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FEDERAL BUREAU OF INVESTIGATION

# Domestic Investigations & Operations Guide (DIOG) Recordkeeping Issues



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## AGG-Dom: What It Does

- Gives the FBI authorities to be more proactive and preventative, and the flexibility to deal with complex threats that do not fall neatly into programmatic silos
- Provides clarity and improves compliance by combining several sets of guidelines into one consistent set of guidelines
- Removes discrepancies, sets uniform rules for criminal, national security, and foreign intelligence collection cases
  - Because one-size does not fit all, each division will have its own program-specific operational procedures, requirements, and guidance

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## AGG-Dom: What It Does

- Reduces reporting requirements, particularly in the National Security area
- Recognizes Special Events & Domain Management as part of the FBI's mission
- Recognizes the FBI's obligation to provide investigative assistance and joint operational support to other agencies, including the U.S. intelligence community
- Creates a category outside of predicated investigations: **Assessments**

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## Implementation of the AGG-Dom

➤ **Development of the FBI's Domestic Investigations & Operations Guide (DIOG)**

Team of field and FBIHQ SSAs, Attorneys from NSLB, ILU and OIC have worked with Subject Matter Experts (SME) since May 2008

Held regular meetings with senior FBI Executives, Advisory Councils and Division Policy Officers

Consulted with DOJ, other Executive Branch Offices

➤ **Transition to new AGG-Dom**

DIOG replaces significant portions of the MIOG and NFIPM

Update SACs and host core cadre training sessions

Begin coordination of AGG-Dom and DIOG into Training Division curriculum

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# Policy Environment for Domestic Operations

**Constitution, Statutes, and Executive Orders**

**AG GUIDELINES**

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**

Policy  
Imp. Guide

Policy  
Imp. Guide

Policy  
Imp. Guide

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**Assessments Approval and Monitoring Summary**

| #  | Purpose<br>(Seeking/obtaining Information about/related to)                                                                     | Approval                                                                                                       |                                                                                                  |                                                                        |  |
|----|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|--|
|    |                                                                                                                                 | Standard                                                                                                       | National Security                                                                                | Sensitive Invest. Matters <sup>2</sup>                                 |  |
| 1. | Activities constituting violations of federal criminal law or threats to the national security                                  | Documented in complaint/intake form with recurring 30 day justification review                                 | Supervisory review and documentation through Guardian with recurring 30 day justification review | CDC Review, SAC Approval As Soon As Practical.                         |  |
| 2. | The involvement or role of Individuals, groups, or organizations in such activities (# 1 above)                                 |                                                                                                                |                                                                                                  |                                                                        |  |
| 3. | Potential targets of or vulnerabilities to criminal activities in violation of federal law or threats to the national security. | SSA or SIA approval required; certain methods require higher approval. File has recurring standard file review |                                                                                                  | Prior CDC Review, SAC Approval, subsequent notice to FBI/HQ            |  |
| 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 |  |

1. Incidental collection of Foreign Intelligence is authorized in any open Assessment or Predicted Investigation.
2. Any matter involving: A domestic public official or political candidate (involving corruption or National Security Threat); 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 the authorizing official

Type 3: special events, collection, etc

Type 4: Domain only



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## Assessments Approval and Monitoring Summary<sup>1</sup>

| #  | Purpose<br>(Seeking/obtaining Information about/related to)                                                                     | Approval                                                                                                       |                                                                                                  |                                                                                                         |
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|    |                                                                                                                                 | Standard                                                                                                       | National Security                                                                                | Sensitive Invest. Matters <sup>2</sup>                                                                  |
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| 2. | The involvement or role of individuals, groups, or organizations in such activities (# 1 above)                                 |                                                                                                                |                                                                                                  |                                                                                                         |
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| 4. | Obtaining information to inform or facilitate intelligence analysis and planning                                                |                                                                                                                |                                                                                                  |                                                                                                         |
| 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                                                     |
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Matters having an academic nexus;  
Any other matter which should be brought to the attention of FBIHQ or DOJ, in the judgment of the authorizing official

