SECTION 18. AGREEMENTS AND COORDINATION BETWEEN FBI, MILITARY AND OTHER AGENCIES

18-1 THE AGREEMENTS

The following agreement was approved and entered into by the Departments of Justice (DOJ) and Defense (DOD) relative to the investigation and prosecution of crimes committed by individuals subject to the Uniform Code of Military Justice:

EFFECTIVE: 07/11/85

18-2 MEMORANDUM OF UNDERSTANDING BETWEEN DOJ AND DOD

"MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENTS OF JUSTICE AND DEFENSE RELATING TO THE INVESTIGATION AND PROSECUTION OF CERTAIN CRIMES

"A. PURPOSE, SCOPE AND AUTHORITY

"This Memorandum of Understanding (MOU) establishes policy for the Department of Justice and Department of Defense with regard to the investigation and prosecution of criminal matters over which the two Departments have jurisdiction. This memorandum is not intended to confer any rights, benefits, privileges, or form of due process procedure upon individuals, associations, corporations or other persons or entities.

"This Memorandum applies to all components and personnel of the Department of Justice and the Department of Defense. The statutory bases for the Department of Defense and the Department of Justice investigation and prosecution responsibilities include, but are not limited to:

"1. Department of Justice: Titles 18, 21 and 28 of the United States Code; and

"2. Department of Defense: The Uniform Code of Military Justice, Title 10, United States Code, Sections 801-940; the Inspector General Act of 1978, Title 5, United States Code, Appendix I; and Title 5, United States Code, Section 301.

"B. POLICY

"The Department of Justice has primary responsibility for enforcement of federal laws in the United States District Courts. The Department of Defense has responsibility for the integrity of its programs, operations and installations and for the discipline of the Armed Forces. Prompt administrative actions and completion of investigations within the two (2) year statute of limitations under the Uniform Code of Military Justice require the Department of Defense to assume an important role in federal criminal investigations. To encourage joint and coordinated investigative efforts, in appropriate cases where the Department of Justice assumes investigative responsibility for a matter relating to the Department of Defense, it should share information and conduct the inquiry jointly with the interested Department of Defense investigative agency.

"It is neither feasible nor desirable to establish inflexible rules regarding the responsibilities of the Department of Defense and the Department of Justice as to each matter over which they may have concurrent interest. Informal arrangements and agreements within the spirit of this MOU are permissible with respect to specific crimes or investigations.

"C. INVESTIGATIVE AND PROSECUTIVE JURISDICTION

"1. CRIMES ARISING FROM THE DEPARTMENT OF DEFENSE OPERATIONS

"a. Corruption Involving the Department of Defense Personnel

"The Department of Defense investigative agencies will refer to the FBI on receipt all significant allegations of bribery and conflict of interest involving military or civilian personnel of the Department of Defense. In all corruption matters the subject of a referral to the FBI, the Department of Defense shall obtain the concurrence of the Department of Justice prosecutor or the FBI before initiating any independent investigation preliminary to any action under the Uniform Code of Military Justice. If the Department of Defense is not satisfied with the initial determination, the matter will be reviewed by the Criminal Division of the Department of Justice.

"The FBI will notify the referring agency promptly regarding whether they accept the referred matters for investigation. The FBI will attempt to make such decision in one (1) working day of receipt

of such matters.

"b. Frauds Against the Department of Defense and Theft and Embezzlement of Government Property

"The Department of Justice and the Department of Defense have investigative responsibility for frauds against the Department of Defense and theft and embezzlement of government property from the Department of Defense. The Department of Defense will investigate frauds against the Department of Defense and theft of government property from the Department of Defense. Whenever a Department of Defense investigative agency identifies a matter which, if developed by investigation, would warrant federal prosecution, it will confer with the United States Attorney or the Criminal Division, the Department of Justice, and the FBI field office. At the time of this initial conference, criminal investigative responsibility will be determined by the Department of Justice in consultation with the Department of Defense.

"2. CRIMES COMMITTED ON MILITARY INSTALLATIONS

"a. Subject(s) can be Tried by Court-Martial or are Unknown

"Crimes (other than those covered by paragraph C.1.) committed on a military installation will be investigated by the Department of Defense investigative agency concerned and, when committed by a person subject to the Uniform Code of Military Justice, prosecuted by the Military Department concerned. The Department of Defense will provide immediate notice to the Department of Justice of significant cases in which an individual subject/victim is other than a military member or dependent thereof.

"b. One or More Subjects cannot be Tried by Court-Martial

"When a crime (other than those covered by paragraph C.1.) has occurred on a military installation and there is reasonable basis to believe that it has been committed by a person or persons, some or all of whom are not subject to the Uniform Code of Military Justice, the Department of Defense investigative agency will provide immediate notice of the matter to the appropriate Department of Justice investigative agency unless the Department of Justice has relieved the Department of Defense of the reporting requirement for that type or class of crime.

"3. CRIMES COMMITTED OUTSIDE MILITARY INSTALLATIONS BY PERSONS WHO CAN BE TRIED BY COURT-MARTIAL

"a. Offense is Normally Tried by Court-Martial

"Crimes (other than those covered by paragraph C.1.) committed outside a military installation by persons subject to the Uniform Code of Military Justice which, normally, are tried by court-martial will be investigated and prosecuted by the Department of Defense. The Department of Defense will provide immediate notice of significant cases to the appropriate Department of Justice investigative agency. The Department of Defense will provide immediate notice in all cases where one or more subjects is not under military jurisdiction unless the Department of Justice has relieved the Department of Defense of the reporting requirement for that type or class of crime.

"b. Crimes Relating to Scheduled Military Activities

"Crimes relating to scheduled military activities outside of a military installation, such as organized maneuvers in which persons subject to the Uniform Code of Military Justice are suspects, shall be treated as if committed on a military installation for purposes of the Memorandum. The FBI or other Department of Justice investigative agency may assume jurisdiction with the concurrence of the United States Attorney or the Criminal Division, Department of Justice.

"c. Offense is not Normally Tried by Court-Martial

"When there are reasonable grounds to believe that a Federal crime (other than those covered by paragraph C.1.) normally not tried by court-martial, has been committed outside a military installation by a person subject to the Uniform Code of Military Justice, the Department of Defense investigative agency will immediately refer the case to the appropriate Department of Justice investigative agency unless the Department of Justice has relieved the Department of Defense of the reporting requirement for that type or class of crime.

"D. REFERRALS AND INVESTIGATIVE ASSISTANCE

"1. REFERRALS

"Referrals, notices, reports, requests and the general transfer of information under this Memorandum normally should be between the FBI or other Department of Justice investigative agency and the appropriate Department of Defense investigative agency at the field level.

"If a Department of Justice investigative agency does not accept a referred matter and the referring Department of Defense investigative agency then, or subsequently, believes that evidence exists supporting prosecution before civilian courts, the Department of Defense agency may present the case to the United States Attorney or the Criminal Division, Department of Justice, for review.

"2. INVESTIGATIVE ASSISTANCE

"In cases where a Department of Defense or Department of Justice investigative agency has primary responsibility and it requires limited assistance to pursue outstanding leads, the investigative agency requiring assistance will promptly advise the appropriate investigative agency in the other Department and, to the extent authorized by law and regulations, the requested assistance should be provided without assuming responsibility for the investigation.

"E. PROSECUTION OF CASES

"1. With the concurrence of the Department of Defense, the Department of Justice will designate such Department of Defense attorneys as it deems desirable to be Special Assistant United States Attorneys for use where the effective prosecution of cases may be facilitated by the Department of Defense attorneys.

"2. The Department of Justice will institute civil actions expeditiously in United States District Courts whenever appropriate to recover monies lost as a result of crimes against the Department of Defense; the Department of Defense will provide appropriate assistance to facilitate such actions.

"3. The Department of Justice prosecutors will solicit the views of the Department of Defense prior to initiating action against an individual subject to the Uniform Code of Military Justice.

"4. The Department of Justice will solicit the views of the Department of Defense with regard to its Department of Defense-related cases and investigations in order to effectively coordinate the use of civil, criminal and administrative remedies.

"F. MISCELLANEOUS MATTERS

"1. THE DEPARTMENT OF DEFENSE ADMINISTRATIVE ACTIONS

"Nothing in this Memorandum limits the Department of Defense

investigations conducted in support of administrative actions to be taken by the Department of Defense. However, the Department of Defense investigative agencies will coordinate all such investigations with the appropriate Department of Justice prosecutive agency and obtain the concurrence of the Department of Justice prosecutor or the Department of Justice investigative agency prior to conducting any administrative investigation during the pendency of the criminal investigation or prosecution.

"2. SPECIAL UNIFORM CODE OF MILITARY JUSTICE FACTORS

"In situations where an individual subject to the Uniform Code of Military Justice is a suspect in any crime for which a Department of Justice investigative agency has assumed jurisdiction, if a Department of Defense investigative agency believes that the crime involves special factors relating to the administration and discipline of the Armed Forces that would justify its investigation, the Department of Defense investigative agency will advise the appropriate Department of Justice investigative agency or the Department of Justice prosecuting authorities of these factors. Investigation of such a crime may be undertaken by the appropriate Department of Defense investigative agency with the concurrence of the Department of Justice.

"3. ORGANIZED CRIME

"The Department of Defense investigative agencies will provide to the FBI all information collected during the normal course of agency operations pertaining to the element generally known as "organized crime" including both traditional (La Cosa Nostra) and nontraditional organizations whether or not the matter is considered prosecutable. The FBI should be notified of any investigation involving any element of organized crime and may assume jurisdiction of the same.

"4. DEPARTMENT OF JUSTICE NOTIFICATION TO DEPARTMENT OF DEFENSE INVESTIGATIVE AGENCIES

"a. The Department of Justice investigative agencies will promptly notify the appropriate Department of Defense investigative agency of the initiation of the Department of Defense related investigations which are predicated on other than a Department of Defense referral except in those rare instances where notification might endanger agents or adversely affect the investigation. The Department of Justice investigative agencies will also notify the Department of Defense of all allegations of the Department of Defense

related crimes where investigation is not initiated by the Department of Justice.

"b. Upon request, the Department of Justice investigative agencies will provide timely status reports on all investigations relating to the Department of Defense unless the circumstances indicate such reporting would be inappropriate.

"c. The Department of Justice investigative agencies will promptly furnish investigative results at the conclusion of an investigation and advise as to the nature of judicial action, if any, taken or contemplated.

"d. If judicial or administrative action is being considered by the Department of Defense, the Department of Justice will, upon written request, provide existing detailed investigative data and documents (less any Federal grand jury material, disclosure of which would be prohibited by Rule 6(e), Federal Rules of Criminal Procedure), as well as agent testimony for use in judicial or administrative proceedings, consistent with Department of Justice and other Federal regulations. The ultimate use of the information shall be subject to the concurrence of the Federal prosecutor during the pendency of any related investigation or prosecution.

"5. TECHNICAL ASSISTANCE

"a. The Department of Justice will provide to the Department of Defense all technical services normally available to Federal investigative agencies.

"b. The Department of Defense will provide assistance to the Department of Justice in matters not relating to the Department of Defense as permitted by law and implementing regulations.

"6. JOINT INVESTIGATIONS

"a. To the extent authorized by law, the Department of Justice investigative agencies and the Department of Defense investigative agencies may agree to enter into joint investigative endeavors, including undercover operations, in appropriate circumstances. However, all such investigations will be subject to Department of Justice guidelines.

"b. The Department of Defense, in the conduct of any investigation that might lead to prosecution in Federal District Court, will conduct the investigation consistent with any Department

of Justice guidelines. The Department of Justice shall provide copies of all relevant guidelines and their revisions.

"7. APPREHENSION OF SUSPECTS

"To the extent authorized by law, the Department of Justice and the Department of Defense will each promptly deliver or make available to the other suspects, accused individuals and witnesses where authority to investigate the crimes involved is lodged in the other Department. This MOU neither expands nor limits the authority of either Department to perform apprehensions, searches, seizures, or custodial interrogations.

"G. EXCEPTION

"This Memorandum shall not affect the investigative authority now fixed by the 1979 'Agreement Governing the Conduct of the Defense Department Counterintelligence Activities in Conjunction with the Federal Bureau of Investigation' and the 1983 Memorandum of Understanding between the Department of Defense, the Department of Justice and the FBI concerning 'Use of Federal Military Force in Domestic Terrorist Incidents.'

"Signed:

/s/ William French Smith
Attorney General
United States Department
of Justice

Date:Aug 14, 1984

/s/ Caspar W. Weinberger
Secretary of Defense
United States Department
of Defense

Date:August 22, 1984"

EFFECTIVE: 07/11/85

18-2.1 |Deleted|

EFFECTIVE: 07/11/85

18-2.1.1 |Deleted|

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| 18-2.1.2 |Deleted|

EFFECTIVE: 07/11/85

| 18-2.1.3 |Deleted|

EFFECTIVE: 07/11/85

18-3 MEMORANDUM OF UNDERSTANDING ON MILITARY DESERTERS BETWEEN THE FEDERAL BUREAU OF INVESTIGATION (FBI) AND THE DEPARTMENT OF DEFENSE (DOD)

The following agreement between the FBI and DOD relative to investigations concerning military deserters was approved and entered into:

"MEMORANDUM OF UNDERSTANDING ON MILITARY DESERTERS BETWEEN THE FEDERAL BUREAU OF INVESTIGATION (FBI) AND THE DEPARTMENT OF DEFENSE (DOD)"

"Desertion is a most serious offense under the Uniform Code of Military Justice. Vigorous efforts to apprehend deserters are essential in order to return deserters to military control and to deter others from deserting.

"It is, therefore, agreed that:

"(1) Each Military Department will continue to enter information on each deserter into the National Crime Information Center Computer. This information will be kept current by the Military Departments and remain available to law enforcement officials at the national, state, and local levels as long as the individual is absent.

"(2) Responses to inquiries from any law enforcement agency resulting from any other investigation of offense will disclose that the subject of the inquiry is wanted by a Military Department.

"(3) The FBI Identification Division will continue to assist Military Departments in identifying persons through fingerprint comparison and will provide to the Military Departments wanted flash notice services for ordinary deserter cases and for offenses shown on the Attachment. These services will be initiated automatically upon the military's entry of a deserter's record in the Wanted Persons File of the National Crime Information Center.

"(4) The FBI will conduct investigations for the purpose of apprehending deserters in those cases where aggravating circumstances exist in addition to the desertion offense. Aggravating circumstances include those matters listed on the Attachment. In such cases, the Military Department Headquarters will provide the FBI Headquarters with written notice which will specify the serious offense, in addition to desertion, of which the absentee is suspected. Such notice indicates that appropriate judicial or administrative disposition is contemplated upon return to military control. Upon receipt of such notice, the FBI will initiate an active investigation. The FBI will be informed promptly of any change in the status of a military member who is subject of an FBI investigation.

"(5) It is possible other offenses may be committed which are not within the scope of the Attachment, yet because of their circumstances, are so aggravated that investigation and return to military control is warranted. Requests for FBI assistance in these few instances will be closely monitored by the Military Department Headquarters and that Headquarters will provide the FBI Headquarters with factual detail explaining the seriousness of the offense, in order to support an FBI investigation.

"(6) The DOD will undertake its own program to deter desertion and to apprehend deserters. The Military Departments will engage in desertion prevention programs and will cooperate with all law enforcement officials in the return of deserters to military control.

"(7) The FBI will conduct investigations to apprehend military personnel convicted of one of the attached articles who subsequently escape military confinement.

|Amendment

"(8) The FBI will conduct investigations to apprehend military personnel designated deserters by their respective Military Service during any national emergency involving armed conflict which

occurs subsequent to the date this amendment is signed.

March 19, 1979
Date

/s/ William H. Webster
For the FBI
Director

May 9, 1979
Date

/s/ Robert B. Pirie, Jr.
For the DOD
Assistant Secretary of
Defense (Manpower,
Reserve Affairs &
Logistics)

"General

"Desertion of officers.

"Desertion of those who have had access to certain classified defense information which if disclosed could, in the view of the Military Department concerned, jeopardize the security interests of the United States.

"Violations of the Uniform Code of Military Justice

"Art. 82 Soliciting or advising another to desert or to mutiny, or to commit misbehavior before the enemy. Sedition.

" 90 Striking, drawing or lifting up any weapon or offering any violence to his superior commissioned officer in the execution of his office.

" 91 Striking or otherwise assaulting a warrant officer or a noncommissioned officer or petty officer while in the execution of his office.

" 92 Disclosure of classified defense information.

" 99 Misbehavior before the enemy.

" 100 Subordinate compelling surrender.

" 103 Looting and pillaging.

" 104 Aiding the enemy.

" 106 Spying.

"Art. 116 Riot.

" 118 Murder.

" 119 Manslaughter.

" 120 Rape.

" 122 Robbery.

" 124 Maiming.

" 125 Sodomy by force and without consent, or with a child under the age of 16 years.

" 126 Arson.

" 127 Extortion.

" 128 Assault upon a commissioned officer not in the execution of his office.

" 134 Assault:

" Indecent.

" With intent to commit voluntary manslaughter, robbery, sodomy, arson or burglary.

" With intent to commit housebreaking.

" With intent to commit murder or rape.

" Firearm, discharging:

" Wrongfully and willfully, under circumstances as to endanger life.

" Homicide, negligent.

" Indecent acts or liberties with a child under the age of 16 years.

" 80 Attempting to commit any of the above.

" 81 Conspiracy to commit any of the above."

EFFECTIVE: 06/08/79

18-4 MEMORANDUM OF UNDERSTANDING BETWEEN DOJ AND COAST GUARD

The following agreement was approved and entered into between the Departments of Justice and Transportation relative to the investigation and prosecution of crimes committed by members of the U.S. Coast Guard subject to the Uniform Code of Military Justice:

"MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENTS OF JUSTICE AND TRANSPORTATION (COAST GUARD) RELATING TO THE INVESTIGATION AND PROSECUTION OF CRIMES OVER WHICH THE TWO DEPARTMENTS HAVE CONCURRENT JURISDICTION

"Whereas, certain crimes committed by Coast Guard personnel subject to the Uniform Code of Military Justice may be prosecuted by Coast Guard tribunals under that Code or by civilian authorities in the Federal Courts; and

"Whereas, it is recognized that although the administration and discipline of the Coast Guard requires that certain types of crimes committed by its personnel be investigated by that service and prosecuted before Coast Guard military tribunals other types of crimes committed by such military personnel should be investigated by civil authorities and prosecuted before civil tribunals; and

"Whereas, it is recognized that it is not feasible to impose inflexible rules to determine the respective responsibility of the civilian and Coast Guard military authorities as to each crime over which they may have concurrent jurisdiction and that informal arrangements and agreements may be necessary with respect to specific crimes or investigations; and

"Whereas, agreement between the Department of Justice and the Department of Transportation (Coast Guard) as to the general areas

in which they will investigate and prosecute crimes to which both civil and military jurisdiction attach will, nevertheless, tend to make the investigation and prosecution of crimes more expeditious and efficient and give appropriate effect to the policies of civil government and the requirements of the United States Coast Guard;

"It is hereby agreed and understood between the Department of Justice and the Department of Transportation (Coast Guard) as follows:

"1. Crimes committed on military installations (including aircraft and vessels). Except as hereinafter indicated, all crimes committed on a military installation by Coast Guard personnel subject to the Uniform Code of Military Justice shall be investigated and prosecuted by the Coast Guard if the Coast Guard makes a determination that there is a reasonable likelihood that only Coast Guard personnel subject to the Uniform Code of Military Justice are involved in such crime as principals or accessories, and, except in extraordinary cases, that there is no victim other than persons who are subject to the Uniform Code of Military Justice or who are bona fide dependents or members of a household of military or civilian personnel residing on the installation. Unless such a determination is made, the Coast Guard shall promptly advise the Federal Bureau of Investigation of any crime committed on a military installation if such crime is within the investigative authority of the Federal Bureau of Investigation. The Federal Bureau of Investigation shall investigate any serious crime of which it has been so advised for the purpose of prosecution in the civil courts unless the Department of Justice determines that investigation and prosecution may be conducted more efficiently and expeditiously by the Coast Guard. Even if the determination provided for in the first sentence of this paragraph is made by the Coast Guard, it shall promptly advise the Federal Bureau of Investigation of any crime committed on a military installation in which there is a victim who is not subject to the Uniform Code of Military Justice or a bona fide dependent or member of the household of military or civilian personnel residing on the installation and that the Coast Guard is investigating the crime because it has been determined to be extraordinary. The Coast Guard shall promptly advise the Federal Bureau of Investigation whenever the crime, except in minor offenses, involves fraud against the government, misappropriation, robbery, or theft of government property or funds, or is of a similar nature. All such crimes shall be investigated by the Coast Guard unless it receives prompt advice that the Department of Justice has determined that the crime should be investigated by the Federal Bureau of Investigation and that the Federal Bureau of Investigation will undertake the investigation for the purpose of prosecution in the

civil courts.

"2. Crimes committed outside of military installations. Except as hereinafter indicated, all crimes committed outside of military installations, which fall within the investigative jurisdiction of the Federal Bureau of Investigation and in which there is involved as a suspect an individual subject to the Uniform Code of Military Justice, shall be investigated by the Federal Bureau of Investigation for the purpose of prosecution in civil courts, unless the Department of Justice determines that investigation and prosecution may be conducted more efficiently and expeditiously by other authorities. All such crimes which come first to the attention of Coast Guard authorities shall be referred promptly by them to the Federal Bureau of Investigation as to particular types or classes of crime. However, whenever Coast Guard military personnel are engaged in scheduled military activities outside of military installations such as organized maneuvers or organized movement, the provisions of paragraph 1 above shall apply, unless persons not subject to the Uniform Code of Military Justice are involved as principals, accessories or victims.

"If, however, there is involved as a suspect or as an accused in any crime committed outside of a military installation and falling within the investigative authority of the Federal Bureau of Investigation an individual who is subject to the Uniform Code of Military Justice and if the Coast Guard authorities believe that the crime involves special factors relating to the administration and discipline of the Coast Guard which would justify investigation by them for the purpose of prosecution before a Coast Guard military tribunal, they shall promptly advise the Federal Bureau of Investigation of the crime and indicate their views on the matter. Investigation of such a crime may be undertaken by the Coast Guard military authorities if the Department of Justice agrees.

"3. Transfer of investigative authority. An investigative body of the Coast Guard which has initiated an investigation pursuant to paragraphs 1 and 2 hereof shall have exclusive investigative authority and may proceed therewith to prosecution. If, however, any Coast Guard investigative body comes to the view that effectuation of those paragraphs requires the transfer of investigative authority over a crime, investigation of which has already been initiated by that or by any other investigative body, it shall promptly advise the other interested investigative body of its views. By agreement between the Departments of Justice and Transportation (Coast Guard), investigative authority may then be transferred.

"4. Administrative action. Exercise of exclusive investigative authority by the Federal Bureau of Investigation pursuant to this agreement shall not preclude Coast Guard military authorities from making inquiries for the purpose of administrative action related to the crime being investigated. The Federal Bureau of Investigation will make the results of its investigations available to Coast Guard military authorities for use in connection with such action.

"Whenever possible, decisions with respect to the application in particular cases of the provisions of this Memorandum of Understanding will be made at the local level, that is, between the Special Agent in Charge of the local office of the Federal Bureau of Investigation and the local Coast Guard military commander.

"5. Surrender of suspects. To the extent of the legal authority conferred upon them, the Department of Justice and Coast Guard military authorities will each deliver to the other promptly suspects and accused individuals if authority to investigate the crimes in which such accused individuals and suspects are involved is lodged in the other by paragraphs 1 and 2 hereof.

"Nothing in this memorandum shall prevent the Coast Guard from prompt arrest and detention of any person subject to the Uniform Code of Military Justice whenever there is knowledge or reasonable basis to believe that such a person has committed an offense in violation of such code and detaining such person until he is delivered to the Federal Bureau of Investigation if such action is required pursuant to this memorandum.

"Approved:

/s/ Ramsey Clark	/s/ Alan S. Boyd
Ramsey Clark Attorney General	Alan S. Boyd Secretary of Transportation
Date: 9 October 1967	Date: 24 October 1967"

EFFECTIVE: 01/31/78

18-4.1 FBI Interpretation of Memorandum of Understanding

(1) This agreement is similar in all respects to the agreement between the Departments of Justice and Defense covering the investigation and prosecution of military personnel. (The agreement set forth above is the same as the agreement which previously existed between the Departments of Justice and Treasury. A new agreement was signed in October, 1967, because the Coast Guard was made a part of the Department of Transportation rather than the Treasury Department.) Instructions concerning the agreement between the Departments of Justice and Defense apply equally with reference to the Coast Guard Agreement.

(2) If any problems arise in your contacts with the various USAs or military officials relative to this agreement, FBIHQ must be immediately advised.

EFFECTIVE: 05/08/79

18-4.2 MEMORANDUM OF UNDERSTANDING BETWEEN THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION AND COMMANDANT, UNITED STATES COAST GUARD CONCERNING A POLICY OF MUTUAL ASSISTANCE IN SUPPORT OF COAST GUARD/FEDERAL BUREAU OF INVESTIGATION OPERATIONS TO COUNTERACT TERRORIST ACTIVITIES IN A MARITIME ENVIRONMENT

The following agreement was approved and entered into between the FBI and the United States Coast Guard relative to policy of mutual assistance and support of Coast Guard/FBI organizations to counteract terrorist activities in a maritime environment.

"In recognition of the U.S. Coast Guard's maritime law enforcement responsibility, and the operations of the Federal Bureau of Investigation in counteracting domestic terrorist activities, the following mutual assistance capabilities are identified. The Coast Guard maintains and operates a large number of strategically located floating units, aircraft, vehicles and shore stations. The Federal Bureau of Investigation maintains a large number of strategically located Special Weapons and Tactics teams (SWAT). Coast Guard personnel are trained to react to law enforcement activities in a maritime environment, while the FBI has personnel who are specifically trained to act as negotiators in dealing with terrorists' demands and SWAT teams to use in suppressing terrorists' actions during direct confrontation scenarios. The unique capabilities of the two forces in

a combined effort to counteract a terrorist takeover in the maritime environment is recognized.

"Close coordination and cooperation between forces of both Agencies is necessary to insure adequate response to potential terrorist activities involving such targets as offshore platforms, port and harbor facilities, liquefied natural gas (LNG) terminals and vessels, floating nuclear power plants, U.S. or foreign vessels within United States jurisdiction and any other target(s) which may require Coast Guard and FBI response.

"Accordingly, it is hereby understood and agreed upon that, subject to operational and budgetary constraints, the Agencies making this agreement will provide mutual support to each other in situations involving terrorist activities, threatened or real, and that each Agency will take necessary steps to establish local operating procedures to implement this agreement. It is further agreed that continued planning by the two concerned Agencies will include the development of a specific communications, command and control policy between Coast Guard Districts and FBI Regional offices.

"A basic objective of this agreement is to insure a coordinated effort to counteract terrorist activities in the maritime environment. Further, it is expected that this agreement will serve to eliminate delays in response time and insure continued development of procedures and contingency plans to counteract terrorist activities in the maritime environment.

/s/ John B. Hayes	/s/ William H. Webster
John B. Hayes Commandant United States Coast Guard	William H. Webster Director Federal Bureau of Investigation
Date: April 17, 1979	Date: March 23, 1979"

EFFECTIVE: 05/08/79

18-4.3 FBI INTERPRETATION OF MEMORANDUM OF UNDERSTANDING

(1) While the U.S. Coast Guard has some law enforcement responsibilities on the high seas and in waters subject to the jurisdiction of the United States as provided by Title 14, USC, Sections 2 and 84, the FBI has taken the position, with the support of the Criminal Division, Department of Justice, that the FBI has primary investigative authority over certain crimes upon the high seas. Additionally, the United States Attorneys Manual indicates at Section 9-1.200, et seq that the FBI is the primary investigative agency for all the maritime crimes contained in Title 18 of the USC.

(2) It should be noted that the Memorandum of Understanding is meant to apply to a limited situation, e.g., terrorist attacks in a maritime environment. The Memorandum of Understanding basically contemplates cooperation between the U.S. Coast Guard and FBI Special Weapons and Tactics (SWAT) teams and hostage negotiators, and its application is limited to terrorist attacks. Cooperation in regard to investigation of other crimes on the high seas can be included, however, at a later time, if desirable.

(3) The Memorandum of Understanding also necessitates the development of standing lines of communication between FBI field offices and U.S. Coast Guard district offices. In view of the unique conditions existing in each area, such channels would be desirable to resolve local problems. However, FBI Headquarters will have supervisory authority over the actions of field divisions, in keeping with Bureau policy.

EFFECTIVE: 05/08/79

18-5 DOJ GUIDELINES FOR INVESTIGATIVE JURISDICTION OF FBI AND IRS

In order to eliminate, where possible, a duplication of investigative effort and to ensure a greater exchange of information between the FBI and IRS, the Department has drawn up a set of guidelines regarding investigative jurisdiction of Federal gambling violations; namely, the interstate transmission of wagering information, interstate transportation in aid of racketeering, and interstate transportation of wagering paraphernalia statutes. In the majority of cases that we investigate under these statutes, IRS, from the nature of the wagering tax laws, will have an interest also. The following guidelines are to be utilized by both agencies in such

instances. Each USA has been furnished a copy of these guidelines by the Department.

"Guidelines Regarding Investigative Jurisdiction of Federal Gambling Violations

"In order to minimize any duplication in investigative effort between IRS and FBI field offices investigating potential violations of the wagering tax laws and the new anti-gambling legislation, the following guidelines appear appropriate.

"(1) The FBI and the IRS will continue to exchange current information regarding gambling operations which have come to the attention of each agency.

"(2) Upon the receipt of sufficient basic facts to indicate a potential violation of the anti-gambling statutes or wagering tax laws, the FBI and the IRS will notify each other prior to commencing an investigation involving such statutes within their respective jurisdictions. When the investigations involve a taxpayer who is a subject of interest to the Organized Crime and Racketeering Section of the Criminal Division the responsible Department of Justice attorney will also be notified.

"(3) If such notification reveals an apparent duplication of investigative effort, appropriate representatives of the FBI and the IRS in the field will meet to assign responsibility for the investigation to the agency whose investigation has the best potential for prosecution, depending upon the Federal statutes apparently involved and all the relevant investigative circumstances. Where it is deemed mutually desirable by the agencies, preliminary investigation might be appropriately conducted prior to any assignment of responsibility for the investigation to a single agency.

"(4) In the event that the agency representatives cannot agree as to the assignment of responsibility for a particular investigation, the matter should be resolved after discussion with the responsible United States Attorney or Department of Justice attorney.

"(5) Where statutory violations within the jurisdiction of the other agency become apparent in the middle or later stages of an investigation being conducted by either the IRS or the FBI, the agency conducting the investigation will immediately notify the other agency of the relevant facts. Responsibility for further investigation of the individual violations of law will be determined after discussion between representatives of the two agencies. If the agencies are

unable to agree as to the assignment of responsibility for further investigation, the matter should be resolved after discussion with the responsible United States Attorney or Department attorney. Depending on the circumstances, it may be preferable for such further investigation of all statutory violations to be conducted by a single agency. In such event it is expected that the other agency would cooperate and render such assistance as is deemed within its competence and capacity."

EFFECTIVE: 05/08/79

18-5.1 FBIHQ Instructions for IRS Guidelines

(1) FBIHQ will continue to make available to IRS current information of interest to that agency which is developed in the course of our investigations.

(2) With regard to item two of the guidelines as it pertains to notifying IRS when there is indication of a potential violation of wagering tax laws, such notification should be made after sufficient facts are developed to determine the logical procedures to follow and at a time when same would be more meaningful. With reference to investigations involving a taxpayer, referred to in the same item, this pertains to individuals whose names are included on a list of active gamblers maintained by Department's Criminal Division. Inasmuch as copies of all reports involving the three statutes named above are furnished the Department by FBIHQ, such should tend to serve notice to the Department that we are investigating an individual on that list. It is anticipated that when the Department receives our reports and checks its files it will thus be on notice that one of these individuals is currently being investigated.

(3) Items three and four of the guidelines are self-explanatory in that the USA should be consulted where there appears to be a duplication of investigative effort and such cannot be resolved by field representatives of both agencies. In connection with item five, regarding the assignment of investigation to a single agency, responsibility for an investigation should be definitely fixed in one agency insofar as an individual violation is concerned. In this way each agency would retain its own jurisdiction and the one whose case had the best potential for prosecution would continue its investigation. Furthermore, with regard to one agency proceeding with an investigation and the other rendering such assistance as is deemed within its competence and capacity, the agency proceeding with its

investigation should be furnished with all pertinent information of assistance by the other agency. This will preclude the necessity for any joint investigation and result in each agency handling its own violation completely.

(4) Each office should make every effort to avoid overlapping of jurisdiction which these guidelines are intended to minimize. It is recognized that at least preliminary investigation is necessary before any of these matters can be logically discussed by both agencies. It is the feeling of FBIHQ that the matter of jurisdiction in the majority of instances can be resolved on a field level by the two agencies and that the necessity for contacting the USA or Department attorney would be rare.

(5) FBIHQ should be kept advised of any matters in this regard that are discussed with the USA, and also should be advised of any investigative action withheld through agreement with IRS or on recommendation of the USA.

EFFECTIVE: 01/31/78

18-6 AGREEMENT BETWEEN FBI AND SECRET SERVICE

"AGREEMENT BETWEEN THE FEDERAL BUREAU OF INVESTIGATION AND THE UNITED STATES SECRET SERVICE CONCERNING PROTECTIVE RESPONSIBILITIES

"I. Purpose of Agreement

"The Federal Bureau of Investigation (FBI) originates, and receives from other sources, large numbers of reports on individuals and organizations. One purpose of this agreement is to define that portion of the information on file with, or received or originated by, the FBI, which the United States Secret Service (USSS) desires to receive in connection with its protective responsibilities.

"The USSS has statutory authority to protect, or to engage in certain activities to protect, the President and certain other persons. (Certain other persons, as used in this agreement, refers to those persons protected by the Secret Service under Title 18, U.S. Code, Section 3056.) The authority of the USSS to protect the President or certain other persons is construed to authorize it to investigate organizations or individuals and to interview individuals

who might constitute a threat to the President or certain other persons. The FBI has statutory authority to investigate assault, killing or kidnaping and attempts or conspiracies to kill or kidnap the President and other designated individuals.

"The FBI will make available to the USSS information it may request or information which by its nature reveals a definite or possible threat to the safety of the President and certain other persons.

"A second purpose of this agreement is to insure the most effective protection for the President and certain other persons by establishing a clear division of responsibility between the FBI and USSS. Such division will also avoid compromising investigations or sources and needless duplication of effort.

"II. General Responsibilities

"The USSS is charged by Title 18, U.S. Code, Section 3056, with the responsibility of protecting the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President or other officer in the order of succession to the office of President, and the Vice President-elect; protecting the person of a former President and his wife during his lifetime and the person of a widow of a former President until her death or remarriage, and minor children of a former President until they reach 16 years of age, unless such protection is declined; protecting persons who are determined from time to time by the Secretary of the Treasury, after consultation with the Advisory Committee, as being major Presidential and Vice Presidential candidates who should receive such protection (unless the candidate has declined such protection); protecting the person of a visiting head of a foreign state or foreign government and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad (unless such persons decline protection).

"The Executive Protective Service, under the control of the Director, USSS, is charged by Title 3, U.S. Code, Section 202, with protection of the Executive Mansion and grounds in the District of Columbia; any building in which Presidential offices are located; foreign diplomatic missions located in the metropolitan area of the District of Columbia; and foreign diplomatic missions located in such other areas in the United States, its territories and possessions, as the President, on a case-by-case basis, may direct.

"The FBI is charged under Title 18, U.S. Code, Section 1751, with investigative jurisdiction over the assault, killing or kidnaping, and attempts or conspiracies to assault, kill or kidnap the President of the United States and other designated individuals.

"The FBI has responsibility for Federal investigations of all violations of Title 18, U.S. Code, Sections 112, 970, 1116-1117 and 1201, relating to the Act for the Protection of Foreign Officials and Official Guests in the United States.'

"The FBI has investigative jurisdiction over violations of a wide range of the criminal statutes of the United States including primary jurisdiction over matters affecting the internal security of the United States.

"III. Exchange of Information and Coordination of Responsibilities

[redacted]

b7E per Secret Service

refer

[redacted]

"The USSS agrees that it will conduct no investigation of individuals or groups identified or suspected of being threats to the internal security of the United States without notifying the FBI. However, when time for consultation is not available, and an

indication of immediate danger exists, the USSS may take such action as is necessary with respect to carrying out its protective responsibilities. Any information obtained by the USSS during such action will be furnished to the FBI as expeditiously as possible.

