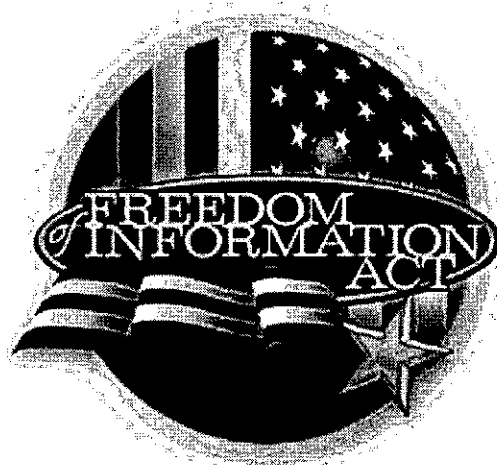


**FREEDOM OF INFORMATION  
AND  
PRIVACY ACTS**

**SUBJECT: MANUAL OF ADMINISTRATIVE  
OPERATIONS AND PROCEDURES**

**(PART 4 OF 8)**



**FEDERAL BUREAU OF INVESTIGATION**

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# Manual of Administrative Operations and Procedures

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SECTION 1. SUPERVISION - AVAILABILITY - RESIDENT AGENCIES

1-1 SAC AND ASAC SUPERVISORY RESPONSIBILITY

EFFECTIVE: 10/28/85

1-1.1 Supervision of Personnel

(1) SACs and Assistant Directors in Charge (ADICs) have exclusive jurisdiction over employees in their offices except those on special assignment from FBIHQ.

(2) Assigned to most offices is an ASAC. His/Her duties and authority are, in the absence of the SAC, the duties of the SAC. This authority also applies to SACs in offices with ADICs.

(3) All references in this manual to SACs and ADICs apply with equal effect to the acting SAC or ADIC during the SAC's or ADIC's absence.

(4) Agents may be authorized by FBIHQ, upon the justified request of the SAC or ADIC, to act in administrative capacities. When so authorized, they are known as:

(a) Field Supervisor - full time

(b) Night Supervisor - to serve full time at night and is responsible to the SAC or ADIC for the functioning of the office at night. Agents approved as night supervisors are approved initially for a period of six months and upon request and recommendation of the SAC or ADIC can be approved as night supervisor for no more than two six-month periods in order that supervisor not be removed from investigative assignments for an extended period of time.

(c) Relief Supervisor - to serve only in the absence of full-time supervisory personnel. Relief supervisors may be utilized for night, weekend, and holiday duty. (See MAOP, Part I, 3-2.1.)

(d) Deleted

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(e) Deleted

(See Part I, Section 3, of this manual for qualifications for various supervisory positions.)

(5) ASACs and field supervisors may be authorized by FBIHQ to act in place of the SAC in certain phases of work. In offices with an ADIC, an SAC or Associate SAC may be authorized by FBIHQ to act in place of the ADIC.

(a) When an SAC or ADIC retires, transfers or otherwise permanently vacates his/her position, written notification of the employee selected to serve in an acting capacity for the SAC or ADIC is to be provided by the field office to the Assistant Director (AD), Personnel Division (PD), FBIHQ (Attention: Administrator, Executive Development and Selection Program (EDSP)) for approval. The AD's approval will be granted on a UACB basis.

(b) An employee selected to serve in an acting capacity, typically an Associate SAC, Assistant SAC (ASAC), or an SAC in an office having an ADIC, should be named prior to the departure of the SAC or ADIC when possible.

(c) An employee serving in an acting capacity remains assigned to his/her permanent position and will not be temporarily promoted since acting assignments typically last for 180 days or less. If an acting assignment is expected to exceed 180 days at the outset, the Administrator, EDSP, PD, should be advised of the particular circumstances to determine appropriate procedures to follow and if a temporary promotion may be considered.

(d) In the unlikely event that an ADIC, SAC, Associate SAC, and/or ASAC are scheduled to vacate their positions at the same time, thereby creating a void in the upper echelon management of a field office, the Administrator, EDSP, PD, should be contacted for assistance. The EDSP will take appropriate steps to help the office ensure that the chain of command is maintained and that any necessary selection procedures are followed until permanent replacements are selected and have reported to the office.

(6) Assignments are to be made so that responsibility for the performance of a function or duty is fixed. Documentation is to be made in the office personnel file showing the date on which each field supervisor assumes responsibility for a particular desk. When changes are made in the supervisory responsibilities of desks, such as transfers of classifications from one desk to another, documentation

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is to be made in the office personnel file showing the dates such changes become effective.

(7) The Administrative Officer or Support Services Supervisor is responsible for the support functions of the office and is to report to the SAC or ADIC failure of other employees to comply with regulations concerning handling of files and correspondence.

EFFECTIVE: 07/15/97

1-1.2 SAC Inspection Responsibility

(1) The SAC will take an inventory of the contents of the office safe and check its security on a monthly basis.

(2) The SAC will make unannounced checks of premises and productivity of employees outside of the regular workday. SAC will check the field office plants, radio station if located outside the office, security of automobiles at contract garages, and security of resident agencies. These checks are to be recorded.

(3) For SAC inspection responsibility regarding resident agencies see Part II, Section 1-3.10 of this manual.

EFFECTIVE: 09/28/90

1-1.3 SAC Personal Contacts

(1) The following individuals should be contacted by the SAC after SAC's arrival in an office:

- (a) Federal judges
- (b) U.S. Attorneys
- (c) State judges
- (d) Governors
- (e) State and county prosecutors

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(f) Executive secretary of state chamber of commerce

(g) In the principal cities: mayors; chiefs of police; officials of newspapers; managers or owners of appropriate radio and television stations; heads of civic clubs; heads of Federal intelligence agencies; Government, business and labor leaders; top representatives of airlines, railroads, telephone companies, Western Union, better business bureaus and banks.

(2) To ensure that the most effective and efficient use of the FBI's and the Department's limited investigative and prosecutive resources, SACs shall meet regularly with their respective U.S. Attorney(s). Frequent meetings and discussions between SACs and U.S. Attorneys are critical to ensure an effective relationship. There is no requirement that each contact with a U.S. Attorney be documented, but SACs should use judgment to record important discussions and understandings which good management practice indicates should be documented. The quality of the relationship and the frequency of SACs' contact with their respective U.S. Attorney(s) will be reviewed during each inspection of an office.

EFFECTIVE: 09/28/90

1-1.4 Supervision of Cases (See MAOP, Part I, 21-7; II, 1-3.13.3, 8-1.2.3.)