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## Documenting Assessment Activities on FD-71

- FD-71 records information relating to:
  - complaints
  - FBI-initiated assessments

- Maintained in SharePoint Library and, once closed, uploaded to appropriate file in ACS:

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NOTE: All  subject to recurring 30 day reviews

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## Documenting Assessment Activities on FD-

records information relating to:  
complaints  
SI-initiated assessments

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iate file in ACS:

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subject to recurring 30 day reviews

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FD 71 created by Complaint Desk, assigned SA, etc – normally no action  
required by SAS

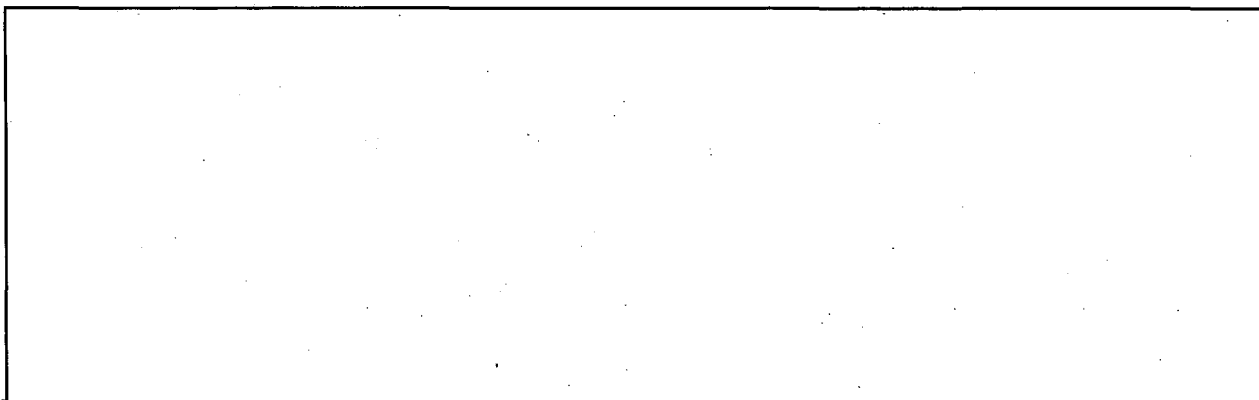


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Examples of [REDACTED]  
[REDACTED]



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Examples of

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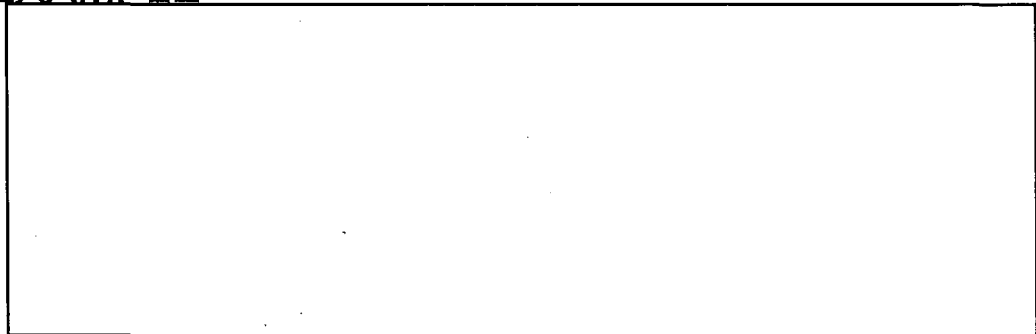
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## Use of Guardian to Initiate Terrorism Assessment Activities

- Incident Reports stored in Guardian and serialized

Incident Report opened as assessment, preliminary, full or enterprise case.