"The FBI will not conduct investigation of individuals or groups solely for the purpose of establishing whether they constitute a threat to the safety of the President and certain other persons unless there is an indication of a violation of Title 18, U.S. Code, Section 1751, or other statute over which the FBI has jurisdiction.

"It will be the responsibility of the FBI to advise the USSS when investigation is being initiated under Title 18, U.S. Code, Section 1751 and thereafter to furnish the USSS with copies of the FBI investigative reports as they are prepared. It will be the responsibility of the USSS to furnish the FBI any information in its possession or which may come to its attention which reasonably indicates that a violation of Title 18, U.S. Code, Section 1751, has been or is being committed.

"The USSS also agrees to furnish the FBI any information in its possession or which may come to its attention indicating a violation of any other statutes over which the FBI has investigative jurisdiction.

"The FBI, under its responsibility for investigation of violations of Title 18, U.S. Code, Sections 112, 970, 1116-1117, 1201 and 1751 will take cognizance of the protective responsibilities of the Treasury Department under Title 3, U.S. Code, Section 202 and Title 18, U.S. Code, Section 3056 and thus does not limit or interfere with the authority of the Secretary of the Treasury in the discharge of his statutory protective responsibilities. This is not to be construed as vesting concurrent investigative jurisdiction with the Treasury Department with respect to investigations of individuals or organizations engaged in activities affecting the national security including terrorism, treason, sabotage, espionage, counter-espionage, rebellion or insurrection, sedition, seditious conspiracy, neutrality matters, Foreign Agents Registration Act, or any other Statute or Executive Order relating to national security. Any investigations of such groups or individuals for any reasons other than in connection with protective responsibilities must be closely coordinated with and have the concurrence of the FBI in order to minimize interference with national security responsibilities of the FBI.

"IV. Information to be Furnished to the United States Secret Service by the Federal Bureau of Investigation

[redacted]

b7E per Secret Service

"B. Types of information to be referred:

[redacted]

[redacted]

refer

b7E per Secret Service

"V. Provision of Federal Bureau of Investigation Personnel to Protect the President and Other Protected Persons

"The USSS may, in accordance with Title 18, U.S. Code, Section 3056 request FBI Agents be detailed to the USSS in order to augment the capacity of the USSS to perform its protective duties. Such requests should be addressed to the Director of the FBI.

"FBI Agents detailed to the USSS are under the direction and exclusive operational control of the Director of the USSS for the period of their assignment. The FBI agents so detailed may perform an armed or other protective function.

"VI. Implementation of Agreement

"In order to effect the best possible security of the President and certain other persons and places whose protection is the responsibility of the USSS, the FBI and the USSS will construe the terms of this agreement liberally and will take such steps as are necessary to insure the proper exchange and coordination of information.

"The agreement shall be reviewed annually by representatives of the FBI and the USSS, or at such other times as the FBI or the USSS may request, to insure that the agreement is both

practical and productive. Revisions may be made on the authority of the Director of the FBI and the Director of the USSS.

"This agreement supersedes all prior agreements between the FBI and the USSS.

July 16, 1973
Date

BY /s/ Clarence M. Kelley
Director
Federal Bureau of
Investigation

July 30, 1973
Date

BY /s/ James J. Rowley
Director
United States Secret
Service"

EFFECTIVE: 01/31/78

18-7 MEMORANDUM OF UNDERSTANDING BETWEEN FBI AND ERDA

"MEMORANDUM OF UNDERSTANDING BETWEEN THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION AND THE FEDERAL BUREAU OF INVESTIGATION FOR RESPONDING TO NUCLEAR THREAT INCIDENTS

"I. PURPOSE - In recognition of the responsibilities and functions of the Energy Research and Development Administration, hereinafter referred to as ERDA, and the Federal Bureau of Investigation, hereinafter referred to as the FBI, under the Atomic Energy Act of 1954, this Memorandum of Understanding sets forth the responsibilities of each agency with regard to nuclear threat incidents.

"II. IMPLEMENTATION - ERDA and the FBI will develop and exchange such additional instructions and operating procedures as are deemed necessary to the continued implementation of this Memorandum of Understanding.

"III. RESPONSIBILITIES

"A. FBI - The FBI is responsible for investigating all alleged or suspected criminal violations of the Atomic Energy Act as set forth in Section 221 b. of that Act. The mission of the FBI in a

nuclear threat incident is to take primary jurisdiction where a question of the violation of Federal law exists and, where appropriate, to coordinate the utilization of available resources in the interest of the public health and safety.

"It is therefore understood that the FBI shall:

"1. Assume jurisdiction over all field organizations associated with a nuclear threat incident.

"2. Establish and maintain contacts and coordinate nuclear threat incidents with other Federal and local law enforcement agencies, and military authorities, as appropriate.

"3. Ensure that all reasonable measures are provided for the security from physical violence of personnel and equipment to be utilized in search, deactivation, and cleanup operations related to a nuclear threat incident, and on the advice and recommendation and with the assistance of specially trained ERDA and/or DOD teams, ensure that all reasonable measures are provided for the safety of personnel from radiological hazard.

"4. Designate a liaison representative to accompany ERDA Nuclear Emergency Search Team (NEST) personnel to the scene of a threat incident for the purpose of coordinating with local FBI officials and law enforcement agencies.

"5. Promptly notify National Command Authority of any nuclear threat incident.

"6. Promptly notify ERDA Headquarters of any actual or alleged nuclear threat incident reports.

"7. Promptly provide ERDA with the exact wording of threat messages, copies of drawings, nuclear material samples, or other intelligence related to a threat for scientific analysis and credibility assessment.

"8. Promptly provide ERDA with all available information pertinent to an assessment of a threat perpetrator's technical capabilities to carry out a threat.

"9. At the scene of a nuclear threat incident, provide necessary support as may be needed by ERDA NEST personnel in carrying out assigned operations.

"10. Request assistance of DOD/Civil Explosive Ordnance Disposal (EOD) resources, as appropriate.

"B. ERDA - The mission of ERDA in a nuclear threat incident is to provide expert assistance to the FBI upon notification of the existence of such an incident.

"It is therefore understood that ERDA shall:

"1. Activate the ERDA Headquarters Emergency Action and Coordination Team (EACT), as appropriate, to coordinate with the FBI and direct ERDA's involvement in a nuclear threat incident.

"2. Provide scientific and technical support for threat assessment and search operations, device deactivation, relocation and storage of special nuclear material evidence, and/or in post-incident cleanup.

"Scientific and technical support shall include:

"a. Analysis of threat messages for technical content, nuclear design feasibility, and general credibility.

"b. Prediction as to the size of a potential nuclear burst as may occur from the successful detonation of a threatened nuclear device activation.

"c. Prediction of contamination zones and radioactivity levels.

"d. Recommendations for evacuation.

"e. Recommendations for special search techniques.

"f. Operations of special search techniques.

"g. Identification of isotopes.

"h. Recommendations for special EOD procedures and techniques.

"i. Identification of nuclear weapons and components.

"j. Identification of radioactive hazards during cleanup activities and bomb scene investigation.

"k. The provision of personnel who are expert in nuclear weapon design, health physics, special detectors, explosives, nuclear materials, arming and firing systems, radiography, transportation and storage of nuclear materials, and contamination prediction.

"3. Acquire, maintain, and make available any special equipment and capabilities required to provide the necessary scientific and technical support.

"4. Coordinate nuclear threat incident activities with the Nuclear Regulatory Commission (NRC), as appropriate. (Nuclear threat incidents involving facilities or material within the jurisdiction of the NRC are initially reported by NRC to the FBI.)

"5. Arrange for any special transportation of ERDA equipment and personnel, and/or nuclear evidence, as required during a nuclear threat incident.

"6. Notify and request assistance from the DOD and civilian agencies for post-incident cleanup activities as soon as appropriate.

"7. Have final authority in matters of (a) Restricted Data classification and (b) ERDA-originated National Security Information classification associated with source material, special nuclear material, radioactive byproducts, or nuclear weapons/components.

"8. Provide, upon request by the Justice Department, scientific and technical information and testimony for use in any legal action taken by the Department of Justice.

"C. JOINT

"The FBI and ERDA shall:

"1. Coordinate all proposed press releases related to nuclear threat incidents. Any media or public inquiries will be initially referred to the FBI; responses to such inquiries will be coordinated with ERDA.

"2. Where appropriate, identify individuals assigned to fulfill the positions and responsibilities outlined in Section IV. B., 1, and 2, and 3.

"3. Treat all threat incident information with adequate

security and confidentiality commensurate with National Security guidelines and the standards for the preservation of criminal evidence.

"4. Review, as appropriate, the events leading to and occurring during any nuclear threat incident alert for the purpose of improving upon future joint responses.

"5. Provide a mechanism for coordinated planning and the testing of nuclear threat incident management, equipment and personnel.

"IV. STANDARD PROCEDURES

"A. INITIAL NOTIFICATION

"1. Nuclear threat incidents could be reported to either the FBI or ERDA. Upon receipt of such a report the agency informed shall immediately notify the other agency about the situation and as to the exact information known.

"2. Both agencies shall notify, as appropriate, the various branches, offices or individuals within their jurisdictions about the situation and what actions might be required.

"B. POINTS OF CONTACT

"1. The FBI will designate a Special Agent to take command of field operations in a nuclear threat incident, and a Special Agent to act as a liaison officer with ERDA at the Headquarters level.

"2. The ERDA Headquarters EACT will command the ERDA Headquarters Operations Center and the Director, EACT, will direct an ERDA Field Manager of Operations to act as ERDA representative for field operations in a nuclear threat incident.

"3. The Director, EACT, will consult with the FBI and will assign NEST personnel to provide required support in a nuclear threat incident. An FBI liaison representative will be designated to accompany NEST personnel to the scene of a threat incident for local coordination purposes.

"4. Points of contact with other involved Federal agencies will be maintained by the Director, EACT, as appropriate.

"C. THREAT ASSESSMENT

"1. ERDA will provide scientific and technical support for determining the credibility of specific nuclear threats and the potential hazard associated with those threats.

"2. ERDA will endeavor to verify, with the cooperation of the NRC and/or DOD, whether any source material, special nuclear material, radioactive byproducts, or ERDA nuclear weapons/components are missing or unaccounted-for.

"D. SEARCH, DEVICE DEACTIVATION, AND POST-INCIDENT CLEANUP SUPPORT

"1. ERDA will dispatch, upon request of the FBI, an ERDA NEST response group and any necessary specialized equipment to the scene of an incident.

"2. The ERDA NEST lead representative on-scene will:

"a. Direct the activities of the ERDA response group in support of the FBI Agent in Charge.

"b. Ensure coordinated ERDA support in all matters pertaining to search and identification operations and bomb scene examinations.

"c. Ensure coordinated ERDA support of the EOD services associated with any device deactivation operations.

"d. Ensure coordinated ERDA support with the DOD and other civilian agencies, as currently provided for under other agreements, for post-incident cleanup operations.

"e. Advise the on-scene Special Agent in Charge of any requirement for additional ERDA response capabilities and coordinate the provision of such additional capabilities as may be mutually agreed upon.

"3. The on-scene Special Agent in Charge will:

"a. Establish and maintain all local contacts with other law enforcement agencies.

"b. Direct the on-scene activities of the FBI and other law enforcement agencies.

"c. Establish a field command post.

"d. Provide for necessary escorts as may be required to facilitate rapid movement of ERDA and ERDA contractor personnel and equipment to the scene of a threat incident.

"e. Direct the recovery operation of lost or stolen special nuclear materials, radioactive byproducts, and nuclear weapons/components.

"E. MAJOR EMERGENCY DISASTER - In the event of a major emergency/disaster, ERDA will assist in the response to post-incident cleanup requirements in coordination with the DOD, and various civilian agencies as currently provided for under other agreements. ERDA will request assistance from the DOD as provided for in the Joint DOD and ERDA Agreement in Response to Accidents and Incidents Involving Radioactive Materials and Nuclear Weapons.

"V. EMERGENCY ASSISTANCE EXPENSE - ERDA and the FBI will each fund for the costs incurred in providing the necessary assistance required to meet the responsibilities defined in this Memorandum of Understanding.

"This Memorandum of Understanding takes effect immediately.

/s/ Alfred D. Starbird
Assistant Administrator for National Security
Energy Research and Development Administration

6/11/76
Date

/s/ Clarence M. Kelley
Clarence M. Kelley
Director
Federal Bureau of Investigation"

6/8/76
Date

(NOTE: See Appendix next for definitions and abbreviations.)

APPENDIX

"DEFINITIONS AND ABBREVIATIONS

DOD - Department of Defense

EACT - ERDA Headquarters Emergency Action and Coordination Team composed of representatives of the Divisions of Military Application; Safeguards and Security; Operational Safety, and the Office of Public Affairs

EOD - Explosive Ordnance Disposal, U.S. Army

ERDA - Energy Research and Development Administration

FBI - Federal Bureau of Investigation

NEST - Nuclear Emergency Search Team

NRC - Nuclear Regulatory Commission

Nuclear Threat Incident - Any situation involving stolen, lost or unauthorized possession of source materials, radioactive byproducts, nuclear weapons/devices of U.S. and/or foreign manufacture, improvised nuclear explosives, radioactive dispersal devices or the threatened use of said items.

Source Material - The term "source material" means (1) uranium, thorium or any other material which is determined by the Administration pursuant to the provisions of Section 61 of the Atomic Energy Act to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Administration may by regulation determine from time to time.

Special Nuclear Material - The term "special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Administration, pursuant to the provisions of Section 51 of the Atomic Energy Act determines to be special nuclear material, but does not include source material; or (2) any material artificially enriched by any of the foregoing, but does not include source material.

Radioactive Byproduct - The term "radioactive byproduct" means any

radio active material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

Improvised Nuclear Explosive Device - Any non-conventional explosive device containing nuclear or radioactive material in combination with explosives."

EFFECTIVE: 01/31/78

18-8 "MEMORANDUM OF UNDERSTANDING BETWEEN THE FEDERAL BUREAU OF INVESTIGATION AND THE NUCLEAR REGULATORY COMMISSION REGARDING NUCLEAR THREAT INCIDENTS INVOLVING NRC LICENSED FACILITIES, MATERIALS, OR ACTIVITIES

"I. PURPOSE

"In recognition of the responsibilities and functions of the Federal Bureau of Investigation (FBI) and the Nuclear Regulatory Commission (NRC) under the Atomic Energy Act of 1954, as amended, this Memorandum of Understanding (MOU) delineates the responsibilities of each agency regarding nuclear threat incidents involving NRC-licensed facilities, materials, or activities. (This agreement does not affect the procedures and responsibilities set forth in the November 23, 1988, Memorandum of Understanding between the NRC and the Department of Justice (DOJ) regarding cooperation concerning NRC enforcement actions, criminal prosecution by DOJ, and the exchange of pertinent information.)

"Having closely related statutory responsibilities with regard to nuclear materials, facilities, and activities in the United States, the FBI and NRC must cooperate fully in carrying out their respective responsibilities in the interest of achieving:

"1. Effective communication and exchange of relevant information, and

"2. A timely, reliable, and effective response to a nuclear threat incident.

"II. DEFINITIONS

"For the purpose of this agreement, nuclear threat incidents are defined as threats, or acts of theft or sabotage in the U.S. nuclear industry, including the following:

"Theft or attempted theft of NRC-licensed special nuclear material.

"Sabotage or attempted sabotage of NRC-licensed nuclear facilities or NRC-licensed transportation activities.

"Attacks on NRC-licensed nuclear facilities or activities.

"Credible threats involving NRC licensed facilities, materials, or activities.

"III. RESPONSIBILITIES

"A. The FBI

"The FBI derives the authority to investigate criminal matters related to NRC licensed facilities, materials, or activities from the Atomic Energy Act of 1954, as amended; Title 18, Section 831 "Prohibited transactions involving nuclear materials," and other Federal statutes as may be applicable. The FBI has been designated as the lead agency for coordinating the Federal response to acts of terrorism within the United States by National Security Decision Directive (NSDD) Number 207 and the National System for Emergency Coordination (NSEC).

"It is therefore understood that the FBI shall:

"1. Provide to NRC, intelligence information concerning possible criminal acts relative to the security of nuclear facilities, materials, or activities.

"2. Notify NRC when allegations of a serious nature arise, or derogatory information is developed involving licensee personnel occupying positions considered critical to the safety and security of nuclear facilities or activities.

"3. Investigate ongoing nuclear-related threat situations; advise NRC regarding the credibility and danger of such threats.

"4. Establish liaison and develop contingency response plans

with pertinent local law enforcement agencies to ensure effective and coordinated law enforcement response operations.

"5. In accordance with the Omnibus Diplomatic Security and Anti-Terrorism Act of 1986, conduct identification and criminal history records checks on individuals with unescorted access to NRC licensed nuclear power plants or access to Unclassified Safeguards Information.

"6. Establish liaison with pertinent NRC Headquarters staff, NRC regional offices, and licensed facilities to ensure effective information exchange, threat evaluation, and contingency response planning.

"In the event of a nuclear threat incident the FBI shall:

"7. Coordinate the Federal response to a nuclear threat incident involving NRC-licensed facilities, materials, or activities. The FBI will rely on the NRC on matters concerning public health and safety, as they relate to the nuclear facility, material, or activity.

"8. Manage the law enforcement and intelligence aspects of the response to a nuclear threat incident involving NRC-licensed facilities, materials, or activities.

"9. Establish and maintain contacts and coordinate the incident response with other Federal and local law enforcement agencies and military authorities, as appropriate.

"10. Ensure that all reasonable measures are provided to ensure the physical safety and security of all NRC personnel and equipment to be used in support of the incident.

"11. Promptly provide NRC with all information applicable to an assessment of a perpetrator's operational capability to carry out a threat.

"12. At the scene of a nuclear threat incident, provide the necessary support, as may be needed by NRC personnel, in carrying out assigned operations and actions to protect the public from radiological hazards.

"13. Request Department of Defense (DOD)/Civil Explosive Ordnance Disposal (EOD) resources, as appropriate.

"B. The NRC

"NRC shall provide, to the extent compatible with its primary mission to protect the public's health and safety, as required by the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, and the Omnibus Diplomatic Security (Act) and Anti-Terrorism Act of 1986, scientific and technical support to the FBI upon notification of the existence of a nuclear threat incident.

"It is therefore understood that NRC shall:

"1. Review and correlate intelligence information on possible criminal acts received from the FBI; evaluate potential adversary capabilities and trends as a basis for rulemaking, evaluations, and systems design.

"2. When informed of an FBI investigation involving an NRC licensed nuclear facility or activity, will promptly provide to the FBI investigating office a list of all positions considered critical to the safety and security of that facility or activity.

"3. Establish liaison with FBI Headquarters staff and field office personnel to ensure effective information exchange, threat evaluation, and contingency response planning.

"4. Support joint operational readiness planning between licensees and associated local law enforcement agencies for prompt law enforcement response assistance when needed at licensed facilities or activities.

"5. Notify the FBI of threats involving NRC-licensed nuclear facilities, materials, or activities; assist the FBI in evaluating the nuclear aspects and the credibility of such threats, as appropriate.

"6. Disseminate, with the approval of the FBI, to the affected licensees, alert and warning information received from the FBI about specific nuclear-related threats.

"In the event of a nuclear threat incident, NRC shall:

"7. Plan for and manage the public health and safety aspects of the response to a nuclear threat incident involving NRC-licensed facilities, materials, or activities.

"8. Provide NRC field liaison and technical assistance to the FBI at the scene of an incident.

"9. Evaluate the radiological hazards of the particular incident and provide technical assessment of any potential or actual impact upon the public health and safety.

"10. Ensure that all reasonable measures are provided for the health and safety of all FBI personnel and equipment involved in the support of the incident.

"11. Provide for the health and safety of the public from radiological hazards.

"C. Joint

"The FBI and NRC shall:

"1. Coordinate all proposed press releases related to nuclear threat incidents involving NRC-licensed facilities, materials, or activities.

"2. Identify individuals assigned to fulfill the positions and responsibilities outlined in Section III of this agreement.

"3. Handle all threat incident information with adequate security and confidentiality commensurate with national security guidelines and the standards for the preservation of criminal evidence.

"4. Review and evaluate the events leading to and occurring during a nuclear threat incident for the purpose of improving upon future joint responses.

"5. Exercise and test nuclear threat incident management procedures, equipment, and personnel.

"IV. STANDARD PROCEDURES

"A. Initial Notification

"1. Nuclear threat incidents involving NRC-licensed facilities, materials, or activities may be reported to either the FBI, NRC, or others. Upon receipt of a reported threat, the agency informed shall immediately notify the other concerned agencies about the situation and exact information known.

"2. The FBI and NRC will notify appropriate individuals and

offices of any nuclear emergency in accordance with current procedures and agreements.

"B. Points of Contact

"1. The FBI Special Agent in Charge of the responding FBI field office will take command of the field operations in a nuclear threat incident involving NRC-licensed facilities, materials, or activities. At the Headquarters level, a Special Agent may be designated to act as a liaison officer with the NRC Executive Team (ET).

"2. The NRC Headquarters ET will convene and during the initial stage of the response will direct NRC activities. The Director may transfer authority for managing the NRC emergency response to the Director of Site Operations.

"3. The FBI and NRC field representatives will coordinate and cooperate with each other in carrying out their respective responsibilities. The FBI and NRC representatives will report on the situation and make recommendations to their respective agencies regarding the need for additional assistance at the scene.

"4. The FBI and NRC will maintain points of contact with the other Federal agencies involved in responding to a nuclear threat incident involving NRC-licensed facilities, materials, or activities.

"V. THREAT ASSESSMENT

"1. NRC will provide scientific and technical advice for determining the credibility of specific nuclear threats and potential hazards associated with those threats.

"2. NRC will endeavor to verify, with the cooperation of the Department of Energy and/or the Department of Defense, whether any source material, special nuclear material, or radioactive by-products, are missing or unaccounted for.

"VI. FUNDING RESPONSIBILITIES

"Interest parties will each fund for the cost incurred in providing the necessary assistance required to meet the responsibilities defined in this MOU.

"VII. TERMS OF AGREEMENT

"1. This Agreement will become effective immediately upon signature by all parties and shall continue in effect unless terminated by any party upon 120 days notice in writing to all other parties.

"2. Amendments or modifications to this Agreement may be made upon written notice by all parties to the Agreement.

"For the Federal Bureau of Investigation

/s/ William S. Sessions, date May 29, 1991
William S. Sessions
Director

"For the Nuclear Regulatory Commission

/s/ Kenneth M. Carr, date 13 March 1991
Kenneth M. Carr
Chairman"

EFFECTIVE: 08/28/91

18-9 "JOINT FEDERAL BUREAU OF INVESTIGATION, DEPARTMENT OF ENERGY AND DEPARTMENT OF DEFENSE AGREEMENT FOR RESPONSE TO IMPROVISED NUCLEAR DEVICE INCIDENTS

"I. PURPOSE AND SCOPE.

"To set forth and define specific areas of responsibility and procedures for responding to emergencies involving improvised nuclear devices (IND) within the United States, District of Columbia, Commonwealth of Puerto Rico, and U.S. possessions and territories, by representatives of the Federal Bureau of Investigation (FBI), Department of Energy (DOE), and the Department of Defense (DOD). These provisions amplify the current DOD/DOE Agreement of 1 March 1977, DOE/FBI Memorandum of Understanding of June 1976 dealing with response to accidents or incidents involving nuclear material, and the Attorney General's letter to the Secretary of Defense on assistance to Federal agencies in combatting terrorism, dated November 10, 1972.

"II. TERMS OF AGREEMENT.

"a. This agreement shall be effective upon signature by representatives of the Federal Bureau of Investigation, the Department of Energy, and the Department of Defense.

"b. Amendments, modifications, or termination of this agreement may be made by written agreement of all parties.

"III. POLICY.

"In the event of a Nuclear Threat Incident involving an Improvised Nuclear Device (IND), the Federal Bureau of Investigation is responsible, as set forth in Section 221.b. of the Atomic Energy Act, as amended, for investigating all alleged or suspected criminal violations of that Act. The FBI has primary jurisdiction where a question of the violation of Federal law exists and, where appropriate, will coordinate the utilization of available resources in the interest of public health and safety.

"The Department of Energy and the Department of Defense will provide assistance and support to the FBI as listed in Section V of this agreement.

"IV. IMPLEMENTATION.

"Each party will issue its own departmental instructions and detailed operating procedures implementing this agreement and will develop and exchange additional instructions and procedures as are deemed necessary to be continued implementation of this agreement.

"V. RESPONSIBILITIES.

"a. The Federal Bureau of Investigation will:

"1. Act as the Federal agency in charge at the scene of an IND incident and assume jurisdiction over all field organizations.

"2. Establish and maintain contacts and coordinate IND incident support requirements with other Federal and local law enforcement agencies.

"3. Provide security for personnel and equipment to be utilized in search, deactivation, and cleanup operations.

"4. Provide, at the incident scene, a representative to act as liaison with Federal and local authorities.

"5. Notify appropriate individuals and offices of any nuclear threat incident.

"6. Notify DOE Headquarters of support requirements and provide:

"(a) The exact wording of threat messages, copies of drawings, nuclear material samples, or other related intelligence for scientific analysis and credibility assessment.

"(b) All information pertinent to an assessment of a threat perpetrator's technical capabilities to carry out a threat.

"7. Notify the National Military Command Center (NMCC)/ Emergency Ordnance Disposal (EOD) of support requirements for either standby or deployment.

"8. Provide additional support as required by DOE and DOD/EOD personnel in carrying out assigned operations.

"b. The Department of Energy, upon notification by the FBI of an IND incident, will:

"1. Provide scientific and technical assistance and advice to the FBI and DOD in the areas of threat assessment and search operations, device deactivation, hazards assessment, containment, relocation and storage of special nuclear material evidence, and in post-incident cleanup.

"2. Analyze threat messages for technical content, nuclear design feasibility, and general credibility and provide such analyses to the FBI.

"3. Acquire, maintain, and make available any special equipment and capabilities required to provide the necessary scientific and technical support.

"4. Coordinate IND incident activities with the Nuclear Regulatory Commission (NRC), as appropriate. (IND incidents involving facilities or material within the jurisdiction of the NRC are initially reported by NRC to the FBI.)

"5. Arrange for any special transportation of DOE equipment, personnel, and/or nuclear material, as required.

"6. Notify the DOD and civilian agencies of, and request assistance for, post-incident cleanup activities as soon as appropriate.

"7. Have final authority concerning the classification of Restricted Data and DOE-originated National Security Information associated with source material, special nuclear material, radioactive by-products, or nuclear weapons/components.

"8. Provide, upon request by the FBI, scientific and technical information and testimony for use in any legal action undertaken by the Department of Justice.

"c. The Department of Defense, upon request by the FBI, will:

"1. Provide EOD technical and operational assistance to the FBI.

"2. Provide EOD technology, procedures and equipment for working point access, device deactivation, and nonnuclear device diagnostics.

"d. The FBI, DOE, and DOD will:

"1. Coordinate all proposed press releases related to IND incidents. Any media or public inquiries will be initially referred to the FBI; responses to such inquiries will be coordinated with DOE and DOD.

"2. Treat all IND incident information with adequate security and confidentiality commensurate with National Security classification guidelines and the standards for the preservation of criminal evidence.

"3. Review the IND incident for the purpose of improving upon future joint responses.

"4. Provide a mechanism for coordinated planning and for coordinated training and testing of IND incident management, equipment, and personnel.

"e. The DOE and DOD, in support of the FBI, will:

"1. Develop working point operating procedures

to be followed after location of an IND.

"2. Provide for:

"(a) IND EOD training material including inert nuclear and high-explosive devices and fuzing and firing systems.

"(b) Realistic training exercises that include participation by all parties (FBI, DOE, and DOD/EOD).

"(c) Training in EOD practices, procedures, and component identification safety precautions for IND.

"(d) Research and development in the areas of render safe and disposal technology including radiation dispersal containment concepts.

"VI. PROCEDURES.

"a. Initial Notification

"1. IND incidents could initially come to the attention of the FBI, DOE or the DOD. Upon receipt of such information, the agency informed shall immediately notify the nearest FBI office and provide all known information. The FBI will officially notify all agencies involved of the incident.

"2. All agencies shall notify the various branches, offices, or individuals concerned within their jurisdictions about the situation and specify what actions and/or resources might be required.

"b. Initial Preparation

"1. The FBI will designate a Special Agent to take command of field operations and Special Agents to act as liaison with DOE Headquarters, local police jurisdictions, and the National Military Command Center.

"2. DOE will consult with the FBI and will assign personnel to provide required support. An FBI liaison representative will be designated by competent authority to accompany DOE personnel to the scene of an IND incident for local coordination purposes.

"3. The NMCC will, upon the receipt of notification by the FBI of a credible IND incident, notify the applicable DOD

Operations Center which will utilize its established notification system in order to dispatch an EOD unit and other technical and operational support to the incident site. An FBI representative will be designated by competent authority as point of contact for EOD personnel at the scene of an IND incident for local coordination purposes.

"4. The DOD/EOD command post will be collocated in the incident site control center.

"c. Threat Assessment

"1. The FBI with DOE assistance, including DOD participation when appropriate, will provide a threat assessment.

"2. DOE will provide scientific and technical assistance for determining the credibility of specific nuclear threats and the potential hazards associated with those threats and report its assessments to the FBI.

"3. DOE will determine, in coordination with the NRC, if any source material, special nuclear material, or radioactive by-products are missing or unaccounted for and report results to the FBI. DOD and DOE will, when requested by the FBI, determine if any nuclear weapons or components are missing.

"4. The FBI will notify DOD through the NMCC of any credible threat and request DOE and DOD/EOD assistance.

"d. Search and Location

"1. DOE will have primary responsibility for the search and location of IND's.

"2. DOE will dispatch, upon request of the FBI, a DOE response group and necessary special equipment to the scene of an incident.

"3. The DOE response group will, by use of specialized equipment, attempt to determine the presence and location of an IND.

"4. DOE will relay all data relating to the IND including radiological readings, configurations, and location to the FBI and the DOD/EOD team.

"5. DOD/EOD personnel will identify the presence or suspected presence of booby-trapped devices in the area or structure in which the DOE response group is searching.

"6. The DOD/EOD team present will be responsible for the clearance of any booby-traps or other hazardous items encountered by the DOE team during the search.

"7. The FBI will have primary responsibility for security of, and access to, the location of an IND incident.

"e. Incident Site Reconnaissance and Clearance

"1. DOD/EOD, with DOE technical assistance, will have primary responsibility for incident site reconnaissance and clearance.

"2. DOD/EOD personnel will clear the area/structure of explosive devices.

"3. DOD will provide a qualified individual for safety and coordination of functions at the working point.

"f. Diagnostics and Measurements

"1. DOE, with DOD/EOD assistance, will have primary responsibility for diagnostics and measurements.

"2. DOE personnel will determine, through use of diagnostic and measurement equipment, details of the suspected device, including its structure and function.

"3. Data relative to the anticipated structure and function of the device will be provided by DOE to the FBI and DOD/EOD personnel.

"4. Provide a hazard assessment to the DOD and FBI as related to the incident.

"g. Dispersal Containment Preparations

"1. DOD with DOE and FBI support will have primary responsibility for dispersal containment preparations.

"2. DOD/EOD and DOE personnel will develop, with FBI support, any required containment apparatus for explosive and

radiological matter.

"h. Device Deactivation

"1. DOD/EOD, with FBI and DOE support, will have the primary responsibility for device deactivation.

"2. DOD/EOD and DOE personnel will develop suitable render safe procedures.

"3. DOD/EOD personnel will perform the approved deactivation procedures. DOD/EOD, FBI, and DOE personnel will work in close cooperation to achieve the deactivation of the device.

"i. Post Incident Operations

"1. The FBI, with support of DOE, DOD and other Federal, state and local authorities will have primary responsibility for post-incident operations.

"2. DOD/EOD and DOE personnel will work closely with, and in support of, the FBI in the preservation of evidence.

"3. DOE and DOD will arrange for any special transportation of nuclear material in coordination with the FBI.

"4. The FBI will request assistance from DOE, DOD, and appropriate civilian agencies for post-incident cleanup.

"j. Major Emergency or Disaster.

"In the event of a major emergency or disaster, DOE will assist in the response to post-incident cleanup requirements in coordination with the DOD and various civilian agencies as provided for under other agreements. DOE will have assistance from the DOD as provided for in the March 1, 1977, DOD and DOE Agreement in Response to Accidents-Incidents Involving Radioactive Material or Nuclear Weapons.

"VII. Emergency Assistance Expense.

"DOD, DOE, and the FBI will each fund for the costs which they incur in providing the equipment and services required to meet their responsibilities defined in this agreement. Any reimbursements which may subsequently be agreed upon by the undersigned in furtherance of this agreement will be in accordance with the Economy

Act, 31 U.S.C. 8. This agreement takes effect on the last date of signature shown below:

/s/ Duane C. Sewell, date 2/27/80

Duane C. Sewell, Assistant Secretary
for Defense Programs, DOE

/s/ David M. Mullaney, date 1/29/80

David M. Mullaney, Brig. Gen, USAF
Deputy Assistant to the Secretary
of Defense (Atomic Energy)

/s/ William H. Webster, date 2/21/80

William H. Webster, Director
Federal Bureau of Investigation

"Appendix A

"Definitions and Abbreviations

"Improvised Nuclear Device (IND) - Any nonconventional explosive device containing nuclear or radioactive material combined with explosives.

"Nuclear Threat Incident - Any situation involving stolen, lost, or unauthorized possession of source materials, special nuclear materials, radioactive by-products, nuclear weapons/devices of U.S. and/or foreign manufacture, improvised nuclear devices, radioactive dispersal devices, or the threatened use of said items.

"Explosive Ordnance Disposal (EOD) - The detection, identification, field evaluation, rendering-safe, recovery, and final disposal of Unexploded Explosive Ordnance (UXP).

"National Military Command Center (NMCC) - Centralized controlling and notification point to activate and coordinate DOD activities.

"Working Point - The area immediately surrounding the device.

"Special Nuclear Material - The term special nuclear material means (1) plutonium, uranium enriched in the isotope-233 or in the isotope-235, and any other material which DOE, pursuant to the provisions of section 51 of the Atomic Energy Act, as amended,

determines to be special nuclear material, but does not include source material or (2) any material artificially enriched by any of the foregoing, but does not include source material."

EFFECTIVE: 04/08/80

18-10 MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF JUSTICE AND THE DEPARTMENT OF THE INTERIOR REGARDING FEDERAL RESPONSE TO CIVIL DISORDER ON INDIAN RESERVATIONS

"The purpose of this agreement is to delineate the responsibilities of the various federal agencies for civil disorder control on Indian reservations in the United States and to identify basic command and control channels and general procedures for such operations. The policy contained herein shall apply to civil disorder situations arising on any Indian Reservation under federal law enforcement jurisdiction, either exclusive or concurrent.

"A current list of reservations and jurisdiction is attached to this agreement and will be updated from time to time as necessary by the Department of the Interior.

"For the purposes of this agreement, a civil disorder is defined as follows:

"The term 'civil disorder' means any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual." (18, USC, 12, Section 232(1))

"Nothing contained in this agreement shall be construed as in any manner limiting, modifying, or redefining the statutory and other investigative authority of the Federal Bureau of Investigation.

POLICY

"The Attorney General has been designated by the President as chief civilian officer for coordination of all federal government activities relating to civil disturbances, including acts of terrorism within the United States. However, it is the policy of the Attorney General that existing established law enforcement authority on Indian reservations will not be superseded or augmented by Department of Justice law enforcement resources and authority

unless absolutely necessary and then only at the request of the Secretary of the Interior or his designated representative.

"The primary responsibility for the law enforcement response to a civil disorder situation arising on an Indian reservation under Department of the Interior jurisdiction will rest exclusively with the Assistant Secretary - Indian Affairs or the Commissioner of Indian Affairs or his delegated representative.

"Where local resources are inadequate to deal with civil disorder, the Commander of specially trained Bureau of Indian Affairs law enforcement officers will act as the Commissioner's representative, will be responsible for restoring order. All Bureau of Indian Affairs law enforcement officers engaged in restoration of order on the reservation will operate under the command of the senior Special Operations Service Unit official on site.

"Whenever any civil disorder reaches a point beyond the control capabilities of local and Bureau of Indian Affairs resources, the Department of the Interior may elect to request assistance from the Department of Justice.