(1) The office of origin (OO) is responsible for proper supervision of cases not only in its own territory, but also of investigations being conducted in an auxiliary office (AO). An Agent to whom a case is assigned in the OO as well as an AO is personally responsible for ensuring all logical investigation is initiated without undue delay; this includes setting forth leads for other offices or other Agents in his/her office. The OO case Agent has overall responsibility for supervision of an investigation. When an AO has a delayed or delinquent investigation, it is the responsibility of the OO case Agent to notify them by routing slip, electronic communication, or teletype depending on the importance of the situation.

(2) Supervisory file reviews must be conducted by full-time supervisors or primary relief supervisors, with approval of the SAC in exceptional circumstances, such reviews not being in succession, with their subordinates, including Resident Agents, at

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least once every 120 days or more frequently if deemed appropriate by SAC. (File reviews for probationary Agents must be conducted at 60-day intervals. See Part II, Section 8-1.2.3, of this manual.) A file review must be a person-to-person conference where each investigative matter is discussed and instructions given to the Agent which are noted on FD-271. File review sheets (FD-271) must be executed in duplicate, with the Agent being permitted to retain a copy for 150 days, and the originals retained by the supervisor in each Agent's administrative folder until the next inspection. However, if an Agent has only applicant cases assigned and is in compliance with Bureau deadlines and regulations, the person-to-person conference may be waived. If it is, supervisor will make suitable comments on FD-271 concerning Agent's caseload, performance, compliance with Bureau deadlines and regulations, and record the fact that no conference was held. File reviews should be conducted in private and relief supervisor may be used to handle work of the desk while supervisor is conducting file reviews. If the full-time supervisor is absent for an extended period due to illness or annual leave, the SAC may authorize a relief supervisor to handle file review. The file review should be date coordinated with the progress review session in order that they may be held at the same time.

(3) A Performance Summary Assessment (PSA), during which an Agent is provided with an enhanced level of feedback regarding his/her performance, is to be conducted during person-to-person file review conferences held pursuant to the requirements of this section (see above).

(a) PSAs are intended to facilitate communication between supervisory officials and Agent personnel regarding individual performance. The feedback provided should include an assessment of the Agent's performance in light of the critical elements and performance standards of his/her Performance Plan, although adjective rating levels are not specifically required. During each PSA, the Agent must be advised of his/her strengths and/or weaknesses in each critical element, with specific references to the assignments and casework discussed during the file review conference.

(b) Although they may be conducted at more frequent intervals, a PSA must be conducted at least every 90 calendar days for each Agent subject to the file review process. If file reviews are conducted at more frequent intervals, a PSA would be advisable but not necessarily required during each file review session as long as the 90-day requirement is met. Based on the Probationary Agent Program's (see MAOP, Part II, Section 8-1.2.3) emphasis on training,

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development and supervisory continuity, probationary Agents are to receive PSAs at 60-day intervals to coincide with the file review requirements for Agents in a probationary status.

(c) An FD-865 - PSA must be completed at the conclusion of each file review session for which a PSA was conducted. The form must be signed and dated by the supervising official, and a copy placed in the employee's performance folder maintained by the rating official for performance appraisal purposes. The original FD-865 must be submitted to executive management within each office, who will be responsible for ensuring that PSAs are conducted, and that an FD-865 is completed for each.

(d) The copies of the completed forms which are maintained in an employee's performance folder must be maintained and then destroyed in conjunction with all other performance-related documentation in compliance with the requirements delineated at MAOP, Part I, Section 5-4. This provision does not apply to the original FD-865, which is maintained for inspection or other purposes not related to the performance appraisal process.

(e) PSAs are not governed by the FBI's Performance Management System, and do not nullify the requirements pertaining to the conduct of Progress Review Sessions (PRSs) or the issuance of Performance Appraisal Reports (PARs). However, supervisors are encouraged to schedule a PSA to coincide with the conduct of a PRS or the issuance of a PAR, thereby minimizing, to the extent possible, any duplication of effort. For example, in that PAR narratives provide the required level of feedback required by a PSA, the supervisor may satisfy the administrative requirements pertaining to the PSA by simply referencing the PAR on the FD-865.

(f) For additional information or more specific guidance pertaining to PSAs, supervisors should contact the Performance, Recognition and Awards Unit, Personnel Division, FBIHQ.

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1-1.5 Information to be Submitted to FBIHQ

(1) In view of the restrictive provisions of the Privacy Act of 1974, Title 5, USC, Section 552a, good judgment and common sense must be exercised at all times in determining what information concerning individuals is to be transmitted to FBIHQ. For details of such restrictions, you are referred to MIOG, Part I, Section 190-5 and 190-5.1, which requires such information collected and maintained to be relevant, necessary and within the scope of an authorized law enforcement activity and a purpose of this Bureau authorized to be accomplished by statute or executive order.

(2) Within the limitations imposed by this law, consideration should be given to furnishing FBIHQ only information which logically will impact on numerous other field offices and on FBI operations at the national or international level.

(3) Care should be taken to ensure all information furnished to FBIHQ is information which is lawfully collected. If the information concerns an individual citizen, it is not enough that such data might be of interest to FBIHQ; its collection and maintenance must be pursuant to Federal law.

(4) If an SAC receives an inquiry from a Cabinet officer or U.S. Senator or Congressman/Congresswoman concerning an official matter, it should be brought to FBIHQ attention immediately.

EFFECTIVE: 05/31/90

1-1.5.1 Official Channels

(1) All "administrative" matters, such as accounts, requests for transfers, increases in salary, and reclassification of employees, shall be presented to immediate supervisors.

(2) Any employee, if he/she considers that the circumstances require, may present his/her case in writing to the Director or may present it orally to an appropriate Bureau official.

(3) Official communications are sent to an employee through the field office to which assigned and stationed.

(4) Communications and official matters in which the Department of Justice is interested are to be directed to FBIHQ.

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(5) Office memoranda (memoranda addressed to all employees or group of employees)

(a) Office memoranda which are purely administrative in nature may be prepared and distributed without FBIHQ approval. Examples are memoranda scheduling firearms training, employee conferences, and office social events or functions; memoranda setting forth facts and developments in major pending cases; and memoranda setting forth facts and requesting or instructing contact with informants and sources.

(b) Memoranda which establish rules, regulations, procedures, or policies, such as those found in various Bureau manuals, or which set forth information and instructions of the type normally handled by FBIHQ in an SAC memorandum must be submitted to FBIHQ for approval before distribution. Submit memoranda in duplicate so that FBIHQ approval or disapproval can be stamped on one copy and the copy returned to the requesting office.