### EXAMPLE



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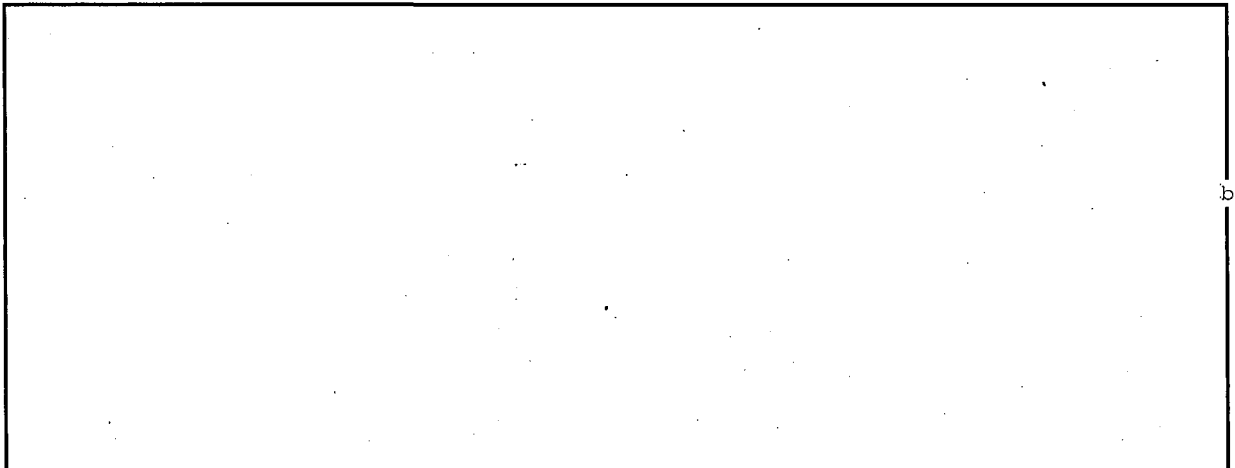
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# Use of Guardian to Initiate Terrorism Assessment Activities

ent Reports stored in Guardian and serialized

Incident Report opened as assessment, preliminary full or enterprise case.

## EXAMPLE



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Also done via new (revised) FD-71

Guardian will be used for [REDACTED]



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Guardian provides the ability to set action leads.

Now have IT or DT files

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## Substantive/Investigative Squad Assessments [REDACTED]

- Opened with EC
- Opened in appropriate classification to:
  - assess vulnerabilities and threats
  - understand trends, causes
  - understand/assess criminal or threat activity
- [REDACTED]
- Summary Field will contain statement:
  - “Purpose: Seek information related to”
  - Description of assessment purpose must be added
- Assessment Begin date mandatory
- Assessment Deadline optional

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# Substantive/Investigative Squad Assessments

ened with EC

ened in appropriate classification to:  
assess vulnerabilities and threats  
understand trends, causes  
understand/assess criminal or threat activity

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Primary Field will contain statement:

"Purpose: Seek information related to"

Description of assessment purpose must be added

Assessment Begin date mandatory

Assessment Deadline optional

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Assessments

Title will be changed to Substantive Squad

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Opened from [REDACTED]  
[REDACTED]

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- [REDACTED]
- FD-71 opens case
- Can be Assessment, PI, Full, Enterprise
- If Assessment, Summary Field will contain statement:
  - “Purpose: Seek information related to”
  - Description of assessment purpose must be added

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Opened from [REDACTED]

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[REDACTED]

71 opens case

be Assessment, PI, Full, Enterprise

assessment, Summary Field will contain statemer

“Purpose: Seek information related to”

Description of assessment purpose must be adc

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# Intelligence Program Assessments

- Only Classification [REDACTED]
- Opened with EC
- Intelligence Program Classifications
  - [REDACTED] Domain Management [REDACTED]
  - [REDACTED] Collection Management [REDACTED]
  - [REDACTED]
  - [REDACTED] Foreign Intelligence Program [REDACTED]
- Summary Field will contain statement:

“Purpose: Seek information related to”