"Based upon a request for assistance by the Department of the Interior and an assessment of the civil disorder situation, the Attorney General or the Deputy Attorney General will determine what, if any, response is appropriate and shall so advise the Department of the Interior in a timely manner.

"If a decision is made to intervene, the Attorney General or Deputy Attorney General will order or request deployment of federal civilian or military forces. The selection of Department of Justice resources to be committed shall rest exclusively with the Attorney General or the Deputy Attorney General.

GENERAL PROCEDURES

"1. In the event of an actual or potential civil disorder on an Indian reservation under federal jurisdiction, the Bureau of Indian Affairs will take or direct appropriate law enforcement action and notify the nearest office of the Federal Bureau of Investigation.

"2. The Federal Bureau of Investigation (FBI) office notified will immediately report the incident to the FBIHQ in Washington. FBIHQ will immediately notify the Office of the Deputy Attorney General through the Department of Justice Emergency Programs Center.

"3. At this point civil disorder control responsibility rests solely with the Department of the Interior and any FBI special agents on site are responsible only for normally authorized investigative activity to the extent that such activity can be safely conducted and for keeping FBIHQ apprised of the disorder situation so that the Attorney General or Deputy Attorney General will be prepared to act quickly and effectively on any subsequent request for assistance.

"4. When the Department of the Interior determines that a civil disorder on an Indian reservation cannot be controlled or terminated by local or BIA resources and requests Department of Justice assistance, the Attorney General or the Deputy Attorney General will assess the situation and determine what response is appropriate. If a Department of Justice or other response is required, the selection of civil response resources to be employed shall rest exclusively with the Attorney General. If federal civilian resources are inadequate, military forces will be requested by the Department of Justice through established procedures.

"5. Upon arrival and deployment at the scene of a civil disorder, and at a time to be designated by the Attorney General or the Deputy Attorney General, the Attorney General's designee on site will assume operational control of the disorder situation and will be responsible for restoring order in accordance with established procedures and instructions.

"6. When the law enforcement resources designated by the Attorney General or the Deputy Attorney General assume control of a disorder situation the Secretary of the Interior will place his law enforcement resources at the site at the disposal of the Department of Justice designee.

"7. At a time to be mutually agreed upon by the Department of Justice and the Department of the Interior control of law enforcement activity at the scene of the civil disorder will be returned to the Department of the Interior.

"It is understood and agreed that a basic objective of this agreement is to ensure a coordinated and effective federal effort in response to incidents of civil disorder on Indian reservations. It is anticipated that this agreement will serve to eliminate delays in appropriate federal law enforcement action during periods of civil disorder and will clearly define basic law enforcement responsibilities, which will be further implemented through continuous development of contingency plans and procedures by the agencies involved.

FOR THE DEPARTMENT OF JUSTICE

/s/ Charles B. Renfrew
CHARLES B. RENFREW
DEPUTY ATTORNEY GENERAL

Dated: 1/20/81

FOR THE DEPARTMENT OF THE INTERIOR

/s/ Cecil D. Andrus

Dated: 1/8/81"

"The following list of Indian Reservations was furnished by the Department of the Interior, Bureau of Indian Affairs, Division of Law Enforcement Services and represents those reservations as of 22 January 1981 that are included in the scope of this agreement.

Bureau of Indian Affairs
Division of Law Enforcement Services

BIA RESPONSIBILITY FOR LES BY STATE
AND RESERVATION/TRIBE

STATE	RESERVATION/TRIBE
1. Alaska (1)	1. Annette Island
2. Arizona (Incl. (18) NM & Utah)	2. Navajo
	3. Colorado River
	4. Cocopah
	5. Fort Mohave
	6. Fort Yuma
	7. Fort Apache
	8. Kaibab
	9. Hopi
	10. Fort McDowell
	11. Papago
	12. Ak Chin (Maricopa)
	13. Gila River
	14. Salt River
	15. San Carlos
	16. Camp Verde
	17. Havasupai
	18. Haulapai
	19. Yavapai-Prescott

	20. Tonto Payson
3. California (1)	21. Hoopa/Yurok
4. Colorado (2)	22. Southern Ute 23. Ute Mountain
5. Florida (1)	24. Miccosukee
6. Idaho (4)	25. Fort Hall 26. Kootenai 27. Coeur D' Alene 28. Nez Perce
7. Kansas (2)	29. Kickapoo 30. Potawatomie
8. Maine (3)	31. Indian Township 32. Pleasant Point 33. Penobscot
9. Michigan (5)	34. Bay Mills 35. Hannahville 36. Keweenaw Bay 37. Saginaw-Isabella 38. Sault Ste. Marie
10. Minnesota (2)	39. Nett Lake 40. Red Lake
11. Mississippi (1)	41. Choctaw
12. Montana (7)	42. Blackfeet 43. Crow 44. Flathead 45. Fort Belknap 46. Fort Peck 47. Northern Cheyenne 48. Rocky Boys
13. Nebraska (1)	49. Omaha
14. Nevada (26)	50. Battle Mountain Colony 51. Campbell Ranch 52. Carson Colony

53. Duck Valley Reservation
54. Duck Water Reservation
55. Dresslerville Colony
56. Elko Colony
57. Fallon Colony
58. Fort McDermitt Reservation
59. Goshute Reservation
60. Las Vegas Colony
61. Lovelock Colony
62. Moapa Reservation
63. Odgers Ranch
64. Pyramid Lake Reservation
65. Reno-Sparks Colony
66. Ruby Valley Reservation
67. South Fork Reservation
68. Summit Lake Reservation
69. Walker River Reservation
70. Washoe Pinenut Allotments
71. Washoe Ranches
72. Winnemucca Colony
73. Woodfords Community
74. Yerington Colony
75. Yomba Reservation

15. New Mexico (22)

76. Jicarilla
77. Mescalero
78. Nambe Pueblo
79. Picuris Pueblo
80. Pojoaque Pueblo
81. San Ildefonso Pueblo
82. San Juan Pueblo
83. Santa Clara Pueblo
84. Taos Pueblo
85. Tesuque Pueblo
86. Acoma Pueblo

	87. Cochiti Pueblo
	88. Isleta Pueblo
	89. Jemez Pueblo
	90. Laguna Pueblo
	91. Sandia Pueblo
	92. San Felipe Pueblo
	93. Santa Ana Pueblo
	94. Santo Domingo Pueblo
	95. Zia Pueblo
	96. Zuni Pueblo
	97. Ramah-Navajo
16. North Carolina (1)	98. Eastern Cherokee
17. North Dakota (3)	99. Fort Berthold
	100. Fort Totten
	101. Turtle Mountain
18. Oklahoma (10)	102. Absentee-Shawnee
	103. Apache
	104. Caddo
	105. Cheyenne-Arapaho Tribe
	106. Comanche
	107. Delaware
	108. Kiowa
	109. Pawnee Tribe
	110. Ponca Tribe
	111. Wichita
19. Oregon (3)	112. Warm Springs
	113. Burns Paiute Allotments
	114. Umatilla
20. South Dakota (9)	115. Cheyenne River
	116. Crow Creek
	117. Flandreau
	118. Lower Brule
	119. Pine Ridge
	120. Rosebud
	121. Sisseton
	122. Yankton
	123. Standing Rock (Inc. ND)

21. Utah (2)	124. Skull Valley 125. Uintah and Ouray
22. Washington (25)	126. Chehalis 127. Colville 128. Hoh 129. Kalispel 130. Lower Elwah 131. Lummi 132. Makah 133. Muckleshoot 134. Nisqually 135. Nooksack 136. Ozette 137. Port Gamble 138. Puyallup 139. Quileute 140. Quinault 141. Sauk-Suiattle 142. Shaolwater 143. Skokomish 144. Spokane 145. Squaxon Island 146. Suquamish (Port Madison) 147. Swinomish 148. Tulalip 149. Upper Skagit 150. Yakima
23. Wisconsin (1)	151. Menominee
24. Wyoming (1)	152. Wind River

TOTALS: 24 States - 152 Reservations"

EFFECTIVE: 03/09/81

18-11 MEMORANDUM OF UNDERSTANDING AND COORDINATION BETWEEN THE FEDERAL AVIATION ADMINISTRATION AND THE FEDERAL BUREAU OF INVESTIGATION

"I. INTRODUCTION

"The enactment of Public Law 93-366, on August 5, 1974, affects the rEsponsibility of the Federal Aviation Administration for the direction of law enforcement activity in aircraft hijacking situations. New Section 316(c), entitled "Overall Federal Responsibility," states:

> "1. Except as otherwise specifically provided by law, no power, function, or duty of the Administrator of the Federal Aviation Administration under this section shall be assigned or transferred to any other Federal department or agency.
>
> "2. Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration shall have exclusive responsibility for the direction of any law enforcement activity affecting the safety of persons aboard aircraft in flight involved in the commission of an offense under Section 902(i) or 902(n) of this act. Other Federal departments and agencies shall, upon request by the Administrator, provide such assistance as may be necessary to carry out the purposes of this paragraph.
>
> "3. For the purposes of this subsection, an aircraft is considered in flight from the moment when all external doors are closed following embarkation until the moment when one such door is opened for disembarkation.

"In view of these and other changes in the scope of federal responsibility, the Memorandum of Understanding, dated September 25, 1970, between the Attorney General and the Secretary of Transportation is no longer sufficient and is hereby superseded. In its place, the following statements of authority and responsibilities are agreed upon.

"II. DESIGNATION OF AUTHORITY

"A. When the aircraft is in flight.

"1. When a aircraft is in flight, that is from the moment

when all external doors are closed following embarkation, until the moment when one such door is opened for disembarkation, the pilot in command of the aircraft shall have normal operational control of the flight.

"2. The Administrator of the Federal Aviation Administration has exclusive responsibility for direction of any law enforcement activity involving an offense under (902(i) and 902(n) of the Federal Aviation Act of 1958, as amended.

3. As appropriate, in each case involving such an offense, the designated official of the Federal Aviation Administration shall request the assistance of the designated official of the Federal Bureau of Investigation.

"4. After fully considering the expressed wishes of the pilot in command, the responsible official of the airline operating the aircraft and the designated official of the Federal Bureau of Investigation, the designated official of the Federal Aviation Administration shall determine if law enforcement action is appropriate. In those instances in which the designated official of the Federal Aviation Administration determines that law enforcement action is appropriate, he shall request the designated official of the Federal Bureau of Investigation to advise as to the appropriate methods to be used and, after approval of the designated official of the Federal Aviation Administration, take the law enforcement action that is required.

"5. Whenever such a request is made, the designated official of the Federal Bureau of Investigation shall provide such law enforcement assistance as is necessary.

"6. The designated official of the Federal Bureau of Investigation and the designated official of the Federal Aviation Administration shall maintain continuing coordination between their respective offices during the course of such law enforcement activity.

"B. When the aircraft is not in flight.

"1. When an aircraft is not in flight, that is prior to the moment when all external doors are closed after

embarkation and after the moment when one such door is opened for disembarkation, the designated official of the Federal Bureau of Investigation shall make the decision to take law enforcement action with respect to a hijacking. The designated official of the Federal Bureau of Investigation shall give full consideration to the expressed wishes of the pilot in command, the responsible official of the airlines operating the aircraft, and the designated official of the Federal Aviation Administration prior to initiating action.

"C. The decision of the designated official of the Federal Aviation Administration shall prevail in those instances where a question arises as to whether an aircraft is in flight or is not in flight.

"III. INFORMATION AND COOPERATION

"A. The Federal Aviation Administration shall take all possible steps to establish a comprehensive information and intelligence communications network. To achieve this objective, the fullest cooperation of the commercial airlines and their pilots will be solicited.

"B. The Federal Aviation Administration and the Federal Bureau of Investigation agree to cooperate fully with each other in order that each agency may discharge its responsibilities hereunder. This shall include the full exchange of information and intelligence.

"IV. DELEGATION OF AUTHORITY AND DESIGNATION OF OFFICIAL OF THE FEDERAL AVIATION ADMINISTRATION AND THE FEDERAL BUREAU OF INVESTIGATION

"A. Until the Federal Aviation Administrator is otherwise notified in writing by the Director of the Federal Bureau of Investigation, JAMES B. ADAMS, Assistant to the Director, Deputy Associate Director, or the official acting in his capacity, will act on behalf of the Federal Bureau of Investigation and will coordinate with the Federal Aviation Administration and its designated responsible officials.

"B. Until the Director of the Federal Bureau of Investigation is otherwise notified in writing by the Federal Aviation Administrator, RICHARD F. LALLY, Director, Civil Aviation Security Service, or the official acting in his capacity, will act on behalf of the Federal Aviation Administration and will coordinate with the

Federal Bureau of Investigation and its designated responsible officials.

"Dated at Washington, D.C. this ___26th___ day of February, 1975.

/s/ Alexander P. Butterfield
Administrator
Federal Aviation
Administration

/s/ Clarence M. Kelley
Director,
Federal Bureau of
Investigation"

EFFECTIVE: 01/08/82

18-12 MEMORANDUM OF UNDERSTANDING BETWEEN THE FEDERAL BUREAU OF INVESTIGATION AND OFFICE OF INSPECTOR GENERAL RESOLUTION TRUST CORPORATION

"This memorandum constitutes an agreement voluntarily entered into between the Office of the Inspector General (OIG) of the Resolution Trust Corporation (RTC), and the Federal Bureau of Investigation (FBI).

"A. PURPOSE

"The purpose of this memorandum is to delineate the investigative responsibilities of the FBI and the OIG-RTC to ensure the most effective and efficient utilization of the limited resources which are available, and to ensure the timely exchange of information regarding allegations of criminal conduct involving RTC employees, programs, and functions.

"B. APPLICABLE AUTHORITY

"The Inspector General Act of 1978 ("IG ACT"), Public Law 95-452 (5

USC App.), created OIGs with the statutory authority to conduct investigations relating to fraud, waste, and abuse within their respective agencies' programs and operations. The Financial Institution Reform, Recovery, and Enforcement Act of 1989 (P. L. 101-73) (FIRREA) amended the IG Act to add an Inspector General for the RTC.

"The FBI derives its criminal investigative jurisdiction from Titles 18 and 28 of the United States Code (USC), the Code of Federal Regulations and through the Attorney General of the United States.

"Section 535 of Title 28, USC, specifically sets forth the FBI's jurisdiction to investigate violations of Title 18 involving Government officers and employees. Further, this statute also imposes upon every department and agency head of the Executive Branch of the Government a duty to report expeditiously to the Attorney General any information, allegations, or complaints relating to possible violations of Title 18 involving officers or employees of the Government unless the responsibility to perform the investigation of that violation is, by law, specifically assigned otherwise.

"C. BACKGROUND

"The Attorney General has formulated a written policy statement for the Department of Justice (DOJ) regarding its relationship and coordination with the statutory Inspectors General. The policy states in part, that the Attorney General is the chief law enforcement officer of the United States. Further, that whenever there is reason to believe that a Federal crime has occurred, the DOJ should be advised. This reporting normally will be to the United States Attorney (USA) in the district where the crime occurred or is occurring.

"In order to comply with the Attorney General's reporting requirement, the FBI and the OIG-RTC agree to present all allegations of a violation of Federal criminal statutes to the USA's Office in the district where the crime occurred or is occurring. The presentation to the USA will occur within 30 days of receipt of the information indicating a criminal violation, for the purpose of obtaining a preliminary prosecutive opinion.

"The FBI and the OIG-RTC further agree to advise each other of the initiation of any criminal investigation involving RTC employees, programs or functions and/or individuals and contractors acting for or on behalf of the RTC. The notification shall be in writing and will occur within 30 days of the initiation of a criminal investigation.

The notification shall include the predication for initiating the investigation, any facts developed, any evidence obtained, and the initial prosecutive opinion rendered by the USA's Office.

"The FBI and the OIG-RTC further agree to advise each other of the final results of those criminal investigations involving RTC employees, programs or functions. The notifications of the initiation of investigation and the final results of an investigation shall be made both to the field office covering the territory where the criminal activity took place and to the headquarters of both the FBI and the OIG-RTC.

"The reciprocal notifications will allow each agency to be informed of investigations being conducted by the other agency, thereby facilitating coordination of investigative efforts and avoiding duplication of effort. In addition, each agency may request to join an investigation being conducted by the other agency. The investigating agency may, however, decide to conduct the investigation unilaterally.

"The above reciprocal notifications shall not apply to those investigations where disclosure might endanger the safety of FBI, OIG-RTC, or other personnel, or otherwise have a potentially adverse impact upon the investigation.

"The FBI and the OIG-RTC agree to obtain the approval of one another prior to disseminating the other agency's documents to a third agency.

"D. RESPONSIBILITIES OF THE OIG-RTC

"1. The OIG will promptly advise the FBI upon the initiation of all criminal investigations undertaken by the OIG-RTC involving employees, programs, and functions of RTC and/or individuals and contractors acting for or on behalf of RTC. The OIG-RTC will provide the FBI with a list of regional OIG-RTC offices and ensure that any changes to the list of offices are provided to the FBI on a timely basis.

"2. The OIG will refer to the FBI, for investigation, all allegations of bribery or attempted bribery involving RTC employees and other individuals and/or contractors acting for or on behalf of RTC, upon receipt.

"3. The OIG will refer to the FBI for investigation all information pertaining to "organized crime," including both traditional La Cosa Nostra (LCN) matters and nontraditional criminal

enterprises identified in the FBI's National Organized Crime Strategy, upon receipt.

"4. The OIG will refer to the FBI, for investigation, all allegations of bank fraud and embezzlement which may have occurred prior to the date of "conservatorship."

"5. The OIG will investigate all noncriminal administrative and civil matters arising from and pertaining to RTC programs, functions, and personnel. Certain civil investigations arising from criminal cases investigated by the FBI may, however, be handled by the FBI. The OIG may institute whatever action is deemed appropriate in those instances where the FBI notifies the OIG that it is not going to initiate an investigation or that the USA has declined to prosecute a particular matter.

"E. RESPONSIBILITIES OF THE FBI

"1. The FBI will promptly advise the OIG-RTC upon the initiation of criminal investigations undertaken by the FBI involving employees, programs, and functions of RTC and/or individuals and contractors acting for or on behalf of RTC except in those situations articulated above. The FBI will also advise the OIG-RTC of the results of completed investigations as set forth above. The FBI will provide the OIG a list of all FBI field offices and ensure that changes to the list of field offices are provided to the OIG-RTC on a timely basis.

"2. The FBI will assume investigative responsibility for all allegations of bribery or attempted bribery involving RTC employees and other individuals and/or contractors working for or on behalf of RTC.

"3. The FBI will assume investigative responsibility for all allegations of criminal activity involving "organized crime" including traditional LCN matters and nontraditional criminal enterprises identified in the FBI's National Organized Crime Strategy. The FBI will promptly furnish the OIG-RTC a copy of the FBI's National Organized Crime Strategy and will promptly advise the OIG-RTC of any changes to the FBI's National Organized Crime Strategy.

"4. The FBI will assume investigative responsibility for all allegations of bank fraud and embezzlement which may have occurred prior to the date of "conservatorship."

"5. The FBI will advise the OIG whether or not it will

investigate a matter referred by the OIG within 45-60 days of the receipt of the information, except in matters of bribery and/or RTC employee involvement. In these latter situations, telephonic notifications should be made to the appropriate OIG-RTC Regional Inspector General for Investigation within 30 days.

"F. JOINT ENDEAVORS BY THE FBI AND THE OIG

"The OIG and FBI may agree to enter into joint investigative efforts, including undercover operations (UCO), in appropriate circumstances. Separate written agreements will be prepared for each joint undercover investigation, setting forth the respective responsibilities of each agency. All UCOS will conform to pertinent Attorney General and FBI guidelines. Control of joint UCOs will be the responsibility of the FBI.

"While differing circumstances will result in varied arrangements from project to project, certain conditions will remain constant. Participating personnel will be supervised by their respective agencies. Only one evidentiary document or report of interview will be prepared. Any contact with the news media, such as press releases, will be coordinated and agreed to in advance.

"G. REVISIONS/TERMINATION OF THIS AGREEMENT

"Both parties agree to consider any proposed changes to this agreement which would improve the working relationship between the FBI and the OIG-RTC. This agreement may be terminated at any time, by either party, by deliverance of a written notice to terminate.

"H. EFFECTIVE DATE

"This agreement becomes effective when approved and signed by both parties.

William M. Baker ASSISTANT DIRECTOR CRIMINAL INVESTIGATIVE DIVISION FEDERAL BUREAU OF INVESTIGATION	John J. Adair INSPECTOR GENERAL RESOLUTION TRUST CORPORATION
10/21/91 DATE	October 30, 1991 DATE

EFFECTIVE: 04/30/93

18-13 MEMORANDUM OF UNDERSTANDING BETWEEN THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES MARSHALS SERVICE, AND THE FEDERAL BUREAU OF PRISONS ON VIOLATIONS OF THE FEDERAL ESCAPE AND RESCUE STATUTES

"I. PURPOSE: This Memorandum of Understanding (MOU) between the Federal Bureau of Investigation, hereinafter referred to as the FBI, the United States Marshals Service, hereinafter referred to as the USMS, and the Federal Bureau of Prisons, hereinafter referred to as the BOP, sets forth the responsibilities of each agency with regard to the apprehensions and investigations under the Federal Escape and Rescue Statutes (Title 18, United States Code (USC), Sections 751 through 757).

"II. GOALS: It is mutually agreed that a MOU should be established on the Federal Escape and Rescue Statute to ensure an effective and efficient federal response to escape incidents and to clarify Section D of the 1988 Attorney General 'Policy on Fugitive Apprehension in Federal Bureau of Investigation and Drug Enforcement Administration Cases.'

"It is mutually agreed that each participant in this MOU will coordinate, as appropriate, and fully share information and the fruits of their respective investigations to assist each in fulfilling its own mission and responsibilities concerning violations of the Federal Escape and Rescue Statute.

"III. IMPLEMENTATION: The FBI, the USMS, and the BOP will develop and exchange such additional instructions and operating procedures as are deemed necessary to the continued implementation of this MOU with the goal of a coordinated, efficient, and effective interagency response to escape violations.

"In accordance with the terms of this MOU, in those locations in which a federal correctional institution is situated, a single operational plan will be prepared by the three agencies which will address those issues unique to that location regarding resources, manpower, notification, etc. It will be prepared by and for the benefit of the affected personnel in each location who will be directly involved in any situation covered by this MOU. This operational plan will in no way circumvent or oppose the letter and

spirit of this MOU.

"IV. RESPONSIBILITIES:

"Federal Bureau of Investigation:

"A. The FBI will have apprehension responsibility and investigative jurisdiction for all violations of the Federal Escape and Rescue Statute (Title 18, USC, Sections 751-757), involving subjects of FBI investigations, up to and including the time of sentencing. The FBI will coordinate this apprehension and investigative responsibility with the USMS and the BOP, as appropriate.

"B. The FBI will maintain investigative responsibility for all violations encompassing conspiracies to violate the Federal Escape and Rescue Statute or the conspiracy statutes (Title 18, USC, Sections 371-373) covering escape/attempted escape as they concern federal penal institutions and detention centers.

"IT IS THEREFORE UNDERSTOOD THAT THE FBI SHALL:

"1. Assume apprehension responsibility for an escaped federal prisoner, from any facility, at any stage up to and including sentencing, who is the subject of an FBI substantive investigation, and/or the subject or member of an organization which is the subject of an existing FBI National Security, FBI Organized Crime, or FBI Terrorism investigation.

"2. Maintain investigative jurisdiction over all conspiracy, rescue, facilitation, incitement, or aid to escape or attempt to escape, where the escape or attempt occurs within/from a federal penal institution/detention center.

"3. The FBI will be immediately notified by the BOP and/or the USMS whenever an escape occurs from a federal facility and circumstances arise indicating a conspiracy to escape/attempted escape; the introduction of a firearm/contraband into a federal facility; corrupt and/or collusion of correctional facility personnel; acts of riot or mutiny; or acts of violence, death or serious bodily injury. Coordination will be implemented and maintained with the USMS, who will exercise apprehension responsibility for non-FBI subjects, and the BOP, as appropriate. Joint FBI and USMS/BOP investigation will be viewed as the optimum objective.

"4. The FBI will assume investigative responsibility

for conspiracy, rescue, facilitation, incitement, or aid to escape or attempt to escape, in violation of the Federal Escape and Rescue Statute (Title 18, USC, Sections 751-757) when the escape occurs within/from a nonfederal institution and involves riot, hostage taking or loss of life. Coordination will be implemented and maintained with the USMS and BOP. Joint FBI and USMS investigation will be viewed as the optimum objective.

"5. Facilitate USMS participation in, and joint investigation of, escape and conspiracy to escape cases where the FBI has investigative jurisdiction and the USMS has prisoner, transport, or court security responsibilities.

"6. Establish and maintain investigative liaison with the USMS, the BOP and other federal and local law enforcement agencies as appropriate.

"7. Establish and maintain coordination with the USMS when an escaped federal prisoner becomes the subject of an Unlawful Flight to Avoid Prosecution (UFAP) request to the FBI. The FBI will not seek a UFAP warrant against any fugitive sought by the USMS pursuant to the Federal Escape and Rescue Statute and will notify the requesting state or local authority of the USMS's interest.

"United States Marshals Service:

"A. Pursuant to 28 C.F.R 0.111(q), which delegates to the USMS the power and authority vested in the Attorney General to conduct and investigate fugitive matters, domestic and foreign, involving escaped federal prisoners, the USMS will maintain investigative jurisdiction for all violations of the Federal Escape and Rescue Statute (Title 18, USC, Sections 751-757).

"IT IS THEREFORE UNDERSTOOD THAT THE USMS SHALL:

"1. The USMS and the FBI agree that the FBI will have investigative and apprehension responsibility with regard to violations of the Federal Escape and Rescue Statute involving subjects of FBI investigations, up to and including the time of sentencing, or persons who are the subject of or were members of an organization which is the subject of an existing FBI National Security, Organized Crime or Terrorism investigation.

"2. If the USMS's investigation reveals a possible escape conspiracy or systemic corruption on the part of federal personnel, concerning a federal penal institution or an FBI subject,

that information will be shared with the FBI for their investigation of the conspiracy or irregularities matter.

"3. The USMS will have investigative and apprehension responsibility for all violations of the Federal Escape and Rescue Statute within/from state, county or city (contract) facilities in all cases other than presentenced FBI prisoners. In the event of a violation of the Escape and Rescue Statute within/from a state, county or city (contract) facility, the facility will immediately notify the USMS. The USMS will then notify the FBI if the escape or attempted escape involved a presentenced FBI prisoner or if the incident involves riotous behavior, hostage taking or loss of life.

"4. Inasmuch as the USMS and the FBI agree that a full sharing of information and the fruits of investigations benefit each agency in fulfilling its missions and responsibilities, the USMS and FBI will coordinate and bring to bear the two agencies' combined expertise and investigative resources upon escaped federal prisoners and their conspirators.

"Bureau of Prisons:

"A. The BOP will have investigative responsibility for all escape issues until the agency (FBI or USMS), having been notified in accordance with provisions set forth in this agreement, has arrived on site and is prepared to assume the investigative role.

"B. In that the BOP will ordinarily be the agency which will first discover indications of an escape conspiracy or actual escape event, the BOP recognizes the obligation to take initial steps to manage the crime scene appropriately and to make immediate notifications to the agency assuming the lead investigative role.

"IT IS THEREFORE UNDERSTOOD THAT THE BOP SHALL:

"1. Take immediate steps to preserve the crime scene, as well as any related audit trails, record systems, and other forms of evidence as appropriate. Upon on-site arrival of representatives of the agency assuming jurisdiction, the BOP will assume a joint-jurisdiction supporting role, and provide full access to the crime scene and all related evidence and records systems. In the event the designated agency cannot immediately respond, a mutual agreement will be sought regarding the full processing and release of the crime scene by BOP investigative staff.

"2. In the event of an actual escape, or suspected escape, the BOP will activate stationary escape posts, roving patrols, and special response units as necessary to establish an extended perimeter around the BOP facility as may be dictated by local terrain, potential routes of egress, and the proximity of population centers. Active immediate apprehension activities in the surrounding area shall continue until such time as the BOP Warden or CEO concludes that the fugitive(s) is(are) no longer in the immediate area of the BOP facility, and/or the responding agency has sufficient resources actually in place to assume the immediate apprehension role. The BOP will provide the responding agency with appropriate information regarding the nature and location of BOP immediate apprehension activities.

"3. In those cases where an escape conspiracy is identified by BOP staff, prompt notification shall be made to the FBI, and a joint-investigative plan shall be developed, with the FBI assuming lead role as appropriate. BOP investigative staff shall provide full access to evidence, record systems, and audit trails as appropriate to facilitate the investigative process.

"4. In all escape investigations that involve inmate telephone monitoring tapes, investigative access shall be provided in strict accordance with procedures established by the Department of Justice, Office of Enforcement Operations, as implemented by BOP policy.

"V. PROTOCOL: It is agreed that the contents of this MOU will be provided to all agencies involved in this agreement, as well as the Executive Office of the United States Attorney, so as to fully coordinate notification procedures, points of contact to facilitate liaison, crime-scene management procedures, and development of the criminal investigation.

"VI. STANDARD PROCEDURES:

"A. Initial Notification

"1. The BOP will immediately notify the FBI in the event of any incident involving a violation of the Federal Escape and Rescue Statute.

"2. The FBI will immediately notify the USMS of any escape from a federal facility, pursuant to the USMS' apprehension responsibilities as stated in this MOU. The FBI will coordinate, as appropriate, with the USMS and BOP pursuant to this MOU.

"3. The USMS will immediately advise the nearest FBI office of escape incidents involving nonfederal penal institutions where the escapee is an FBI subject or aggravated circumstances exist as described in USMS paragraph 3.

"B. Point of Contact

"1. The USMS, FBI, and the BOP shall each designate a point of contact to facilitate liaison and implementation of this MOU.

"2. Points of contact will be established with other involved federal agencies where appropriate.

VII. TERMS OF AGREEMENT:

"This MOU will take effect immediately upon signature of all parties.

"For the Federal Bureau of Investigation:

_/s/_LOUIS_J._FREEH_ _June_24,_1994_
LOUIS J. FREEH Date
Director

"For the United States Marshals Service:

_/s/_EDUARDO_GONZALEZ_ _6/24/94_
EDUARDO GONZALEZ Date
Director

"For the Federal Bureau of Prisons:

_ /s/_KATHLEEN_M._HAWK_ _6/24/94_
KATHLEEN M. HAWK Date
Director

EFFECTIVE: 09/30/94

18-14 MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF INDIAN AFFAIRS AND THE UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

"I. PURPOSE

"This Memorandum of Understanding (MOU) is made by and between the United States Department of the Interior (DOI) and the Department of Justice (DOJ) pursuant to the Indian Law Enforcement Reform Act (Act), 25 U.S.C. 2801 et seq. The purpose of this MOU is to establish guidelines regarding the respective jurisdictions of the Bureau of Indian Affairs (BIA) and the Federal Bureau of Investigation (FBI) in certain investigative matters, and to provide for the effective and efficient administration of criminal investigative service in Indian country.

"II. BUREAU OF INDIAN AFFAIRS JURISDICTION

"The Act establishes a Branch of Criminal Investigations within the Division of Law Enforcement (DLE) of the BIA, which shall be responsible for providing, or for assisting in the provision of, law enforcement services in Indian country. The responsibilities of the DLE shall include, inter alia, the enforcement of federal law and, with the consent of the Indian Tribe, Tribal law; and in cooperation with appropriate federal and Tribal law enforcement agencies, the investigation and presentation for prosecution of cases involving violations of 18 U.S.C 1152 and 1153 within Indian country (and other federal offenses for which the parties have jurisdiction). In addition, the Act authorizes the Secretary of the Interior to develop interagency agreements with the Attorney General and provides for the promulgation of prosecutorial jurisdictional guidelines by United States Attorneys (USA).

"III. FEDERAL BUREAU OF INVESTIGATION JURISDICTION

"The FBI derives its investigative jurisdiction in Indian country from 28 U.S.C. 533, pursuant to which the FBI was given investigative responsibility by the Attorney General. Except as provided in 18 U.S.C. 1162 (a) and (c), the jurisdiction of the FBI

includes, but is not limited to, certain major crimes committed by Indians against the persons or property of Indians and non-Indians, all offenses committed by Indians against the persons or property of non-Indians and all offenses committed by non-Indians against the persons or property of Indians. See 18 U.S.C. 1152 and 1153.

"IV. GENERAL PROVISIONS

"1) Each USA whose criminal jurisdiction includes Indian country shall develop local written guidelines outlining responsibilities of the BIA, the FBI, and Tribal Criminal Investigators, if applicable. Local USA guidelines shall cover 18 U.S.C. 1152 and 1153 offenses and other federal offenses within the investigative jurisdiction of the parties to this MOU.

"2) Any other agreements that the DOI, DOJ and Indian Tribes may enter into with or without reimbursement of personnel or facilities of another federal, Tribal, state, or other government agency to aid in the enforcement of criminal laws of the United States shall be in accord with this MOU and applicable federal laws and regulations.

"3) The Secretary will ensure that law enforcement personnel of the BIA receive adequate training, with particular attention to report writing, interviewing techniques and witness statements, search and seizure techniques and preservation of evidence and the crime scene. Successful completion of the basic Criminal Investigator course provided by the Department of the Treasury at the Federal Law Enforcement Training Center or its equivalent shall constitute the minimum standard of acceptable training. The BIA may consult with the FBI and other training sources with respect to such additional specialized training as may be desirable. United States Attorneys may also require, and participate in, training at the field level.

"4) Any contracts awarded under the Indian Self-Determination Act to perform the function of the BIA, Branch of Criminal Investigations, must comply with all standards applicable to the Branch of Criminal Investigations, including the following:

"a) Local USA guidelines must be followed.

"b) Criminal Investigators must be certified Peace Officers and must have satisfactorily completed the basic Criminal Investigator course provided by the Department of the Treasury at the Federal Law Enforcement Training Center, or an equivalent course

approved by the Commissioner of Indian Affairs. Criminal Investigators will receive a minimum of 40 hours in-service training annually to keep abreast of developments in the field of criminal investigations.

"c) Compensation for Criminal Investigators must be comparable to that of BIA Criminal Investigators.

"d) Criminal Investigators must be United States citizens.

"e) Criminal Investigators must possess a high school diploma or its equivalent.

"f) No Criminal Investigator shall have been convicted of a felony offense or crime involving moral turpitude.

"g) Criminal Investigators must have documentation of semiannual weapons qualifications.

"h) Criminal Investigators must be free from physical, emotional, or mental conditions which might adversely affect their performance as law enforcement officers.

"i) Criminal Investigators must be certified by Tribal officials as having passed a comprehensive background investigation, including unannounced drug testing. Such examinations must be documented and available for inspection by the BIA.

"j) Appropriate procedures shall be devised to provide adequate supervision of Criminal Investigators by qualified supervisory personnel to ensure that investigative tasks are properly completed.

"k) When a Tribe is awarded a contract under the Indian Self-Determination Act, 25 U.S.C. 450 (a), there must be a "phase-in" period of not less than 180 days so as to ensure an orderly transition from one law enforcement agency to another. When a Tribe retrocedes its contract for the Criminal Investigator function, there must be a one-year time period from the date of request for retrocession, or a date mutually agreed upon by the BIA and the Tribe, for the BIA to prepare for reassuming the Criminal Investigation responsibility. All case files, evidence, and related material and documents associated with active and closed investigations must be turned over to the receiving criminal investigative agency, whether it be the BIA or a Tribe.

"l) Appropriate procedures shall be established with respect to the storage, transportation and destruction of, and access to, case files, evidence, and related documents and other material, with particular attention directed to the confidentiality requirements of 18 U.S.C. 3509(d) and Rule 6(e) of the Federal Rules of Criminal Procedure. Criminal Investigators shall follow these procedures at all times. Access to such material will be for official use only.

"m) Before any Tribe contracts for the Criminal Investigator function, the BIA and the Tribe must ensure that there is sufficient funding to cover the costs of a Criminal Investigator program including salary, equipment, travel, training, and other related expenses arising during both the investigation stage and the litigation stage of any case or matter covered by the contract.

"n) Tribal contractors must agree, and the BIA shall ensure, that there is an audit and evaluation of the overall contracted Criminal Investigator program at least every two years. Continuation of the contract shall be contingent upon successful completion of each audit and evaluation.

"o) Criminal Investigators are prohibited from striking, walking off the job, feigning illness, or otherwise taking any job action that would adversely affect their responsibility and obligation to provide law enforcement services in their capacity as Criminal Investigators.