(c) Written instructions of FBIHQ, such as those found in an SAC memorandum or in a Bureau letter addressed to one or more field offices may be reproduced as the SAC deems necessary. Those written instructions marked "MAY NOT BE REPRODUCED" shall not be reproduced, or quoted or paraphrased in office memoranda, unless the communication from FBIHQ specifically authorizes same. Also, no oral instructions of FBIHQ shall be disseminated by use of office memoranda, unless the oral instructions included specific authorization for such dissemination. Reproduction of office memoranda which are prepared in accordance with item (b) above, or which otherwise require FBIHQ authority are to be charged out and accounted for in the same manner as any other type of communication, such as a serial in the file. Written or oral instructions issued by FBIHQ or a particular field office are not to be disseminated outside the FBI. Guidelines for the dissemination of information to other agencies may be found in Part II, Section 9 of this manual.

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1-1.6 Conferences of Supervisory Staff

At least two general conferences of the supervisory staff of field offices must be held weekly with the SAC, scheduled in advance. Offices having special squads must hold one weekly conference for each such squad. Separate conferences with criminal supervisors and security supervisors are left to discretion of SAC. Wherever practical, the seminar approach should be utilized.

EFFECTIVE: 03/24/86

1-1.7 Use of Official Names of Employees

When the name of an employee is used in official communications, it must be identical with that appearing on the payroll.

EFFECTIVE: 03/24/86

1-1.8 Use of Identification Cards

EFFECTIVE: 03/24/86

1-1.8.1 FBIHQ and Washington|Metropolitan|Field Office

(1) Noninvestigative employees' identification cards are to be worn in such a manner that the photograph and name will be clearly visible. They are to be worn and visibly displayed on the outer garments at all times immediately after employees enter the building. (Good judgment should prevail where the wearing of the badge around machinery and electrically operated filing cabinets would create a safety hazard for the employee.) The card is not to be worn when employees are outside the building.

(2) Investigative employees' identification cards are to be used in the same manner described in (1) above, while in FBIHQ space. Employees assigned to Washington|Metropolitan|Field Office will not have to wear their cards while working in 1900 Half Street Building inasmuch as the card issued to investigative employees is intended only as

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an FBIHQ security device.

EFFECTIVE: 02/20/89

1-1.8.2 All Field Offices (Except Washington|Metropolitan|Field Office)

(1) Noninvestigative employee photograph identification card is to be worn in such a manner that the photograph and name will be clearly visible. It is to be worn at all times while in Bureau space except that it need not be worn while employee is at his/her desk or at his/her customary working area. It is not to be worn outside of Bureau space. A temporary identification card is to be issued to all new employees pending preparation of permanent identification card issued by FBIHQ or when permanent card has been lost or left at home.

(2) Non-FBI employee identification card, which is yellow in color, is to be issued to non-Bureau employees, such as employees of commercial concerns after their names have been properly checked through office indices, if they are to spend an appreciable amount of time in Bureau space and will not be escorted by Bureau employees. This card is to be surrendered upon completion of work. If work lasts more than one day, card must be surrendered at the end of each day.

(3) General Services Administration Maintenance Employees performing their regularly assigned duties in Bureau space will use their own credentials which must be affixed to their person while in Bureau space.

(4) A permanent identification card which bears the employee's photograph must be issued to non-Federal maintenance employees regularly performing duties in Bureau space. This permanent-type card is prepared at FBIHQ upon the field's request, and when the employee ceases performing duties for the Bureau, it is the responsibility of each SAC to advise FBIHQ of this fact and to destroy the card in question. A temporary card for non-Federal maintenance employees bearing a control number and the words "temporary pass" is to be issued pending preparation of the permanent card. Either the permanent identification card or the temporary card is to be issued each day when non-Federal maintenance employees enter Bureau space and is to be returned each day upon departure. These procedures apply only in field office headquarters.

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EFFECTIVE: 02/20/89

1-1.8.3 Photographs on Identification Cards

(1) ALL IDs - The camera should be mounted on a tripod, turned for a vertical photograph and elevated to a height even with the subject's nose. FULLFACE photograph is required. Individual being photographed should have his/her name and office lettered on a placard (letters should be a minimum of 1 inch in height), held about the middle of his/her chest at time of photograph. Individual should be at least 2 feet in front of white background to avoid shadows. The flash cord should be attached to the camera and the flash held above and to one side of the camera as far as possible. Make sure flash is pointed toward subject's face. Be sure camera is focused on subject's eyes. Submit photographs or exposed film with Form FD-464 to Property and Procurement Management Section, Finance Division, FBIHQ.

(2) CLERICAL "HARD" IDs - COLOR POLAROID photographs should be taken using a Graflex camera with Polaroid adapter or other polaroid camera. Head size should be 1 1/4 inch from the crown of the head to the point of the chin.

(3) SPECIAL AGENT AND SPECIAL EMPLOYEE "SOFT" IDs - Color photographs should be taken using the Mamiya 645 with 210-mm lens. Vericolor III, Type "S" film should be used with a Vivitar 283 electronic flash. It is necessary that a 13/16 inch head size is produced on the film, measured from the crown of the head to the point of the chin. To achieve this size, either use the credential focusing screen available from FBIHQ or place the camera 9 1/2 feet from the front of the lens to the subject's nose. The exposure should be 1/60 seconds at F-16 with the flash on MANUAL. Make one exposure at beginning of roll with subject holding 18 percent gray card to ensure correct color.

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1-1.9 Special Agent Linguists and Language-Trained Agents (See  
MAOP, Part I, 11-1(9) and 22-2 through 22-2.3.)

(1) Special Agents (SAs) who receive their appointment based upon their skill in a foreign language execute Form 3-26 upon entering the FBI wherein they agree and affirm that they "...may be required to utilize such skill, abilities or expertise either intermittently or continuously throughout... (their) employment, based upon the needs of the Federal Bureau of Investigation, and at any duty station where they are required." These SAs are construed to have a career-long obligation to the Foreign Language Program.

(2) SAs and other FBI employees who acquire or enhance their foreign language skills through an FBI-sponsored language course incur an obligation to remain in the service of the FBI and to accept assignments within or to field offices based upon their language ability. The length of this obligation is set forth on the FD-375 (Training Agreement) and varies in accordance with the length and/or cost of the training. Generally, basic language trainees, such as those who study at the Defense Language Institute (DLI) or the Foreign Service Institute (FSI), incur a three-year obligation. Subsequent or recurring periods of training lengthen this obligation. (See MAOP, Part I, 22-2.1 (3).)

(3) Deleted

EFFECTIVE: 09/29/97

1-2 AVAILABILITY OF EMPLOYEES

(1) Employees are subject to duty at all times. All Agents are expected to be available for general or special assignment wherever their services may be needed.

(2) All employees are to report for duty even though it may be announced by radio, television, or newspaper that all but essential government employees are excused from work because of inclement weather. The very nature of the Bureau's work makes it essential that our employees report for duty on such occasions. If unable to report for any reason, employees should advise their supervisors.

(3) ADICs and SACs must keep FBIHQ and their field

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offices advised of their whereabouts.

