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FEDERAL BUREAU OF INVESTIGATION

OVERALL CLASSIFICATION:
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FBIHQ DIOG Training Session C



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DIOG Section 5: Assessments

A new type of activity formed by combining:

- "threat assessments" from the former AGG for FBI National Security Investigations and Foreign Intelligence Collection
- the "prompt and extremely limited checking of initial leads" allowed under the former AGG on General Crimes, Racketeering Enterprise and Terrorism Enterprise Investigations

Assessment activities:

- must always be based on an authorized purpose
- require specific work flows for management and documentation (FD-71, Assessment Files)

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DIOG Section 5: Assessments

Before initiating or approving an assessment, an FBI employee or approving official must determine whether:

- An authorized purpose and objective exists to conduct the assessment
- The assessment is based on factors other than the exercise of First Amendment activities or the race, ethnicity, national origin or religion of the subject
- The assessment is an appropriate use of personnel and financial resources



DIOG Section 5: Assessments

FIRST AMENDMENT RIGHTS:

Individuals or groups who communicate with each other or with members of the public in any form in pursuit of social or political causes—such as opposing war or foreign policy, protesting government actions, promoting certain religious beliefs, championing particular local, national, or international causes, or a change in government through non-criminal means, and actively recruit others to join their causes—have a fundamental constitutional right to do so. An assessment may not be initiated based solely on the exercise of these First Amendment rights. If, however, a group exercising its First Amendment rights also threatens or advocates violence or destruction of property, an assessment would be appropriate



DIOG Section 5: Type 1 and 2 Assessments

Investigative Methods in Type 1 and 2 Assessments require higher supervisory approval:

- Physical surveillance
- Certain interviews
- Tasking CHSs



DIOG Section 5: Type 1 and 2 Assessments

| Investigative Method | Purpose | Duration | Documentation | Approval | Justification Review | SM | 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. | ED 71 or 62400 | Any employee can initiate SSA or SA Approval | Every 30 days | COG or SAC approval | Investigative Squad |
| Type 2 | The involvement or role of individuals, groups, or organizations in such activities (if 1 above) | | | | | | |

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DIOG Section 5: Type 1 and 2 Assessment Example

- What would you do with this information?

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DIOG Section 5: Type 1 and 2 Assessment Example

- What can the agent do with this information?

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DIOG Section 5: Type 1 and 2 Assessment Example

- [Redacted]
- What action will you take?

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DIOG Type 2 Assessment: Example

- [Redacted]
- [Redacted]

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FD-71: Overview

- FD-71 is used for:
 - Complaint Intake
 - Documenting Type 1 and 2 assessments (per the DIOG)
 - NOTE [redacted]
 - Opening a predicated investigation (PI or Full) based on the results of an assessment
- Users of the form:
 - Originator: Any complaint originator
 - Supervisor: SSA or SIA who can assign an assessment
 - Agent/Analyst: Any employee who is authorized to conduct assessment investigative activities
 - CDC/ADC [redacted]
 - ASAC/SAC [redacted]

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FD-71: Opening a New Form

Website:
home/forms/fd71

Click open a blank FD-71 to begin

Investigators & Supervisors can view their FD-71s here.

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FD-71: Filling Out a New Form



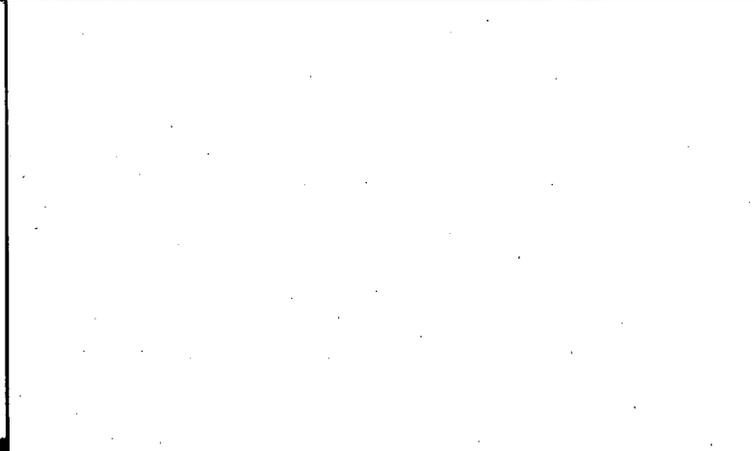
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FD-71: SIM