Description of assessment purpose must be added

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# Intelligence Program Assessments

ly Classification [ ] investigative files

ened with EC

## Intelligence Program Classifications

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[ ], Domain Management [ ]

Collection Management [ ]

[ ] Foreign Intelligence Program [ ]

[ ]. Will always be [ ]

mmary Field will contain statement:

“Purpose: Seek information related to”

scription of assessment purpose must be added

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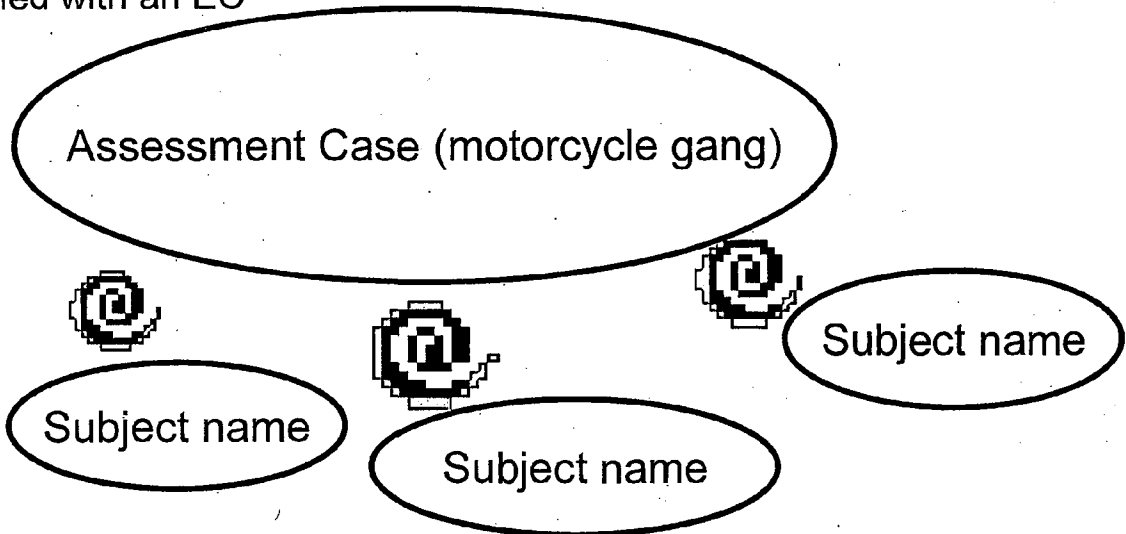


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## Assessment Spin-Off Case

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Spin-off cases can be Assessment, PI, Full, or Enterprise cases and are opened with an EC



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# Assessment Spin-Off Case

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cases can be Assessment, PI, Full, or Enterprise cases and  
with an EC

Assessment Case (motorcycle gang)



subject name



Subject name



Subject name

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An assessment case can be converted, but it can also continue as an ongoing (pending) case, and  
generate spin-off cases.