(4) When an itinerary is required, Form FD-330 may be used. This form should be destroyed after it has served its purpose.

(5) Agents on transfer traveling by personal auto must keep the ADIC/SAC of the office from which transferred advised of places where they can be reached, preferably by memo of itinerary left in advance. When a personally owned vehicle is used for extended travel on leave or transfer, itinerary information furnished should include the vehicle's description and license number.

(6) Employees on special assignment traveling by personal auto must keep FBIHQ advised of their whereabouts by an electronic communication submitted in advance. If for any reason planned itinerary is interrupted, the appropriate FBIHQ official should be advised.

(7) Employees in leave status must keep the ADIC or SAC of the division to which assigned advised of their exact whereabouts. (See item (5) above.)

(8) Investigative employees working in headquarters city and environs must call the office at approximately two-hour intervals unless they can be reached immediately by means of two-way radio or a pager or cellular phone.

(9) All employees on an assignment which requires them to be absent from the office at the beginning or end of the workday must contact the office by telephone or radio to indicate they are beginning/terminating work for the day and their time of arrival or departure for home. ADICs, SACs and division heads may alter this instruction to accommodate special circumstances, such as employees on undercover assignment where notifying the office at the beginning or end of the workday is both impractical and dangerous, or small RAs where frequently no one is at the RA to be notified. (See MAOP, Part II, 3-3.2(5)(b).)

(10) When leaving residence on personal business prior or subsequent to working hours, Saturdays, Sundays, or holidays, Agents, other than those in supervisory positions and those on assignments of particular importance who must keep the office advised of their whereabouts at all times, are not required to advise the office of whereabouts if absence is for two hours or less. If absence is for more than two hours, Agent must advise the office of his/her whereabouts if telephone is not covered.

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(11) It is left to the discretion and good judgment of an SAC as to whether it is necessary for either SAC or the ASAC to be physically present in the office during regular business hours. In the event that both the SAC and ASAC are absent from the office there should be a clear delegation of authority and responsibility made by the SAC utilizing experienced supervisory personnel. In the event it is necessary for both the SAC and ASAC to be out of headquarters city all day, FBIHQ must be appropriately advised in advance with the reason for their absence as well as the identity of the person who will be in charge of the office during their absence. When they are absent from the office, however, still physically present in headquarters city and are otherwise available through modern communications, no such notification to FBIHQ is necessary. Leave should not be requested by the SAC for a period during which SAC knows the ASAC must be away on routine business which has already been scheduled at the time the request is made, and likewise the ASAC should not request leave, knowing in advance that the SAC must be away during ASAC's absence.

(a) If either the SAC or the ASAC is absent on annual leave and it becomes necessary for the other to take annual leave because of an emergency, the one on leave must return immediately to the office. In such a situation, a communication must be directed to the Assistant Director, Personnel Division (PD) (Attention: Administrator, Executive Development and Selection Program (EDSP)) requesting leave and including a statement that either the SAC or ASAC who is on annual leave will be back on duty by the time the other official departs. If circumstances appear to warrant an exception to this rule, the SAC must telephonically obtain the personal permission of the Assistant Director, PD, in advance of submitting a follow-up written communication justifying this as an exception to FBIHQ; the follow-up communication must advise of the chain of command during the SAC's and ASAC's absences. A UACB communication will not suffice for the SAC and ASAC being out of the office at the same time. The SAC, irrespective of annual leave or personal commitments, must return to the field office to assume personal charge of major cases which arise in the SAC's absence. (See MAOP, Part II, 1-2.3.)

(b) It is anticipated that this situation would only affect offices not having multiple SACs or ASACs; however, as a situation may warrant for a larger office, the same procedures would be followed. (See also the LEAVE ADMINISTRATION GUIDE.)

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EFFECTIVE: 07/15/97

1-2.1 Executive Travel Notification (See Legal Attache Manual, 6-1.)

(1) ADICs/SACs are authorized to travel within their division or to contiguous divisions through coordination with and concurrence of the neighboring ADIC/SAC.

(2) Travel outside the division by ADICs, SACs, ASACs, Legats and FBI Headquarters executives at the Section Chief level and above is to be documented in the Executive Locator System (ELS), which is accessible through the Bureau Personnel Management System (BPMS). The ELS will be managed by the Strategic Information Operations Center (SIOC), FBI Headquarters, and any problems with the system should be reported immediately. Travel and contact information is to be promptly entered into the ELS by each executive's secretary. Those offices which cannot access the ELS are to promptly forward travel plans to SIOC for data entry. Information to be entered into the system should include:

- (a) Beginning and ending dates of travel
- (b) City and state visiting (or country if outside the United States)
- (c) Contact information such as an address or a person's name
- (d) Up to three contact telephone numbers
- (e) A narrative describing the purpose of the travel. See MAOP, Part II, Section 8-5 and MIOG, Part I, Section 1-1.5(8) and Part II, 23-8.

(3) On annual leave keep FBIHQ and office of assignment informed of whereabouts.

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1-2.2 Employees in Travel Status

(1) In a field office city must:

(a) Inform ADIC or SAC of the nature of the assignment and probable duration, unless FBIHQ instructions to the contrary have been issued

(b) Notify ADIC or SAC of their itinerary upon departure

(2) At a place where no field office is located must (SAs assigned to Laboratory excepted) communicate with the ADIC or SAC by telephone or telegram advising of:

(a) Address

(b) Time of arrival

(c) Nature of case

(d) Approximate duration of stay

(e) Departure and itinerary

EFFECTIVE: 07/15/97

1-2.3 Travel Authority (See MAOP, Part II, 1-2.)

If an ADIC/SAC must leave the division at a time when the ASAC will also be out of the division, the SAC must obtain the personal permission of the Assistant Director, Personnel Division. A UACB communication will not suffice. Such instances should be limited and fully justifiable. Related thereto, ADICs/SACs are reminded of the need for availability and, consequently, the need for completeness in the Executive Locator System.

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1-2.3.1 On Transfer

If authorized by transfer letter, Form 3-34. This letter sets out information and authority for transportation of employee transferred, immediate family, household goods, and travel by personal automobile.

EFFECTIVE: 02/23/90

1-2.3.2 Other Travel

(1) Is authorized by order of the Attorney General, 271-62, dated 6-1-62.

(2) Travel may be by common carrier or by personal automobile.

(3) Advance of funds. Travel on temporary duty and/or transfer advances are issued to assist employees in discharging their responsibilities associated with official business. Such requests are processed by the Travel Advance and Payment Unit, Accounting Section. The average processing time is approximately 21 calendar days from the date the advance is submitted until a check is received.