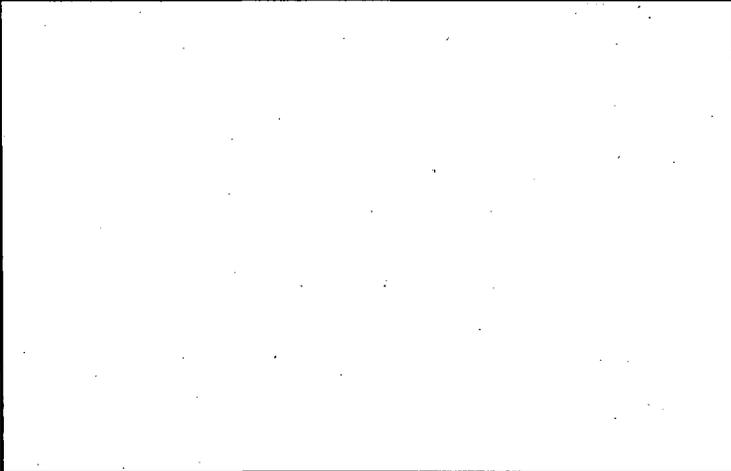


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FD-71: Supervisor Decision
Overview

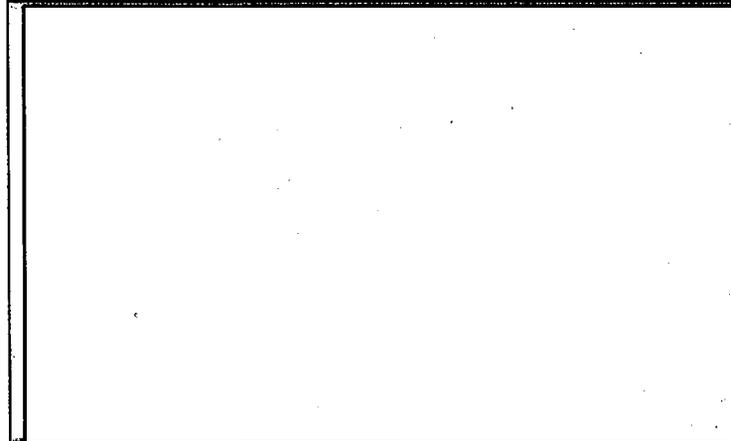


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FD-71: Supervisor Decisions
Overview



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FD71: Help Information

- Form owner: CPO
- FAQ:
- User Guide:
- CPO Contact Information:
 - Customer Support
 - Forms Management:

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AGG DOM and Guardian

Guardian has been modified to coordinate with the 12/1/08 implementation of the new Attorney General Guidelines for Domestic FBI Operations (AGG-Dom)

There have been four changes in Guardian:

Guardian incidents once assigned with an authorized purpose and objective are considered

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Guardian Policy

Information NOT permitted in Guardian:

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-
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-
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Guardian: Supervisor Oversight

 **GUARDIAN TRAINING**  [Learn More](#) [My Account](#) [Help](#)

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Guardian: Ability to Delete

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Guardian: Sensitive Investigative Matters

- Investigations and Assessments are deemed "Sensitive Investigative Matters (SIMs)" when they involve activities of:
 - A domestic public official (involving corruption or national security threat)
 - A political candidate (involving corruption or national security threat)
 - A religious or political organization, or individual prominent in such
 - News media
 - Matters having an academic nexus
 - Any other matter which should be brought to the attention of FBIHQ or DOJ, in the judgment of authorizing official
- SIMs Require Chief Division Counsel (CDC) review, SAC approval and notice to appropriate HQ Section/Unit

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Guardian: Disposition of Incidents

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Type 3 Assessments

| Investigator | Purpose | Duration | Documentation | Approval | Justification/Review | SIM | Responsible Eyt |
|--------------|---------|----------|---------------|----------|----------------------|-----|-----------------|
| | | | | | | | |

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 **Type 3 Assessment:
Authorized Purpose & Objective**

The authorized purpose of a Type 3 assessment is to obtain information on an identified potential threat or vulnerability in your domain.

The objective is to seek answers relating to the potential threat and vulnerability

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 **Type 3 Assessment:
Key Points**

- Opened based upon a potential identified threat or vulnerability
- One assessment file per threat or vulnerability identified
- Must initiate a separate assessment if active collection falls out of the purview of an open assessment or predicated case
- Incidental collection does not require opening a Type 3 assessment, but can be reported out of the case it was collected in
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Type 4 Assessments

| Investigation | Purpose | Duration | Documentation | Approval | Justification/Review | SM | Responsibility |
|---------------|--|---|-----------------------|-------------------------|--|------------------------|----------------|
| Type 4 | Obtaining information to inform or facilitate intelligence analysis and planning | As long as necessary to achieve purpose and objective. No time limit. | Professional Judgment | Figs SA/AC/ SA Approval | Every 90 days if provisional employee, every 60 days | OO/Review/ SA approval | |

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Type 4 Assessment: Key Points

- The authorized purpose of a Type 4 assessment is to obtain information to inform or facilitate intelligence analysis and planning.