"5) Any individual who is a holder of a BIA Deputy Special Officer Commission and performing duties as a Criminal Investigator must comply with the standards applicable to Criminal Investigators set forth in the preceding paragraph.

"6) When either the FBI or the BIA receives information indicating a violation of law falling within the investigative jurisdiction of the other agency, the agency receiving the information will notify the other agency. If either the FBI or the BIA declines to investigate a matter within the jurisdiction of both agencies, the other agency will be notified. The FBI and the BIA will attempt to resolve jurisdictional disputes at the field level. In the event the dispute cannot be resolved, it will be reviewed by each agency's respective headquarters for resolution.

"7) With respect to the use of sensitive investigative techniques, such as the nonconsensual interception of wire, oral or electronic communications and undercover operations involving any

sensitive circumstance (as defined in the Attorney General's Guidelines for FBI Undercover Operations), and the investigation of organized crime matters, the FBI shall be the agency primarily responsible. Undercover operations involving sensitive circumstances shall be conducted in accordance with the Attorney General's Guidelines for FBI Undercover Operations. This paragraph is not intended to prohibit the BIA from conducting consensual eavesdropping or undercover operations not involving a sensitive circumstance or utilizing other nonsensitive investigative techniques after proper training and when authorized by the appropriate United States Attorney.

"8) Nothing in this MOU is intended to change any existing cooperative relationships and responsibilities between the BIA and the FBI, and nothing in this MOU shall invalidate or diminish any law enforcement authority or responsibility of either agency.

"9) Consistent with the availability of resources, the FBI will offer specialized training to the BIA.

"10) Consistent with limitations regarding confidentiality, the requirements of the Privacy Act and any other applicable laws, and respective policies and procedures, the BIA and the FBI will cooperate on investigative matters of mutual interest, exchange intelligence, and investigative reports, as appropriate.

"11) To the extent possible and in consideration of limited resources, the FBI will continue to assist the BIA in its investigative matters by providing investigative support services through the Identification Division, Training Division, Criminal Investigative Division and Laboratory Division.

"This document constitutes the full and complete agreement between the BIA and the FBI. Modifications to this MOU will have no force and effect unless and until such modifications are reduced to writing and signed by an authorized representative of the parties thereto. This MOU will, at regular intervals, be subjected to a thorough review to determine if changes are appropriate.

"The provisions set forth in this MOU are solely for the purpose of internal guidance of components of the Department of the Interior and the Department of Justice. This MOU does not, is not intended to, shall not be construed to, and may not be relied upon to, create any substantive or procedural rights enforceable at law by any party in any matter, civil or criminal. This MOU does not, is not intended to, and shall not be construed to, exclude, supplant or limit otherwise

lawful activities of the Department of the Interior or the Department of Justice.

"By subscription of their signatures below, the parties acknowledge that they have read, understand, and will abide by the foregoing statements.

"___BRUCE_BABBITT___ __September_3,_1993__
Secretary Date
United States Department of the Interior

"___JANET_RENO___ __November_22,_1993__
Attorney General Date
United States Department of Justice"

EFFECTIVE: 11/07/94

SECTION 20. WHITE COLLAR CRIME

20-1 DEFINITION

(1) White-Collar Crimes are defined as those illegal acts characterized by deceit, concealment, violation of trust, and not dependent upon the application or threat of physical force or violence. They are committed to obtain money, property, or services; or to avoid the payment or loss of money, property, or services; or to secure personal or business advantage.

(2) By focusing on the nature of the act, rather than the nature of the violator, the classification of the crime will more clearly emerge. The modus operandi and objectives are crucial to correct categorization of these acts.

(3) The White-Collar Crime is usually of a more complex or sophisticated nature.

(4) The White-Collar criminal can come from all walks of life. The classic image of such a person being of top management and/or the pillar of the community is not sufficiently large to embrace all such criminals. Conversely, a person of the classic image is capable, and indeed has, committed crimes of the most base nature.

(5) The crime may be committed by individuals acting independently or by those who are part of a well-planned conspiracy. Clearly a person clothed in the aura of respectability acting in concert with a hardened criminal in a conspiracy which would involve the violation of his/her trust, would attach to that crime the significance and character of the "White-Collar Crime."

EFFECTIVE: 01/21/86

20-2 POLICY

(1) Since "White-Collar Crime" is a generic term and cannot be defined in terms of statutory elements as are specific crimes within FBI jurisdiction, the definition of White-Collar Crimes has been established as a working definition solely for Bureau use.

(2) Many crimes which have been investigated by the FBI for years can, quite properly, be classified as White-Collar Crimes. So too, many local and state violations are considered White-Collar Crimes. Care should be taken not to evaluate local crimes under the Bureau definition since the Bureau in no way intends to impose its definition of White-Collar Crimes upon state and local jurisdictions.

(3) The policy covering the specific classifications of the statutes under investigation will prevail in all White-Collar Crime matters and no statement within this Section should be construed as changing or modifying the policy in any of the substantive investigative matters handled by the Bureau.

(4) All investigations characterized as White-Collar Crimes should be given a high priority of investigative attention with the assignment of sufficient personnel to ensure the Bureau's investigative responsibilities are promptly met.

(5) Since many of the classifications within the Bureau's investigative jurisdiction fall within the general category of accounting type, those Special Agent Accountants and Special Agents with accounting backgrounds should be utilized where this specific expertise is needed.

EFFECTIVE: 11/20/90

20-3 FBI WHITE-COLLAR CRIME PROGRAM (WCCP) (See MIOG, Part I, 46-1.14, 58-10, 139-9, 206-6, 207-2, 255-9, 257-11, 258-8, 264-9, 272-6.2, 275-1; MAOP, Part II, 3-1.1, 3-1.2, 3-3.2(3), 3-4.5(5), 10-23; Correspondence Guide - Field, 1-17.)

(1) The Criminal Investigative Division at FBIHQ administers the WCCP in the White-Collar Crimes Section.

(2) The White-Collar Crimes Section is comprised of five subprograms: Governmental Fraud; Public Corruption; Financial

Institution Fraud; Economic Crimes; and Other WCC Matters.

(3) The classifications comprising the WCCP are grouped as follows:

(a) Governmental Fraud Matters

17 Department of Veterans Affairs Matters
46 Fraud Against the Government
60 Antitrust
62 Lands Division Matter
Miscellaneous - Civil Suits
83 Claims Court
86 Small Business Administration Matters
93 Ascertaining Financial Ability
120 Federal Tort Claims Act
131 Admiralty Matter
147 Housing and Urban Development Matters
187 Privacy Act of 1974 - Criminal
206 Department of Defense Matters
206 Department of Agriculture Matters
206 Department of Commerce Matters
206 Department of Interior Matters
207 Environmental Protection Agency Matters
207 National Aeronautics and Space Administration Matters
207 Department of Transportation Matters
207 Department of Energy Matters
208 General Services Administration Matters
209 Health|Care Fraud|
210 Department of Labor Matters
213 Department of Education Matters
249 Environmental Crimes

(b) Public Corruption Matters

51 Jury Panel Investigations
56 Election Law Violations
58 Corruption of Federal Public Officials
62 Administrative Inquiries
139 Interception of Communications - Public Officials or Government Agencies
139 Interception of Communications - All Others
194 Corruption of State and Local Public Officials
205 Foreign Corrupt Practices

211 Ethics in Government Matters

(c) Deleted

(d) Financial Institution Fraud

29 Financial Institution Fraud
275 Adoptive Forfeiture Matter - White Collar Crime

(e) Economic Crimes

27 Patent Matters
28 Copyright Matters
36 Mail Fraud
49 Bankruptcy Fraud Matters
87 Securities Trafficking and Check Matters
139 Interception of Communications/Signal Theft
181 Consumer Credit
186 Real Estate Settlement Procedures
196 Fraud by Wire
255 Counterfeiting of State and Corporate Securities
257 Trademark Counterfeiting Act
258 Credit and/or Debit Card Fraud
264 Computer Fraud and Abuse
272B Money Laundering - White-Collar Crime Program

(f) Other Matters

69 Contempt of Court
72 Obstruction of Justice
74 Perjury
75 Bondsmen and Sureties
137 WCC Informants
232 Training Received - White-Collar Crime

EFFECTIVE: 11/12/93

20-4 PRIORITY AMONG OTHER FBI PROGRAMS

See MIOG, Introduction, Section 2.

EFFECTIVE: 09/27/93

SECTION 21. FUGITIVE - GENERAL

21-1 FUGITIVE DEFINITION

A "fugitive" is the subject of a Bureau investigation for whom a Federal arrest warrant has been issued and whose whereabouts is unknown; or an individual whose whereabouts is unknown and whom the Bureau, by directive or agreement, has the responsibility for apprehending. A subject otherwise meeting these criteria who is outside the United States is considered a fugitive regardless whether he/she is in custody or not until such time as he/she is returned to United States control in the United States.

EFFECTIVE: 07/23/90

21-2 "A," "B," "C," AND "D" FUGITIVE PRIORITIES (See MIOG, Part I, 88-7.2; MAOP, Part II, Section 10.)

(1) To reflect investigative importance in the fugitive area, all fugitives will be designated either an "A," "B," "C," or "D" priority.

(2) An "A" fugitive is a subject wanted for crimes of violence against the person, such as murder, manslaughter, forcible rape, robbery, aggravated assault and felony residential burglary; one convicted of such a crime within the past five years or one who has been incarcerated after conviction for a crime of violence and escapes from custody or supervision (parole, probation) prior to completion of their sentence or term of supervision.

(3) A "B" fugitive is a subject wanted for a crime involving the loss or destruction of property valued in excess of $25,000, one being sought for criminal charges involving in excess of two ounces of heroin or cocaine, 1,000 pounds of marijuana or 10,000 dosage units of clandestinely manufactured dangerous or hallucinogenic drugs, or a subject convicted of the above crimes within the past five years or one who has been incarcerated after conviction for such offenses and escapes from custody or supervision (parole, probation) prior to completion of their sentence or term of supervision.

(4) "C." All others, except UFAP-Parental |Kidnapping| fugitives, who will be designated "D" fugitives.

(5) All communications, regardless of the fugitive classification, should carry the appropriate priority letter in parentheses in the title after the word, fugitive, which will identify the subject's priority ranking. For example:

JOHN DOE - FUGITIVE (A)	JOHN DOE - FUGITIVE (C)
UFAP-MURDER	FAG
OO: Albany	OO: Albany

(6) If a situation arises where a fugitive of a lower priority becomes wanted for an offense of a higher priority, the case should be promptly elevated to the newer appropriate priority letter ranking.

(7) The above priorities are by no means absolute in terms of significance of importance. Therefore, priority "C" may contain some relatively high-impact cases.

EFFECTIVE: 10/18/95

21-3 OBJECTIVES OF THE BUREAU'S FUGITIVE |SUBPROGRAM|

(1) To effect the swift location and apprehension of all FBI fugitives, particularly those wanted in connection with crimes of violence, substantial property loss or destruction, illicit drug trafficking and parental kidnaping.

(2) During liaison contact with law enforcement authorities and in managing resources available for fugitive investigations, "A," "B," and "D" priority fugitives should be emphasized so that manpower is concentrated there and not on those fugitive matters of lesser impact.

(3) All requests for assistance in the fugitive area over which we have jurisdiction must, of course, be honored regardless of their priority.

(4) Each office, in keeping with these objectives, should concentrate on the apprehension of "A" and "B" priority fugitives regardless of the Bureau classification, and "D" priority fugitives

(UFAP-Parental Kidnaping).

EFFECTIVE: 07/23/90

21-4 DETERMINING THE FUGITIVE'S FBI NUMBER AS A MEANS OF POSITIVE IDENTIFICATION (See MIOG, Part II, 14-15.4; MAOP, Part II, 7-2.2.2.)

(1) All offices should ensure that a check of the Interstate Identification Index (III) is made in an effort to determine the fugitive's FBI number prior to entering the fugitive in the NCIC Wanted Person File (WPF) without an FBI number. When the subject's fugitive airtel, FD-65, is submitted to FBIHQ at the outset of the fugitive investigation, his/her FBI number should be included thereon if known.

(2) If the field office is unable to identify an identification record identical with the fugitive through the III inquiry, an|electronic communication|should be forwarded to the Criminal Justice Information Services (CJIS) Division,|West Virginia Operations|(Attention: |Module D-2 Answer Hits to Wants (AHTW)),|enclosing any available fingerprints of the fugitive so that a technical fingerprint search can be conducted and a positive stop based upon fingerprints can be placed. A fingerprint-based stop means that incoming applicant/criminal fingerprint cards in alias names will hit against the stop thereby triggering appropriate field office notification(s). (See MIOG, Part II, 21-21(4).)

(3) "Maybe Ident" stops (a stop in an identification record possibly identical with the fugitive) will not be placed in identification records for FBI fugitives entered in the NCIC WPF without an FBI number. For fugitives entered in the NCIC WPF without an FBI number, a "Name Stop" only will be placed in the CJIS Division's Criminal File. If, while placing the "Name Stop," the CJIS Division discovers a manual record(s) (criminal identification record not available through III) possibly identical with the fugitive, a copy(s) of the criminal record(s) or a laminated copy(s) of the civil fingerprint card(s) will be forwarded to the field office. It will be the field office's responsibility to determine if the record or fingerprint card is identical with the fugitive. If an identification determination is made, the FBI number of the fugitive should be modified into his/her NCIC WPF entry or the copy of the civil print should be returned to the CJIS Division so a positive stop based upon fingerprints can be established in place of the existing "Name Stop."

(See MIOG, Part II, 21-23(22).)

EFFECTIVE: 05/13/96

21-5 POTENTIAL FUGITIVE IDENTITY PROBLEMS

EFFECTIVE: 05/26/89

21-5.1 Stolen or Lost Identification

(1) If it is known that a fugitive is using the stolen or lost identification of another individual, and said name is being carried as an alias of the subject in NCIC, the following action should be taken to prevent this individual from being detained erroneously as the subject.

(2) [redacted]

b7E

EFFECTIVE: 05/26/89

21-5.2 Look Alikes

(1) Where an individual has been reported to an office as being identical with a fugitive and investigation determines he/she is not identical but he/she so strongly resembles the fugitive in appearance that there is a likelihood he/she will be reported again as being identical with the fugitive, the office of origin and FBIHQ should be advised.

(2) Upon receipt of this information, the office of origin should modify the subject's NCIC record under the miscellaneous field to reflect that they are not identical.

EFFECTIVE: 05/26/89

21-6 FUGITIVES TRAVELING TOGETHER

When it is known that two or more subjects are traveling or operating together, their respective NCIC records should be cross-referenced under the miscellaneous field to reflect this fact. In addition, FBIHQ should be notified of this fact and the Criminal Justice Information Services Division, West Virginia Operations (Attention: Module D-2 AHTW), requested to cross-reference the fugitive stops in their respective fingerprint identification records.

EFFECTIVE: 05/13/96

21-7 CIRCUMSTANCES WHICH REQUIRE FBIHQ NOTIFICATION

In a fugitive investigation FBIHQ should be promptly notified if the following circumstances exist:

(1) If there is any publicity or anticipated publicity regarding the fugitive investigation.

(2) If the fugitive is prominent locally.

(3) If good judgment dictates that FBIHQ should be notified of events.

EFFECTIVE: 03/20/86

21-8 DETERMINING THE OFFICE OF ORIGIN WHEN MORE THAN ONE OFFICE PROCESS OUTSTANDING ON A FUGITIVE

(1) If an office, other than the existing office of origin, knowingly obtains additional process on a subject while in fugitive status, it should enter him/her in NCIC and bring this situation to the attention of FBIHQ and the existing office of origin in the following manner. Attach an administrative page to the fugitive airtel (FD-65) setting forth the details and request that FBIHQ determine and advise which office should assume origin in the investigation.

(2) There will be instances where an office, other than the existing office of origin, unknowingly obtains additional process on a subject while in fugitive status. This situation usually occurs when the subject has committed offenses under different identities. When subsequent investigation by the field determines that these individuals are in fact identical, FBIHQ should be promptly advised of the full details by airtel and requested to determine and advise which office should assume origin in the investigations.

EFFECTIVE: 03/20/86

21-9 COMMUNICATIONS REQUESTING APPREHENSION

The field office requesting investigation of an auxiliary office for the apprehension of a fugitive should include the following information in its communication if not previously furnished so that the investigation and apprehension may be handled intelligently and effectively:

(1) Photograph and complete description of the subject.

(2) Sufficient details of the offense charged to conduct a hearing before the U.S. Magistrate.

(3) Amount of bond fixed by the court or recommended by the USA.

(4) Date and place where prosecuting USA desires the bond made returnable.

(5) Full name of the complainant (individual who signs complaint before U.S. Magistrate).

(6) Full name of U.S. Magistrate or district court judge issuing the warrant.

(7) Full name of USA who filed information or indictment.

(8) Details of local offense in unlawful flight cases to handle any press inquiries.

(9) Caution statement if appropriate.

EFFECTIVE: 03/20/86

21-10 FUGITIVE DEADLINES

(1) The following deadlines pertain to all fugitives regardless of the classification.

(2) Priority "A" and "D" Fugitives

(a) Fugitive leads in headquarters cities or in headquarters cities of resident agencies are to be covered and reported within a total of 15 calendar days.

(b) An additional 7 calendar days are permitted for areas outside these cities.

(3) Priority "B" and "C" Fugitives

(a) Fugitive leads in headquarters cities or in headquarters cities of resident agencies are to be covered and reported within a total of 30 calendar days.

(b) An additional 7 calendar days are permitted for areas outside these cities.

(4) If good judgment indicates a fugitive lead is without immediate productive possibilities and economy can be effected by extending the deadline period, the above deadlines may be exempted.

(5) It is recognized that certain factors will dictate that more preferred attention be given to case than the above deadlines command. For example, a relatively low priority "C" fugitive might be wanted for questioning as a principal subject in a

major investigation. In such situations, the necessity for preferred attention should be set out regardless of the priority letter designation.

EFFECTIVE: 05/29/84

21-11 CAUTION STATEMENTS

(1) The use of caution statements as a special warning should be restricted to factual information aimed at alerting apprehending officers to exercise additional caution in arresting and controlling a subject.

(2) They must be included in all appropriate communications in underlined capital letters and in the subject's NCIC record.

(3) There are five basic caution statements:

(a) Armed and dangerous.

(b) Suicidal tendencies.

(c) Escape risk.

(d) A physical or mental condition or illness which may require immediate or professional care.

(e) "Warning: Known or Suspected HIV (Human Immunodeficiency Virus) Infected Person" (This warning should only be used in internal communications when also accompanied by the "Armed and Dangerous" warning or when other information is developed that the possibility of violence during an arrest is imminent.)

(4) The basis of the caution statement must be included in the caution statement in all initial communications to other field offices and FBIHQ. Subsequent communications to these offices need only set forth the caution statement, and its basis need not be restated.

(5) The caution statement should be set forth immediately after the case caption of the FD-517 and at the end of the narrative in prosecutive reports. In both investigative and nonprosecutive summary reports, the caution statement should be included immediately

after the case caption of the first cover page, at the end of the synopsis in every instance and at the end of the details of the first report. In the case of other communications, such as letters, airtels, and LHMs, it should be placed immediately after the case caption and at the end of the communication. If desired, an appropriate stamp may be used for this purpose. In teletypes, the caution statement should be included as the first line of the text.

(6) Notification when information first developed.

(a) In wanted flyer, identification order, or check circular cases, the developing office should immediately notify FBIHQ, office of origin, known auxiliary offices, and the office of prosecution (when other than the office of origin) by teletype. The office of origin should in turn furnish this information by teletype to all other auxiliary offices, by regular mail to all other offices and modify subject's NCIC record.

(b) In all other cases, the developing office should immediately notify FBIHQ, office of origin, known auxiliary offices, and the office of prosecution (when other than the office of origin) by teletype or airtel as the circumstances dictate. The office of origin should in turn furnish this information to all other auxiliary offices by teletype or airtel and modify the subject's NCIC record.

(7) When requesting the assistance or cooperation of local law enforcement officers or other agencies in apprehending the subject, fully apprise them of any caution statement.

|(8) Form FD-65, the fugitive airtel, has a "Caution" block which must be checked when information exists indicating the need for enhanced caution by law enforcement personnel apprehending or controlling the fugitive. The "Caution" block will have checkboxes for appropriate warning statements. The basis for the caution statement must be stated as the first information reported in the "Miscellaneous" block of the FD-65. This information will be included in the NCIC record pertaining to the fugitive.|

EFFECTIVE: 10/11/94

21-12 APPREHENSION OF BUREAU FUGITIVES

|(1) Bureau policy relating to arrest (use of force, forcible entry, etc.) is contained in Section 3, Legal Handbook for Special Agents. Also, see 21-13.4, infra, regarding entry to arrest.|

|(2)| When a Bureau fugitive is apprehended or located in custody, the apprehending office should immediately notify FBIHQ, office of origin, office of prosecution (when other than the office of origin), and all known auxiliary offices by routine teletype. The word, "FUGITIVE," should be carried in the title of all communications notifying FBIHQ and interested offices of the apprehension or location of a Bureau fugitive.

|(3)| Good judgment must be exercised and where a more urgent communication is obviously justifiable, notification by telephone or immediate or priority teletype should be utilized.

|(4)| When one of the Ten Most Wanted Fugitives is apprehended or located in custody or fugitive's apprehension appears imminent, FBIHQ must be immediately advised by telephone and confirmed by teletype.

|(5)| Upon notification, the office of origin should review its case file and notify any other auxiliary office where investigation is pending of the apprehension or location by routine teletype.

|(6)| If investigation is being conducted by a known Legat office, the apprehending office should request FBIHQ in its apprehension teletype to advise the particular Legat office to discontinue.

|(7)| If the apprehending office has not requested FBIHQ to notify any or all Legat offices conducting investigation to discontinue, the office of origin should promptly submit a routine teletype to FBIHQ requesting same.

|(8)| If the office of origin's case Agent is not readily available, it is the responsibility of the appropriate office of origin's supervisor to ensure that all auxiliary offices are advised to discontinue investigation and FBIHQ is requested to advise appropriate Legat offices to discontinue.

|(9)| If the subject is a Ten Most Wanted Fugitive or the subject of an identification order, check circular, or wanted flyer,

FBIHQ will notify all offices and Legats by appropriate communication of his/her apprehension.

EFFECTIVE: 10/10/83

21-13 HARBORING STATUTES

EFFECTIVE: 10/10/83

21-13.1 Title 18, USC, Section 3. Accessory After the Fact

"Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

"Except as otherwise expressly provided by any Act of Congress, an accessory after the fact shall be imprisoned not more than one-half the maximum term of imprisonment or fined not more than one-half the maximum fine prescribed for the punishment of the principal, or both; or if the principal is punishable by death, the accessory shall be imprisoned not more than ten years."

EFFECTIVE: 10/10/83

21-13.2 Title 18, USC, Section 1071. Concealing Person from Arrest

"Whoever harbors or conceals any person for whose arrest a warrant or process has been issued under the provisions of any law of the United States, so as to prevent his discovery and arrest, after notice or knowledge of the fact that a warrant or process has been issued for the apprehension of such person, shall be fined not more than $1,000 or imprisoned not more than one year, or both; except that if the warrant or process issued on a charge of felony, or after conviction of such person of any offense, the punishment shall be a fine of not more than $5,000, or imprisonment for not more than five years, or both."

EFFECTIVE: 10/10/83

21-13.3 Elements

(1) Accessory after the fact

(a) A person who knows that an offense against the United States has been committed.

(b) Receives, relieves, comforts, or assists the offender.

(c) The act of receiving, relieving, comforting, or assisting the offender is committed in order to prevent the offender's apprehension, trial, or punishment.

(2) Concealing person from arrest

(a) A person harbors or conceals an individual.

(b) There is a warrant of arrest or other process outstanding for the individual harbored or concealed which was issued under the provisions of some Federal law.

(c) The person harboring or concealing the offender knows of the warrant or process.

(d) The act of harboring or concealing is done to prevent discovery and arrest of the offender.

EFFECTIVE: 01/21/86

21-13.4 Policy

(1) Since harboring is a substantive crime separate and distinct from the offense for which the fugitive is sought, Agents are justified in arresting a harborer where there is probable cause to believe such a violation is being or has been committed. Where possible, authorization of the U.S. Attorney should be obtained and an arrest warrant issued prior to the arrest of one accused of harboring. Entry to the harborer's own premises to execute the arrest warrant requires probable cause to believe the harborer is within, but does

not additionally necessitate a search warrant before entry to the premises.

(2) Where there is probable cause to believe a fugitive is located within the premises of a harborer, entry to such premises to arrest the fugitive is contemplated, the premises are not the principal residence of the fugitive, and there are no exigent circumstances or consent justifying an immediate warrantless entry, a search warrant must be obtained naming the fugitive as the object of the search. (See Section 3-7, Legal Handbook for Special Agents.) The search warrant will support the complete and thorough search of the premises for the fugitive.

(3) An arrest of either the harborer or a fugitive, with or without warrant, will justify a cursory search of the premises where Agents have a reasonable suspicion that confederates, accomplices, or others, lurking therein, may jeopardize their safety. (See Section 5-3.9, Legal Handbook for Special Agents.)

EFFECTIVE: 01/21/86

21-13.5 Venue

Prosecution shall be in the district in which the offense was committed.

EFFECTIVE: 01/21/86

21-13.6 Classification

The same as the substantive violation.

EFFECTIVE: 01/21/86

21-13.7 Character

Substantive offense - HARBORING

EFFECTIVE: 01/21/86

21-14 LOCATING, CLEARING, AND CANCELLING SUBJECT'S NCIC RECORD

(1) If the fugitive is apprehended or located in the territory of the office having the subject's record on file in NCIC they should immediately (within 24 hours) "clear" the Bureau's NCIC record and place a "located" on any other NCIC record positively identifiable with the fugitive. This is to be done via the terminal located in the office. The substantive case file is to show the "clear" and any "located" action taken in NCIC.

(2) If the subject is apprehended or located in the territory of an office other than the office having the subject's record on file in NCIC, the following procedures must be followed by said office and the office having the record on file in NCIC:

(a) The office apprehending or locating the fugitive must immediately (within 24 hours) change the status of the subject's Bureau NCIC record to show "located." Any other NCIC record positively identifiable with the fugitive must also be promptly changed to a "located" status. This is to be done through the office terminal. The substantive case file is to show that the "located" action was taken.

(b) The office having the subject's record on file in NCIC, upon receipt of notification via NCIC computer that a "located" message has been placed in the fugitive's Bureau NCIC record by another FBI office or military authorities in a deserter case, should immediately (within 24 hours) "clear" the subject's NCIC record through the terminal located in the office. The substantive case file is to show that the "clear" action was taken.

(c) The office having the subject's record on file in NCIC, upon receipt of notification via NCIC computer that a "located" message has been placed in the fugitive's Bureau NCIC record by an agency other than another FBI office or military authorities in a deserter case, should instruct the office covering the area of the "locating" agency to promptly verify both the identity and the apprehension of the fugitive. Following this verification immediately (within 24 hours) "clear" the subject's NCIC record through the terminal in the office. The substantive case file is to show that the NCIC record has been properly "cleared."

(3) If the federal process, or local process in the case of an unlawful flight fugitive, is dismissed prior to the fugitive's apprehension, the office having the Bureau's entry on file in NCIC must immediately (within 24 hours) "cancel" said entry. The substantive case file must reflect that this has been done.

(4) Refer to the Manual of Administrative Operations and Procedures, Part II, Section 7 for additional NCIC procedures in this area.

EFFECTIVE: 02/14/97

21-15 LETTERS OF APPRECIATION

(1) If a local, state, or Federal law enforcement official apprehends or assists in the apprehension of a Bureau fugitive, a letter of appreciation from the Director will be forwarded to the official by FBIHQ upon appropriate recommendation of the SAC.

(2) The recommendation, which may be set forth in the apprehension teletype, a separate communication, or by Form FD-468, must the include following:

(a) Official name, rank, and address of the officer causing the apprehension.

(b) Official name, rank, and address of the person in charge of the agency involved.

(c) Results of office indices checks against these individuals.

(d) Sufficient details to enable FBIHQ to afford the matter appropriate attention.

EFFECTIVE: 11/08/82

21-16 VERIFYING FEDERAL AND LOCAL PROCESS

(1) For those fugitives for whom Federal arrest process is outstanding, the office of prosecution shall verify once a year that the process is still outstanding and contact the USA to determine whether USA still desires to prosecute the fugitive if apprehended.

(2) For those fugitives wanted under the Unlawful Flight Statute, the underlying local process and intention of local authorities to extradite for prosecution or reconfinement must be verified once a year.

(3) When subsequently verifying Federal and/or local process for those fugitives after the case has been placed in a pending inactive unassigned status, because they are Mexican citizens who have fled to Mexico where they are not subject to extradition and deportation, it should be made a matter of record in the case file and need not be reported to FBIHQ.

EFFECTIVE: 11/08/82

21-17 DISMISSAL OF FEDERAL OR LOCAL PROCESS PRIOR TO APPREHENSION

(1) If the federal process, or local process in the case of an unlawful flight subject, is dismissed prior to a fugitive's apprehension, the office of origin or office of prosecution, when other than the office of origin, should immediately notify FBIHQ and all auxiliary offices by routine teletype to discontinue. The word, "FUGITIVE," should be carried in the title of this teletype.

(2) This notification will enable FBIHQ to promptly remove the fugitive stop in the Criminal Justice Information Services Division and delete the subject from its fugitive index.

EFFECTIVE: 12/02/94

21-18 PENDING INACTIVE STATUS WHEN ALL LOGICAL INVESTIGATION HAS BEEN CONDUCTED

(1) In fugitive cases, when all logical investigation has been conducted and the subject is still in fugitive status, FBIHQ can be requested on a UACB basis to allow the office of origin to place the case in a pending inactive status for six months for "A," "B," and "D" priority fugitives and for one year for "C" priority fugitives. "D" priority cases can also be placed in pending inactive status for six months when it has been determined that the parent who kidnaped the child is residing in a foreign country and, for whatever reason, the local authorities will not or are unable to have the subject extradited back to the United States.

(2) Prior to submitting such a request, conduct an in-depth file review in an effort to develop logical leads which may have been overlooked or bear recoverage due to the passage of time.

(3) Following this review, if your request is still desired, prepare a comprehensive summary report setting forth the full scope of investigation conducted for review by FBIHQ.

(4) The administrative section of the cover page should contain a statement that UACB this case is being placed in a pending inactive status for six months or one year (depending on the fugitive priority), since all logical investigation has been thoroughly conducted, after which time the case will be made pending and appropriate leads will be set out in an effort to locate and apprehend the subject.

EFFECTIVE: 10/18/88

21-19 LOCATING AND RELOCATING FUGITIVES OUTSIDE THE UNITED STATES

EFFECTIVE: 10/18/88

21-19.1 Requesting Investigative Assistance Abroad - Extradition Deportation

(1) In most instances, requests for fugitive investigations abroad will be handled by Legal Attaches (Legats) (see Part II, 23-4.5, of this manual) and in those areas not covered by a Legal Attache, through liaison with Interpol (see Part I, Section 163-10, of this manual), the U.S. Department of State; [redacted] b3 b7e CIA

[redacted]

(2) When submitting requests for fugitive investigations to our Legats through FBIHQ, include in the cover airtel, when LHM used, and set forth in the administrative section of a teletype, letter or airtel, where no LHM is used, the results of a recent contact with the USA or a local prosecutor if the fugitive matter is unlawful flight (UFAP) in nature. Set out a statement, if such is the case, that the USA (state authorities, if UFAP matter) will initiate the necessary action for subject's extradition if the fugitive is successfully located and informal deportation is not a possibility.

(3) Further, specifically include, where possible, the USA's (local prosecutor's, if UFAP matter) assessment of the seriousness of the case, the likelihood of conviction and whether subject can be expected to be released on bond or remanded to custody upon subject's return to this country.

(4) Legal Attaches will attempt to arrange informal deportations for FBI fugitives whenever possible. The U.S. Marshals Service (USMS) funds and handles transportation in informal deportations in the same manner that they handle extradition situations. All Legal Attaches, upon locating an FBI fugitive abroad, who would be available for informal deportation, are to notify FBIHQ by teletype, furnishing the identity and telephone number, if possible, of the local official in the particular country and/or embassy representative with whom the matter should be coordinated. FBIHQ will then notify the office of origin (OO) and the Office of International Affairs, Department of Justice (DOJ), who will then coordinate with the Enforcement Operations Division, USMS Headquarters, to request appropriate funding and transportation assistance. If the fugitive is the subject of an Unlawful Flight warrant, the Legal Attache will provide an estimate of expenses and, through FBIHQ, request OO to ensure that the interested State authorities are willing to assume the cost of the informal deportation, which would be subsequently billed to them by the U.S. Marshal. If the State authorities agree, OO is to advise the Legal Attache, through FBIHQ, and notify the Marshal holding the Federal

warrant that a request for deportation transportation will be made of their headquarters by FBIHQ through DOJ.

EFFECTIVE: 10/18/88

21-19.2 Mexican Citizen in Mexico

FBI fugitives who are Mexican citizens and who flee to Mexico are not subject to extradition or deportation. The office of origin should submit an appropriate communication to the proper border office or to FBIHQ for transmission to Legat, Mexico City, requesting that the fugitive be located. Once the fugitive is initially located in Mexico, no further action should be taken to relocate him/her in Mexico in the future by either Legat, Mexico City, or a border office and the case should be placed in a pending inactive unassigned status by the office of origin with the fugitive stops outstanding. If information is received that a fugitive has returned to the United States, the case should be reopened and investigation conducted to effect his/her apprehension. For those fugitives for whom Federal arrest process is outstanding, the office of prosecution shall verify once a year that the process is still outstanding and contact USA to determine whether USA still desires to prosecute the fugitive if apprehended. For those fugitives wanted under the Unlawful Flight Statute, the underlying local process and intention of local authorities to extradite for prosecution or reconfinement must also be verified once a year.

EFFECTIVE: 10/24/85

21-19.3 Fugitives Outside the United States Other Than Mexican Citizens in Mexico

The office of origin should submit an appropriate communication to the proper border office or to FBIHQ for transmission to the appropriate Legat or agency, if the country in question is not covered by our Legats, requesting that the fugitive be located. Once the fugitive is initially located in the foreign country and if his/her deportation or extradition cannot be legally accomplished or will not be instituted, the case should be placed in a pending inactive status by the office of origin, with stops outstanding, upon completion of all other necessary investigation. If information is received that a fugitive has returned to the United States, the case

should be reopened and investigation conducted to effect his/her apprehension. For those fugitives wanted under the Unlawful Flight Statute, the underlying local process and intention of local authorities to extradite for prosecution or reconfinement, if apprehended within the United States, must be verified once a year. For those fugitives for whom Federal arrest process is outstanding, the office of prosecution shall verify once a year that the process is still outstanding and contact the USA to determine whether USA still desires to prosecute the fugitive if apprehended within the United States. Fugitive cases involving non-Mexicans in Mexico and others previously located abroad should be reopened and the subjects relocated every two years through the above procedures.

EFFECTIVE: 10/24/85

21-19.4 |Fugitives Outside the United States|

|(1)| When it is determined a fugitive has left the United States, the office of origin should immediately establish and maintain a lookout notice (Form FD-315) with the U.S. Immigration and Naturalization Service (INS). Upon the fugitive's apprehension or dismissal of process, it is likewise the responsibility of the office of origin to discontinue this notice (see Part II, 10-7.5.2 of this manual for procedures for establishing and canceling INS stops).

|(2) As soon as it appears likely that a fugitive may be located in a foreign country, you should notify the prosecutor, either the U.S. Attorney or the local prosecutor in unlawful flight cases, that he or she should contact the Office of International Affairs (OIA), Criminal Division, U.S. Department of Justice, promptly. In addition, as soon as such an arrest appears likely, you are to notify the substantive division at FBIHQ, with copy to the Office of Liaison and International Affairs, so that FBIHQ may notify OIA.|

EFFECTIVE: 10/25/89

OPCA-20 (12-3-96)

XXXXXX
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FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

3 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552		Section 552a
☐ (b)(1)	☐ (b)(7)(A)	☐ (d)(5)
☒ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☐ (b)(3)	☐ (b)(7)(C)	☐ (k)(1)
_____	☐ (b)(7)(D)	☐ (k)(2)
_____	☒ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
☐ (b)(6)		☐ (k)(7)

☐ Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

_____ Pages were not considered for release as they are duplicative of _____

_____ Page(s) withheld for the following reason(s): _____

☒ The following number is to be used for reference regarding these pages:
MIOG 21-19.5

XXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X for this page X
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FBI/DOJ

21-20 FUGITIVE INVESTIGATIONS FOR OTHER FEDERAL AGENCIES

(1) Special requests are occasionally received by the field from other Federal agencies or from USAs to conduct investigation to locate fugitives wanted for Federal violations within the primary jurisdiction of other Federal agencies.