(4) |ADIC/SAC| may authorize use of personal automobile for official travel:

(a) For periods of 10 days or less, within that |ADIC's/SAC's| field office

(b) To Washington, D.C., for in-service and return

In such cases submit in duplicate with travel voucher letter of justification approved by |ADIC/SAC| or, in |ADIC's/SAC's| absence, by ASAC. If travel is on consecutive days and extends into new travel voucher period, reference is to be made on latter to letter of justification accompanying prior voucher.

(5) FBIHQ authority must be obtained for use of personal automobile for travel outside field office to which employee is assigned, or for any period in excess of 10 consecutive days whether it extends into new travel voucher period or not. Travel voucher must show prior FBIHQ authorization and date thereof. No letter of justification is necessary.

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1-2.4 Office Hours

Field offices are open 24 hours each day.

EFFECTIVE: 02/23/90

1-2.4.1 Regular Business Day

8:15 a.m. to 5:00 p.m. daily, Monday through Friday, with 45-minute lunch period.

EFFECTIVE: 02/23/90

1-2.4.2 Work Schedules (See MAOP, Part I, 8-6(3) & 20-7.)

(1) Flexible and Alternate Work Schedules (AWS)

(a) Utilization of flexible and AWS for support and Wage Board employees (hereinafter, support employees) is at the discretion of each ADIC, SAC or division head or their designee. A more restrictive use of flexitime or AWS may be instituted at anytime. Also, flexitime or AWS may be restricted or suspended to any individual, group or the entire office depending upon a variety of factors, such as office work requirements, performance and production considerations or abuses of flexitime or AWS privileges.

(b) The OPTION to request a flexible work schedule is the sole privilege of the requesting employee. This means the request is considered voluntary and employees cannot be required to flex or participate in AWS.

(c) The AUTHORITY and RESPONSIBILITY for approving a flexible or AWS (just as in the approval of leave) is held by designated supervisory personnel. This is necessary to ensure the availability of sufficient personnel to adequately discharge the FBI's responsibilities.

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(d) Flexible and AWS are available to all support employees, including supervisors. Management must ensure that necessary supervision is afforded to employees granted flexible or AWS. If an employee requesting a flexible or AWS will be unable to perform satisfactorily without the presence of a supervisor, and adequate supervision will not be available on the schedule requested, such flex or AWS request should be denied. Also, note that no employee may be REQUIRED to work flexitime or AWS.

(e) Employees on flexible or AWS should neither receive favored treatment nor be penalized as a result of participation in these programs. They should be treated in a manner which provides for equity with employees working on a standard nonflexible work schedule.

(2) Flexible Schedules

(a) A dual core-time flexible work schedule for support employees may be established with provisions for a mid-day flex and core-time deviation. The flexible time bands may start at 6 a.m. and end at 6 p.m. and may be utilized at 15-minute increments. The following illustrates how flexitime could meet the basic workhour requirements:

---- 8 hours + 45 minute lunch period ----

--Regular Business Day (field office)--

Flexible	Band	Core Time	Flexible Band (including 45 min. lunch period)	Core Time	Flexible	Band
6 a.m.	8:15 a.m.	9:15 a.m.	10 a.m.	2 p.m.	2:45 p.m.	5 6 p.m. p.m.

|--- 8 hours + 45 minute lunch period ---|

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(b) All support employees must be present during core time. Any absence must be charged against appropriate leave category or qualify for core-time deviation.

(c) All requests to work flexitime hours should be submitted at least one day in advance to a designated supervising employee to facilitate scheduling. However, use of flexible hours may be granted upon less notice when circumstances warrant.

(d) Some critical jobs require continuous services through a designated time period. (Example - switchboard operator, radio dispatcher, etc.) All flexitime requests by support employees assigned to critical positions should also be accompanied by the identity of an acceptable co-worker who is agreeable and available to provide those critical job services during the requested flex. Since these services are necessary, back-up personnel must be readily available without major rescheduling efforts by management or undue hardship on employees or other entities assisting in providing coverage or the flexitime request will be denied. The requesting employee is responsible for acquiring acceptable back-up personnel for flexitime requests and timely request/notification to his/her designated supervisor.

(e) Flexible work schedules may be made available to those employees regularly assigned to night and weekend schedules, provided there is no increased premium pay required as a result of the flexible schedule and the availability of back-up personnel.

(f) No employee working on flexible schedules will be permitted to work a straight eight-hour shift taking the lunch period at the end of the tour of duty, which could effectively dismiss the employee as early as 2 p.m. (See diagram under (2) (a) above.) Any departure from work prior to 2:45 p.m., under a flexible work schedule must be charged to the appropriate leave category.

(g) Flexitime is not meant to replace the traditional fixed work schedule nor the odd-hour shifts. If an employee establishes a predominant pattern of work hours within a flexible schedule, it technically becomes an unauthorized odd-hour shift. For purposes of the FBI's flexible work schedules, any such predominant pattern of flexible work hours over a period of five consecutive days will be considered fixed hours and the odd-hour shift policy should then prevail. Each division may set limits on the number of approved flexible schedules per employee during a given week. (See MAOP, Part I, 20-8.)

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(3) Alternate Work Schedules (AWS) (See MAOP, Part I, 20-7.2.)

(a) Requests to work an AWS from support employees must be submitted to designated supervisory personnel by interoffice memoranda. This request should clearly state that the employee understands that participation in an AWS is voluntary and that he/she has read the MAOP guidelines and understands the benefits, limitations and drawbacks set by the program and how pay and leave issues will be affected. Under the Fair Labor Standards Act (FLSA), all schedules are required to include, in addition to the number of hours worked each day, a designated lunch or dinner break (30 minutes for FBIHQ employees and 45 minutes for the field).

(b) Employees assigned to critical positions should understand that approval of an AWS request will be based, in part, on management's ability to schedule coverage on the day(s) the employee will not be scheduled to work. Back-up personnel must be readily available without major rescheduling efforts by management, undue hardship on other employees, or on other office entities assisting in providing coverage or the AWS request will be denied.

(c) Employees will not be permitted to routinely and/or regularly change an AWS to take advantage of holiday schedules. Sample schedules fulfilling the basic work requirements are as follows:

(d) Four-Day Workweeks

Monday	On-duty	10 hours
Tuesday	On-duty	10 hours
Wednesday	On-duty	10 hours
Thursday	On-duty	10 hours
Friday	Off	

Total hours worked weekly = 40 hours

1. Full-time employees establish a tour of duty consisting of a basic work requirement of four 10-hour days, a 40-hour weekly work requirement and an 80-hour biweekly work requirement until

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a traditional schedule is reestablished by management or the employee.

2. The basic work requirement for part-time employees is the number of hours the employee must work each day, the number of hours the employee must work during four days in the administrative workweek, and the number of hours the employee must work in a biweekly pay period.