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Type 4 Assessment: Key Points

- One file per assessment
- Must have authorized purpose and objective
- SSA/SIA approval needed to initiate
- CDC review/SAC approval for Sensitive Investigative Matters
- Subjected to 90 day file review

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Type 4 Assessment: Scenario

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Type 5 Assessments

| Investigation | Purpose | Duration | Documentation | Approval | Justification | SM |
|---------------|--|---------------|---------------|---------------|---------------|-------------------------------------|
| Type 5 | Identify, validate, maintain, control, and exploit ACS | CHSPM and ACS | [Redacted] | CHSPM and ACS | CHSPM and ACS | Not addressed in DCS, FduvCS Manual |

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Type 5 Assessments: Key Points

- **Two Distinct Activities**
 - Seeking information on a potential [Redacted] series)
 - [Redacted]
- **Limited techniques**
- The [Redacted] - created for three purposes
 - Allow for an IA to do a [Redacted]
 - Interim ACS solution until CHSPM is updated and approved (Difference between CHS and Type 5)
 - HUMINT Squad broad based recruitment

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Type 5 Assessments: Key Points

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DIOG Section 9: Foreign Intelligence

| Investigator | Purpose | Duration | Documentation | Approval | Justification Review | SIM | Responsibility |
|--------------|--|-----------------------------------|---------------|-----------------------------------|--|--|--------------------------|
| FR/FII | Investigation of foreign intelligence activities for foreign intelligence requirements | Until requirements met/terminated | EC | By DCM/Strike (ECI/SC/WH) 30 days | Every 30 days; if probationary employees every 60 days | CCO Review, SC Approval, Senior CIO Approval | <input type="checkbox"/> |

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DIOG Section 9: Foreign Intelligence

- **Foreign Intelligence** is "information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, or foreign persons, or international terrorists."
- A **Foreign Intelligence Requirement** is a collection requirement issued by USIC and accepted by the FBI DI. Foreign Intelligence Requirements from the USIC fall into two categories which are
 - **FBI Requirements** are those that address national security issues that are within the FBI's core national security mission
 - **Positive Foreign Intelligence Requirements** are those that address the military, economic and foreign relations concerns of foreign governments, which are within FBI's responsibility as part of the USIC but are not directly related to national security concerns



DIOG Section 9: Foreign Intelligence

- Requirements in the first category that are accepted by the DI as "FBI Requirements" will be worked within a properly authorized Type 3 Assessment or incidental to a predicated case worked by a substantive squad.
- Foreign Intelligence Requirements that fall into the second category will be worked exclusively under case



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DIOG Section 9: Positive Foreign Intelligence

- Positive Foreign intelligence (PFI) collection in the FBI is a requirements-based activity
- Under the AGG-Dom, there are two categories of "authorized activity" under which PFI may be collected:
 - a (non-predicated) Assessment relating to "a matter of foreign intelligence interest" responsive to FI requirements
 - a Full Investigation predicated on an FI requirement
 - ***Both must be requirements-based and approved by FBIHQ DI***
- In collecting FI, the FBI will generally be guided by nationally-determined intelligence requirements, including the National Intelligence Priorities Framework and the National HUMINT Collection Directives, or any successor directives issued under the authority of the Director of National Intelligence

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PFI Full Investigations

- Used when a collection capability (source) is established or positively identified.
- PFI requirement must have been accepted by the FBI as the agency with "primary" collection responsibility.
- The authorized purpose must be documented in the opening EC (see [redacted])
- Must be approved in advance by DI, CMS, CPMU - Files opened by the Field Office.
- Sensitive PFI matters require field office CDC review, SAC approval & CMS Section Chief approval.
- [redacted]
- Approval EC from CPMU will contain explicit directions regarding the approved PFI investigation title, requirement, etc.
- No duration limit for PFI full investigations.

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Privacy Act / USPER Considerations

[Redacted]

- Avoid identifying individuals (USPERS) in PFI files unless ID is essential to satisfy the collection requirement.
- If you must ID U.S. persons (covered by the Privacy Act) limit any/all identifying info to basic identifiers.
- If you must ID U.S. persons (covered by the Privacy Act) [Redacted]
- Utilize [Redacted] for a Type 5 assessment to record information about prospective or potential sources, etc.