(2) When such requests are received, promptly submit to FBIHQ by airtel or teletype, depending on the urgency, the complete details including the reasons for the request. Hold all investigation in abeyance pending FBIHQ instructions.

(3) All fugitive investigations conducted by the FBI for other Federal agencies (example: DEA Fugitives) should be classified as 62E matters.

EFFECTIVE: 10/25/89

21-20.1 Fugitive Inquiries Abroad on Behalf of U.S. Marshals Service (USMS)

(1) Based upon an agreement reached with the FBI, the USMS may request, through FBIHQ, investigative assistance of our Legal Attaches to conduct limited agency-type inquiries in fugitive matters within the jurisdiction of their agency.

(2) Requests for assistance will be forwarded, by letter to FBIHQ, reviewed, and transmitted to the appropriate Legal Attache for handling, if such requests conform to the existing agreement; i.e., are merely agency checks and do not involve the location or apprehension of a fugitive. Conduct no inquiries unless they are forwarded from FBIHQ.

(3) Upon completion of the inquiry by the Legal Attache, it should be forwarded to FBIHQ, Attention: Fugitive/Government Reservation Crimes Unit, in a form suitable for dissemination to USMSHQ.

(4) As requests should be few in number, Legal Attaches are to establish a control file in the "62" classification and handle inquiries out of such file. All correspondence to FBIHQ should utilize the caption noted above and include, as a subcaption, the name(s) of the subject(s). Appropriate serializing and indexing should be made for record and retrieval purposes.

EFFECTIVE: 10/25/89

21-21 FUGITIVE INQUIRIES

When attempting to determine if an individual is a Bureau fugitive or is wanted by another agency, the following procedures should be followed:

(1) Obtain all known background, descriptive data and identifying numbers.

(2) If identifying numbers, such as date of birth or SSAN, are known, make an inquiry of NCIC through the terminal located in the field office.

(3) Inquiry can be made through another agency's NCIC terminal when advantageous or convenient; however, your office's NCIC identifier must be used to identify the inquiry as Bureau originated.

(4) If NCIC is negative or cannot be utilized because of the lack of an identifying number, direct a teletype|or electronic communication,|depending on the urgency, to FBIHQ. Set forth the details and data along with the results of the NCIC check and request a check of the FBIHQ fugitive index and Criminal Justice Information Services Division records. (See MIOG, Part II, 21-4(2).)

(5) Whenever possible, inquiries should be worded "Advise only if fugitive or wanted" to avoid the need for a negative reply.

(6) If a reply is desired, specifically indicate by stating "Advise whether or not a fugitive or wanted."

(7) Avoid ambiguous language such as "Advise if fugitive" or "Advise if wanted." Such requests will be interpreted to mean "Advise only if fugitive or wanted."

(8) In those instances where a reply is desired and an electronic communication|is used, one extra copy of the|electronic communication|should be submitted to FBIHQ for each office that is to be advised.

(9) If there is no record of being a Bureau fugitive or wanted by another agency, FBIHQ will appropriately stamp copies of the

incoming communication and forward same to the interested offices by routing slip.

EFFECTIVE: 05/13/96

| 21-22 FBIHQ FUGITIVE INDEX|(See MAOP, Part II, 7-2.1(1).)|

(1) An alphabetical fugitive index containing all currently designated Bureau fugitives is maintained in the ||Violent Crimes/Fugitive|Unit, Criminal Investigative Division, FBIHQ.

(2) When attempting to determine if an individual is a Bureau fugitive and identifying numbers are not available in order to check NCIC, an inquiry based on the individual's name can be made of these fugitive indexes at FBIHQ.

| (3) Fugitive inquiries may be made using only the fugitive's name, if no other data is available, by calling [redacted] 7 a.m. - 5:30 p.m.,|Eastern Time, Monday through|Friday, or | by calling [redacted] during off-hours.| b2

EFFECTIVE: 08/18/94

21-23 POSSIBLE FUGITIVE LEADS

The following possible fugitive leads are not intended to be all inclusive, but should be utilized when appropriate in addition to the usual investigative steps taken in a fugitive investigation in an effort to locate and apprehend the subject:

(1) If it is known or suspected that the subject has left the country, request WMFO to cause a search of the records of the Passport Office, Department of State, Washington, D.C., to determine if the subject has applied for or received a passport. b2 b7E

(2) If the subject is an alien, request WMFO to cause a search of the records of the Alien Registration Division, INS, Washington, D.C., for information alien is required to furnish under the provisions of the Alien Registration Act of 1940.

(3) If the subject is a former military person, contact the nearest regional office of the Department of Veterans Affairs which will advise which regional office has subject's records on file through which any compensation or insurance benefits can be determined.

(4) If the subject is or was a merchant seaman, request WMFO to contact U.S. Coast Guard Headquarters, Washington, D.C., for a record check. The number of the subject's seaman's certificate of identification (Z-number), if known, should be furnished.

(5) If the subject previously served in the Air Force, Army, Marines, or Navy, request the proper office to cause a review of subject's military records.

(6) Utilization of a circular letter if appropriate and with FBIHQ approval.

(7) [redacted]

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(8) [redacted]

(9) [redacted]
(See [redacted] for restrictions on the use of this technique.)

(10) Use of the All Writs Act (AWA), Title 28, USC, Section 1651, to obtain records to locate federal fugitives. All Writs Act orders for the production of records may be requested in all federal fugitive investigations, including unlawful flight fugitives, subject to the following requirements:

(a) There must be an outstanding arrest warrant for the fugitive issued by the U.S. District Court (USDC) or the U.S. Magistrate.

(b) The AWA order can only be issued in the federal district court where the criminal case is pending. Such orders are valid and may be executed in any federal judicial district. Therefore, where the records sought are located in a district other than the district of issuance the order should be transmitted to the field office where the records are located and the records should be produced to Agents of that office.

(c) The order should be obtained from a judge of the USDC unless the USDC has delegated appropriate authority to the U.S. Magistrate. The USA's office should be able to make this determination.

(d) The orders should allow sufficient time (10-12 days) between the date of the orders and the required production of the records to allow the affected company to challenge the order in the district court of issuance if it desires to do so. This requirement does NOT preclude more timely production of the records if the company is cooperative.

(e) The affidavit should demonstrate the reasonable belief that the records sought may be of assistance in locating the fugitive.

(f) Although [redacted] will probably be the most common records sought with this procedure, AWA orders may be used for the production of other records which might assist in the location of the fugitive. However, AWA orders may not be utilized to obtain records to locate federal parole violators who are wanted on federal parole violators warrants because there is no pending case in the USDC and the court thus lacks jurisdiction. Also, AWA orders may not be utilized to obtain records to locate mandatory release violators (MRVs) since they have the same status as federal parole violators (no pending case in the USDC). b2 b7E

(g) Memorandum to All SACs, dated 10/19/83, captioned "USE OF ALL WRITS ACTS TO OBTAIN RECORDS TO LOCATE FEDERAL FUGITIVES," provided sample forms designed to facilitate the use of this technique.

[redacted] b2 b7E

[redacted]

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(16) Leads should be set forth to review police reports, and an inquiry of the Interstate Identification Index should be performed for criminal history data on the subject.

(17) The cooperation of the subject's bondsmen may be sought if circumstances indicate that this procedure is advisable.

[redacted]

(20) Consider obtaining return information concerning the fugitive from the Internal Revenue Service (IRS). See Part II, Section 19, of this manual.

(21) Consider requesting the issuance of an Interpol International Wanted Notice if the fugitive is believed to be traveling abroad. (See Part I, Section 163-10, of this manual for procedures to request issuance of these notices.)

(22) Placing of Fugitive Stops in State and Local Identification Bureaus: The office of origin in fugitive matters should disseminate copies of fugitive fingerprint cards to auxiliary offices requesting that the fingerprints be searched and/or filed in local and state identification bureaus. In order to ensure the full

cooperation of state and local identification bureaus, the office of origin should disseminate only photographic or laminated copies of fingerprint cards to auxiliary offices to place fugitive stops with these bureaus. Request laminated copies of fingerprint cards from the Criminal Justice Information Services Division, West Virginia Operations (Attention: Module D-2 AHTW). (See Part II, 14-12.3.5 and 21-4 (3) of this manual.)

(23) (See Part I, Section 88-7.5, of this manual, for access to information from the Federal Parent Locator Service (FPLS), UFAP - Parental Kidnapping - Child Abduction Matters.)

(24) See Part II, Section 19, of this manual, entitled "Location Of Other Government, Industrial, and Organizational Records," which sets forth a multitude of federal, state, territorial and private industry records by location and field offices covering same that may be the basis for record checks and stops.

(25) See Part II, Section 10, of this manual, entitled "Records Available and Investigative Techniques," which sets forth, either directly or by MIOG cross-reference, numerous investigative techniques that may be utilized in fugitive investigations.

refer IRS

[redacted]

refer SSA

[redacted]

[redacted]

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(28) [redacted]

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OPCA-20 (12-3-96)

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FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552		Section 552a
☐ (b)(1)	☐ (b)(7)(A)	☐ (d)(5)
☒ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☐ (b)(3)	☐ (b)(7)(C)	☐ (k)(1)
_____	☐ (b)(7)(D)	☐ (k)(2)
_____	☒ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
☐ (b)(6)		☐ (k)(7)

☐ Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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M109 21-24

XXXXXXXXXXXXXXXXX
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FBI/DOJ

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EFFECTIVE: 07/23/90

21-25 IDENTIFICATION ORDERS, WANTED FLYERS, AND CHECK CIRCULARS

EFFECTIVE: 02/16/89

21-25.1 Basis for Issuance

(1) Identification orders (IO) and wanted flyers may be issued by FBIHQ in our more important fugitive cases involving badly wanted fugitives who have committed or been charged with crimes of a more serious or violent nature having considerable public interest.

(2) Check circulars may be issued by FBIHQ in cases of fugitives who are notorious fraudulent check passers and who are engaged in a continuing operation of passing checks.

(3) These wanted notices are issued by FBIHQ in the above appropriate cases to aid the fugitive investigation through increased

publicity and cooperation when all logical productive investigation has been conducted and the fugitive investigation is at a standstill, or when the earlier issuance is merited due to the magnitude of the crimes or notoriety of the fugitive involved.

EFFECTIVE: 02/16/89

21-25.2 Requesting Issuance

(1) In the event that the issuance of an IO, wanted flyer or check circular is desired and appropriate, the office of origin may request its issuance during any stage of the fugitive investigation by self-explanatory Form FD-61. In addition, when submitting an FD-61 each office should also submit a comprehensive nonprosecutive summary report setting forth significant investigation conducted to locate the fugitive as well as information relative to leads outstanding.

(2) The original and one copy of the FD-61 should be submitted to FBIHQ by cover airtel marked to the attention of the Fugitive/Government Reservation Crimes Unit, Criminal Investigative Division, to ensure prompt receipt and consideration.

(3) Since the purpose of a wanted flyer is to cause immediate nationwide circularization of the flyer, usually at the outset of the fugitive investigation, the office of origin may request the issuance of a wanted flyer, if desired and appropriate, by teletype or telephone confirmed by teletype.

(4) An existing wanted flyer on file should be utilized as a guide in providing the necessary data needed and this data should be furnished in both the telephone call and teletype to FBIHQ. An FD-61 should subsequently be furnished to FBIHQ since the wanted flyer will be followed up by the issuance of an identification order.

(5) Since an identification order is promptly issued by FBIHQ for the subject after the issuance of the wanted flyer, wanted flyers will only be issued in very extraordinary fugitive situations because of the duplication and cost factors involved.

(6) In regard to requests from the field for issuance of these wanted notices, they will be issued by FBIHQ only after close scrutiny. If additional information is needed by FBIHQ before rendering a determination the office of origin will be requested to submit additional details.

(7) In certain instances, FBIHQ based on its judgment, will direct the office of origin to submit an FD-61 for the issuance of an identification order or check circular or provide necessary data for the issuance of a wanted flyer.

EFFECTIVE: 02/16/89

21-25.3 Procedures After Issuance

(1) After the issuance of the wanted flyer, identification order or check circular, the office of origin should modify its NCIC record on the subject to include the wanted flyer, identification order or check circular number in the "miscellaneous" field.

(2) Upon issuance of an identification order or check circular, FBIHQ will prepare a letter to all offices enclosing five smooth finished copies of the subject's photograph to be utilized for press or news media purposes.

(3) Upon the issuance of an identification order, wanted flyer, or check circular and the above letter by FBIHQ, the office of origin should, by cover airtel, promptly forward to FBIHQ and each office four copies of an LHM setting forth pertinent background and descriptive information concerning the fugitive. The airtel should be appropriately noted "Summary - Background Airtel," while the LHM should include separate headings as follows: Facts of Offense; Federal Process; Brief Personal History; Modus Operandi, and Other Interesting Facts; Identification Record; Facts as to Dangerousness and/or Suicidal Tendencies; and Detailed Physical Description.

(4) Each office, upon receipt of the "Summary - Background Airtel," should carefully review it to determine if the facts suggest the basis of self-initiated investigation and if so, a case should be promptly opened and assigned. A case should not be opened unless this review results in specific leads. In all instances, this case should be closed within 90 days in the absence of generating specific leads.

(5) Following the submission of the "Summary - Background Airtel," on a regular basis at intervals not to exceed 120 days, the office of origin should furnish FBIHQ a comprehensive summary airtel setting forth information as to the progress and direction of its

fugitive inquiries.

(6) To assist FBIHQ in monitoring and evaluating the effectiveness of this program, the apprehending office should advise in its apprehension teletype to FBIHQ whether or not the particular wanted notice contributed to the fugitive's location and apprehension. If positive, state how the information was obtained and from whom.

|(7) Upon receipt of an identification order, wanted flyer or check circular, each office will conduct driver's license and vehicle registration checks of all state licensing agencies covered by the division using true name and all aliases of subject. These checks are also to be conducted upon receipt of additional aliases and on true names and aliases of known associates that may subsequently be furnished to each field division. Dates and results of these checks are to be recorded in the appropriate fugitive file.|

EFFECTIVE: 01/21/86

21-25.4 Administrative Handling by Field Office of Identification Orders (IOs), Wanted Flyers, and Check Circulars

A list of numbers in succession is to be prepared in each field office. As each IO is received, true name of subject is to be written opposite number on list which is identical with number on IO. Draw a line through number to indicate that IO has been received. Same procedure is carried out for wanted flyers and check circulars.

EFFECTIVE: 01/21/86

21-25.4.1 Procedure When Received by Field Office

(1) Check number against list. If any are missing, advise FBIHQ.

(2) Check index for information on all subjects;

(a) If no file exists, prepare index cards for each name and alias. IO, wanted flyer, and check circular numbers are to appear on all cards made.

(b) Prepare a dead investigative file.

(3) Put five copies of IO, wanted flyer or check circular in investigative file and date stamp top one.

(4) Put one copy on bulletin board.

(5) Send one copy to each Agent having a need for same. All Agents will not receive them.

(6) Keep FBIHQ advised of number of IOs, wanted flyers, and check circulars required for investigative purposes.

(7) Put one copy in appropriate 66 classification file of outstanding IOs, wanted flyers, or check circulars. These files are only for IOs, wanted flyers, or check circulars which have not been discontinued.

EFFECTIVE: 01/21/86

21-25.4.2 Miscellaneous Instructions Regarding IOs, Check Circulars and Wanted Flyers

(1) Agents may keep those IOs, check circulars, and wanted flyers which may be of value to them.

(2) Use apprehension communications to keep 66 administrative file current.

(3) An outstanding list showing identity of all IOs, wanted flyers, and check circulars is published as of March 31 and September 30 of each year. List will contain sequence numbers of such items which have been discontinued since previous list.

EFFECTIVE: 01/21/86

21-26 TEN MOST WANTED FUGITIVES PROGRAM

(1) Individuals selected as the Ten Most Wanted Fugitives are chosen by FBIHQ from existing IO subjects.

(2) Ten Most Wanted Fugitive cases, after being so designated, must be kept pending in all field offices until a complete review of the case has been made and all logical investigation has been conducted. Thereafter, all offices except origin may place such matters in closed status, if the fugitive has not been located by that time.

(3) While primary responsibility for direction of each case is with the office of origin, all offices are expected to participate fully in the initiation of logical investigation, which should include full exploitation of various news media outlets throughout their territory.

(4) During this investigation each office must initiate investigation suggested by characteristics, background, and habits of the fugitive, as well as on the geography, climate, employment, and recreation facilities unique to a particular office area. Fully exploit investigative techniques which are readily available, including informants, auto vehicle bureaus, other Government records, and general sources and avenues of employment, including spot-labor pools.

(5) On an annual basis, each subject in the Ten Most Wanted Fugitives Program will be examined to determine if the individual fits the criteria for the Ten Most Wanted Fugitives Program. The review will be conducted one year from the date placed on the Ten Most Wanted Fugitives List. When conducting the review, office of origin and local police agencies having an interest in the individual will be contacted for input concerning retention of the individual on the Ten Most Wanted Fugitives List.

EFFECTIVE: 02/19/85

21-27 DISTRIBUTION OF WANTED NOTICES (IDENTIFICATION ORDERS, WANTED FLYERS, AND CHECK CIRCULARS)

(1) When a wanted flyer is issued, 50 unfranked and unfolded copies will be sent to each office by first-class mail. Each Legal Attache will receive five copies. Upon receipt of these wanted flyers, each field office should immediately distribute them to major law enforcement agencies, news media representatives, including television, and to appropriate Agent personnel. File copies, of course, should be retained.

(2) In most situations where a wanted notice would be appropriate, an IO, check circular or circular letter should be considered.

EFFECTIVE: 02/19/85

21-27.1 Field Mailing Lists

(1) Field mailing lists previously used to distribute IOs and other wanted notices were centralized and automated at FBIHQ in 1981. Wanted notices are now distributed outside the Bureau by FBIHQ as they are issued. IOs are issued and distributed in pairs depicting different subjects to conserve postage costs.

(2) Although field mailing lists are centralized, automated, and maintained at FBIHQ, individual recipients are identifiable by the field office covering the recipient's address to facilitate corrections, additions, deletions, and possible special mailing uses within a particular division's territory.

(3) Field mailing lists are organized and arranged into seven distinct groups of recipients as follows:

01 - U.S. Post Offices, Branches, and Stations operated by classified U.S. Postal Service personnel.

02 - Federal law enforcement and investigative agencies operated by the Federal Government.

03 - State law enforcement agencies operated by state governments such as the state police, highway patrol, and identification bureaus.

04 - City, county, and local law enforcement agencies such as police departments, sheriffs' departments, and town marshals.

05 - Certain foreign law enforcement agencies at all levels which are operated by governments outside the United States and its territories.

06 - All other recipients not included in one of the above categories and designated by an SAC to receive wanted notices.

07 - U.S. Postal Inspectors and Examiners.

(4) In order to ensure delivery of wanted notices to recipients, they are now addressed whenever possible to an official using only his/her title, such as Chief of Police, Sheriff, or Identification Officer, rather than his/her name. Experience has shown that wanted notices addressed to individuals by name are occasionally returned to the Bureau "undeliverable" because the person has retired, resigned, or is otherwise no longer associated with the agency.

(5) When wanted notices are returned to the Bureau as "undeliverable," an attempt will be made to correct the recipient's address listed in the field mailing list from reference material at FBIHQ and/or contact with the appropriate field office. In the event a valid address for the recipient cannot be readily ascertained the record will be removed from the field mailing list.

(6) Field offices should attempt to ensure that all U.S. Postal facilities and law enforcement agencies described in the above categories are included in their respective mailing list. Such verification checks may be accomplished while contacting the particular agency during the regular course of business. Additions, corrections, and deletions may be made by routing slip addressed to the Bureau, Attention: |Fugitive/Government Reservation Crimes|Unit, Criminal Investigative Division. The title only of the official who is to receive wanted notices together with the agency's full address, including ZIP Code, and number of wanted notices required, should be clearly set forth.

(7) Other recipients, as in category 06 described above, may be added to a field office's mailing list on SAC authority. Ensure such recipients both want and can use Bureau wanted notices. Additions, corrections, and deletions to this category of recipients may also be made by routing slip addressed to the Bureau, Attention: |Fugitive/Government Reservation Crimes|Unit, Criminal Investigative

Division. The title only of the person (Security Officer, Manager, etc.) who is to receive the wanted notices together with the organization's full address, including ZIP Code, and the number of wanted notices required, should be clearly set forth.

EFFECTIVE: 07/23/90

21-28 FUGITIVE|SUBPROGRAM|- POLICY ON FUGITIVE APPREHENSION IN FBI AND DRUG ENFORCEMENT ADMINISTRATION (DEA) CASES AND U.S. MARSHALS SERVICE (USMS) INVOLVEMENT

EFFECTIVE: 07/23/90

21-28.1 Background|(See MIOG, Part I, 115-1.)|

|(1)|On 8/11/88, the Attorney General authorized the following policy, which went into effect on 9/22/88. This policy applies to fugitives in FBI and DEA cases and foreign fugitives and supersedes all prior interagency Memoranda of Understanding on fugitive apprehension responsibility in FBI and DEA cases, including the 1979 agreement between the FBI and the USMS and the 1982 agreement between the FBI and DEA. |This policy was further clarified by the Attorney General's Office on 12/11/91 wherein a definitive ruling was made that the FBI will maintain primary investigative jurisdiction regarding conspiracies to violate the Escape and Rescue Statutes (ERS).

(2) Since these investigations can be complex, involving [redacted] these matters should be investigated under Bureau classification 90, Irregularities in Federal Penal Institutions (IFPI). The purpose of this policy is to prevent escape and to ensure appropriate investigation in order to support prosecution of those involved in conspiracies to escape Federal custody or confinement.|

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EFFECTIVE: 09/07/93

21-28.2 Arrest Warrants

(1) The FBI and DEA shall have apprehension responsibility on all arrest warrants resulting from their own investigations.

(2) Notwithstanding paragraph (1), the DEA may delegate apprehension and administrative responsibility (including initial NCIC entry) to the USMS whenever the subject of a DEA arrest warrant is not apprehended within seven days after issuance of the arrest warrant, or it may elect to retain this responsibility in individual cases for investigative purposes. The delegation becomes effective upon notification of USMS by DEA.

(3) In cases of joint FBI-DEA investigations and multiple agency task force investigations, it shall be the decision of the lead agency whether to have the investigating agencies maintain apprehension responsibility themselves or delegate apprehension responsibility to the USMS.

EFFECTIVE: 07/23/90

21-28.3 Post-Arraignment

(1) The FBI, in an FBI case, shall have apprehension responsibility whenever there is a bond default violation prior to adjudication of guilt.

(2) The USMS, in a DEA case, shall have apprehension responsibility whenever there is a bond default violation prior to adjudication of guilt.

EFFECTIVE: 07/23/90

21-28.4 Post-Conviction/Other Than Escapes

(1) The USMS shall have apprehension responsibility whenever after adjudication of guilt there is a Federal probation, parole, or bond default or mandatory release violation, except as set forth below.

(2) The USMS will promptly notify the original investigating agency whenever there is such a violation.

EFFECTIVE: 07/23/90

21-28.5 Escapes

(1) The USMS shall have apprehension responsibility whenever there is a violation of the Federal|ERS. However, any allegation(s) of conspiracy to escape will be investigated by the FBI under Bureau classification 90 (IFPI). (See 21-28.6(4).)|

(2) The USMS will promptly notify the original investigating agency whenever there is an escape.

EFFECTIVE: 09/07/93

| 21-28.6 Exceptions|(See MIOG, Part II, 21-28.8(6).)|

(1) Upon written notice to the USMS as provided in paragraph (3) below, the FBI will have exclusive apprehension responsibility in its own cases at any stage when a fugitive, or the organization of which he/she is a current member, is the subject of an existing FBI Foreign Counterintelligence, FBI Organized Crime, or FBI Terrorism investigation. (The term, Organized Crime, covers those organizations being investigated by the FBI as a "racketeering enterprise" pursuant to the Attorney General's Guidelines on Racketeering Enterprise Investigations and the criteria set forth in Part I, Section 92 of this manual.)

(2) Upon written notice to the USMS as provided in paragraph (3) below, the FBI or DEA may assume apprehension responsibility in any case where the FBI or DEA is seeking the

fugitive on an arrest warrant based on charges filed by it for an additional offense beyond the one for which the subject is a fugitive.

(3) In those situations where the FBI or DEA elect to assume apprehension responsibility, agency Headquarters shall immediately notify USMS Headquarters. The assumption of apprehension responsibility becomes effective seven calendar days after receipt of notice by USMS Headquarters. During that seven-day period, the investigating agency and USMS shall fully coordinate their fugitive apprehension efforts. The USMS for good cause may request the investigating agency to consent to the continuation of USMS apprehension efforts for a limited or indefinite period of time. Should that consent be declined, the USMS may request the Associate Attorney General to approve a limited or indefinite continuation. Such a request will be made within the seven-day period. In making this decision, the Associate Attorney General will consider the relative interests of each agency and the need for swift apprehension of the fugitive. The Associate Attorney General shall make this decision within 48 hours of receiving a request. The fugitive investigation will continue to be coordinated by the agencies during the time the Associate Attorney General is considering the matter. ||(See MIOG, Part II, 21-28.9(1).)|

(4) In the event of an escape, it is particularly important that fugitive apprehension efforts be closely coordinated during the seven-day period following|notice given as outlined in|paragraph (3). The investigating agency shall assume sole apprehension responsibility at the conclusion of the prescribed period. However, the USMS and the agency shall be responsible for maintaining an orderly transition, which would include capitalizing on leads developed by the USMS during its initial investigation of escape. |Any allegation(s) of conspiracy to escape should be investigated by the FBI as stated in the Escapes Section (21-28.5(1)).|

(5) The investigating agency shall return apprehension responsibility to the USMS if the reason for the exception is no longer applicable. (For example, if the FBI is seeking an escapee, because it has an arrest warrant for him/her, and the arrest warrant is later withdrawn because the case is dismissed, apprehension responsibility for the escape would be returned to the USMS.)

EFFECTIVE: 09/07/93

||21-28.7 Unlawful Flight Statute

(1) The FBI shall have such jurisdiction in locating fugitives pursuant to the Unlawful Flight Statutes (Title 18, Sections 1073 and 1074), but, in exercising it, the FBI will not seek an Unlawful Flight warrant when the USMS is already seeking the fugitive as an escapee, probation/parole, mandatory release, or bond default violator. Nor will the FBI seek an Unlawful Flight warrant against any fugitive already sought by the USMS pursuant to the Federal Escape and Rescue Statutes. The above provisions shall not preclude the USMS from providing available information to state and local law enforcement agencies about fugitives being sought by their jurisdictions. The initiation of formal fugitive investigations involving state and local fugitives will be done through the Unlawful Flight process set forth above, except for special apprehension program (such as Fugitive Investigative Strike Teams and Warrant Apprehension Narcotics Teams) and other special situations approved by the Associate Attorney General.

(2) The FBI will notify the USMS of any state or local requests for Unlawful Flight assistance in situations described above. The FBI will also notify local or state authorities that the USMS is already seeking that person. In these situations, the USMS will notify the appropriate local or state authorities when a fugitive has been apprehended, so that a local detainer can be placed.

(3) If state or local authorities request the assistance of the USMS in locating or apprehending a fugitive and it is determined that the fugitive is the subject of an FBI or DEA warrant, the USMS shall refer the requesting agency to the FBI or DEA for assistance and notify the FBI or DEA of the request by state or local authority.|

EFFECTIVE: 09/20/89

21-28.8 Foreign Fugitives

(1) The USMS shall have location and apprehension responsibility for a fugitive sought in the United States by a foreign government, except as provided below.

(2) The FBI shall have location and apprehension responsibility for such a foreign fugitive: (a) whenever the fugitive, or the organization of which he/she is a current member, is the subject of an existing FBI Foreign Counterintelligence, FBI Organized Crime, or FBI Terrorism investigation; (b) whenever the FBI is seeking the fugitive on an arrest warrant for a Federal offense; (c) whenever the fugitive is the subject of an FBI investigation which it is currently conducting at the request of the foreign government concerned; or (d) whenever a referral has been made exclusively to the FBI through one of its legal attaches.

(3) The DEA shall have location and apprehension responsibility for such a foreign fugitive: (a) whenever the fugitive is the subject of a DEA investigation which it is currently conducting at the request of the foreign government concerned; or (b) whenever a referral has been made exclusively to the DEA through one of its country attaches.

(4) INTERPOL-U.S. NATIONAL CENTRAL BUREAU (USNCB) shall, upon receiving from a foreign government a request for the location or apprehension of such a fugitive, refer such a request to the USMS, FBI or DEA in accordance with the provisions of paragraphs (1) through (3) above. However, nothing herein precludes referral of such requests instead, where appropriate, to the U.S. Immigration and Naturalization Service for action under the immigration laws or to state and local law enforcement authorities in accordance with INTERPOL'S internal procedures and practices. (This policy is applicable to Department of Justice agencies only. If a Department of the Treasury agency received an exclusive referral, it would, of course, handle the matter pursuant to Department of the Treasury or agency policy.)

(5) Upon receiving a request from a foreign government for the location or apprehension of a fugitive, the FBI, DEA, USMS or the Office of International Affairs (OIA), Criminal Division, shall notify INTERPOL-USNCB of this fact to determine the existence of any parallel request or investigation with respect to the fugitive.

(6) Once a matter has been referred to the FBI, DEA, or USMS by INTERPOL-USNCB, the notice, coordination, and review

procedures set forth in 21-28.6, above, shall govern if either of the other two agencies concludes it should have fugitive apprehension responsibility under the provisions of this policy.

EFFECTIVE: 09/20/89

21-28.9 Interagency Coordination

(1) In cases where the USMS is requested to provide apprehension assistance or to seek the apprehension of a fugitive sought by a Federal agency other than the FBI or DEA, and it is determined by the USMS through an NCIC or other appropriate inquiry that the FBI or DEA has an existing warrant, the USMS will notify the requesting agency of the existing FBI or DEA warrant. If the requesting Federal agency continues to seek USMS assistance, the USMS will notify the FBI or DEA of the request for assistance by the other agency. The FBI or DEA will either defer the USMS the fugitive apprehension responsibility in the particular case or assert the need to continue its apprehension responsibilities in regard to the fugitive. The USMS shall defer in those instances to the FBI or DEA, unless the requesting agency declines to accept the deferral. In such instances, the requesting agency, the USMS, and the FBI or DEA shall confer at the headquarters level to resolve the issue. If a resolution is not reached between the involved agencies on the issue, it will be referred to the Associate Attorney General under the same provisions as set forth in Section 21-28.6(3) above.

(2) The Director of the FBI, the Administrator of DEA, and the Director of the USMS shall each designate a representative to a working group charged with developing procedures to implement this policy. The Chief of Interpol (USNCB) may also designate a representative to attend any meetings concerned with implementation of policy set out in Section 21-28.8.

(3) Nothing in this policy prevents an individual investigating agency from delegating its designated apprehension responsibility in a particular case or category of cases to the USMS, or prevents the USMS in turn from delegating its designated apprehension responsibility to the investigating agency.

EFFECTIVE: 09/20/89

21-29 ARREST, LOCATES, AND CRIMINAL SUMMONS STATISTICS (See MIOG, Part I, 25-10, 76-1.8, 76-2.9, 76-3.13, 88-12, & 115-7.)

(1) Statistics or fugitive apprehensions will no longer be scored as such.

(2) In lieu of fugitive apprehensions, all arrests, locates, and criminal summons will be utilized for statistical purposes.

(3) Arrests should be claimed only when Special Agents participate in the actual apprehension. Locates should be claimed in those instances where our investigative efforts or cooperative facilities result in the location of a suspect but Special Agents did not effect the arrest. Criminal summons should be claimed when a subject appears in response to a criminal summons.

(4) Arrests, locates, and criminal summons statistics will only be recorded and credited through the entry of Form FD-515, Accomplishment Report, into the Integrated Statistical Reporting and Analysis Application (ISRAA) by the office entitled to the statistic.

(5) In claiming all arrests and locates, the FD-515 must also reflect the subject's fugitive "A," "B," "C," or "D" priority. This priority is to be applied even where, technically, the subject may not be a fugitive such as a bank robber arrested in the act of the robbery. In claiming a criminal summons, there will be no "A," "B," "C," or "D" priority breakdown.

(6) The FD-515 should be promptly submitted within 30 days after the arrest, locate, or criminal summons.

(7) Submission of the FD-515, concerning arrests, locates, and criminal summons, should not be delayed to report other types of statistical accomplishments covered by said form; however, more than one type of statistic can be claimed on the same FD-515 if appropriate.

(8) In the event the office submitting the FD-515 (and thereby claiming the statistic since this form does not provide for crediting statistics to an office other than the submitting office) is an auxiliary office, a copy of the form should be provided the office of origin for filing in its substantive case file.

(9) It will be the responsibility of the office of origin to ensure there is no duplication of reporting statistics.

(10) In all fugitive matters, including deserter cases, a ROUTINE teletype must still be appropriately submitted|to FBIHQ and the office of origin|to report the fugitive's arrest or location in addition to the FD-515. |(See MIOG, Part I, 42-12.)|

EFFECTIVE: 11/01/93

21-30 DISPOSITION OF ARRESTS

The disposition of all arrests involving all fugitives should be promptly obtained during the course of the investigation. If appropriate, information obtained from these dispositions should be utilized for lead information.

EFFECTIVE: 12/10/91

||21-31 DELETED|

EFFECTIVE: 12/10/91

||21-31.1 DELETED|

EFFECTIVE: 12/10/91

||21-31.2 DELETED|

EFFECTIVE: 12/10/91

SECTION 22. FBI BOMB DATA CENTER

22-1 FBI BOMB DATA CENTER

For information on the Bomb Data Center Program, please refer to Part II, Section 13-16.9 of this manual.

EFFECTIVE: 09/22/87

22-2 DELETED

EFFECTIVE: 09/22/87

22-3 DELETED

EFFECTIVE: 09/22/87

SECTION 23. MISCELLANEOUS

23-1 CRYPTONYMS (CODE NAMES)

EFFECTIVE: 01/31/78

23-1.1 Use In Major Case Title

The Criminal Investigative Division (CID) and the Intelligence Division (INTD) both currently use cryptonyms in major case titles for convenience or security reasons.

Cryptonyms are generated by either FBIHQ or by field offices handling the investigation. In either event, the cryptonym (or code name) should be submitted on a UACB basis for searching through FBIHQ indices to determine if that particular word has been previously utilized or indexed.

EFFECTIVE: 01/31/78

23-2 THE FAIR CREDIT REPORTING ACT (FBI USE OF CREDIT INFORMATION) TITLE 15, USC, SECTION 1681

The Fair Credit Reporting Act (FCRA) which became effective 4/25/71, requires consumer reporting agencies (i.e., credit bureaus) to follow certain procedures designed to protect the confidentiality, accuracy, relevancy, and proper use of credit information. The following provisions of the Act are of interest to the FBI:

EFFECTIVE: 01/31/78

23-2.1 Section 1681a. Definitions

(1) Consumer Report - information communicated by a consumer reporting agency which relates to a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living.

(2) Investigative Consumer Report - a consumer report that is based on personal interviews with neighbors, friends, associates, or acquaintances of the consumer.

EFFECTIVE: 01/31/78

23-2.2 Section 1681b. Permissible Purposes of Consumer Reports

Consumer reports may be furnished under the following specified purposes which have relevance to our investigations:

(1) By appropriate court order.

(2) According to the written instructions of the consumer (e.g., waivers in Bureau applicant investigations);

(3) Where the recipient intends to use the information in connection with an employment application;

(4) Where the recipient has a legitimate business need for the information in connection with a business transaction involving the consumer (e.g., Ascertaining Financial Ability cases).

EFFECTIVE: 01/31/78

23-2.3 Section 1681f. Disclosures to Government Agencies

Notwithstanding the provisions of Section 1681b, consumer reporting agencies may furnish a governmental agency identifying information regarding a consumer limited to:

(1) His name;

(2) Address;

(3) Former address;

(4) Places of employment;

(5) Former places of employment.