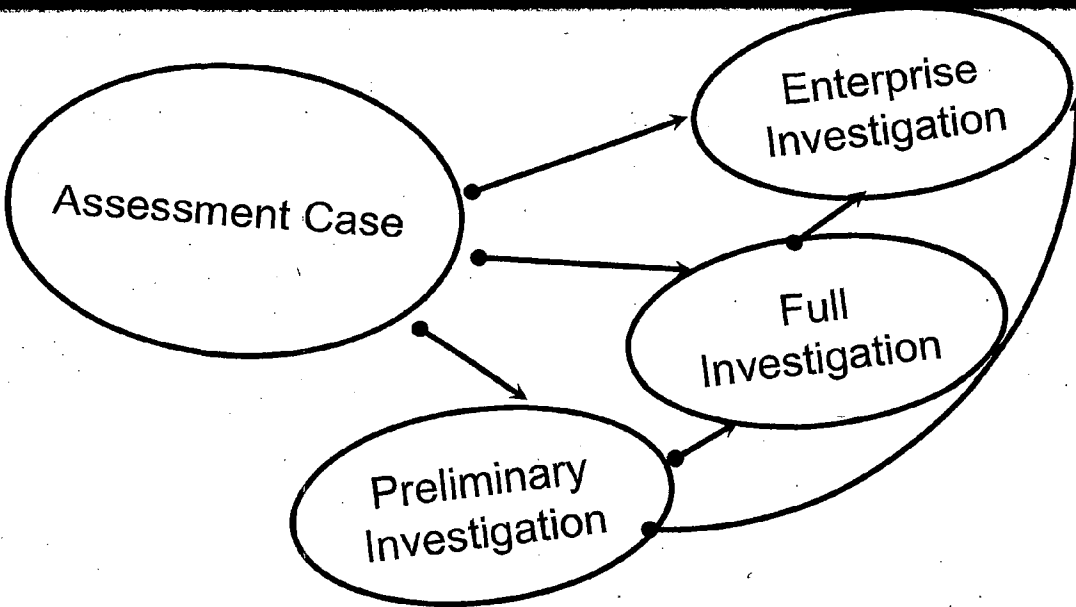
Spin-off cases are assessments or predicated investigations (PI, Full, or Enterprise)

