

Confidential Human Source Policies

AGC [redacted]
Investigative Law Unit
[redacted]

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New AGG Guidelines

- Signed by the AG on Dec. 13, 2006
- Implemented by FBI 6 mos. Later

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Major Changes

- New AGGs and Policy Manual

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OPENING A CHS

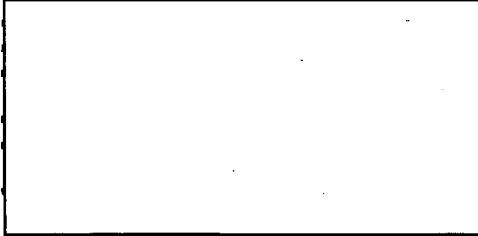
- [redacted]
- Human Source Review Committee (HSRC) replaces the Criminal Informant Review Committee (CIRC)

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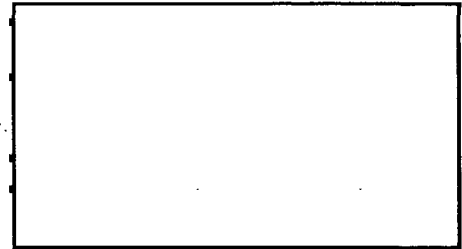
OPENING A CHS

- Info that must be documented:



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INSTRUCTIONS

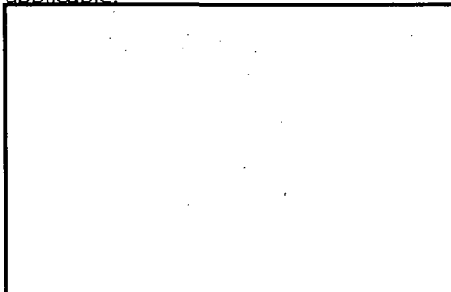


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Optional Instructions

- If applicable:



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Instructions Cont'd

- Must be given prior to operational use but no later than 90 days from opening



- One FBI Agent and another LEO or IC witness

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Special Approval Requirments

- FBI must seek written approval w/I 60 days of utilizing certain CHSs
 - Old AGGs – need authorization before utilizing
- Special approval requirement not needed if:

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HSRC COMPOSITION

FBI

- DAD - DI
- UC – HIMU
- SSA – HIMU
- 2 AGC – ILU

DOJ

- DAAG
- SC – OCRS
- Atty – OCRS
- AUSAs (2)
- NSD Atty*

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Human Source Review Committee (Replaces the CIRC)

CHSs requiring HSRC Review

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DOJ REVIEW of NATIONAL SECURITY/IT SOURCES

- No DOJ review at opening
- DOJ review after FBIHQ approval for Source's continued use per annual validation review
- DOJ reviews only Enhanced Category Sources



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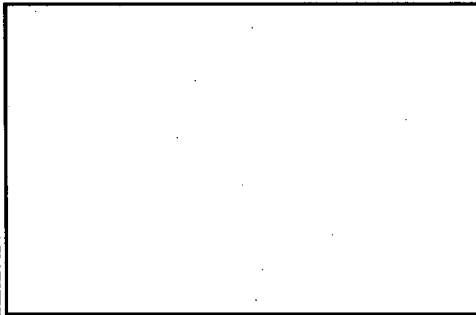
HSRC Process



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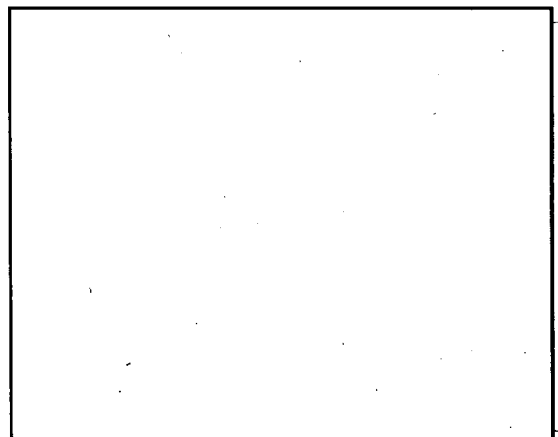
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Sensitive Sources (requiring additional review/auth/consultation)