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DIOG Section 9: Example

[Redacted]

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DIOG Section 9: Example

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Type 6 Assessments

| Investigation | Purpose | Duration | Documentation | Approval | Justification/In | SM | Responsible Off |
|---------------|---------|----------|---------------|----------|------------------|----|-----------------|
| Investigation | Purpose | Duration | Documentation | Approval | Justification/In | SM | Responsible Off |

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Type 6 Assessments: Key Points

- Must be approved by DI/CPMU.
- PFI is FI that is not directly related to the FBI's core national security and law enforcement missions.
- If FI can fall under one of the substantive programs (IT,DT,CD,CYB,CID,WMD) then it is not PFI.
- [Redacted]
- One Type 6 assessment file per USIC Requirement
- Incidental collection does not require a Type 6 assessment opening and can be reported out of the case it was collected in.

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[Redacted]

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Type 6 Assessments: Authorized Purpose and Objective

The authorized purpose of a Type 6 assessment is to obtain positive foreign intelligence that is responsive to a USIC foreign intelligence requirement that the FBI has been designated as a primary collector.

The objective is to seek answers relating to the USIC foreign intelligence requirement that the FBI has been designated as a primary collector. The objective should define the scope, time and manner to achieve the underlying purpose.

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DIOG Section 15: Intelligence Analysis and Planning

- **Overview:** Authority for planning and developing intelligence analysis to support the intelligence functions and missions of the FBI is incorporated in AGG-Dom, Part IV. This section elaborates upon the means by which the investigative assessments outlined in AGG-Dom, Part II are authorized for the FBI to undertake in executing its mission to discover and avert criminal threats and threats to US national security
- The term "assessment" as used within the DOJ to describe aspects of investigative activity should not be confused with the intelligence community use of the same word to describe intelligence analysis products such as an intelligence assessment

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DIOG Section 15: Intelligence Analysis and Planning

- **Strategic Planning and Analysis:** The FBI is authorized to develop overviews and analysis of threats to and vulnerabilities of the United States and its interests in areas relative to the FBI's responsibilities. The FBI employs the following methodologies to identify, target and assess these threats:
 - Domain Management
 - Collection Management
 - Written Intelligence Products
 - Geospatial Intelligence (GEOINT)

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DIOG Section 15: Intelligence Analysis and Planning

- **Domain Management (cont.):** Domain Management is undertaken at the Field Office and national levels. All National Domain Assessments must be coordinated in advance with the Directorate of Intelligence. All information collected for Domain Management must be documented in an
- **Collection Management:** A formal business process through which Intelligence Information Needs and Intelligence Gaps (e.g., unknowns) are expressed as Intelligence Collection Requirements (questions or statements requesting information), prioritized in a comprehensive, dynamic Intelligence Collection Plan.

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DIOG Section 15: Intelligence Analysis and Planning

Written Intelligence Products: The FBI produces written intelligence products which represent the results of collection efforts in the field (raw intelligence) and analytic judgments made from the compilation and synthesis of relevant raw intelligence (finished intelligence).

US Person Information: Information regarding US persons is not to be included in intelligence products if the pertinent intelligence can be conveyed without including identifying information. An exception would be if the context for usage is publicly accessible information, i.e., the white powder anthrax letter addressed to Senator Tom Daschle in October 2001.

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DIOG Section 15: Intelligence Analysis and Planning

Such reporting information is typically captured in Intelligence Information Reports (IIRs), FD 302s and ECs.

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the Intelligence Bulletin (IB), Intelligence Assessment (IA) and Special Event Threat Assessment (SETA). Domain Assessments and briefings can also represent finished intelligence products.

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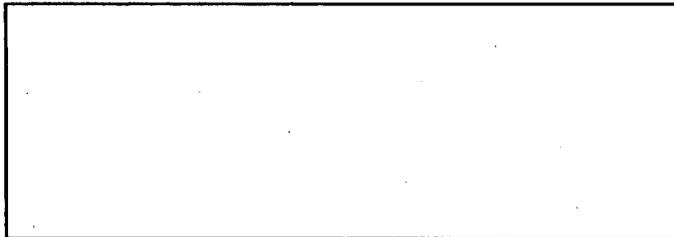


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DIOG Section 15: Intelligence Analysis and Planning

Intelligence Systems: The FBI is authorized to operate intelligence, identification, tracking and information systems in support of authorized investigative activities or for such other additional purposes as may be legally authorized, such as intelligence tracking systems related to terrorists, gangs, or organized crime groups.

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DIOG Section 15: Intelligence Analysis and Planning

Geospatial Intelligence (GEOINT) is the exploitation and analysis of imagery and geospatial information to describe, assess and visually depict physical features and geographically- referenced activities on the Earth. **Mapping** is an activity under GEOINT and may be used in assessments (Domain Management; Collection Management) and predicated investigations

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