3. Nonovertime work is work performed during an employee's compressed work schedule and not in excess of 10 hours in a day or 40 hours in an administrative workweek.

(e) Model of a 5-day/4-day Plan

	Week 1	Hours	Week 2
Monday	On-duty		Off
Tuesday	On-duty	Approximately 9 hours per day	On-duty
Wednesday	On-duty		On-duty
Thursday	On-duty		On-duty
Friday	On-duty		On-duty

Total hours worked in a biweekly period will equal 80 hours.

(f) Overtime and Premium Pay

1. Overtime pay is any work performed outside an employee's officially established compressed work schedule and in excess of 40 hours in a week. Compensatory time off may be requested in lieu of overtime pay, but is limited to General Schedule employees only, and may be used only as a substitute for irregular or occasional overtime work.

2. General Schedule employees are entitled to night differential for regularly scheduled night work performed between the hours of 6 p.m. and 6 a.m. A full-time employee who performs nonovertime work on a holiday (or day designated as the "in

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lieu of" holiday) is entitled to basic pay plus premium pay equal to basic pay for that holiday not to exceed his/her scheduled tour of duty. A part-time employee is entitled to holiday pay only for work performed during his/her compressed work schedule on a holiday. A part-time employee is not entitled to holiday premium pay for work performed on a day designated as an "in lieu of" holiday. A full-time employee is entitled to Sunday differential if he/she performs nonovertime work during a period of service, a part of which is performed on Sunday. A full-time employee is also entitled to Sunday differential pay for periods of authorized absence from work on paid leave. A part-time employee is not entitled to Sunday differential.

(g) Absence and Leave

Time off during an employee's basic work requirement must be charged to the appropriate leave category unless the employee is authorized compensatory time off or an excused absence. A full-time employee working a compressed schedule, who takes one full workday off, will be charged the appropriate leave for the amount of hours normally scheduled to work that day (e.g., 10 hours). Leave accrual rates remain the same.

(h) Holidays

1. When a holiday occurs on a scheduled nonworkday other than Sunday, and granting the normal "in lieu of" holiday would create an "adverse agency impact," the alternate holiday can be either the employee's scheduled workday immediately prior to the legal holiday or the next scheduled workday immediately following the legal holiday. This change is at the discretion of management, not at the discretion of the employee.

For example, if the holiday falls on a Monday and the employee's regularly scheduled nonworkday is on that Monday, the employee's "in-lieu-of" holiday may be the next scheduled workday (Tuesday) if to designate the previously scheduled workday (Friday) would create an adverse impact on the office.

2. When a holiday occurs on a Sunday that is a scheduled nonworkday, the next scheduled workday will be the employee's "in lieu of" holiday.

For example, if an employee's regular days off are Sunday and Monday, and a holiday falls on that Monday, the employee's "in lieu of" holiday will be on the preceding scheduled workday, Saturday. However, if the holiday falls on Sunday, the employee's "in lieu of"

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holiday will be on the following scheduled workday, which is Tuesday.

3. An employee who works a 5/4-9 flexible work schedule is only entitled to an eight-hour day as a holiday. Therefore, if an "in lieu of" holiday will fall on one of his/her nine-hour days, the employee's schedule must be revised for that pay period so that the holiday is the eight-hour day.

4. For a part-time employee, if a holiday falls on a day during his/her compressed work schedule, the employee is entitled to pay for the number of hours he/she was scheduled to work on that day. A part-time employee is not entitled to an "in lieu of" holiday if a holiday falls on a nonworkday.

EFFECTIVE: 10/17/97

1-2.4.3 Dismissal

Employees are not to be dismissed early due to weather conditions or other emergencies without prior FBIHQ authority.

EFFECTIVE: 12/12/91

1-2.4.4 Legal Holidays

January 1; Inauguration Day (Washington, D.C., area only), January 20 (every fourth year); Martin Luther King, Jr.'s Birthday, third Monday in January; Washington's Birthday, third Monday in February; Memorial Day, last Monday in May; July 4; Labor Day, first Monday in September; Columbus Day, second Monday in October; Veterans Day, November 11; Thanksgiving, fourth Thursday in November; Christmas, December 25. When a holiday falls on Sunday the Monday following will be a nonworkday. If any of these holidays mentioned falls on Saturday, the preceding Friday is a nonworkday.

EFFECTIVE: 12/12/91

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1-2.4.5 Hours After 5:00 p.m. and Before 8:15 a.m.

A mature support employee must be on duty at the field office. FBIHQ authority is required to establish office duty shift for Agents during these hours; when so authorized, assignments must be rotated no less frequently than every 30 days among Agents specifically approved for such duty (night duty Agents). Submit all recommendations on UACB basis, together with full and complete justification.

EFFECTIVE: 12/12/91

1-2.4.6 Nonworkdays - Regular Office Hours

(1) ADICs and SACs have the discretion to utilize either a Special Agent or a qualified support person for duty during regular office hours (8:15 a.m. - 5:00 p.m.) on nonworkdays, including Saturdays, Sundays and holidays. If an ADIC/SAC elects to utilize support personnel in place of Agent personnel for this shift, it is the ADIC's/SAC's responsibility to ensure that these support persons are carefully selected, and are mature and responsible individuals that have sufficient training to handle the activity of the field office during the period of duty. Each ADIC/SAC will ensure that appropriate coverage is afforded as the needs of each office dictate.

(2) An Agent approved by his/her ADIC/SAC for such assignment must be on duty in the field office during regular working hours on Saturday. Assignments must be rotated among those Agents approved for such duty. FBIHQ authority is required to establish duty shifts on Sundays or holidays or to assign more than one Agent to any authorized shift. (These instructions apply to administrative duty assignments in the office and do not pertain to investigative duty assignments, such as surveillances, technical plants, etc.) Complete justification must be submitted to establish a shift or to assign more than one Agent to an approved shift and recommendations should be submitted on UACB basis.

EFFECTIVE: 07/15/97

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1-2.4.7 Non-Bureau Employees

Field offices are not open to non-Bureau employees after the regular office hours unless a Special Agent, armed, is on duty.

EFFECTIVE: 12/12/91

1-2.4.8 Overtime

Regular tours of duty in excess of the statutory workweek are not to be assigned. The basic law governing the payment of overtime does not prohibit employees from performing voluntary overtime. When situations arise requiring non-Agent employees to work overtime and no volunteers are available, SACs and division heads may designate employees to perform necessary work in return for overtime pay. Any overtime involving more than two employees, more than a few hours, and which will last more than one day, must have prior FBIHQ approval. Employees whose salary exceeds the maximum rate of pay for grade GS-10 may be required to take compensatory leave rather than receive overtime pay.

EFFECTIVE: 11/27/90

1-2.4.9 Daylight Saving Time

When daylight saving time is in effect where a field office is located, the office hours should conform.