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## Converting a Case

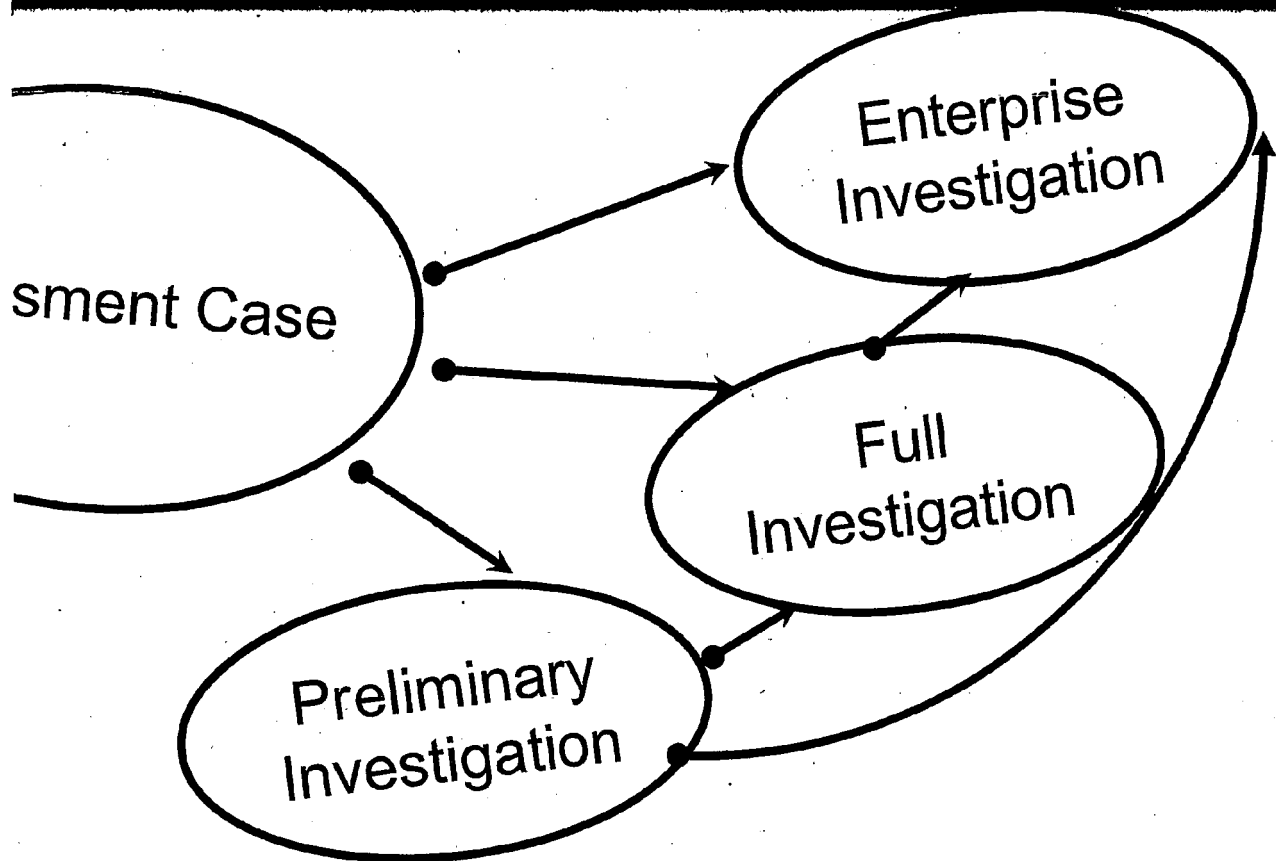


- New begin date cannot be prior to 15 days from the current date
- New begin date cannot be prior to current begin date

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# Converting a Case



/ begin date cannot be prior to 15 days from the current  
/ begin date cannot be prior to current begin date

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Assessment cases may go on indefinitely (with recurring 30 day approval) or at some point, the case agent(s) may accumulate sufficient documentation to convert the assessment to a predicated case. An assessment may be converted to a PI, Full, or enterprise investigation.

The new case (PI, Full, etc) can't have a conversion date more that 15 days prior to the current date  
The begin date of the new case can't be before the current begin date (is this right?)



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## Closing an Assessment

When closing an assessment, the FD-71 or EC must have statement:

“It is noted that the individuals and groups identified during the assessment do not warrant further FBI investigation at this time. It is recommended that this assessment be closed.”

Statement automatically populates in FD-71

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# Closing an Assessment

closing an assessment, the FD-71 or EC statement:

oted that the individuals and groups identified in the assessment do not warrant further FE investigation at this time. It is recommended that the assessment be closed.”

ment automatically populates in FD-71

As noted above, many assessments will not collect sufficient documentation to follow any of the above scenarios, and will be closed. This statement must be in the closing EC (or FD-71?)

FD-71 – automatic statement

EC must add statement



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## Reopening an Assessment Case

- If additional information is received after a case is closed, the assessment case can be reopened with documentation.
- Source codes can be modified during reopening of cases, case can be reopened as another investigative category
- New Begin date cannot be prior to 30 days from the current date
- New Begin date cannot be prior to previous begin date

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## Reopening an Assessment Case

If additional information is received after a case closed, the assessment case can be reopened \ documentation

Source codes can be modified during reopening cases, case can be reopened as another investigative category

New Begin date cannot be prior to 30 days from current date

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As noted above, many assessments will not collect sufficient documentation to follow any of the above scenarios, and will be closed. This statement must be in the closing EC (or FD-71?)



## Disposition of Closed Assessment Cases



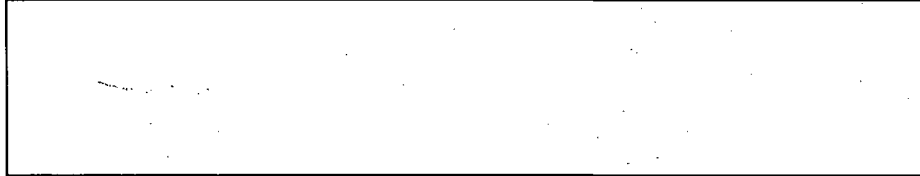
- Cases that are converted or spun off from Assessment files take on the retention rules of their new classification

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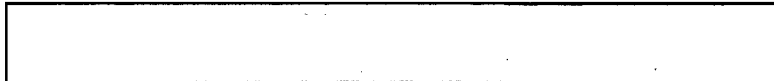


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## Additional Information and Contacts



**Director's Office**



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**DIOG Website:**



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