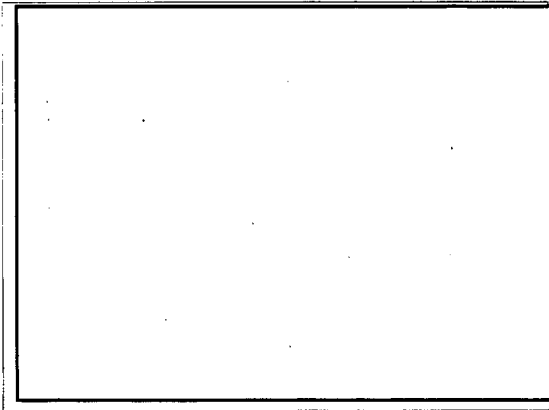


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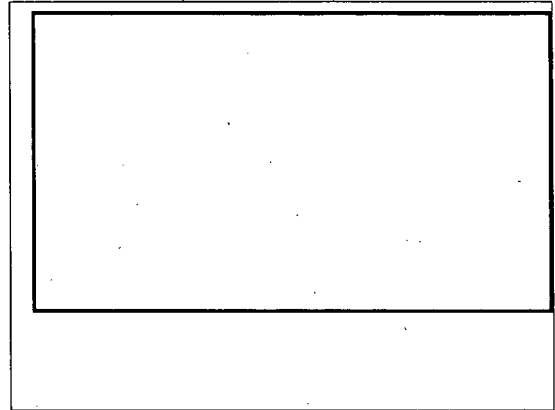
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FUGITIVES

A fugitive is an individual:

- For whom a federal, state, or local law enforcement agency has placed a wanted record in the FBI's NCIC (other than for a traffic or petty offense); or
- For whom a federal warrant has been issued; **and**
- For whom the law enforcement agency is willing, if necessary, to seek his/her extradition to its jurisdiction.

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FUGITIVES

Communicate with a former/current CHS who is a fugitive only if:

- The communication is part of a legitimate effort to arrest the fugitive;
- The fugitive Source initiates communication; or
- Approved, in advance, whenever possible, by a Supervisor of any federal, state, or local law enforcement agency that has a wanted record for the individual in the NCIC,
 - If the warrant is federal, the FPO in the District that issued the federal warrant.

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Fugitives (Cont'd)

- An SA who communicates with a fugitive CHS must promptly report it to:
 - the SSA
 - the federal, state, or local enforcement agency having a wanted record for the individual in NCIC
- Communication must be documented in the CHS's file.

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Otherwise Illegal Activity (OIA)

- Tier I and Tier II OIA applies to all Sources
- Tier I - DOJ/approp FPO or NSD Atty approval
- Tier II - SAC approval

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TIER I OIA

Any activity that would constitute a misdemeanor or felony under federal, state, or local law; and involves:

- Significant risk of violence other than by CHS
- Significant risk of corrupt conduct by senior federal, state, or local public officials
- Manufacturing, importing, exporting, possession, or trafficking of controlled substances (U.S.S.G.)
- Significant financial loss exceeding those specified in U.S.S.G. (Currently \$1M)

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Tier I OIA (Cont'd)

- The provision to another person
 - any item, service, or expertise necessary for a federal, state, or local offense that the person would otherwise have difficulty obtaining; or,
 - any quantity of a controlled substance, explosive, firearm, or other weapon without expectation of its recovery

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TIER II OIA

Any other activity that would constitute a misdemeanor or felony under federal, state, or local law if engaged in by a person acting without authorization.

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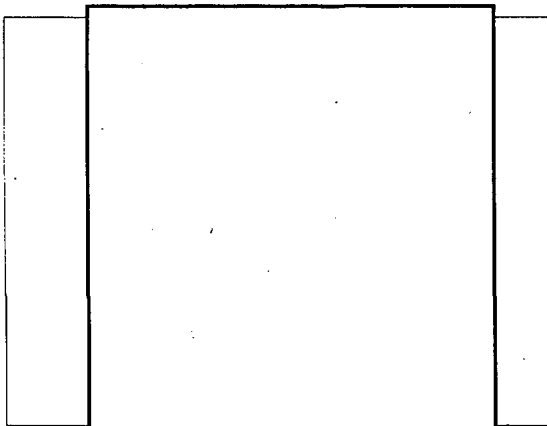
DI Website

- Numerous helpful links
 - Ponies
 - Workflow charts w/ document links
 - CHSPM Quick Reference Guide
- Links to the relevant documents
- Searchable documents

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CONCLUSION

■ Questions/Comments

■ Please contact:

■ AGC

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