective; No time limit	FD-71 or Guardian	Any employee can initiate; SSA or SIA Approval	Every 30 days	CDC review; SAC approval	Investigative Squad
Type 2	The involvement or role of individuals, groups, or organizations in such activities (# 1 above)	As long as necessary to achieve purpose and objective; No time limit	EC	Prior SSA or SIA Approval	Every 30 days; if probationary employee, every 60 days	CDC review; SAC approval	FIG or Investigative Squad
Type 3	Obtaining information that is responsive to a foreign intelligence requirement	As long as necessary to achieve purpose and objective; No time limit	EC	Prior SSA or SIA Approval	Every 30 days; if probationary employee, every 60 days	CDC review; SAC approval	FIG (Investigative Squad can support)
Type 4	Identify, assess, validate or maintain the cover or credibility of a CHS	CHSPM and AGG-CHS	EC	CHSPM and AGG-CHS	CHS Manual	Not addressed in DIOG; Follow CHS Manual	FIG or Investigative Squad
Type 5 and PFI Assessments	Matters of Foreign Intelligence (FI) interest responsive to FI requirement	As long as necessary to achieve purpose and objective; No time limit	EC	Prior SSA or SIA, and HQ/DI Approval	Every 90 days; if probationary employee, every 60 days	CDC Review; SAC Approval	FIG (Investigative Squad can support)
Investigation	Predication	Duration	Documentation	Approval	Justification Review	SIM	Responsible Entity
Full	Initiated if there is an "articulable factual basis" that reasonably indicates circumstances described in DIOG Section 7.5 exist	No time limit; Factual predication determines outcome	EC	Prior SSA with FBIHQ (& DOJ notice on NSB USPER matters)	Every 90 days; if probationary employee, every 60 days	CDC Review; SAC Approval; Notification to USAC or DOJ & HQ within 30 days	Investigative Squad
Enterprise Full	Investigation is predicated when there is an articulable factual basis for the investigation that reasonably indicates the group or organization is engaged in Racketeering, IT, DT, or other. See DIOG Section 8.4	No time limit; Factual predication determines outcome	EC	Prior SSA with FBIHQ and DOJ notice	Every 90 days; if probationary employee, every 60 days	CDC Review; SAC Approval; Notification to USAC or DOJ & HQ within 30 days	Investigative Squad
PFI Full	Investigation may obtain foreign intelligence that is responsive to a foreign intelligence requirement	Until the requirement is met; No time limit	EC	Prior DI/CMS notice to DDJNSO within 30 days	Every 90 days; if probationary employee, every 60 days	CDC Review; SAC Approval; Section Chief approval	FIG

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Investigative Methods Summary

Revised pursuant to the Department of Justice and the Department of Homeland Security
Red indicates methods not allowed under a particular operational activity; Green indicates methods allowed.

	Assessments	Preliminary Investigations	Full Investigations
Obtain publicly available information			
Access and examine FBI and other DOJ records, and obtain information from any FBI or DOJ personnel			
Access and examine records maintained by, and request information from, other federal, state, local, tribal, or foreign governmental entities or agencies			
Use online services and resources (whether nonprofit or commercial)			
Use and recruit human sources in conformity with AG Guidelines Regarding the Use of FBI Confidential Human Sources			
Interview or request information from members of the public and private entities			
Accept information voluntarily provided by governmental or private entities			
Engage in observation or surveillance not requiring a court order			
Mail covers			
Physical searches of personal or real property where a warrant or court order is not legally required because there is no reasonable expectation of privacy (e.g., trash covers)			
Consensual monitoring of communications, including consensual computer monitoring, is subject to legal review by the CDC or the FBI OGC. Where a sensitive monitoring circumstance is involved, monitoring must be approved by the Criminal Division or, if the investigation concerns foreign intelligence or a threat to the national security, by the National Security Division			
Use of closed-circuit television, direction finders, and other monitoring devices, subject to legal review by the CDC or FBI OGC			
Polygraph examinations			
Undercover operations			
Compulsory processes authorized by law, including Federal Grand Jury and other subpoenas and National Security Letters (Federal Grand Jury subpoenas for telephone and electronic mail subscriber records can be used during type 1 and 2 Assessments only)			
Accessing stored wire and electronic communications and transactional records			
Use of pen registers and trap and trace devices			
Electronic surveillance			
Foreign Intelligence collection under Title VII of FISA			
Physical searches, including mail openings, where a warrant or court order is legally required because there is an expectation of privacy			