EFFECTIVE: 01/31/78

23-2.4 Section 1681g. Disclosure to Consumers

(1) A consumer, upon his request to a consumer reporting agency may obtain:

(a) The information contained in his credit file; and,

(b) The identities of those receiving consumer reports concerning him for the 2-year period preceding his request where the reports were for employment purposes or the 6-month period preceding his request if the reports were furnished for any other purpose.

(2) If, for any reason, an investigative consumer report is requested, the consumer reporting agency, under the provisions of Section 1681d, must notify the consumer. This notification must be made not later than 3 days following the request. After receiving notification, the consumer may request the person, etc., who requested the investigative consumer report to provide him with complete disclosure of the nature and scope of the investigation requested not later than 5 days following receipt of the consumer's request.

EFFECTIVE: 01/31/78

23-2.5 Section 1681e. Compliance Procedures

(1) Consumer reporting agencies are obligated to develop procedures which are designed to insure that a person, etc., receiving consumer reports uses that information for one of the permissible purposes set forth under Section 1681b and for no other purpose.

(2) To insure that the FBI, through inadvertence, does not improperly use credit data, all consumer reports received from a consumer reporting agency must be clearly identified when reported in any Bureau communication.

(3) All personnel must insure that consumer reports are not used for any purpose not specifically permitted under Section 1681b of the Act. Improper use of consumer reports could result in evidence being suppressed in a criminal proceeding against the consumer; civil litigation seeking to enjoin the FBI's continued use or possession of such information; and/or discovery of FBI files.

(4) Employees who make use of the following form communications should insure that any information, derived from a consumer reporting agency, is clearly identified in completing the form and that it was obtained and disseminated in a manner permissible under FCRA:

(a) FD-125 (Record Request);

(b) FD-159 (Record of Information Furnished Other Agencies).

EFFECTIVE: 01/31/78

23-2.6 Summary

(1) In view of the limitations imposed by this law, information requested of consumer reporting agencies will be restricted to:

(a) Identifying information (name, address, former addresses, place of employment, and former places of employment) which may be obtained in any case and

(b) Consumer reports, which may be obtained for employment purposes of the applicant alone in applicant-type

investigations and where the Bureau has a legitimate business need for the information such as Ascertaining Financial Ability cases.

(2) When reporting information obtained from a consumer report, the source of the data should be clearly identified as a consumer reporting agency. Subsequent use of such information contained in Bureau files is prohibited except for the purposes authorized by FCRA.

(3) Consumer reporting agency contract matters including whether a waiver need be signed by applicants in employment cases will be handled on a case-by-case basis as such problems arise.

(4) In light of the preceding disclosure requirements, requests for consumer reports and investigative consumer reports should be made only in exceptional cases, and should never be made if there is any likelihood that the consumer's knowledge that the FBI has requested such information would be detrimental to an investigation.

EFFECTIVE: 01/31/78

23-2.7 Penalties

EFFECTIVE: 01/31/78

23-2.8 Section 1681n, o, q, and r. Civil and Criminal Liability for Willful or Negligent Noncompliance

(1) Negligent failure to comply with any requirement imposed by the FCRA renders the negligent consumer reporting agency or user of credit information liable to the consumer for actual damages suffered by the consumer as well as court costs and reasonable attorney's fees resulting from a successful action to enforce liability under the Act.

(2) Willful noncompliance of the FCRA may result in the awarding of punitive damages in addition to actual damages, court costs and attorney's fees.

(3) Any person who knowingly and willfully obtains credit information from a consumer reporting agency under false pretenses may be fined no more than $5,000 or imprisoned for not more than one year

or both.

(Refer to Part I, Section 62-5 of this manual for details relating to the Bureau's jurisdictional responsibilities under the criminal provisions of the Fair Credit Reporting Act.)

EFFECTIVE: 09/26/90

23-3 INVESTIGATIVE

EFFECTIVE: 09/26/90

23-3.1 Information Desired from Outside the Field Office Territory

(1) Investigative information from another field office is to be obtained by that office unless extraordinary haste requires direct communication. When the exigencies of a case, emergencies, or economy and common sense dictate, an employee, if authorized by his/her SAC, may enter the territory of another field office. The concurrence of the SAC of the entered office is to be obtained prior to the travel.

(2) Information which should be obtained by direct communication even though the addressee is in another field office:

(a) For disposition of arrests, use FD-10 to obtain incomplete information (for New York City, send two copies of FD-10 to the New York Division of Criminal Justice Services, Executive Park Tower, Stuyvesant Plaza, Albany, New York 12203-3764, rather than the New York City Police Department). Make notation on identification record or other pertinent serial in file that FD-10 has been sent. When FD-10 is returned, note pertinent information from form in file; forward FD-10 to Criminal Justice Information Services (CJIS) Division in lieu of a disposition form (R-84), provided it shows the final disposition or shows that the disposition data is unavailable.

(b) Automobile registrations data

(c) Driver's license information

(d) Similar data

(e) Filing of detainers with some agency

(f) Status of detainers

(g) Government bonds - Use FD-123, concerning purchase or redemptions; specify information desired; send FD-123 in duplicate.

EFFECTIVE: 12/02/94

23-3.2 Prohibition Against Photographing Money, Securities and Checks

Title 18, USC, Section 474. Prohibits the photographing of any national bank currency, Federal Reserve notes, U.S. or foreign government securities or obligations, except by direction of some proper officer of the United States. However, Part 404, Chapter 4, Title 31, of the Code of Federal Regulations grants authority to all banks and banking institutions to make film records of paper money, U.S. Government securities and checks, and to project such records on a screen provided the film records are maintained as confidential. This part states that no prints, enlargements, and other reproductions of such film records may be made except with the permission of the Secretary of the Treasury, the Treasurer of the U.S., the Commissioner of Public Debt, the Director of the Secret Service, or such officers as may be designated by them.

EFFECTIVE: 09/26/90

23-3.3 Deleted

EFFECTIVE: 10/18/88

23-4 LEGAT OPERATIONS

EFFECTIVE: 10/18/88

23-4.1 Definition of a Legal Attache (Legat)

A Legat is an FBI liaison representative stationed in an American Embassy abroad who is responsible for liaison with foreign police and intelligence agencies in matters of interest between these agencies and FBIHQ.

EFFECTIVE: 10/18/88

23-4.2 Jurisdiction of Legal Attaches

FBI Agents have no jurisdiction in foreign countries and Legats and border office Agents, even though invited or requested by foreign authorities to participate in and/or observe arrests and searches of subjects or transportation of prisoners may not do so.

EFFECTIVE: 10/18/88

23-4.3 Official Business in a Foreign Country

Where official business requires more than two days in a foreign country authority must be obtained from FBIHQ. The letter requesting authority is to be sent UACB and should contain an estimate of time to be spent.

EFFECTIVE: 10/18/88

23-4.4 Interviews in Foreign Countries

Persons interviewed by FBI Agents while in police custody in a foreign country must be given the usual warning of rights under American Federal law provided there is no objection from the foreign police officer. If he/she objects, feeling our warning is not consistent with the law of his/her country and might work unfavorably on prosecution of the subject there, the officer should be requested to give the warning as required by the law of his/her country. Record the wording of this warning and the time and circumstances of its issuance.

EFFECTIVE: 10/18/88

23-4.5 Foreign Leads

Leads for all foreign countries should be submitted to FBIHQ for coverage through Legat or liaison with U.S. Department of State, Central Intelligence Agency and other established channels. Leads should be set out in LHM furnishing six copies of same to FBIHQ.

EFFECTIVE: 10/18/88

23-4.6 Countries/Areas Covered by Legats

|Territorial allocation details are no longer maintained in the manuals. An up-to-date listing is available in the FOIMS Tables Application, "Territorial Allocation, Foreign Territorial Allocation" options.|

EFFECTIVE: 11/16/93

23-4.7 Canadian Border Leads

Normally, Canadian leads are handled through Legat Ottawa; however, offices along the Canadian border, through liaison with cooperative Canadian law enforcement agencies, handle Canadian leads in criminal matters where time is of the essence and in criminal matters of local interest, except in deserter and selective service matters. Leads on security matters where time is of the essence or where previously approved by FBIHQ are handled with RCMP by border offices on a divisional headquarters level.

EFFECTIVE: 03/23/92

23-4.8 Mexican Border Leads

[redacted]

(c) b1

EFFECTIVE: 03/23/92

ALL INFORMATION CONTAINED
HERE IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Administrative 6-2-98
CLASSIFIED BY: SP5JC/DPM
REASON: 1.5 (d)
DECLASSIFY ON: X6

23-4.9 Leads for the Northern and Central Caribbean Areas - Miami and San Juan Divisions

Leads for the Northern and Central Caribbean areas are normally covered by the Liaison Officers at the Miami and San Juan Divisions. The Liaison Officer, Miami, has regional responsibilities in the Bahamas, Belize, Bermuda, Cayman Islands, Costa Rica, El Salvador, Guatemala, Honduras, Jamaica, Nicaragua, and the Turks and Caicos Islands. The Liaison Officer, San Juan Division, is responsible for maintaining liaison and the coverage of leads in the countries of Anguilla, Dominican Republic, Haiti, Montserrat, and St. Christopher (formerly St. Kitts-Nevis). At any time that leads are forwarded to the Liaison Officers at Miami and San Juan Divisions, a copy of the communication is to be designated for the Office of Liaison and International Affairs (OLIA), Attention: Foreign Liaison Unit.

EFFECTIVE: 03/23/92

23-5 DELETED

EFFECTIVE: 03/23/92

23-6 TITLE XI, RIGHT TO FINANCIAL PRIVACY ACT OF 1978 (RFPA)

EFFECTIVE: 03/08/79

23-6.1 Statute

The RFPA was passed as Public Law 95-630, effective 3/10/79 (T 12, USC, Section 3401, et seq).

EFFECTIVE: 03/08/79

23-6.2 Access to Financial Records

EFFECTIVE: 03/08/79

23-6.2.1 Intent

An individual customer has the right to be notified in advance when the Federal Government is seeking his or her financial records from a financial institution in connection with a law enforcement inquiry and has the right to challenge that intended access. Exceptions to both customer notice and challenge provisions are available in special situations. For exceptions see 23-6.7.2, 23-6.9, and 23-6.10.

EFFECTIVE: 03/08/79

23-6.2.2 Methods Available to FBI (For further information see 23-6.6)

(1) RFPA of 1978

(a) Customer authorization or waiver

(b) Search warrant

(c) Judicial subpoena

(d) Formal written request to financial institution

(2) Federal Grand Jury Subpoena - access exempt from RFPA (but new use restrictions)

EFFECTIVE: 03/08/79

23-6.2.3 Methods Not Available to FBI

(1) Administrative subpoenas and summons under RFPA, except as provided in Title 12, USC, Sections 3402 and 3405. Sections 3402 and 3405 of Title 12, U.S. Code, permit government officials to obtain bank records if relevant to a legitimate law enforcement inquiry.

(2) Informal access - not authorized by RFPA

EFFECTIVE: 06/03/97

23-6.3 Definitions

EFFECTIVE: 03/08/79

23-6.3.1 Financial Institution

This includes all banking and banking-type institutions as well as companies issuing credit cards, even though not a bank-type institution, and consumer finance companies located in the United States, District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands.

EFFECTIVE: 03/08/79

23-6.3.2 Financial Record

Any original, copy of or information "knowingly derived from" a record pertaining to present or past customer's relationship with a financial institution. Excluded are records or information not identifiable with an individual customer or those which reside in the account of a third party such as check endorsements or items deposited by third party and obtained from that person or corporation. There should be no conscious circumvention of RFPA.

EFFECTIVE: 03/08/79

23-6.6.1 Customer Authorization

Customers may authorize access to identified records up to 90 days by signing a revocable statement specifying the recipient, purpose for disclosure and that the customer is aware of his or her rights under RFPA. Certification of Compliance is required when the records are obtained. This would apply in applicant-type investigations or where financial records of a cooperative witness are being sought.

EFFECTIVE: 03/08/79

23-6.6.2 Search Warrants

A search warrant may be used under RFPA with notice to the customer of the search occurring within 90 days after execution. There is no change in the procedures to obtain a search warrant. Additional delays of up to 90 days may be granted by a court when it is shown that notice would seriously jeopardize a continuing investigation (see 23-6.7.2). The institution may be prohibited from notifying the customer by court order issued when the delay is authorized.

EFFECTIVE: 03/08/79

23-6.6.3 Formal Written Request

The FBI is authorized by T 28, CFR, Section 47.1, to use the written request provided for in RFPA. This is a new method of access and requires the cooperation of the financial institution. Required notice advises the customer his or her records are being sought and the nature of the inquiry which may include a statement to the effect that the customer is not the subject of the investigation. The customer has 10 days if notice is served and 14 days if notice is mailed to complete and file an affidavit detailing why the records are not relevant to a legitimate law enforcement inquiry. The customer must then serve a copy of the affidavit on the Government authority and be prepared to present in court additional facts. If the customer

order. Other recourse such as Obstruction of Justice is available. Judicial subpoenas require the financial institution to commence compiling the records upon service.

EFFECTIVE: 03/08/79

23-6.5 Certification of Compliance

Before records may be obtained under any provision of the RFPA, a supervisory official of the FBI must submit to the financial institution a certificate stating that all applicable provisions of the Act have been complied with. Good faith reliance by the employees and agents of the financial institution upon the Government certification of compliance absolves the institution of civil liability for any improper disclosure of records. This certification is not required when customer records are sought pursuant to a Federal Grand Jury subpoena. For the purpose of RFPA, "supervisory official" is defined and limited to (other than FCI activities) any Headquarters or field division supervisor (including Supervisory Senior Resident Agent) or officially designated relief supervisor acting for the supervisor or any official of higher rank.

EFFECTIVE: 03/08/79

23-6.6 Methods of Access

For access in cases of emergency see 23-6.9. If account identification information is being sought the notice and challenge provisions and restrictions on interagency transfers do not apply when only identification information about a customer is needed, i.e., name, address, type of account and account number. This data must be obtained through a written request. In addition to account information only, more specific inquiries such as the account number associated with a particular transaction or class of transactions may be obtained. Once the existence and identification of a customer account is established, then one of the access methods listed below must be used to obtain any additional information. For dissemination of information see MAOP, Part II, 9-10, and MIOG, Part II, 23-6.11.

EFFECTIVE: 03/08/79

23-6.3.3 Government Authority

RFPA applies to all Federal agencies including FBI or any officer, employee or agent thereof.

EFFECTIVE: 03/08/79

23-6.3.4 Customers Covered

Any natural person or partnership of five or fewer individuals are covered. Not covered by RFPA are corporations, associations, larger partnerships or other legal entities.

EFFECTIVE: 03/08/79

23-6.3.5 Law Enforcement Inquiry

Any lawful investigation or official proceeding inquiring into a violation of or failure to comply with any criminal or civil statute or a regulation, rule or order issued thereunder is considered as a law enforcement inquiry.

EFFECTIVE: 03/08/79

23-6.4 Responsibility of Financial Institutions

RFPA prohibits financial institutions from providing financial records to the Government, unless access is authorized by one of the exceptions such as grand jury subpoenas or unless access is accomplished by one of four methods under procedures mandated. Notwithstanding these restrictions, financial institutions are permitted to notify Government authorities of possible violations of law reflected in their records. Financial institutions do not have to comply with formal written request or a customer authorization. In addition, there are no criminal penalties under RFPA to prevent an institution from notifying its customer in the absence of a court

does not comply with the above within prescribed time limits, the records may be made available. As a practical matter, a reasonable period (possibly four days) should be allowed prior to access where the customer files challenge by mail on the last day of the 10- or 14-day period. In effect, the 10- or 14-day period becomes a 14- to 18-day period to be cautious. A written request may be executed by any supervisory official, previously defined (see 23-6.5), of the FBI. Notice to the customer may be delayed for period of up to 90 days.

EFFECTIVE: 03/08/79

23-6.6.4 Judicial Subpoena

Judicial subpoenas are any court order to produce records, other than a grand jury subpoena, the most common of which is the trial subpoena directed at a party not involved in litigation. When used, a copy of the subpoena, together with mandatory customer notice, is served or mailed to the customer. The notice provisions for the judicial subpoena are the same as for the written request, above.

EFFECTIVE: 03/08/79

23-6.6.5 Grand Jury Subpoena (See MIOG, Part II, 23-6.10.5.)

Such subpoenas are not covered by RFPA with respect to access and notification. However, the RFPA does place restrictions on the handling and use of customer financial records obtained by a grand jury. Access to such records, or information abstracted for reporting or lead purposes, must be limited to authorized persons, i.e., those assisting an attorney for the government in a specific criminal investigation; and, when records are not in use, they must be placed in a subfile which is locked in a container with a combination lock (see MIOG, Part II, 2-9.5 and 2-9.7). Grand jury-subpoenaed financial records should be appropriately marked as both grand jury material (see MIOG, Part II, 2-9.7(2)), and as subject to the RFPA (see MAOP, Part II, 9-10). Information extracted from financial records subject to the RFPA must be treated as grand jury material "unless such record has been used in the prosecution of a crime for which the grand jury issued an indictment or presentment . . ." (see MIOG, Part II, 2-9.5.1 (4)(a)).

EFFECTIVE: 07/12/95

23-6.7 Customer Notice

EFFECTIVE: 03/08/79

23-6.7.1 Contents of Notice

The purpose of the investigation must be stated but without reference to specific title and section of the U. S. Code. Generic terms may be used to describe the offense such as: fraud, bribery, extortion, etc., similar to the character of cases we now use. Notice must state the name and business address of the supervisory official to be served with copies of customer challenge papers. The supervisory official is he or she who initiated the access process.

EFFECTIVE: 03/08/79

23-6.7.2 Delay of Notice

(1) Delays of customer notice may be obtained for access sought through judicial subpoenas, formal written request , search warrants and subsequent interagency transfer. Delays of up to 90 days (or 180 days in case of a search warrant) may be applied for to a court where there is a reason to believe (lesser standard than probable cause) that notice would cause danger to life or physical safety, flight from prosecution, destruction of evidence, intimidation of a witness, or other serious jeopardy to an investigation or a trial.

(2) To obtain a delay of notice, a sworn written statement must be presented to a judge or magistrate that one or more of above situations exist. Extensions of the delay of notice may be similarly obtained based on necessity.

(3) In addition to delaying the timing of the Government notification to the customer, the court order issued will prohibit the

financial institution from disclosing to the customer that records pertaining to that customer are being sought. There is no such provision in the RFPA with respect to access through grand jury subpoenas to prohibit the financial institution from notifying the customer.

EFFECTIVE: 03/08/79

23-6.8 Customer Challenges

(1) A customer may challenge a judicial subpoena or a formal written request in instances where notice was not delayed. Grand jury subpoenas, being generally excepted by RFPA and having no notice provisions, are not challengeable at the time of access. Within 10 or 14 days (more practically, 14 or 18 days, see 23-6.6.3), depending on the method of notice (served or mailed), the customer may file in U.S. District Court a motion to quash a judicial subpoena or an application to enjoin the Government from pursuing a formal written request. In support of the motion or application, the customer must file a sworn statement that he or she:

(a) is the person whose records are being sought and,

(b) has reason to believe the records sought are not relevant to the inquiry, or

(c) That the RFPA has not been substantially complied with, or

(d) any other legal reason for denying access.

(2) The challenge does not shift the burden of proof to the customer, but does require more than only an allegation. The Government must then convince the judge or magistrate the records sought are relevant to a legitimate law enforcement inquiry. Relevance covers anything that might be Used as evidence or that might logically lead to evidence. The Government may have to file a response, in camera if appropriate, and the court may require additional proceedings but all within seven days from the filing of the Government's response. Denial of customer challenge motions or applications are not appealable until after the trial or other proceeding.

(3) If the Government fails to justify its attempted access, the subpoena is quashed or the formal written request enjoined. If the Government does support its burden, the subpoena will be enforced and the formal written request may be pursued with the financial institution. The financial institution is not compelled to comply with the formal written request.

(4) If, after access following an unsuccessful challenge, no prosecution or other proceeding is to be brought against the customer (always the case when customer is witness and not subject), customer must be so notified by the requesting Government agency. Close coordination between the field office and the U.S. Attorney's Office will be required.

(5) Any applicable statute of limitations is suspended during the time the customer's motion or application is pending in court.

(6) In the case of judicial subpoenas, venue for the customer challenge is restricted to the court issuing the subpoena. When a formal written request is used, the customer may challenge in any one of three districts:

(a) the District of Columbia,

(b) the site of the financial institution

(c) the site of the residence of the customer.

EFFECTIVE: 03/08/79

23-6.9 Emergency Access

(1) In instances where notice and challenge delays could create imminent danger of physical injury, serious property damage or flight from prosecution, access may be had immediately by merely presenting the financial institution with the certificate of compliance. However, post notice to customer is required as soon as possible.

(2) Within five days after access, a supervisory official must file in court a signed sworn statement setting forth the grounds for the emergency access.

EFFECTIVE: 03/08/79

23-6.10 Exceptions to RFPA

EFFECTIVE: 03/08/79

23-6.10.1 Financial Institutions

The RFPA does not require customer notice when the institution in possession of such records is the subject of the investigation. However, the certificate of compliance is necessary. Customer records obtained under this exception may only be used or transferred in furtherance of that specific investigation. If evidence of another violation is developed, enough information (not records) may be given the appropriate agency, including FBI, to identify the record and violation. Thereafter, the receiving agency may proceed as if independent of the initial inquiry.

EFFECTIVE: 03/08/79

23-6.10.2 Corporations or Other Legal Entities

Investigations directed at corporations or other legal entities not protected by RFPA may be conducted in same fashion as 23-6.10.1 above.

EFFECTIVE: 03/08/79

23-6.10.3 Not Identifiable with Customer

Records can be disclosed by a financial institution if they or the information contained therein are not identified with or identifiable as being derived from the records of a particular customer.

EFFECTIVE: 03/08/79

23-6.10.4 Parties in Interest

The RFPA does not apply when the Government and the customer are litigants in a judicial or an administrative adjudicatory proceeding.

EFFECTIVE: 03/08/79

23-6.10.5 Federal Grand Jury

The RFPA does not affect the obtaining of customer financial records (see 23-6.6.5). No compliance certificate is required.

EFFECTIVE: 03/08/79

23-6.10.6 Foreign Counterintelligence

See "Foreign Counterintelligence Manual" for instructions.

EFFECTIVE: 03/08/79

23-6.10.7 Telephone Company Toll Records

These records are not covered by the provisions of RFPA.

EFFECTIVE: 03/08/79

23-6.10.8 Other

Other exemptions specifically excluded are:

(1) Certain designated supervisory agencies of financial institutions.

(2) Internal Revenue Service.

(3) General Accounting Office.

(4) Certain reports required of financial institutions.

(5) Identifying account information only (see 23-6.6).

(6) The administration of guaranty or loan insurance programs. Notification of potential violation indicated in the customer financial record may be given the appropriate investigative agency on the same basis as 23-6.10.1.

EFFECTIVE: 03/08/79

23-6.11 Dissemination of Information (Refer to MAOP, Part II, 9-10.)

EFFECTIVE: 03/08/79

23-6.11.1 To Department of Justice

Transfers between and among the components of the Department are not restricted by RFPA except that customer record obtained in an investigation targeted at the financial institution where there is no notice or challenge opportunity may not be used for a separate inquiry. Enough information about the separate inquiry may be given to another component in order that access may be sought independently.

EFFECTIVE: 03/08/79

23-6.11.2 To Other Departments

Financial records obtained on or after 3/10/79 under RFPA may be transferred to another agency only if the transferring agency certifies in writing to the file that there is reason to believe the records are relevant to a legitimate law enforcement inquiry of the receiving agency. This may require a statement from the receiving agency. Post notice to the customer within 14 days of the transfer is required unless a delay of notice is obtained as discussed above (23-6.7.2).

EFFECTIVE: 03/08/79

23-6.12 Penalties

EFFECTIVE: 08/28/91

23-6.12.1 Civil

Any Federal agency or financial institution is liable to the customer for violation of RFPA as follows:

(1) $100.00 without regard to the volume of records involved,

(2) actual damage,

(3) punitive damages, and

(4) court costs and reasonable attorney's fees.

EFFECTIVE: 08/28/91

23-6.12.2 Disciplinary Action

If a court determines that a violation may have been willful or intentional, Office of Personnel Management (formerly Civil Service Commission) must determine if the Government employee is primarily responsible and subject to disciplinary action.

EFFECTIVE: 08/28/91

23-6.12.3 Other

Even though RFPA has no criminal sanctions, customer records covered by RFPA would also be covered by the Privacy Act of 1974 which does provide for criminal penalties.

EFFECTIVE: 08/28/91

23-6.13 Cost Reimbursement

(1) Generally, for all customer records obtained by the RFPA access methods, the financial institution must be reimbursed starting 10/1/79 for such records at a rate established by the Governors of the Federal Reserve System.

(2) Reimbursement should be accomplished through the routine commercial vouchering procedures (MAOP, Part II, 6-9). Financial institutions should be encouraged to submit an invoice to the field office covering the cost of obtaining the customer records. The field office draft system should not be routinely used to reimburse financial institutions.

EFFECTIVE: 12/07/93

23-6.14 Reporting Requirements

EFFECTIVE: 08/28/91

23-6.14.1 Dissemination of Information Obtained (See MAOP, Part II, 9-10 and MIOG, Part II, 23-6.11)

EFFECTIVE: 08/28/91

23-6.14.2 Statistical Reporting

|Pursuant to the terms of the RFPA within the Federal Reports Elimination and Sunset Act of 1995, each field division will no longer be required to compile annual RFPA statistics for submission to FBIHQ and Congress.|

EFFECTIVE: 06/11/96

23-7 INTERNATIONAL CRIMINAL POLICE ORGANIZATION (INTERPOL)

|See Part I, Section 163-10, of this manual.|

EFFECTIVE: 10/18/88

23-8 TRAVEL - INVESTIGATIVE

EFFECTIVE: 03/23/89

23-8.1 Interdivisional Travel of FBI Personnel on Official Business

Interdivisional travel of investigative and support personnel may be authorized by the SAC with the concurrence of the SAC of the office to be visited. Only the ASAC, in the absence of the SAC, may approve such travel.

EFFECTIVE: 03/23/89

23-8.2 Foreign Travel of FBI Personnel on Official Business
(See MIOG, Part I, 281-6.2; Legal Attache Manual, 4-8.)

(1) The FBI is represented abroad by Legal Attache (Legat) Offices. The services of the Legat should be utilized by FBI Headquarters personnel and domestic field offices requiring investigative assistance abroad as the Legat is qualified to handle the full range of FBI matters overseas. Where a country not covered by a Legat is involved, Interpol or U.S. Department of State (USDS) channels can be used. However, where unique expertise in a complex matter is needed to facilitate interviews and/or investigations by foreign authorities; where travel is necessary for attendance at international symposiums of conferences with police officials; or travel is desired for some other official liaison or related purpose, consideration will be given to requests for participation of FBI Headquarters personnel and field Special Agents on a case-by-case basis. In any event, foreign travel should be coordinated with the Legat Office covering the country concerned and the International Relations Section (IRS), Criminal Investigative Division. The Legat should be kept informed as to contemplated activity to ensure appropriate coordination with foreign agencies. The Legat will also be able to comment as to any other current activity or circumstance in the foreign country which may have some effect on the travel activity.

(2) Due to a wide variety of requirements imposed by other countries on visits of foreign police officials and the fact that each visit is different and presents diversified problems, no attempt is being made to set forth country-by-country guidelines as to exact procedures that should be followed for such travel. However, the following minimal requirements must be met before approval of any contemplated foreign travel will be considered by FBIHQ:

All requests for foreign travel on official business must be in writing and include, where applicable, but not be limited to:

(a) Name of employee(s) traveling. (Include name and title of other U.S. Government persons accompanying.)

(b) Synopsis of case. Include information on investigation or prosecution of any foreign nationals. State if case is in the investigative, indictment, or trial stage.

(c) Purpose and nature of trip to include unique circumstances which make it necessary that employee must personally make the trip as opposed to matter being handled through appropriate liaison channels by Legat, Interpol or USDS.

(d) Name of country to be visited, identifying authorities/agencies to be contacted and whether or not they have requested and/or agreed to the visit.

(e) Identity and nationality of persons and/or firms involved as suspects or witnesses, if known. Specifically identify foreign nationals being interviewed or deposed.

(f) Proposed itinerary (Include mode of travel, accommodation arrangements or requirements, etc.).

(g) Estimated cost of transportation, per diem, and other expenses.

(h) Request for authority to travel for the purpose of interviews or undercover operations outside the United States must be supported by full justification and must include the personal recommendation of the SAC.

(i) Provide the identity of any foreign embassy consular or diplomatic officials who have been consulted regarding travel. Specify if assistance of American embassy/consulate or other personnel is required (e.g., consular officer to administer oath) or if office space at post is required. Also state if assistance of a stenographer, court reporter or interpreter is required.

(j) Other factors

All of the above questions must be answered as fully as possible if foreign travel is for the purpose of obtaining evidence suitable for U.S. Court presentations, e.g., interview under oath or obtaining physical evidence such as bank documents. In all foreign countries, certain certifications to the U.S. Government are necessary regarding evidence and a responsible U.S. Embassy Consular Officer must further certify the material for U.S. Courts. Arranging for U.S. Court certifications requires at least two weeks' notice and travel relating to same must be scheduled with the appropriate Embassy, usually by the prosecuting U.S. Attorney.

In addition to answering the above questions, advise FBIHQ if foreign travel is being performed while carrying official or classified documents or equipment since a NonPROCOURIER letter is required for same. The IRS will aid in arranging for the courier letter and for the diplomatic pouching and sealing of the material being transported.

(3) Special Agents may not carry firearms or participate in arrests abroad. FBI credentials may be carried while on official travel abroad; however, use and/or display of credentials in a foreign country is inappropriate.

(a) FBI Agents have no jurisdiction in foreign countries. The reason for this is that no U.S. laws can override a foreign country's right to protect the integrity of its sovereignty. However, FBI Agents have investigative responsibilities overseas under several Federal statutes which provide for extraterritorial application. Though not limited to terrorist activity, generally such investigations have been conducted in terrorist's attacks. In cases where the FBI has been authorized to investigate abroad under these statutes, FBI Agents may conduct those investigative activities which have been coordinated and approved by FBIHQ. FBIHQ will conduct appropriate coordination with the Department of State to obtain host country approval to allow the FBI Agents to conduct the necessary investigative activity abroad. (See MIOG, Part II, 11-2.3.3(2), 23-4.2; Legal Handbook for Special Agents, 3-11.)

(b) Legats, border office Agents, and other FBI Special Agents or employees, even though invited or requested by foreign authorities to participate in and/or observe arrests and searches of subjects or transportation of prisoners, may not do so.

(4) Official passports and visas are required for all FBI personnel traveling abroad on official business and are issued only by the USDS Passport Office in Washington, D.C., upon receipt of a request signed by the Director, FBI. A tourist passport is not appropriate for official travel but is permitted if safety of the traveler is a concern. (See Legal Attache Manual, 4-8.)

(a) U.S. Passport law is contained in the Code of Federal Regulations, Title 22, Chapter 1, Part 51. The IRS, CID, maintains contact with the USDS Passport Office for the purpose of obtaining official passports for FBI personnel. Proof of U.S. citizenship, two 2 x 2-inch photos, an acceptable certified birth certificate, or certificate of naturalization and a signed passport application are necessary to obtain a passport. When applying for the initial passport, the applicant must appear in person before a passport official empowered to certify the applicant's identity. The applicant must sign the passport application in this official's presence. Subsequent passports can be obtained by providing a previous passport with the application and personal appearance is not required. The prospective traveler should contact IRS, CID, for an official passport after receiving authority to travel. The subject,

date of the Bureau communication authorizing travel, the Bureau file number and dates of travel should be provided. A passport application should be obtained locally, completed, appropriately certified and forwarded with all necessary information to the|IRS, CID,|as expeditiously as circumstances warrant. The official passport will be obtained along with any visas needed and the passport will be returned to the requesting official. Official passports will be valid for five years. Utilization of normal liaison channels requires approximately two weeks for the issuance and return of an official passport, plus three days for each visa.

(b) Official passports issued to FBI personnel in the field should be returned to the SAC for retention at the conclusion of the official foreign travel. The passport should be returned to|IRS, CID,|FBIHQ, on expiration, separation from official status with the FBI, or when no longer needed. It will then be returned to the USDS Passport Office. An official passport is not to be used for personal or pleasure travel, and any loss should be reported at once.

(c) A visa is a permit, entered on the passport of a national of one country, by the consular of another. This permit allows the bearer entry to, or transit through, the country issuing the permit. The time for which visas are issued usually depends on the length of the trip. Applications, pictures, International Health Cards, and other certified documents may be required before visas are issued. Official travel to most countries requires a visa. The visa is stamped in the U.S. passport used for travel. Visas are obtained from that country's Embassy or Consulate in the U.S. Foreign diplomatic establishments require a USDS, Washington, D.C., Passport Office letter before they will issue a visa for official travel.

On request, the|IRS, CID,|will also obtain visas necessary for official travel. In addition to time needed to obtain a passport, should a visa(s) be necessary, an additional three days will be needed to obtain each one.

(5) U.S. government travel regulations dictate that a government employee traveling on official business must use a U.S. carrier, whenever available. GSA travel regulations also require use of contract air carriers, if available. GSA has awarded international city-pair contracts for foreign travel by federal civilian employees. The use of the contract carriers between the designated city-pairs is mandatory. |(See MAOP, Part II, 6-1.1.2, re city-pairs.)|

Before leaving the U.S., foreign travelers, even on

official business, may wish to check on U.S. Customs regulations. Customs regulations require filing a declaration of personal property in excess of certain monetary amounts. Reentry processing is eased if a Customs declaration is submitted before leaving the U.S.

(6) Since official passports and visas provide no immunity for the bearer, he/she (the bearer) can be held fully liable for all actions while abroad. This liability is both civil and criminal under the laws of the host country, which are often different to those in the United States.

(7) All of the foregoing instructions do not necessarily apply to investigations in Canada and Mexico. However, with exception of established liaison visits by border offices, no Special Agent or person under FBI operational direction and control is to travel to Canada or Mexico without prior coordination with Legat, Ottawa, or Legat, Mexico City, through FBIHQ. Furthermore, if a border office contemplates the utilization of the undercover technique, wherein a Special Agent or person under FBI operational direction or control may be required to enter into Canada or Mexico, authority from FBIHQ must first be obtained. Requests for such authority must be in writing, must be supported by full justification, and must include the personal recommendation of the SAC. In an emergency, FBIHQ authority may be requested telephonically, but such a request must be followed by teletype that sets forth the required information without delay.

(8) In compliance with Title 22, USC, Section 3927, and an agreement between the Attorney General and Secretary of State, Legal Attaches must keep Chiefs of Mission (usually the U.S. Ambassador in a country) fully and currently informed about all FBI programs and activities carried out in their countries of accreditation. If a Chief of Mission believes an FBI activity might impair relations with the country to which Chief is accredited, the Chief is authorized to suspend such activity pending further resolution. Therefore, when activity abroad by personnel of FBIHQ or domestic offices is proposed, full facts must be furnished because, as a law enforcement agency, FBI activity overseas may have unforeseen ramifications. It will be necessary to inform and obtain the concurrence of the host country government at an appropriate policy level regarding the proposed FBI activity. In cases where it is proposed to visit a country not covered by a Legat, arrangements should be made through the USDS. In either case, the FBIHQ substantive desk supervisor, with the assistance of IRS, CID, personnel, will initiate needed action. Action by FBIHQ substantive desk supervisors entails obtaining FBIHQ approval for foreign travel; preparing a written no-foreign-policy-objection notification to USDS

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headquarters; notifying the appropriate DOJ officials and/or obtaining DOJ decision on FBI extraterritorial investigative jurisdiction; and ensuring that an FBI Legal Attache or USDSHQ has obtained the concurrence of the appropriate U.S. Chief of Mission in the country to be visited. Therefore, as much advance notice as possible should be given. In the case of routine meetings with established foreign liaison contacts or conferences with other U.S. agencies abroad, notification of the host country government will not normally be required. The notification decision, however, is the prerogative of the U.S. Chief of Mission abroad. (See MIOG, Part I, 163-6; Part II, 21-19.5(2)(c).7.)

