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FEDERAL BUREAU OF INVESTIGATION  
CORPORATE POLICY DIRECTIVE

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| <b>1. Policy Directive Title.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | FBI Domestic Investigations and Operations |
| <b>2. Publication Date.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2008-12-16                                 |
| <b>3. Effective Date.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2008-12-01                                 |
| <b>4. Review Date.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2011-12-01                                 |
| <b>5. Primary Strategic Objective.</b><br>A3-Preserve civil liberties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                            |
| <b>6. Authorities:</b><br><i>Attorney General's Guidelines for Domestic FBI Operations (AGG-Dom)</i> , dated September 29, 2008<br>See <i>FBI Domestic Investigations and Operations Guide</i> , Sections 2, 3 and 4.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                            |
| <b>7. Purpose:</b><br>To promulgate the <i>FBI Domestic Investigations and Operations Guide</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                            |
| <b>8. Policy Statement:</b><br>1. All FBI employees responsible for performing domestic investigative operations and intelligence collection activities in furtherance of the mission of the FBI shall comply with the policies and procedures contained in the <i>FBI Domestic Investigations and Operations Guide</i> (DIOG), which is consistent with the laws, rules and regulations governing FBI investigations, operations, programs and activities.<br>2. All FBI employees responsible for performing or supporting domestic investigative operations and intelligence collection activities in furtherance of the mission of the FBI shall successfully complete all assigned training courses derived from the AGG-Dom and the DIOG.<br>3. All updates and modifications to the DIOG shall be coordinated by the Corporate Policy Office, Resource Planning Office, and approved internally by the Deputy Director. Furthermore, updates and modifications to the following sections of the DIOG require Attorney General approval:<br>3.1. <u>Undisclosed Participation, Section 16</u><br>3.2. <u>Classified Appendix</u><br>4. Unless otherwise specifically stated in the AGG-Dom, DIOG or FBI policy, Division Heads may delegate, as appropriate, approval authorities for authorized investigative operations, intelligence collection activities and methods as described in the DIOG. |                                            |
| <b>9. Scope:</b><br>The AGG-Dom and DIOG apply to all FBI domestic investigations and operations conducted by "FBI employees" such as, but not limited to, applicable support personnel, intelligence analysts, special agents, task force officers, detailees, FBI contractors and confidential human sources (CHS). All of these "FBI employees" are bound by the AGG-Dom and DIOG. In the DIOG, the use of "FBI employee" implies the use of all personnel descriptions, if not otherwise prohibited by law or policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                            |
| <b>10. Proponent:</b><br>Director<br>Federal Bureau of Investigation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                            |
| <b>11. Roles and Responsibilities:</b><br>1. Deputy Director<br>1.1. Must ensure FBI compliance with the DIOG and subordinate implementing procedural                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                            |

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4/14/2011

directives and division specific policy implementation guides.

- 1.2. Must ensure the development and delivery of necessary training and the execution of the monitoring and auditing processes.
- 1.3. Must approve all updates to the DIOG upon coordination through the FBI policy cycle.
- 1.4. Must ensure that the DIOG is updated as necessary to comply with changes in the law, rules, or regulations, but no later than one year from the initial effective date of the DIOG, and every three years thereafter.
- 1.5. Must coordinate Attorney General approval of updates to the following DIOG sections:
  - 1.5.1. Undisclosed Participation, Section 16
  - 1.5.2. Classified Appendix

## 2. FBIHQ Assistant Directors (AD) and Operational Program Managers

- 2.1. Must promulgate and update, as necessary, a program implementation guide which supplements the DIOG. The program implementation guide cannot be less restrictive than the DIOG. The program implementation guide must comply with the policy contained in the DIOG, unless approval for deviation from the DIOG is reviewed by the General Counsel and approved by the FBI Deputy Director. The program implementation guide, and any updates thereto, must be approved by the Executive Assistant Director having oversight over the program upon coordination through the FBI policy cycle.
- 2.2. In consultation with the Office of General Counsel, must submit update requests to the policies and procedures contained in the DIOG to the Corporate Policy Office for coordination.
- 2.3. In consultation with the Office of Integrity and Compliance, must develop monitoring mechanisms to ensure employee compliance with the policy and procedures contained in the DIOG.