EFFECTIVE: 11/27/90

1-2.4.10 Saturday Duty Shifts for Non-Agent Employees

Non-Agent employees may be assigned Saturday duty on a rotating basis to provide for essential services and receive compensatory leave in return. Those employees who do not desire to accept compensatory leave for Saturday duty should be assigned a Tuesday through Saturday workweek for the week they have Saturday duty. When scheduling an employee for a Tuesday through Saturday workweek, the employee must be advised of his/her new shift at least one week in advance.

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EFFECTIVE: 11/27/90

1-2.5 Forms and Registers

(1) Form SF-52 must be electronically submitted to FBIHQ upon arrival of an employee on transfer to a field office territory.

(2) Any employee GS-16 and above is not required to execute an FD-420. However, it is incumbent upon each executive to ensure the Bureau is aware of their location and leave status at all times.

(3) Deleted

(4) Attendance Register/TURK (FD-420a), is utilized solely by TURKing Agents and TURKing support employees. (See MAOP, Part II, 3-3(3).) The form is double sided, with the first week of the pay period on one side, and the second week on the reverse side. The form is used to collect both time and attendance and TURK data. Employees' and supervisors' signatures are required on each side to certify that all information is correct. (See (g) below.) A maximum of six classifications can be recorded on a single day. The total TURK percentages must equal 100 percent for each day. Special designators included on the FD-420a are "R" for Relief and "T" for Technical. Only approved relief supervisors may utilize the "R" designator. The "R" should be indicated in the column for all classifications supervised/reviewed while acting in the absence of the supervisor. However, relief supervisors should not utilize the "R" designator while handling their daily assigned cases. The "T" designator should be indicated in the column to record time by Technically Trained Agents while in a "technical" investigative capacity. Major case numbers should be included in the major case column to enable the capturing of man hours expended on a particular matter that has been designated as a major case. (See Legal Attache Manual, Part I, 2-4; MAOP, Part II, 3-3.1.)

(a) Employees are NOT to sign other employees "in" or "out" on the FD-420a except under circumstances when the SAC has authorized it. In any such situation, the employee actually making the entry shall record his/her initials beside it.

(b) Night shifts or night work might detain an employee an hour or two past midnight. If the period past midnight does not exceed two hours, the employee need not sign out as of

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midnight and back in at the beginning of the next day. A similar situation occurs when the shift begins at midnight and conditions make it necessary for an employee to report an hour or two early. Leeway of two hours on either side of midnight may be granted, i.e., only one day should be used to record Time & Attendance and TURK data for these situations. For example, an employee who signs in at 3:45 p.m. Monday afternoon and out at 1:20 a.m. Tuesday morning should record his/her time and TURK data for Monday only. (See MAOP, Part II, 3-3.2(6).)

(c) Deleted

(d) Deleted

(e) Agent personnel, when leaving their residences on personal business prior or subsequent to working hours, including Saturdays, Sundays, or holidays, are not required to advise the office of their whereabouts if their absence is for two hours or less. If an Agent is not at his/her residence or cannot be reached by telephone, Agent must contact the office EVERY TWO HOURS and advise them of his/her whereabouts. Supervisory Agents and those on assignments of a particular importance must keep the office advised of their whereabouts at all times.

(f) Deleted

(g) FD-420a forms must be inspected by the supervisor each week, and the employees' and supervisors' signatures are required on each side to certify that all information is correct. (See (4) above.) Any apparent alteration or erasure on the FD-420a, or any other question as to the accuracy or completeness of the entries, must be resolved prior to approval for data entry and filing. (See MAOP, Part II, 3-3.2(9).)

(h) Resident Agents shall forward the FD-420a to headquarters city at the end of each pay period. (See MAOP, Part II, 1-3.7(1).)

(i) Supervisors should make frequent spot checks during regular and overtime working hours to ensure Agents are actually engaged in activity indicated on their FD-420a.

(j) On a monthly basis, supervisor should review FD-420a's of employees under his/her supervision to determine any patterns of irregularities, improper or incomplete entries, questionable alterations, failure to submit daily, poor organization

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of work, unnecessary travel, and any apparent inequitable overtime.

(5) Daily reports of Agents (FD-28) - The daily report is a letter-size white form printed on both sides. The file number, or, if a new case, the title and classification followed by the word "new"; names and addresses of persons interviewed; other work done; travel starting and ending times; if working with another Agent, name of Agent with whom worked and file number of case; remarks; date; place; and name of employees using it shall be entered in complete form. The time in, including reporting for duty, i.e., exact time of registration in the morning; and exact time of departure at the end of the official workday are to be shown. Show the time when specific items of work began and ended; the beginning and ending time of each interview. Neither travel nor locating time shall be included in the time recorded for the actual interview. Intervals of more than 15 minutes between interviews, used in traveling or locating next interviewee, shall be explained in separate entries, such entries to carry file number or identifying data on next interview, unless travel is between towns to handle leads in a number of different cases. Spaces are provided on the daily report for recording daily the employee's availability pay (AVP). These computations should be entered on the report by employee each day any such employee is on duty and are to be fully supported by time and basis entries on the report. Daily reports are not submitted by Agents under normal circumstances. The SAC may, at his/her discretion, require any Agent to submit these reports when he/she feels such supervisory tool is needed. Daily reports are submitted to the SAC of the field office where the work is performed. These forms are submitted at the close of business, to include official business performed on Saturdays, Sundays and holidays. Daily reports must be transmitted personally or by mail. (See Legal Attache Manual, Part I, 2-4.3).

EFFECTIVE: 10/13/95

1-2.6 Deleted

EFFECTIVE: 09/13/93

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1-3 RESIDENT AGENCIES AND RESIDENT AGENTS

EFFECTIVE: 11/20/80

1-3.1 Definition

A Resident Agent is one whose headquarters has been designated by FBIHQ as other than the headquarters city of the field office.

EFFECTIVE: 11/20/80

1-3.2 Justification

It is essential that the case load of resident agencies be carefully analyzed prior to requesting the transfer of Agents thereto. This is necessary to ascertain if such transfers are justified and to assure that an equitable distribution of work exists between Agents stationed in headquarters city and those assigned in the various resident agencies. Therefore, any recommendations for changes affecting personnel in resident agencies, including replacements or realignment of territories, should include current information relative to the workload of pending active cases and leads, as well as other pertinent justification. All such recommendations must be submitted to FBIHQ for approval.

EFFECTIVE: 11/20/80

1-3.3 Qualifications for Selection

Resident Agents must be recommended as such by the SAC and approved by FBIHQ. Form FD-407 is to be used for this purpose. In making such recommendations, the SAC must be thoroughly acquainted with the Special Agent and Agent's work before recommending Agent as a Resident Agent.