ALL INFORMATION CONTAINED HERE IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

(9) FBI Special Agents from domestic offices may not independently conduct investigations in foreign countries and may not conduct independent interviews without concurrence of host government. There may be an exception to this such as in the case of an American citizen voluntarily appearing for interview on premises of U.S. Embassy or U.S. Consulate. However, the interview of an American citizen off U.S. diplomatically protected premises or interview of a foreign national on or off U.S. diplomatically protected premises may be participated in by a Special Agent only with permission and/or invitation of appropriate authorities of host country. Such off-premises interviews would normally be conducted by the host government authorities. (See MIOG, Part I, 163-6; II, 23-4.4.)

(10) The Government of the United Kingdom has promulgated guidelines entitled "Guidelines for Law Enforcement Agents Representing Foreign Governments." (See MIOG, Part I, 163-6.)

These guidelines, issued to all Missions in London on May 30, 1986, read as follows:

(a) "Officials representing foreign governments, when conducting investigations in the United Kingdom relating to the possible contravention of their laws, should make inquiries in the United Kingdom only with the prior permission of the United Kingdom Government or agency representing the Government. Such permission may be withheld or given conditionally."

(b) "Reasonable notice should be given of any visit of the matters under investigation, and the future of the inquiries which are intended to be conducted in the United Kingdom."

(c) "The United Kingdom Government or agency representing the Government maintain the right to have an official present at any interview. Interviews may only be conducted with the

consent of the person to be interviewed, or with the support of judicial authority within the United Kingdom which may permit examination of a person in response to an order of a Court."

(d) "Officials representing foreign governments must advise the United Kingdom Government or agency representing the Government of the developments in the enquiry conducted within the United Kingdom in the form requested by the Government or agency."

FBI Agents conducting investigations in the United Kingdom should abide by these guidelines. Notify the Deputy Director promptly if a request or demand is issued by United Kingdom authorities to disclose the contents or results of interviews of United States persons with their consent in Great Britain by FBI Agents in those instances in which no information is developed about an offense within the United Kingdom, or to disclose any details of an investigation by the FBI, other than the results of an interview of non-United States persons.

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(C)

EFFECTIVE: 02/14/97

23-9 CLASSIFIED INFORMATION PROCEDURES ACT (CIPA) (SEE MIOG, PART I, 259-2.)

The CIPA of 1980 (Public Law 96-456, 94 Stat. 2025), Title 18, United States Code, app. III, established certain pretrial, trial and appellate procedures for criminal cases in which there is a possibility that classified information will be disclosed. The Act required that the Chief Justice of the United States issue instructions establishing procedures for the protection against unauthorized disclosure of any classified information in the custody of the United States District Courts, Courts of Appeal, or Supreme Court.

EFFECTIVE: 04/12/94

23-9.1 Notification to United States Attorney

(1) Prior to any factual discussion of such a case, ensure that the United States Attorney (USA) possesses the clearances necessary for access to classified material, noting that USAs do not necessarily have security clearances. To verify a USA's clearance, contact the Security Programs Manager (SPM), FBIHQ. USAs requiring a clearance should refer to the United States Attorney's Manual for guidance.

(2) Upon the initial presentation for a prosecutive opinion to the USA, the USA should be advised that the case will or may involve the disclosure of classified information.

(3) The USA should also be advised that should it become necessary to clear persons for access to classified information, the clearance granting procedure will consume approximately 90 days. If exigencies of the situation dictate priority handling of the processing, the clearance may be granted more expeditiously, but as much advance notice as possible should be provided.

EFFECTIVE: 03/23/89

23-9.2 Notification to FBIHQ

Upon making the determination that the litigation of a case will or may involve the disclosure of classified information, promptly notify the FBIHQ component responsible for supervision of the substantive violation and the |Office of the General Counsel (OGC).| Include in the notification a brief synopsis of the case, the identity of the USA to whom the case was presented and the date it was presented.

EFFECTIVE: 09/09/94

23-9.3 Court Security Officer

The procedures issued in accordance with the Act by the Chief Justice of the United States require the appointment of a Court Security Officer in any proceedings in which classified information is involved, or is reasonably expected to be involved.

(1) The field office Security Officer or Alternate Security Officer will be the FBI nominee to serve as Court Security Officer. The designation of the Court Security Officer is left to the discretion of the judge presiding at the trial.

(2) If a Special Agent (SA) is appointed to serve as Court Security Officer, insofar as the SA's duties pertaining to the trial are concerned, the SA is considered an officer of the Court and is, therefore, guided by the Court.

(3) Once an SA is selected, he/she is to promptly contact the Department of Justice (DOJ) Security Officer and the FBI SPM for guidance as to the responsibilities attendant to the appointment.

(4) If any conflict develops between the Court Security Officer duties and FBI regulations governing an SA's other responsibilities, the SAC, |OGC| and the SPM at FBIHQ are to be immediately notified.

EFFECTIVE: 09/09/94

23-9.4 Duties of Court Security Officer

The Court Security Officer is responsible to the Court for document, physical, personnel and communications security and is to take measures reasonably necessary to fulfill these responsibilities as set forth in the "Security Procedures Established Pursuant to Public Law 96-456, 94 Stat. 2025, by the Chief Justice of the United States for the Protection of Classified Information."

EFFECTIVE: 12/10/91

23-9.5 Procedures for Obtaining Security Clearances

Excluding the presiding judge and jury no person appointed by the Court or designated for service at the trial shall be given access to any classified information in the custody of the Court unless such person has been granted a security clearance up to the level of the material to which they will have access.

(1) The Court Security Officer shall obtain from the Court the identities of the person(s) requiring security clearances and promptly notify the DOJ Security Officer, who will initiate the clearance granting procedures. Upon confirmation of the clearances, the DOJ Security Officer will notify the Court in writing as to the identities of the cleared personnel.

(2) The DOJ Security Officer will advise the Security Programs Office, FBIHQ, of the identity(s) of the person(s) requiring a background investigation, which shall be conducted in accordance with Part I, Section 259; and Part II, Section 17, of this manual; and/or the FCI Manual, Part II, 1-10; or MIOG, Part II, 26-10, as applicable.

(3) The FBI will conduct the background investigations in all CIPA cases and report the investigative results to the DOJ Security Officer.

EFFECTIVE: 12/10/91

SECTION 24. TERRITORIAL ALLOCATION LIST

24-1 PURPOSE

This list is maintained as a reference that shows the geographic area assigned to each field office, including Legal Attaches. Each office's specific territory is listed for the purpose of setting out investigative leads and for liaison coverage.

EFFECTIVE: 01/31/78

24-2 THE STATES

EFFECTIVE: 01/31/78

24-2.1 ALABAMA

Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Autauga	Mobile (Montgomery)
Baldwin	Mobile
Barbour	Mobile
Bibb	Birmingham
Blount	Birmingham
Bullock	Mobile (Montgomery)
Butler	Mobile (Montgomery)
Calhoun	Birmingham
Chambers	Mobile
Cherokee	Birmingham
Chilton	Mobile (Montgomery)
Choctaw	Mobile
Clarke	Mobile
Clay	Birmingham
Cleburne	Birmingham
Coffee	Mobile
Colbert	Birmingham

Conecuh	Mobile
Coosa	Mobile (Montgomery)
Covington	Mobile
Crenshaw	Mobile (Montgomery)
Cullman	Birmingham
Dale	Mobile
Dallas	Mobile (Montgomery)
De Kalb	Birmingham
Elmore	Mobile (Montgomery)
Escambia	Mobile
Etowah	Birmingham
Fayette	Birmingham
Franklin	Birmingham
Geneva	Mobile
Greene	Birmingham
Hale	Mobile (Montgomery)
Henry	Mobile
Houston	Mobile
Jackson	Birmingham
Jefferson	Birmingham
Lamar	Birmingham
Lauderdale	Birmingham
Lawrence	Birmingham
Lee	Mobile
Limestone	Birmingham
Lowndes	Mobile (Montgomery)
Macon	Mobile
Madison	Birmingham
Marengo	Mobile
Marion	Birmingham
Marshall	Birmingham
Mobile	Mobile
Monroe	Mobile
Montgomery	Mobile (Montgomery)
Morgan	Birmingham
Perry	Mobile (Montgomery)
Pickens	Birmingham
Pike	Mobile (Montgomery)
Randolph	Mobile
Russell	Mobile
St. Clair	Birmingham
Shelby	Birmingham
Sumter	Birmingham
Talladega	Birmingham
Tallapoosa	Mobile
Tuscaloosa	Birmingham

Walker	Birmingham
Washington	Mobile
Wilcox	Mobile
Winston	Birmingham

EFFECTIVE: 07/03/97

24-2.2 ALASKA

All counties covered by the office at Anchorage.

EFFECTIVE: 09/08/78

24-2.3 ARIZONA

All counties covered by the office at Phoenix|except that part of the Navajo Indian Reservation lying within Apache County is covered by Albuquerque.|

EFFECTIVE: 09/08/78

24-2.4 ARKANSAS

All counties are covered by the office at Little Rock. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Arkansas	Little Rock
Ashley	Little Rock (Fort Smith)
Baxter	Little Rock (Fort Smith)
Benton	Little Rock (Fort Smith)
Boone	Little Rock (Fort Smith)
Bradley	Little Rock (Fort Smith)
Calhoun	Little Rock (Fort Smith)

Carroll	Little Rock (Fort Smith)
Chicot	Little Rock
Clark	Little Rock (Fort Smith)
Clay	Little Rock
Cleburne	Little Rock
Cleveland	Little Rock
Columbia	Little Rock (Fort Smith)
Conway	Little Rock
Craighead	Little Rock
Crawford	Little Rock (Fort Smith)
Crittenden	Little Rock
Cross	Little Rock
Dallas	Little Rock
Desha	Little Rock
Drew	Little Rock
Faulkner	Little Rock
Franklin	Little Rock (Fort Smith)
Fulton	Little Rock
Garland	Little Rock (Fort Smith)
Grant	Little Rock
Greene	Little Rock
Hempstead	Little Rock (Fort Smith)
Hot Springs	Little Rock (Fort Smith)
Howard	Little Rock (Fort Smith)
Independence	Little Rock
Izard	Little Rock
Jackson	Little Rock
Jefferson	Little Rock
Johnson	Little Rock (Fort Smith)
Lafayette	Little Rock (Fort Smith)
Lawrence	Little Rock
Lee	Little Rock
Lincoln	Little Rock
Little River	Little Rock (Fort Smith)
Logan	Little Rock (Fort Smith)
Lonoke	Little Rock
Madison	Little Rock (Fort Smith)
Marion	Little Rock (Fort Smith)
Miller	Little Rock (Fort Smith)
Mississippi	Little Rock
Monroe	Little Rock
Montgomery	Little Rock (Fort Smith)
Nevada	Little Rock (Fort Smith)
Newton	Little Rock (Fort Smith)
Ouachita	Little Rock (Fort Smith)
Perry	Little Rock

Phillips	Little Rock
Pike	Little Rock (Fort Smith)
Poinsett	Little Rock
Polk	Little Rock (Fort Smith)
Pope	Little Rock
Prairie	Little Rock
Pulaski	Little Rock
Randolph	Little Rock
Saline	Little Rock
Scott	Little Rock (Fort Smith)
Searcy	Little Rock (Fort Smith)
Sebastian	Little Rock (Fort Smith)
Sevier	Little Rock (Fort Smith)
Sharp	Little Rock
St. Francis	Little Rock
Stone	Little Rock
Union	Little Rock (Fort Smith)
Van Buren	Little Rock
Washington	Little Rock (Fort Smith)
White	Little Rock
Woodruff	Little Rock
Yell	Little Rock

EFFECTIVE: 02/10/97

24-2.5 CALIFORNIA

Resident agencies listed have direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Alameda	San Francisco (Oakland)
Alpine	Sacramento
Amador	Sacramento
Butte	Sacramento
Calaveras	Sacramento
Camp Roberts	Los Angeles
Colusa	Sacramento
Contra Costa	San Francisco
Del Norte	San Francisco
Edwards Air Force Base	Los Angeles

El Dorado	Sacramento
Fresno	Sacramento (Fresno)
Glenn	Sacramento
Humboldt	San Francisco
Imperial	San Diego
Inyo	Sacramento (Fresno)
Kern (Except Edwards Air Force Base which is covered by Los Angeles)	Sacramento (Fresno)
Kings	Sacramento (Fresno)
Lake	San Francisco
Lassen	Sacramento
Los Angeles	Los Angeles
Madera	Sacramento (Fresno)
Marin	San Francisco
Mariposa	Sacramento (Fresno)
Mendocino	San Francisco
Merced	Sacramento (Fresno)
Modoc	Sacramento
Mono	Sacramento
Monterey (Except Camp Roberts which is covered by Los Angeles)	San Francisco (San Jose)
Napa	San Francisco
Nevada	Sacramento
Orange	Los Angeles (Santa Ana)
Placer	Sacramento
Plumas	Sacramento
Riverside	Los Angeles (Riverside)
Sacramento	Sacramento
San Benito	San Francisco (San Jose)
San Bernandino	Los Angeles (Riverside)
San Diego	San Diego
San Francisco	San Francisco
San Joaquin	Sacramento
San Luis Obispo	Los Angeles
San Mateo	San Francisco
Santa Barbara	Los Angeles
Santa Clara	San Francisco (San Jose)
Santa Cruz	San Francisco (San Jose)
Shasta	Sacramento
Sierra	Sacramento
Siskiyou	Sacramento
Solano	Sacramento

Sonoma	San Francisco
Stanislaus	Sacramento
Sutter	Sacramento
Tehama	Sacramento
Trinity	Sacramento
Tulare	Sacramento (Fresno)
Tuolumne	Sacramento
Ventura	Los Angeles
Yolo	Sacramento
Yosemite National Park	Sacramento
Yuba	Sacramento

EFFECTIVE: 11/03/95

24-2.6 COLORADO

All counties covered by the office at Denver.

EFFECTIVE: 01/31/78

24-2.7 CONNECTICUT

All counties covered by the office at New Haven.

EFFECTIVE: 01/31/78

24-2.8 DELAWARE

All counties covered by the office at Baltimore.

EFFECTIVE: 01/31/78

24-2.9 DISTRICT OF COLUMBIA

Covered by the Field Office at Washington

EFFECTIVE: 01/31/78

24-2.10 FLORIDA

|Resident agencies listed have direct mail service.|

COUNTY	COVERED BY OFFICE	(RA)
Alachua	Jacksonville	
Baker	Jacksonville	
Bay	Jacksonville	(Pensacola)
Bradford	Jacksonville	
Brevard	Tampa	
Broward	Miami	
Calhoun	Jacksonville	(Pensacola)
Charlotte	Tampa	
Citrus	Jacksonville	
Clay	Jacksonville	
Collier	Tampa	
Columbia	Jacksonville	
Dade	Miami	
De Soto	Tampa	
Dixie	Jacksonville	
Duval	Jacksonville	
Escambia	Jacksonville	(Pensacola)
Flagler	Jacksonville	
Franklin	Jacksonville	(Tallahassee)
Gadsden	Jacksonville	(Tallahassee)
Gilchrist	Jacksonville	
Glades	Tampa	
Gulf	Jacksonville	(Pensacola)
Hamilton	Jacksonville	
Hardee	Tampa	
Hendry	Tampa	
Hernando	Tampa	
*Highlands	Miami	
Hillsborough	Tampa	
Holmes	Jacksonville	(Pensacola)

Indian River	Miami	
Jackson	Jacksonville	(Pensacola)
Jefferson	Jacksonville	(Tallahassee)
Lafayette	Jacksonville	(Tallahassee)
Lake	Jacksonville	
Lee	Tampa	
Leon	Jacksonville	(Tallahassee)
Levy	Jacksonville	
Liberty	Jacksonville	(Tallahassee)
Madison	Jacksonville	(Tallahassee)
Manatee	Tampa	
Marion	Jacksonville	
Martin	Miami	
Monroe	Miami	
Nassau	Jacksonville	
Okaloosa	Jacksonville	(Pensacola)
Okeechobee	Miami	
Orange	Tampa	
Osceola	Tampa	
Palm Beach	Miami	
Pasco	Tampa	
Pinellas	Tampa	
*Polk	Tampa	
Putnam	Jacksonville	
St. Johns	Jacksonville	
St. Lucie	Miami	
Santa Rosa	Jacksonville	(Pensacola)
Sarasota	Tampa	
Seminole	Tampa	
Sumter	Jacksonville	
Suwannee	Jacksonville	
Taylor	Jacksonville	(Tallahassee)
Union	Jacksonville	
Volusia	Jacksonville	
Wakulla	Jacksonville	(Tallahassee)
Walton	Jacksonville	(Pensacola)
Washington	Jacksonville	(Pensacola)

*Note: Leads for the Florida State Correctional Institution, also known as the Avon Park Correctional Institution, which has a mailing address of Avon Park, Florida, and the Avon Park Bombing and Gunnery Range are covered by the Tampa Division.

EFFECTIVE: 11/03/95

24-2.11 GEORGIA

All counties covered by office at Atlanta. Resident agencies listed have direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Appling	Atlanta (Augusta)
Atkinson	Atlanta (Savannah)
Bacon	Atlanta (Savannah)
Baker	Atlanta (Macon)
Baldwin	Atlanta (Macon)
Banks	Atlanta (Rossville)
Barrow	Atlanta (Rossville)
Bartow	Atlanta (Rossville)
Ben Hill	Atlanta (Macon)
Berrien	Atlanta (Macon)
Bibb	Atlanta (Macon)
Bleckley	Atlanta (Macon)
Brantley	Atlanta (Savannah)
Brooks	Atlanta (Macon)
Bryan	Atlanta (Savannah)
Bulloch	Atlanta (Augusta)
Burke	Atlanta (Augusta)
Butts	Atlanta (Macon)
Calhoun	Atlanta (Macon)
Camden	Atlanta (Savannah)
Candler	Atlanta (Augusta)
Catoosa	Atlanta (Rossville)
Charlton	Atlanta (Savannah)
Chatham	Atlanta (Savannah)
Chattahooche	Atlanta (Macon)
Cherokee	Atlanta (Rossville)
Clarke	Atlanta (Macon)
Clay	Atlanta (Macon)
Clinch	Atlanta (Macon)
Coffee	Atlanta (Augusta)
Colquitt	Atlanta (Macon)
Columbus	Atlanta (Augusta)
Cook	Atlanta (Macon)

Crawford	Atlanta (Macon)
Crisp	Atlanta (Macon)
Dade	Atlanta (Rossville)
Dawson	Atlanta (Rossville)
Decatur	Atlanta (Macon)
Dodge	Atlanta (Augusta)
Dooly	Atlanta (Macon)
Dougherty	Atlanta (Macon)
Early	Atlanta (Macon)
Echols	Atlanta (Macon)
Effingham	Atlanta (Savannah)
Elbert	Atlanta (Macon)
Emanuel	Atlanta (Augusta)
Evans	Atlanta (Augusta)
Fannin	Atlanta (Rossville)
Floyd	Atlanta (Rossville)
Forsyth	Atlanta (Rossville)
Franklin	Atlanta (Macon)
Gilmer	Atlanta (Rossville)
Glascock	Atlanta (Augusta)
Glynn	Atlanta (Savannah)
Gordon	Atlanta (Rossville)
Grady	Atlanta (Macon)
Greene	Atlanta (Macon)
Habersham	Atlanta (Rossville)
Hall	Atlanta (Rossville)
Hancock	Atlanta (Macon)
Haralson	Atlanta (Rossville)
Harris	Atlanta (Macon)
Hart	Atlanta (Macon)
Houston	Atlanta (Macon)
Irwin	Atlanta (Macon)
Jackson	Atlanta (Rossville)
Jasper	Atlanta (Macon)
Jeff Davis	Atlanta (Augusta)
Jefferson	Atlanta (Augusta)
Jenkins	Atlanta (Augusta)
Johnson	Atlanta (Augusta)
Jones	Atlanta (Macon)
Lamar	Atlanta (Macon)
Lanier	Atlanta (Macon)
Laurens	Atlanta (Augusta)
Lee	Atlanta (Macon)
Liberty	Atlanta (Savannah)
Lincoln	Atlanta (Augusta)
Long	Atlanta (Savannah)

Lowndes	Atlanta (Macon)
Lumpkin	Atlanta (Rossville)
Macon	Atlanta (Macon)
Madison	Atlanta (Macon)
Marion	Atlanta (Macon)
McDuffie	Atlanta (Augusta)
McIntosh	Atlanta (Savannah)
Miller	Atlanta (Macon)
Mitchell	Atlanta (Macon)
Monroe	Atlanta (Macon)
Montgomery	Atlanta (Augusta)
Morgan	Atlanta (Macon)
Murray	Atlanta (Rossville)
Muscogee	Atlanta (Macon)
Oconee	Atlanta (Macon)
Oglethorpe	Atlanta (Macon)
Paulding	Atlanta (Rossville)
Peach	Atlanta (Macon)
Pickens	Atlanta (Rossville)
Pierce	Atlanta (Savannah)
Polk	Atlanta (Rossville)
Pulaski	Atlanta (Macon)
Putnam	Atlanta (Macon)
Quitman	Atlanta (Macon)
Rabun	Atlanta (Rossville)
Randolph	Atlanta (Macon)
Richmond	Atlanta (Augusta)
Schley	Atlanta (Macon)
Screven	Atlanta (Augusta)
Seminole	Atlanta (Macon)
Stephens	Atlanta (Rossville)
Stewart	Atlanta (Macon)
Sumter	Atlanta (Macon)
Talbot	Atlanta (Macon)
Taliaferro	Atlanta (Augusta)
Tallnall	Atlanta (Augusta)
Taylor	Atlanta (Macon)
Telfair	Atlanta (Augusta)
Terrell	Atlanta (Macon)
Thomas	Atlanta (Macon)
Tift	Atlanta (Macon)
Toombs	Atlanta (Augusta)
Towns	Atlanta (Rossville)
Truetlen	Atlanta (Augusta)
Turner	Atlanta (Macon)
Twiggs	Atlanta (Macon)

Union	Atlanta (Rossville)
Upson	Atlanta (Macon)
Walker	Atlanta (Rossville)
Walton	Atlanta (Macon)
Ware	Atlanta (Savannah)
Warren	Atlanta (Augusta)
Washington	Atlanta (Macon)
Wayne	Atlanta (Savannah)
Webster	Atlanta (Macon)
White	Atlanta (Rossville)
Whitfield	Atlanta (Rossville)
Wilcox	Atlanta (Macon)
Wilkes	Atlanta (Augusta)
Wilkinson	Atlanta (Macon)
Worth	Atlanta (Macon)

EFFECTIVE: 11/03/95

24-2.12 HAWAII

Covered by the office at Honolulu.

EFFECTIVE: 08/27/90

24-2.13 IDAHO

All counties covered by the office at Salt Lake City. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Ada	Salt Lake City (Boise)
Adams	Salt Lake City (Boise)
Bannock	Salt Lake City (Boise)
Bear Lake	Salt Lake City (Boise)
Benewah	Salt Lake City (Boise)
Bingham	Salt Lake City (Boise)
Blaine	Salt Lake City (Boise)
Boise	Salt Lake City (Boise)

Bonner	Salt Lake City (Boise)
Bonneville	Salt Lake City (Boise)
Boundary	Salt Lake City (Boise)
Butte	Salt Lake City (Boise)
Camas	Salt Lake City (Boise)
Canyon	Salt Lake City (Boise)
Caribou	Salt Lake City (Boise)
Cassia	Salt Lake City (Boise)
Clark	Salt Lake City (Boise)
Clearwater	Salt Lake City (Boise)
Custer	Salt Lake City (Boise)
Elmore	Salt Lake City (Boise)
Franklin	Salt Lake City (Boise)
Fremont	Salt Lake City (Boise)
Gem	Salt Lake City (Boise)
Gooding	Salt Lake City (Boise)
Idaho	Salt Lake City (Boise)
Jefferson	Salt Lake City (Boise)
Jerome	Salt Lake City (Boise)
Kootenai	Salt Lake City (Boise)
Latah	Salt Lake City (Boise)
Lemhi	Salt Lake City (Boise)
Lewis	Salt Lake City (Boise)
Lincoln	Salt Lake City (Boise)
Madison	Salt Lake City (Boise)
Minidoka	Salt Lake City (Boise)
Nez Perce	Salt Lake City (Boise)
Oneida	Salt Lake City (Boise)
Owyhee	Salt Lake City (Boise)
Payette	Salt Lake City (Boise)
Power	Salt Lake City (Boise)
Shoshone	Salt Lake City (Boise)
Summit	Salt Lake City (Boise)
Teton	Salt Lake City (Boise)
Twin Falls	Salt Lake City (Boise)
Valley	Salt Lake City (Boise)
Washington	Salt Lake City (Boise)

EFFECTIVE: 11/03/95

24-2.14 ILLINOIS

Resident agencies listed have direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Adams	Springfield
Alexander	Springfield
Bond	Springfield
Boone	Chicago (Rockford)
Brown	Springfield
Bureau	Springfield
Calhoun	Springfield
Carroll	Chicago (Rockford)
Cass	Springfield
Champaign	Springfield
Christian	Springfield
Clark	Springfield
Clay	Springfield
Clinton	Springfield
Coles	Springfield
Cook	Chicago (North, South & West)
Crawford	Springfield
Cumberland	Springfield
De Kalb	Chicago (Rockford)
De Witt	Springfield
Douglas	Springfield
Du Page	Chicago (North & West)
Edgar	Springfield
Edwards	Springfield
Effingham	Springfield
Fayette	Springfield
Ford	Springfield
Franklin	Springfield
Fulton	Springfield
Gallatin	Springfield
Greene	Springfield
Grundy	Chicago (South)
Hamilton	Springfield
Hancock	Springfield
Hardin	Springfield
Henderson	Springfield
Henry	Springfield
Iroquois	Springfield
Jackson	Springfield

Jasper	Springfield
Jefferson	Springfield
Jersey	Springfield
Jo Daviess	Chicago (Rockford)
Johnson	Springfield
Kane	Chicago (West)
Kankakee	Springfield
Kendall	Chicago (West)
Knox	Springfield
Lake	Chicago (North)
La Salle	Chicago (South)
Lawrence	Springfield
Lee	Chicago (Rockford)
Livingston	Springfield
Logan	Springfield
Macon	Springfield
Macoupin	Springfield
Madison	Springfield
Marion	Springfield
Marshall	Springfield
Mason	Springfield
Massac	Springfield
McDonough	Springfield
McHenry	Chicago (Rockford)
McLean	Springfield
Menard	Springfield
Mercer	Springfield
Monroe	Springfield
Montgomery	Springfield
Morgan	Springfield
Moultrie	Springfield
Ogle	Chicago (Rockford)
Peoria	Springfield
Perry	Springfield
Piatt	Springfield
Pike	Springfield
Pope	Springfield
Pulaski	Springfield
Putnam	Springfield
Randolph	Springfield
Richland	Springfield
Rock Island	Springfield
St. Clair	Springfield
Saline	Springfield
Sangamon	Springfield
Schuyler	Springfield

Scott	Springfield
Shelby	Springfield
Stark	Springfield
Stephenson	Chicago (Rockford)
Tazewell	Springfield
Union	Springfield
Vermilion	Springfield
Wabash	Springfield
Warren	Springfield
Washington	Springfield
Wayne	Springfield
White	Springfield
Whiteside	Chicago (Rockford)
Will	Chicago (South)
Williamson	Springfield
Winnebago	Chicago (Rockford)
Woodford	Springfield

EFFECTIVE: 03/14/97

24-2.15 INDIANA

All counties covered by the office at Indianapolis. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Elkhart	Indianapolis (Merrillville)
Fulton	Indianapolis (Merrillville)
Jasper	Indianapolis (Merrillville)
Kosciusko	Indianapolis (Merrillville)
Lake	Indianapolis (Merrillville)
LaPorte	Indianapolis (Merrillville)
Marshall	Indianapolis (Merrillville)
Newton	Indianapolis (Merrillville)
Porter	Indianapolis (Merrillville)
Pulaski	Indianapolis (Merrillville)
St. Joseph	Indianapolis (Merrillville)
Starke	Indianapolis (Merrillville)

EFFECTIVE: 11/03/95

24-2.16 IOWA

All counties covered by the office at Omaha.

EFFECTIVE: 01/31/78

24-2.17 KANSAS

All counties covered by the office at Kansas City.
Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Allen	Kansas City (Wichita)
Barber	Kansas City (Wichita)
Barton	Kansas City (Wichita)
Butler	Kansas City (Wichita)
Chase	Kansas City (Wichita)
Chautauqua	Kansas City (Wichita)
Comanche	Kansas City (Wichita)
Cowley	Kansas City (Wichita)
Edwards	Kansas City (Wichita)
Elk	Kansas City (Wichita)
Greenwood	Kansas City (Wichita)
Harper	Kansas City (Wichita)
Harvey	Kansas City (Wichita)
Kingman	Kansas City (Wichita)
Kiowa	Kansas City (Wichita)
Marion	Kansas City (Wichita)
McPherson	Kansas City (Wichita)
Montgomery	Kansas City (Wichita)
Neosho	Kansas City (Wichita)
Pawnee	Kansas City (Wichita)
Pratt	Kansas City (Wichita)
Reno	Kansas City (Wichita)
Rice	Kansas City (Wichita)
Rush	Kansas City (Wichita)
Sedgwick	Kansas City (Wichita)

Stafford	Kansas City (Wichita)
Sumner	Kansas City (Wichita)
Wilson	Kansas City (Wichita)
Woodson	Kansas City (Wichita)

EFFECTIVE: 11/03/95

24-2.18 KENTUCKY

All counties covered by the office at Louisville.

EFFECTIVE: 01/31/78

24-2.19 LOUISIANA

All counties covered by the office at New Orleans. Resident agencies listed have direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Acadia	New Orleans (Lafayette)
Allen	New Orleans (Lafayette)
Beauregard	New Orleans (Lafayette)
Blenville	New Orleans (Shreveport)
Bossier	New Orleans (Shreveport)
Caddo	New Orleans (Shreveport)
Calacasieu	New Orleans (Lafayette)
Caldwell	New Orleans (Shreveport)
Cameron	New Orleans (Lafayette)
Claiborne	New Orleans (Shreveport)
DeSoto	New Orleans (Shreveport)
East Carroll	New Orleans (Shreveport)
Evangeline	New Orleans (Lafayette)
Fabine	New Orleans (Shreveport)
Franklin	New Orleans (Shreveport)
Iberia	New Orleans (Lafayette)
Jackson	New Orleans (Shreveport)
Jefferson Davis	New Orleans (Lafayette)
Lafayette	New Orleans (Lafayette)

Lincoln	New Orleans (Shreveport)
Madison	New Orleans (Shreveport)
Morehouse	New Orleans (Shreveport)
Ouachita	New Orleans (Shreveport)
Red River	New Orleans (Shreveport)
Richland	New Orleans (Shreveport)
St. Landry	New Orleans (Lafayette)
St. Martin	New Orleans (Lafayette)
St. Mary	New Orleans (Lafayette)
Tenfas	New Orleans (Shreveport)
Union	New Orleans (Shreveport)
Vermilion	New Orleans (Lafayette)
Webster	New Orleans (Shreveport)
West Carroll	New Orleans (Shreveport)

EFFECTIVE: 11/03/95

24-2.20 MAINE

All counties covered by the office at Boston.

EFFECTIVE: 07/26/89

24-2.21 MARYLAND

All counties covered by the office at Baltimore except in certain applicant-type cases. In cases involving other than Bureau applicants, the counties of Montgomery and Prince Georges are handled by the Washington Field Office (WFO). In Bureau support applicant cases, WFO handles recruiting and investigative leads in Montgomery, Prince Georges, Charles and St. Mary's Counties. In Special Agent applicant cases, all recruiting and investigative leads in Maryland are handled by the Baltimore Office.

EFFECTIVE: 03/14/97

24-2.22 MASSACHUSETTS

All counties covered by the office at Boston.

EFFECTIVE: 07/26/89

24-2.23 MICHIGAN

All counties covered by the office at Detroit. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Allegan	Detroit (Grand Rapids)
Barry	Detroit (Grand Rapids)
Berrien	Detroit (Grand Rapids)
Branch	Detroit (Grand Rapids)
Calhoun	Detroit (Grand Rapids)
Cass	Detroit (Grand Rapids)
Ionai	Detroit (Grand Rapids)
Kalamazoo	Detroit (Grand Rapids)
Kent	Detroit (Grand Rapids)
Lake	Detroit (Grand Rapids)
Mason	Detroit (Grand Rapids)
Mecasta	Detroit (Grand Rapids)
Montcalm	Detroit (Grand Rapids)
Muskegon	Detroit (Grand Rapids)
Newaygo	Detroit (Grand Rapids)
Oceana	Detroit (Grand Rapids)
Osceola	Detroit (Grand Rapids)
Ottawa	Detroit (Grand Rapids)
St. Joseph	Detroit (Grand Rapids)
Van Buren	Detroit (Grand Rapids)

EFFECTIVE: 11/03/95

24-2.24 MINNESOTA

All counties covered by the office at Minneapolis.

EFFECTIVE: 07/26/89

24-2.25 MISSISSIPPI

All counties covered by the office at Jackson.

EFFECTIVE: 07/26/89

24-2.26 MISSOURI

|Resident agencies listed have direct mail service.|

COUNTY	COVERED BY OFFICE	(RA)
Adair	St. Louis	
Andrew	Kansas City	
Atchison	Kansas City	
Audrain	St. Louis	
Barry	Kansas City	
Barton	Kansas City	
Bates	Kansas City	
Benton	Kansas City	(Springfield)
Bollinger	St. Louis	
Boone	Kansas City	
Buchanan	Kansas City	
Butler	St. Louis	
Caldwell	Kansas City	
Callaway	Kansas City	
Camden	Kansas City	
Cape Girardeau	St. Louis	
Carroll	Kansas City	
Carter	St. Louis	
Cass	Kansas City	
Cedar	Kansas City	(Springfield)
Chariton	St. Louis	

Christian	Kansas City (Springfield)
Clark	St. Louis
Clay	Kansas City
Clinton	Kansas City
Cole	Kansas City
Cooper	Kansas City
Crawford	St. Louis
Dade	Kansas City
Dallas	Kansas City (Springfield)
Daviess	Kansas City
De Kalb	Kansas City
Dent	St. Louis
Douglas	Kansas City (Springfield)
Dunklin	St. Louis
Franklin	St. Louis
Gasconade	St. Louis
Gentry	Kansas City
Greene	Kansas City (Springfield)
Grundy	Kansas City
Harrison	Kansas City
Henry	Kansas City (Springfield)
Hickory	Kansas City (Springfield)
Holt	Kansas City
Howard	Kansas City
Howell	Kansas City (Springfield)
Iron	St. Louis
Jackson	Kansas City
Jasper	Kansas City
Jefferson	St. Louis
Johnson	Kansas City
Knox	St. Louis
Laclede	Kansas City (Springfield)
Lafayette	Kansas City
Lawrence	Kansas City
Lewis	St. Louis
Lincoln	St. Louis
Linn	St. Louis
Livingston	Kansas City
Macon	St. Louis
Madison	St. Louis
Maries	St. Louis
Marion	St. Louis
McDonald	Kansas City
Mercer	Kansas City
Miller	Kansas City
Mississippi	St. Louis

Moniteau	Kansas City
Monroe	St. Louis
Montgomery	St. Louis
Morgan	Kansas City
New Madrid	St. Louis
Newton	Kansas City
Nodaway	Kansas City
Oregon	Kansas City (Springfield)
Osage	Kansas City
Ozark	Kansas City (Springfield)
Pemiscot	St. Louis
Perry	St. Louis
Pettis	Kansas City
Phelps	St. Louis
Pike	St. Louis
Platte	Kansas City
Polk	Kansas City (Springfield)
Pulaski	Kansas City (Springfield)
Putnam	Kansas City
Ralls	St. Louis
Randolph	St. Louis
Ray	Kansas City
Reynolds	St. Louis
Ripley	St. Louis
St. Charles	St. Louis
St. Clair	Kansas City (Springfield)
St. Francois	St. Louis
Sainte Genevieve	St. Louis
St. Louis	St. Louis
St. Louis City	St. Louis
Saline	Kansas City
Schuyler	St. Louis
Scotland	St. Louis
Scott	St. Louis
Shannon	St. Louis
Shelby	St. Louis
Stoddard	St. Louis
Stone	Kansas City (Springfield)
Sullivan	Kansas City
Taney	Kansas City (Springfield)
Texas	Kansas City (Springfield)
Vernon	Kansas City
Warren	St. Louis
Washington	St. Louis
Wayne	St. Louis
Webster	Kansas City (Springfield)

Worth
Wright

Kansas City
Kansas City (Springfield)

EFFECTIVE: 11/03/95

24-2.27 MONTANA

All counties covered by the office at Salt Lake City.
Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Beaverhead	Salt Lake City (Billings)
Big Horn	Salt Lake City (Billings)
Blaine	Salt Lake City (Billings)
Broadwater	Salt Lake City (Billings)
Carbon	Salt Lake City (Billings)
Carter	Salt Lake City (Billings)
Cascade	Salt Lake City (Billings)
Chouteau	Salt Lake City (Billings)
Custer	Salt Lake City (Billings)
Daniels	Salt Lake City (Billings)
Dawson	Salt Lake City (Billings)
Deer Lodge	Salt Lake City (Billings)
Fallon	Salt Lake City (Billings)
Fergus	Salt Lake City (Billings)
Flathead	Salt Lake City (Billings)
Gallatin	Salt Lake City (Billings)
Garfield	Salt Lake City (Billings)
Glacier	Salt Lake City (Billings)
Golden Valley	Salt Lake City (Billings)
Granite	Salt Lake City (Billings)
Hill	Salt Lake City (Billings)
Jefferson	Salt Lake City (Billings)
Judith Basin	Salt Lake City (Billings)
Lake	Salt Lake City (Billings)
Lewis And Clark	Salt Lake City (Billings)
Liberty	Salt Lake City (Billings)
Lincoln	Salt Lake City (Billings)
Madison	Salt Lake City (Billings)
McCone	Salt Lake City (Billings)
Meagher	Salt Lake City (Billings)

Mineral	Salt Lake City (Billings)
Missoula	Salt Lake City (Billings)
Musselshell	Salt Lake City (Billings)
Park	Salt Lake City (Billings)
Petroleum	Salt Lake City (Billings)
Phillips	Salt Lake City (Billings)
Pondera	Salt Lake City (Billings)
Powder River	Salt Lake City (Billings)
Powell	Salt Lake City (Billings)
Prairie	Salt Lake City (Billings)
Ravalli	Salt Lake City (Billings)
Richland	Salt Lake City (Billings)
Roosevelt	Salt Lake City (Billings)
Rosebud	Salt Lake City (Billings)
Sanders	Salt Lake City (Billings)
Sheridan	Salt Lake City (Billings)
Silver Bow	Salt Lake City (Billings)
Stillwater	Salt Lake City (Billings)
Sweet Grass	Salt Lake City (Billings)
Teton	Salt Lake City (Billings)
Toole	Salt Lake City (Billings)
Treasure	Salt Lake City (Billings)
Valley	Salt Lake City (Billings)
Wheatland	Salt Lake City (Billings)
Wibaux	Salt Lake City (Billings)
Yellowstone	Salt Lake City (Billings)

EFFECTIVE: 11/03/95

24-2.28 NEBRASKA

All counties covered by the office at Omaha.