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Investigative Methods Approval Summary

Authorized Method and DIOG Reference*		Approval Levels for Assessments and Predicated Investigations		
		Assessments	Predicated	Foreign Intelligence
1	5.9A	Obtain publicly available information	None Required	None Required
		Tasking a UCE to attend a religious service	Not Permitted	SSA Approval
		Physical surveillance of a person or group (Consult the DIOG for handheld photo and video surveillance with no reasonable expectation of privacy)	SSA Approval, up to [redacted] consult DIOG for requirements	None Required
2	5.9B	[redacted]	ASAC Approval - on [redacted] period only	ASAC Approval
		[redacted]	ASAC Approval	ASAC Approval
3	5.9C	Access and examine FBI and other Department of Justice (DOJ) records, and obtain information from any FBI or other DOJ personnel	None Required	None Required
4	5.9D	Access and examine records maintained by, and request information from, other federal, state, local, or tribal, or foreign governmental entities or agencies	None (Unless such approval is required by MOU or other agreements)	None (Unless such approval is required by MOU or other agreements)
5	5.9E	Use online services and resources (whether nonprofit or commercial)	None Required	None Required
6	5.9F	Interview or request information from members of the public and private entities	[redacted]	[redacted]
7	5.9G	Accept information voluntarily provided by governmental or private entities	None Required	None Required
8	5.9H	Use and recruit human sources	None Required	None Required
		Tasking a CHS to attend a religious service	SAC Approval	SSA Approval
9	5.9I	Federal Grand Jury subpoenas for telephone or electronic mail subscriber information	US Attorney Office Approval (Type 1 and 2 Assessments Only)	US Attorney Office Approval
10	5.9C	Pattern Based Data Mining	SORC	SORC

For a sensitive investigative method consult the DIOG or obtain approval and instructions

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Investigative Methods Approval Summary (cont.)

Authorized Method and DIOG Reference ^a			Approval Levels for Assessments and Predicated Investigations	
			Assessments	Predicated
11	11.3	Mail covers	Not Permitted	Criminal: SSA Approval National Security: Director or designee (EAO, NSB)
12	11.4	Physical searches of personal or real property where a warrant or court order is not legally required because there is no reasonable expectation of privacy (e.g., [redacted])	Not Permitted	None Required
13	11.5	[redacted]	Not Permitted	
14	11.5	[redacted]	Not Permitted	
15	11.6	Use of closed-circuit television [redacted]	Not Permitted	CDC or OGC Review SSA Approval
16	11.7	Polygraph examinations	Not Permitted	SSA Approval
17	11.8	Undercover operations, Group II	Not Permitted	CDC Review, SAC or ASAC with delegated authority; National Security cases also require NSD unit UACB
18	11.8	Undercover operations, Group I	Not Permitted	CDC review, SAC, and AD and CUORC or UCRC (EAD/DD certain cases) Approval
19	11.9	Compulsory process as authorized by law; Federal Grand Jury and trial subpoenas	Not Permitted (except for #9)	US Attorney's Office Approval
20	11.9	Administrative Subpoenas: Drugs	Not Permitted	SAC, ASAC, SSRA, or Drug Squad SSA
		Administrative Subpoenas: Sexual Exploitation		
		Administrative Subpoenas: Healthcare Fraud		U.S. Attorney's Office Approval
21	11.9	National Security Letters	Not Permitted	Field Office: CDC Review, ADIC or SAC Approval; HQ: NSLB Review; DD or EAO-NSB or AD & DADs CT/CD/CyD or GC or Deputy GC-NSLB Approval
22	11.10	Accessing stored wire and electronic communications and transaction records	Not Permitted	Statute/Court Order, Consult DIOG
23	11.11	Use of pen registers and trap and trace devices	Not Permitted	
24	11.12	Electronic surveillance	Not Permitted	FISA Court or District Court Order Permitted in Full Investigations Only
25	11.13	Physical searches, where there is reasonable expectation of privacy, including mail openings	Not Permitted	FISA Court or District Court Order unless by consent Permitted in Full Investigations Only
26	11.14	Acquisition of foreign intelligence information in conformity with Title VII of the Foreign Intelligence Surveillance Act	Not Permitted	FISA Court Order Permitted in Full Investigations Only

a. For more information, see the FBI's Investigative Methods Manual.

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