## 3. FBI Employees

- 3.1. Must ensure that all investigative activities they conduct comply with the Constitution, federal law, executive orders, Presidential Directives, AGG-Dom, other Attorney General Guidelines, Treaties, Memoranda of Agreement/Understanding, and any other applicable legal and policy requirements.
- 3.2. Must consult with his or her supervisor and Chief Division Counsel or Office of General Counsel when unsure of the legality of any investigative action or intelligence collection activity.
- 3.3. Must ensure that all investigative activities they conduct comply with the policies and procedures contained in the DIOG.
- 3.4. Must ensure that civil liberties and privacy are protected throughout the assessment or investigative process.
- 3.5. Must timely and successfully complete all assigned training courses derived from the policies and procedures contained in the DIOG.

## 4. Supervisors

- 4.1. Must monitor employee compliance with the Constitution, federal law, executive orders, Presidential Directives, AGG-Dom, other Attorney General Guidelines, Treaties, Memoranda of Agreement/Understanding, the policies and procedures contained in the DIOG, and any other applicable legal and policy requirements.
- 4.2. Must ensure their employees implement the policies and procedures contained in the DIOG.
- 4.3. Must ensure the standards defined in the DIOG are satisfied upon approval or review of any investigative or collection activity.
- 4.4. Must, if encountering a practice that does not comply with the law, rules, or regulations, report that compliance concern to the proper authority and, when necessary, take action to maintain compliance.
- 4.5. Must not retaliate or take adverse action against persons who raise compliance concerns.
- 4.6. Must promptly assign DIOG training courses to their employees and ensure their employees timely and successfully complete the assigned training courses.

## 5. Corporate Policy Office (CPO)

- 5.1. Must maintain the most current version of the DIOG on its website, coordinate modification requests to the DIOG, and update the DIOG as such requests are approved.
- 5.2. Must coordinate the development of DIOG training courses with the FBI operational programs and the Training Division and set employee course completion deadlines. CPO must monitor compliance with this mandate through FBIHQ and Field Office Training Coordinators.
- 5.3. Must develop and maintain a centralized portal for employee feedback of the policies and

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4/14/2011

procedures contained in the DIOG.

5.4. Must report any identified compliance risk areas associated with the DIOG to the Office of Integrity and Compliance.

6. FBIHQ and Field Office Training Coordinators

6.1. Must monitor timely and successful completion of DIOG training courses for all employees in their respective FBIHQ and Field Divisions.

6.2. Must provide training tracking information to the CPO on a regular basis to be determined by the CPO.

7. General Counsel

7.1. Must ensure the DIOG is in compliance with the AGG-Dom and all applicable legal authorities governing FBI investigations, operations, programs and activities.

7.2. Must review all requested modifications to the policies and procedures contained in the DIOG.

8. Inspection Division

8.1. Must conduct inspection audit and monitoring protocols consistent with ensuring the AGG-Dom and DIOG are appropriately utilized by FBI employees.

9. Office of Integrity and Compliance

9.1. Must review all requested modifications to the policies and procedures contained in the DIOG to ensure that these are clearly stated and that there is adequate training and monitoring to promote compliance with the modification.

9.2. In coordination with FBIHQ ADs and Operational Program Managers, must facilitate the development of monitoring mechanisms to ensure employee compliance with the policy and procedures contained in the DIOG.

For additional detailed roles and responsibilities associated with the laws, rules and regulations, including the policies and procedures contained within the DIOG, governing FBI investigations, operations, programs and activities, see Section 3 of the DIOG.

**12. Exemptions:**

See *Domestic Investigations Operations Guide*, Section 2, paragraphs 2.6, 2.7, and 2.8.

**13. Supersession:**

See *Domestic Investigations Operations Guide*, Appendix D.

**14. References, Key Words, and Links:**

See *Domestic Investigations Operations Guide*, Appendices A, B, E and F.

**15. Definitions:**

See *Domestic Investigations Operations Guide*, Appendix E.

**16. Appendices, Attachments, and Forms:**

FBI *Domestic Investigations and Operations Guide*

**Final Approval**

Name: Robert S. Mueller, III

Title: Director

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4/14/2011