EFFECTIVE: 08/27/90

24-2.29 NEVADA

All counties covered by the office at Las Vegas. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Churchill	Las Vegas (Reno)
Douglas	Las Vegas (Reno)
Elko	Las Vegas (Reno)
Eureka	Las Vegas (Reno)
Humboldt	Las Vegas (Reno)
Lander	Las Vegas (Reno)
Lyon	Las Vegas (Reno)
Mineral	Las Vegas (Reno)
Pershing	Las Vegas (Reno)
Storey	Las Vegas (Reno)
Washoe	Las Vegas (Reno)
White Pine	Las Vegas (Reno)

EFFECTIVE: 11/03/95

24-2.30 NEW HAMPSHIRE

All counties covered by the office at Boston.

EFFECTIVE: 08/27/90

24-2.31 NEW JERSEY

All counties covered by the office at Newark except Camden, Gloucester, and Salem, which are handled by Philadelphia.

EFFECTIVE: 09/21/81

24-2.32 NEW MEXICO

All counties covered by the office at Albuquerque. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)	
Dona Ana	Albuquerque	(Las Cruces)
Grant	Albuquerque	(Las Cruces)
Hidalgo	Albuquerque	(Las Cruces)
Luna	Albuquerque	(Las Cruces)
Otero	Albuquerque	(Las Cruces)
Sierra	Albuquerque	(Las Cruces)

EFFECTIVE: 03/14/97

24-2.33 NEW YORK

Resident agencies followed by RA have direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Albany	Albany
Allegany	Buffalo
Bronx	New Rochelle
Broome	Albany
Cattaraugus	Buffalo
Cayuga	Albany
Chautauqua	Buffalo
Chemung	Buffalo
Chenango	Albany
Clinton	Albany
Columbia	Albany
Cortland	Albany
Delaware	Albany
Dutchess	New Rochelle
Erie	Buffalo
Essex	Albany
Franklin	Albany
Fulton	Albany
Genesee	Buffalo

Greene	Albany
Hamilton	Albany
Herkimer	Albany
Jefferson	Albany
Kings	Brooklyn-Queens - RA
Lewis	Albany
Livingston	Buffalo
Madison	Albany
Monroe	Buffalo
Montgomery	Albany
Nassau	Long Island - RA
New York	New York
Niagara	Buffalo
Oneida	Albany
Onondaga	Albany
Ontario	Buffalo
Orange	New Rochelle
Orleans	Buffalo
Oswego	Albany
Otsego	Albany
Putnam	New Rochelle
Queens	Brooklyn-Queens - RA
Rensselaer	Albany
Richmond	Brooklyn-Queens - RA
Rockland	New Rochelle
St. Lawrence	Albany
Saratoga	Albany
Schenectady	Albany
Schoharie	Albany
Schuyler	Buffalo
Seneca	Buffalo
Steuben	Buffalo
Suffolk	Long Island - RA
Sullivan	New Rochelle
Tioga	Albany
Tompkins	Albany
Ulster	Albany
Warren	Albany
Washington	Albany
Wayne	Buffalo
Westchester	New Rochelle
Wyoming	Buffalo
Yates	Buffalo

EFFECTIVE: 03/14/97

24-2.34 NORTH CAROLINA

All counties covered by the office at Charlotte.

EFFECTIVE: 01/31/78

24-2.35 NORTH DAKOTA

All counties covered by the office at Minneapolis.

EFFECTIVE: 01/31/78

24-2.36 OHIO

|Resident agencies listed have direct mail service.|

COUNTY	COVERED BY OFFICE | (RA) |
Adams	Cincinnati
Allen	Cleveland
Ashland	Cleveland
Ashtabula	Cleveland
Athens	Cincinnati | (Columbus) |
Auglaize	Cleveland
Belmont	Cincinnati | (Columbus) |
Brown	Cincinnati
Butler	Cincinnati | (Dayton) |
Carroll	Cleveland
Champaign	Cincinnati | (Dayton) |
Clark	Cincinnati | (Dayton) |
Clermont	Cincinnati
Clinton	Cincinnati | (Dayton) |
Columbiana	Cleveland
Coshocton	Cincinnati | (Columbus) |
Crawford	Cleveland

Cuyahoga	Cleveland	
Darke	Cincinnati	(Dayton)
Defiance	Cleveland	
Delaware	Cincinnati	(Columbus)
Erie	Cleveland	
Fairfield	Cincinnati	(Columbus)
Fayette	Cincinnati	(Columbus)
Franklin	Cincinnati	(Columbus)
Fulton	Cleveland	
Gallia	Cincinnati	(Columbus)
Geauga	Cleveland	
Greene	Cincinnati	(Dayton)
Guernsey	Cincinnati	(Columbus)
Hamilton	Cincinnati	
Hancock	Cleveland	
Hardin	Cleveland	
Harrison	Cincinnati	(Columbus)
Henry	Cleveland	
Highland	Cincinnati	
Hocking	Cincinnati	(Columbus)
Holmes	Cleveland	
Huron	Cleveland	
Jackson	Cincinnati	
Jefferson	Cincinnati	(Columbus)
Knox	Cincinnati	(Columbus)
Lake	Cleveland	
Lawrence	Cincinnati	
Licking	Cincinnati	(Columbus)
Logan	Cincinnati	(Dayton)
Lorain	Cleveland	
Lucas	Cleveland	
Madison	Cincinnati	(Columbus)
Mahoning	Cleveland	
Marion	Cleveland	
Medina	Cleveland	
Meigs	Cincinnati	(Columbus)
Mercer	Cleveland	
Miami	Cincinnati	(Dayton)
Monroe	Cincinnati	(Columbus)
Montgomery	Cincinnati	(Dayton)
Morgan	Cincinnati	(Columbus)
Morrow	Cincinnati	(Columbus)
Muskingum	Cincinnati	(Columbus)
Noble	Cincinnati	(Columbus)
Ottawa	Cleveland	
Paulding	Cleveland	

Perry	Cincinnati	(Columbus)
Pickaway	Cincinnati	(Columbus)
Pike	Cincinnati	
Portage	Cleveland	
Preble	Cincinnati	(Dayton)
Putnam	Cleveland	
Richland	Cleveland	
Ross	Cincinnati	
Sandusky	Cleveland	
Scioto	Cincinnati	
Seneca	Cleveland	
Shelby	Cincinnati	(Dayton)
Stark	Cleveland	
Summit	Cleveland	
Trumbull	Cleveland	
Tuscarawas	Cleveland	
Union	Cincinnati	(Columbus)
Van Wert	Cleveland	
Vinton	Cincinnati	(Columbus)
Warren	Cincinnati	(Dayton)
Washington	Cincinnati	(Columbus)
Wayne	Cleveland	
Williams	Cleveland	
Wood	Cleveland	
Wyandot	Cleveland	

EFFECTIVE: 11/03/95

24-2.37 OKLAHOMA

All counties covered by the office at Oklahoma City.

EFFECTIVE: 09/21/81

24-2.38 OREGON

All counties covered by the office at Portland.

EFFECTIVE: 09/21/81

24-2.39 PENNSYLVANIA

The following counties in New Jersey are covered by the office at Philadelphia: Camden, Gloucester, and Salem. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Adams	Philadelphia
Allegheny	Pittsburgh
Armstrong	Pittsburgh (Monongahela Valley)
Beaver	Pittsburgh
Bedford	Pittsburgh (Monongahela Valley)
Berks	Philadelphia
Blair	Pittsburgh (Monongahela Valley)
Bradford	Philadelphia
Bucks	Philadelphia
Butler	Pittsburgh
Cambria	Pittsburgh (Monongahela Valley)
Cameron	Philadelphia
Carbon	Philadelphia
Centre	Philadelphia
Chester	Philadelphia
Clarion	Pittsburgh
Clearfield	Pittsburgh (Monongahela Valley)
Clinton	Philadelphia
Columbia	Philadelphia
Crawford	Pittsburgh
Cumberland	Philadelphia
Dauphin	Philadelphia
Delaware	Philadelphia
Elk	Pittsburgh
Erie	Pittsburgh
Fayette	Pittsburgh (Monongahela Valley)
Forest	Pittsburgh
Franklin	Philadelphia
Fulton	Philadelphia
Greene	Pittsburgh (Monongahela Valley)
Huntingdon	Philadelphia
Indiana	Pittsburgh (Monongahela Valley)
Jefferson	Pittsburgh (Monongahela Valley)

Juniata	Philadelphia
Lackawanna	Philadelphia
Lancaster	Philadelphia
Lawrence	Pittsburgh
Lebanon	Philadelphia
Lehigh	Philadelphia
Luzerne	Philadelphia
Lycoming	Philadelphia
McKean	Pittsburgh
Mercer	Pittsburgh
Mifflin	Philadelphia
Monroe	Philadelphia
Montgomery	Philadelphia
Montour	Philadelphia
Northampton	Philadelphia
Northumberland	Philadelphia
Perry	Philadelphia
Philadelphia	Philadelphia
Pike	Philadelphia
Potter	Philadelphia
Schuylkill	Philadelphia
Snyder	Philadelphia
Somerset	Pittsburgh (Monongahela Valley)
Sullivan	Philadelphia
Susquehanna	Philadelphia
Tioga	Philadelphia
Union	Philadelphia
Venango	Pittsburgh
Warren	Pittsburgh
Washington	Pittsburgh (Monongahela Valley)
Wayne	Philadelphia
Westmoreland	Pittsburgh (Monongahela Valley)
Wyoming	Philadelphia
York	Philadelphia

EFFECTIVE: 03/14/97

24-2.40 RHODE ISLAND

All counties covered by the office at Boston.

EFFECTIVE: 01/31/78

24-2.41 SOUTH CAROLINA

All counties covered by the office at Columbia.

EFFECTIVE: 01/31/78

24-2.42 SOUTH DAKOTA

All counties covered by the office at Minneapolis. |The Pierre RA has supervisory responsibility over all counties and has direct mail service.|

EFFECTIVE: 11/03/95

24-2.43 TENNESSEE

|Resident agencies listed have direct mail service.|

COUNTY	COVERED BY OFFICE|(RA)|
Anderson	Knoxville
Bedford	Knoxville|(Chattanooga)|
Benton	Memphis
Bledsoe	Knoxville|(Chattanooga)|
Blount	Knoxville
Bradley	Knoxville|(Chattanooga)|
Campbell	Knoxville
Cannon	Memphis|(Nashville)|
Carroll	Memphis
Carter	Knoxville|(Johnson City)|
Cheatham	Memphis|(Nashville)|
Chester	Memphis
Claiborne	Knoxville|(Johnson City)|
Clay	Memphis|(Nashville)|
Cocke	Knoxville|(Johnson City)|

Coffee	Knoxville	(Chattanooga)
Crockett	Memphis	
Cumberland	Memphis	(Nashville)
Davidson	Memphis	(Nashville)
Decatur	Memphis	
De Kalb	Memphis	(Nashville)
Dickson	Memphis	(Nashville)
Dyer	Memphis	
Fayette	Memphis	
Fentress	Memphis	(Nashville)
Franklin	Knoxville	Chattanooga)
Gibson	Memphis	
Giles	Memphis	(Nashville)
Grainger	Knoxville	(Johnson City)
Greene	Knoxville	(Johnson City)
Grundy	Knoxville	(Chattanooga)
Hamblen	Knoxville	(Johnson City)
Hamilton	Knoxville	(Chattanooga)
Hancock	Knoxville	(Johnson City)
Hardeman	Memphis	
Hardin	Memphis	
Hawkins	Knoxville	(Johnson City)
Haywood	Memphis	
Henderson	Memphis	
Henry	Memphis	
Hickman	Memphis	(Nashville)
Houston	Memphis	(Nashville)
Humphreys	Memphis	(Nashville)
Jackson	Memphis	(Nashville)
Jefferson	Knoxville	(Johnson City)
Johnson	Knoxville	(Johnson City)
Knox	Knoxville	
Lake	Memphis	
Lauderdale	Memphis	
Lawrence	Memphis	(Nashville)
Lewis	Memphis	(Nashville)
Lincoln	Knoxville	(Chattanooga)
Loudon	Knoxville	
Macon	Memphis	(Nashville)
Madison	Memphis	
Marion	Knoxville	(Chattanooga)
Marshall	Memphis	(Nashville)
Maury	Memphis	(Nashville)
McMinn	Knoxville	(Chattanooga)
McNairy	Memphis	
Meigs	Knoxville	(Chattanooga)

Monroe	Knoxville
Montgomery	Memphis (Nashville)
Moore	Knoxville (Chattanooga)
Morgan	Knoxville
Obion	Memphis
Overton	Memphis (Nashville)
Perry	Memphis
Pickett	Memphis (Nashville)
Polk	Knoxville (Chattanooga)
Putnam	Memphis (Nashville)
Rhea	Knoxville (Chattanooga)
Roane	Knoxville
Robertson	Memphis (Nashville)
Rutherford	Memphis (Nashville)
Scott	Knoxville
Sequatchie	Knoxville (Chattanooga)
Sevier	Knoxville (Johnson City)
Shelby	Memphis
Smith	Memphis (Nashville)
Stewart	Memphis (Nashville)
Sullivan	Knoxville (Johnson City)
Sumner	Memphis (Nashville)
Tipton	Memphis
Trousdale	Memphis (Nashville)
Unicoi	Knoxville (Johnson City)
Union	Knoxville
Van Buren	Knoxville (Chattanooga)
Warren	Knoxville (Chattanooga)
Washington	Knoxville (Johnson City)
Wayne	Memphis (Nashville)
Weakley	Memphis
White	Memphis (Nashville)
Williamson	Memphis (Nashville)
Wilson	Memphis (Nashville)

EFFECTIVE: 11/03/95

24-2.44 TEXAS

Resident agencies listed have direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Anderson	Dallas (Tyler)
Andrews	El Paso
Angelina	Dallas (Tyler)
Aransas	Houston (Corpus Christi)
Archer	Dallas (Fort Worth)
Armstrong	Dallas (Lubbock)
Atascosa	San Antonio
Austin	Houston
Bailey	Dallas (Lubbock)
Bandera	San Antonio
Bastrop	San Antonio
Baylor	Dallas (Fort Worth)
Bee	Houston (Corpus Christi)
Bell	San Antonio
Bexar	San Antonio
Blanco	San Antonio
Borden	Dallas (Lubbock)
Bosque	San Antonio
Bowie	Dallas (Plano)
Brazoria	Houston (Texas City)
Brazos	Houston
Brewster	El Paso
Briscoe	Dallas (Lubbock)
Brooks	Houston (Corpus Christi)
Brown	Dallas (Lubbock)
Burleson	San Antonio
Burnet	San Antonio
Caldwell	San Antonio
Calhoun	Houston (Corpus Christi)
Callahan	Dallas (Lubbock)
Cameron	San Antonio (McAllen)
Camp	Dallas (Plano)
Carson	Dallas (Lubbock)
Cass	Dallas (Plano)
Castro	Dallas (Lubbock)
Chambers	Houston (Texas City)
Cherokee	Dallas
Childress	Dallas (Lubbock)
Clay	Dallas (Fort Worth)

Cochran	Dallas	(Lubbock)
Coke	Dallas	(Lubbock)
Coleman	Dallas	(Lubbock)
Collin	Dallas	(Plano)
Collingsworth	Dallas	(Lubbock)
Colorado	Houston	(Texas City)
Comal	San Antonio	
Comanche	Dallas	(Lubbock)
Concho	Dallas	(Lubbock)
Cooke	Dallas	(Plano)
Coryell	San Antonio	
Cottle	Dallas	(Fort Worth)
Crane	El Paso	
Crockett	Dallas	(Lubbock)
Crosby	Dallas	(Lubbock)
Culberson	El Paso	
Dallam	Dallas	(Lubbock)
Dallas	Dallas	
Dawson	Dallas	(Lubbock)
Deaf Smith	Dallas	(Lubbock)
Delta	Dallas	(Plano)
Denton	Dallas	(Plano)
De Witt	Houston	(Corpus Christi)
Dickens	Dallas	(Lubbock)
Dimmit	San Antonio	
Donley	Dallas	(Lubbock)
Duval	Houston	(Corpus Christi)
Eastland	Dallas	(Lubbock)
Ector	El Paso	
Edwards	San Antonio	
Ellis	Dallas	
El Paso	El Paso	
Erath	Dallas	(Fort Worth)
Falls	San Antonio	
Fannin	Dallas	(Plano)
Fayette	Houston	(Texas City)
Fisher	Dallas	(Lubbock)
Floyd	Dallas	(Lubbock)
Foard	Dallas	(Fort Worth)
Fort Bend	Houston	
Franklin	Dallas	(Plano)
Freestone	San Antonio	
Frio	San Antonio	
Gaines	Dallas	(Lubbock)
Galveston	Houston	(Texas City)
Garza	Dallas	(Lubbock)

Gillespie	San Antonio
Glasscock	Dallas (Lubbock)
Goliad	Houston (Corpus Christi)
Gonzales	San Antonio
Gray	Dallas (Lubbock)
Grayson	Dallas (Plano)
Gregg	Dallas (Tyler)
Grimes	Houston
Guadalupe	San Antonio
Hale	Dallas (Lubbock)
Hall	Dallas (Lubbock)
Hamilton	San Antonio
Hansford	Dallas (Lubbock)
Hardeman	Dallas (Fort Worth)
Hardin	Houston (Beaumont)
Harris	Houston
Harrison	Dallas (Tyler)
Hartley	Dallas (Lubbock)
Haskell	Dallas (Lubbock)
Hays	San Antonio
Hemphill	Dallas (Lubbock)
Henderson	Dallas (Tyler)
Hidalgo	San Antonio (McAllen)
Hill	San Antonio (McAllen)
Hockley	Dallas (Lubbock)
Hood	Dallas (Fort Worth)
Hopkins	Dallas (Plano)
Houston	Dallas (Tyler)
Howard	Dallas (Lubbock)
Hudspeth	El Paso
Hunt	Dallas (Plano)
Hutchinson	Dallas (Lubbock)
Irion	Dallas (Lubbock)
Jack	Dallas (Fort Worth)
Jackson	Houston (Texas City)
Jasper	Houston (Beaumont)
Jeff Davis	El Paso
Jefferson	Houston (Beaumont)
Jim Hogg	San Antonio
Jim Wells	Houston (Corpus Christi)
Johnson	Dallas (Forth Worth)
Jones	Dallas (Lubbock)
Karnes	San Antonio
Kaufman	Dallas
Kendall	San Antonio
Kenedy	Houston

Kent	Dallas (Lubbock)
Kerr	San Antonio
Kimble	San Antonio
King	Dallas (Fort Worth)
Kinney	San Antonio
Kleberg	Houston (Corpus Christi)
Knox	Dallas (Fort Worth)
Lamar	Dallas (Plano)
Lamb	Dallas (Lubbock)
Lampasas	San Antonio
LaSalle	San Antonio
Lavaca	Houston (Texas City)
Lee	San Antonio
Leon	San Antonio
Liberty	Houston (Beaumont)
Limestone	San Antonio
Lipscomb	Dallas (Lubbock)
Live Oak	Houston (Corpus Christi)
Llano	San Antonio
Loving	El Paso
Lubbock	Dallas (Lubbock)
Lynn	Dallas (Lubbock)
Madison	Houston
Marion	Dallas (Tyler)
Martin	El Paso
Mason	San Antonio
Matagorda	Houston (Texas City)
Maverick	San Antonio
McCulloch	San Antonio
McLennan	San Antonio
McMullen	San Antonio
Medina	San Antonio
Menard	Dallas (Lubbock)
Midland	El Paso
Milam	San Antonio
Mills	Dallas (Lubbock)
Mitchell	Dallas (Lubbock)
Montague	Dallas (Fort Worth)
Montgomery	Houston
Moore	Dallas (Lubbock)
Morris	Dallas (Plano)
Motley	Dallas (Lubbock)
Nacogdoches	Dallas (Tyler)
Navarro	Dallas
Newton	Houston (Beaumont)
Nolan	Dallas (Lubbock)

Nueces	Houston	(Corpus Christi)
Ochiltree	Dallas	(Lubbock)
Oldham	Dallas	(Lubbock)
Orange	Houston	(Beaumont)
Palo Pinto	Dallas	(Fort Worth)
Panola	Dallas	(Tyler)
Parker	Dallas	(Fort Worth)
Parmer	Dallas	(Lubbock)
Pecos	El Paso	
Polk	Houston	(Beaumont)
Potter	Dallas	(Lubbock)
Presidio	El Paso	
Rains	Dallas	(Tyler)
Randall	Dallas	(Lubbock)
Reagan	Dallas	(Lubbock)
Real	San Antonio	
Red River	Dallas	(Plano)
Reeves	El Paso	
Refugio	Houston	(Corpus Christi)
Roberts	Dallas	(Lubbock)
Robertson	San Antonio	
Rockwall	Dallas	(Plano)
Runnels	Dallas	(Lubbock)
Rusk	Dallas	(Tyler)
Sabine	Houston	(Beaumont)
San Augustine	Houston	(Beaumont)
San Jacinto	Houston	
San Patricio	Houston	(Corpus Christi)
San Saba	San Antonio	
Schleicher	Dallas	(Lubbock)
Scurry	Dallas	(Lubbock)
Shackelford	Dallas	(Lubbock)
Shelby	Dallas	(Tyler)
Sherman	Dallas	(Lubbock)
Smith	Dallas	(Tyler)
Somervell	San Antonio	
Starr	San Antonio	(McAllen)
Stephens	Dallas	(Lubbock)
Sterling	Dallas	(Lubbock)
Stonewall	Dallas	(Lubbock)
Sutton	Dallas	(Lubbock)
Swisher	Dallas	(Lubbock)
Tarrant	Dallas	(Fort Worth)
Taylor	Dallas	(Lubbock)
Terrell	San Antonio	
Terry	Dallas	(Lubbock)

Throckmorton	Dallas	(Lubbock)
Titus	Dallas	(Plano)
Tom Green	Dallas	(Lubbock)
Travis	San Antonio	
Trinity	Houston	(Beaumont)
Tyler	Houston	(Beaumont)
Upshur	Dallas	(Tyler)
Upton	El Paso	
Uvalde	San Antonio	
Val Verde	San Antonio	
Van Zandt	Dallas	(Tyler)
Victoria	Houston	(Corpus Christi)
Walker	Houston	
Waller	Houston	
Ward	El Paso	
Washington	San Antonio	
Webb	San Antonio	
Wharton	Houston	(Texas City)
Wheeler	Dallas	(Lubbock)
Wichita	Dallas	(Fort Worth)
Wilbarger	Dallas	(Fort Worth)
Willacy	San Antonio	(McAllen)
Williamson	San Antonio	
Wilson	San Antonio	
Winkler	El Paso	
Wise	Dallas	(Fort Worth)
Wood	Dallas	(Tyler)
Yoakum	Dallas	(Lubbock)
Young	Dallas	(Fort Worth)
Zapata	San Antonio	
Zavala	San Antonio	

EFFECTIVE: 11/03/95

24-2.45 UTAH

All counties covered by the office at Salt Lake City.

EFFECTIVE: 01/31/78

24-2.46 VERMONT

All counties covered by the office at Albany, N.Y.

EFFECTIVE: 01/31/78

24-2.47 VIRGINIA

Resident agencies listed have direct mailing addresses.

INDEPENDENT CITIES

CITY	COVERED BY OFFICE (RA)
Alexandria	Washington Field Office (WFO)
Bedford	Richmond
Bristol	Richmond
Buena Vista	Richmond
Charlottesville	Richmond (Fredericksburg)
Chesapeake	Norfolk
Clifton Forge	Richmond
Colonial Heights	Richmond
Covington	Richmond
Culpeper	Richmond
Danville	Richmond
Emporia	Richmond
Fairfax	WFO
Falls Church	WFO
Franklin	Norfolk
Fredericksburg	Richmond (Fredericksburg)
Galax	Richmond
Hampton	Norfolk
Harrisonburg	Richmond (Fredericksburg)
Hopewell	Richmond
Leesburg	WFO
Lexington	Richmond
Lynchburg	Richmond
Manassas	WFO
Martinsville	Richmond
Newport News	Norfolk
Norfolk	Norfolk
Norton	Richmond

Petersburg	Richmond
Portsmouth	Norfolk
| Quantico	|WFO|
Radford	Richmond
Richmond	Richmond
Roanoke	Richmond
Salem	Richmond
South Boston	Richmond
Staunton	Richmond (Fredericksburg)
Suffolk	Norfolk
| Vienna	|WFO|
Virginia Beach	Norfolk
| Warrenton	|WFO|
Waynesboro	Richmond (Fredericksburg)
Williamsburg	Norfolk
Winchester	Richmond (Fredricksburg)

COUNTIES

COUNTY	COVERED BY OFFICE (RA)
Accomack	Norfolk
Albemarle	Richmond (Fredericksburg)
Alleghany	Richmond
Amelia	Richmond
Amherst	Richmond
Appomattox	Richmond
| Arlington	|WFO|
Augusta	Richmond (Fredericksburg)
Bath	Richmond
Bedford	Richmond
Bland	Richmond
Botetourt	Richmond
Brunswick	Richmond
Buchanan	Richmond
Buckingham	Richmond
Campbell	Richmond
Caroline	Richmond (Fredericksburg)
Carroll	Richmond
Charles City	Richmond
Charlotte	Richmond
Chesterfield	Richmond
Clarke	Richmond (Fredericksburg)
Craig	Richmond
Culpeper	Richmond (Fredericksburg)

Cumberland	Richmond
Dickenson	Richmond
Dinwiddle	Richmond
Essex	Richmond (Fredericksburg)
Fairfax	WFO
Fauquier	WFO
Floyd	Richmond
Fluvanna	Richmond (Fredericksburg)
Franklin	Richmond
Frederick	Richmond (Fredericksburg)
Giles	Richmond
Gloucester	Norfolk
Goochland	Richmond
Grayson	Richmond
Greene	Richmond (Fredericksburg)
Greensville	Richmond
Halifax	Richmond
Hanover	Richmond
Henrico	Richmond
Henry	Richmond
Highland	Richmond (Fredericksburg)
Isle of Wight	Norfolk
James City	Norfolk
King and Queen	Richmond (Fredericksburg)
King George	Richmond (Fredericksburg)
King William	Richmond
Lancaster	Richmond (Fredericksburg)
Lee	Richmond
Loudoun	WFO
Louisa	Richmond (Fredericksburg)
Lunenburg	Richmond
Madison	Richmond (Fredericksburg)
Mathews	Norfolk
Mecklenburg	Richmond
Middlesex	Richmond (Fredericksburg)
Montgomery	Richmond
Nansemond	Norfolk
Nelson	Richmond (Fredericksburg)
New Kent	Richmond
Northampton	Norfolk
Northumberland	Richmond (Fredericksburg)
Nottoway	Richmond
Orange	Richmond (Fredericksburg)
Page	Richmond (Fredericksburg)
Patrick	Richmond
Pittslyvania	Richmond

Powhatan	Richmond
Prince Edward	Richmond
Prince George	Richmond
Prince William	WFO
Pulaski	Richmond
Rappanhannock	Richmond (Fredericksburg)
Richmond	Richmond (Fredericksburg)
Roanoke	Richmond
Rockbridge	Richmond
Rockingham	Richmond (Fredericksburg)
Russell	Richmond
Scott	Richmond
Shenandoah	Richmond (Fredericksburg)
Smyth	Richmond
Southampton	Norfolk
Spotsylvania	Richmond (Fredericksburg)
Stafford	WFO
Surry	Richmond
Sussex	Richmond
Tazewell	Richmond
Warren	Richmond (Fredericksburg)
Washington	Richmond
Westmoreland	Richmond (Fredericksburg)
Wise	Richmond
Wythe	Richmond
York	Norfolk

AGENCIES

CIA	WFO
Pentagon	WFO

AIRPORTS

Dulles International	WFO
National	WFO

MILITARY BASES

Dahlgren Naval Station	Richmond (Fredericksburg)
Fort A. P. Hill	Richmond (Fredericksburg)
Fort Monroe	Norfolk
Navy Annex	WFO

EFFECTIVE: 03/14/97

24-2.48 WASHINGTON

All counties covered by the office at Seattle.

EFFECTIVE: 08/27/90

24-2.49 WEST VIRGINIA

All counties covered by the office at Pittsburgh. Resident agency(s) listed has direct mail service.

COUNTY	COVERED BY OFFICE (RA)
Barbour	Pittsburgh (Monongahela Valley)
Berkeley	Pittsburgh (Monongahela Valley)
Braxton	Pittsburgh (Monongahela Valley)
Brooke	Pittsburgh (Monongahela Valley)
Calhoun	Pittsburgh (Monongahela Valley)
Doddridge	Pittsburgh (Monongahela Valley)
Gilmer	Pittsburgh (Monongahela Valley)
Grant	Pittsburgh (Monongahela Valley)
Hampshire	Pittsburgh (Monongahela Valley)
Hancock	Pittsburgh (Monongahela Valley)
Hardy	Pittsburgh (Monongahela Valley)
Harrison	Pittsburgh (Monongahela Valley)
Jefferson	Pittsburgh (Monongahela Valley)
Lewis	Pittsburgh (Monongahela Valley)
Marion	Pittsburgh (Monongahela Valley)
Marshall	Pittsburgh (Monongahela Valley)
Mineral	Pittsburgh (Monongahela Valley)
Monongalia	Pittsburgh (Monongahela Valley)
Morgan	Pittsburgh (Monongahela Valley)
Ohio	Pittsburgh (Monongahela Valley)
Pendleton	Pittsburgh (Monongahela Valley)
Pleasants	Pittsburgh (Monongahela Valley)
Pocahontas	Pittsburgh (Monongahela Valley)
Preston	Pittsburgh (Monongahela Valley)
Randolph	Pittsburgh (Monongahela Valley)

Ritchie	Pittsburgh (Monongahela Valley)
Taylor	Pittsburgh (Monongahela Valley)
Tucker	Pittsburgh (Monongahela Valley)
Upshur	Pittsburgh (Monongahela Valley)
Webster	Pittsburgh (Monongahela Valley)
Wetzel	Pittsburgh (Monongahela Valley)

EFFECTIVE: 03/19/97

24-2.50 WISCONSIN

All counties covered by the office at Milwaukee.

EFFECTIVE: 08/27/90

24-2.51 WYOMING

All counties covered by the office at Denver except Yellowstone National Park, covered by Salt Lake City.

EFFECTIVE: 08/27/90

24-3 POSSESSIONS AND COMMONWEALTHS

EFFECTIVE: 08/27/90

24-3.1 GUAM

Guam covered by the office at Honolulu.

EFFECTIVE: 08/27/90

24-3.2 NORTHERN MARIANAS

Commonwealth of Northern Marianas covered by office at Honolulu.

EFFECTIVE: 08/27/90

24-3.3 PUERTO RICO

Commonwealth of Puerto Rico covered by the office at San Juan.

EFFECTIVE: 08/27/90

24-3.4 VIRGIN ISLANDS

Virgin Islands covered by the office at San Juan.

EFFECTIVE: 08/27/90

24-4 STATE CAPITOLS

STATE	CAPITAL	COVERED BY OFFICE AT
Alabama	Montgomery	Mobile
Alaska	Juneau	Anchorage
Arizona	Phoenix	Phoenix
Arkansas	Little Rock	Little Rock
California	Sacramento	Sacramento
Colorado	Denver	Denver
Connecticut	Hartford	New Haven
Delaware	Dover	Baltimore

Florida	Tallahassee	Jacksonville
Georgia	Atlanta	Atlanta
Hawaii	Honolulu	Honolulu
Idaho	Boise	Salt Lake City
Illinois	Springfield	Springfield
Indiana	Indianapolis	Indianapolis
Iowa	Des Moines	Omaha
Kansas	Topeka	Kansas City
Kentucky	Frankfort	Louisville
Louisiana	Baton Rouge	New Orleans
Maine	Augusta	Boston
Maryland	Annapolis	Baltimore
Massachusetts	Boston	Boston
Michigan	Lansing	Detroit
Minnesota	St. Paul	Minneapolis
Mississippi	Jackson	Jackson
Missouri	Jefferson City	Kansas City
Montana	Helena	Salt Lake City
Nebraska	Lincoln	Omaha
Nevada	Carson City	Las Vegas
New Hampshire	Concord	Boston
New Jersey	Trenton	Newark
New Mexico	Santa Fe	Albuquerque
New York	Albany	Albany
North Carolina	Raleigh	Charlotte
North Dakota	Bismarck	Minneapolis
Ohio	Columbus	Cincinnati
Oklahoma	Oklahoma City	Oklahoma City
Oregon	Salem	Portland
Pennsylvania	Harrisburg	Philadelphia
Rhode Island	Providence	Boston
South Carolina	Columbia	Columbia
South Dakota	Pierre	Rapid City
Tennessee	Nashville	Memphis
Texas	Austin	San Antonio
Utah	Salt Lake City	Salt Lake City
Vermont	Montpelier	Albany
Virginia	Richmond	Richmond
Washington	Olympia	Seattle
West Virginia	Charleston	Pittsburgh
Wisconsin	Madison	Milwaukee
Wyoming	Cheyenne	Denver

24-5 UNITED STATES - MEXICO BORDER

[redacted]

(C) [redacted] (C) b1

All other requests for investigations in foreign countries should be sent to the Bureau.

EFFECTIVE: 11/03/95

ALL INFORMATION CONTAINED HERE IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Administrative 6-2-98
CLASSIFIED BY: SP5 JC/pmp
REASON: 1.5 (d)
DECLASSIFY ON: X6

24-6 FOREIGN COUNTRIES

|Territorial allocation details are no longer maintained in the manuals. An up-to-date listing is available in the FOIMS Tables Application, "Territorial Allocation, Foreign Territorial Allocation" options.|

EFFECTIVE: 11/16/93

OPCA-20 (12-3-96)

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☑ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☐ (b)(3)	☐ (b)(7)(C)	☐ (k)(1)
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_____	☑ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
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