Prior to recommending a Special Agent for assignment to a resident agency, consideration must be given to all specialized training that the Agent has received, particularly language training. Justification for resident agency assignment must be reconciled with the Agent's special qualifications and it should be stated whether this assignment

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is compatible with the overall needs of the office. Those individuals being considered for a resident agency position must:

- (1) Be rated at least Fully Successful
- (2) Have no serious administrative action taken within the two years preceding the recommendation.
- (3) Recommendation must include statement that Agent has no physical disabilities and is not being treated for any physical disability
- (4) Also see Part I, Section 11-9 of this manual for guidelines with regard to amending the pending transfer of an Agent directly to a resident agency.

EFFECTIVE: 06/21/94

1-3.4 Supervision of Resident Agents

It is the continuing responsibility of all SACs, personally and through their Senior Resident Agents (SRAs), to maintain constant vigilance in order to detect promptly any delinquencies or failings of Resident Agents and to inform FBIHQ at once of any such deficiencies, submitting appropriate recommendations. (For supervision by SRA see Part II, 1-3.12 of this manual.)

EFFECTIVE: 12/12/91

1-3.5 Designation of Senior Resident Agent and Alternate

When two or more Agents are assigned to the same resident agency, the SAC will, UACB, designate one as SRA and one as Alternate SRA (ASRA). When the SRA is away from the resident agency on leave or official business, the ASRA will act in SRA's absence. If the senior and alternate both are away from the resident agency, the SAC will designate another Agent to act temporarily in their absence if more than two Agents are assigned to the resident agency.



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EFFECTIVE: 12/12/91

1-3.6 Reporting to Headquarters City

Resident Agents must report to field office once each 120 days, with permission to come more often if necessary. They must review files, dictate, and generally confer with the SAC or supervisor and discuss cases with SAC where necessary.

EFFECTIVE: 12/12/91

1-3.7 Registers in Resident Agency (See MAOP, Part II, 1-2.5(4)(h).)

(1) The SRA is to forward the FD-420a to headquarters city at the end of each pay period.

(2) FD-73, Auto Record, will be maintained for every vehicle assigned to the resident agency.

(3) The residence address and telephone number and any changes in same must be reported to FBIHQ as they occur on the FD-310. (See Part II, 2-1.2.5 of this manual for change in location and telephone number of resident agency.)

EFFECTIVE: 10/13/95

1-3.8 Office Space

In resident agencies when space is assigned exclusively and not on a loan basis:

(1) If possible, there should be painted on the door thereof and FBIHQ advised:

Federal Bureau of Investigation  
Resident Agency  
United States Department of Justice

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Main Office \_\_\_\_\_ (Location of headquarters city)

(2) There should appear on the bulletin board of the building and FBIHQ advised:

Federal Bureau of Investigation  
Resident Agency  
Room Number

(3) Deleted

(4) Deleted

(5) Deleted

(6) Keep FBIHQ advised of addresses and telephone numbers of resident agency offices and when resident agency space is no longer used. (See MAOP, Part II, 1-3.7(3) & 2-1.2.5.)

(7) When office space exists, official mail is to be addressed to the office or official post office box and not to the residence of an Agent.

(8) A set of keys to premises and all locked facilities therein is to be maintained at field office headquarters. If a resident agency maintains a set of keys to all locked facilities in a vault or safe, then it will only be necessary for field office headquarters to maintain a set of keys to gain entrance to the resident agency space and the combination to the vault or safe which contains the keys.

(9) For additional security, file cabinets in resident agencies should be unlabeled, or labeled by number keyed to a securely maintained list.

EFFECTIVE: 09/23/93



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1-3.9 Telephone Facilities and Listing of Telephone Numbers in Directories

(1) Telephones in resident agencies are for the exclusive use of resident Agents and should be private lines not connected with other offices or building switchboards. Tie lines with switchboards may be maintained in addition to private lines if approved by FBIHQ.

(2) Outgoing calls must be direct dialed and charged to the resident agency. Consistent with the exigencies of the case, use the most economical means of communication.

(3) The telephone number for the resident agency should be included in the telephone directories under the U.S. Government Section, if available, and in those cases where there is no U.S. Government Section, the listing should be included in the alphabetical section of the white pages. If there is no charge for multiple listings, the telephone number may be listed in both the Government Section and the alphabetical section. If there is a charge for more than one listing, the resident agency telephone number is to be listed only in the part of the directory which normally carries other Government agencies with a single listing.

(a) All resident agency locations should be equipped with a telephone answering recorder or voice mail system. This equipment can then be activated to advise the caller to call the field office number in an emergency situation when the resident agency is unmanned. (See MIOG, Part II, 16-9.9.2 (2) & 16-9.10.)

(b) In no instance shall the residence telephone number or address of an Agent be listed as an alternate or emergency number for the resident agency.

(4) For locations where there is no field office or resident agency, no telephone directory listing is required. There is no objection to listing the field office telephone number in the alphabetical section of the directories provided there is no charge for the listing. (See MIOG, Part II, 16-9.9.2.)

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1-3.10 Inspection of Resident Agencies

(1) Each resident agency must be visited and inspected at least twice a year. At least one of these two visits must be personally made by the SAC. The other may be by the ASAC(s). Additional visits to resident agencies for managerial purposes are left to the discretion of the SAC.

(2) The inspection made by the FBIHQ inspection staff may not be counted as one of the required inspections of resident agencies.

(3) Appropriate memorandum on inspections of resident agencies should be prepared.

(4) Occasional visits to resident agencies during night or weekend hours to test security is being left to the discretion of the SAC.

EFFECTIVE: 12/12/91

1-3.11 Availability of Resident Agents

(1) When an Agent operating out of a resident agency is on a road trip (overnight travel out of the resident agency), he/she is to advise field office city as to his/her whereabouts if the office cannot be notified in advance by routing slip.

(2) The SRA is to make monthly spot checks of the availability during working hours of Agents assigned to the resident agency. If an Agent is not available for an appreciable period of time, SRA must obtain an explanation from the Agent.

(3) Resident Agents should reside within, or a reasonable distance from the metropolitan area of the resident agency city to which they are assigned in order that they may be readily available for emergency duty at any hour of the day or night. The "reasonable distance" is to be at the discretion of the SAC with FBIHQ concurrence.

(4) Resident Agents are not to depart from their respective territories to such extent that they will not be readily available in case

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of emergency after hours, on holidays, or on weekends without prior authority of the SRA or the SAC. Such authority is to be obtained by mail under normal circumstances. The use of telephone and facsimile facilities must be held to an absolute minimum and must be fully justified in each instance.

EFFECTIVE: 08/26/88

1-3.12 Supervision by SRA

The SRA is charged with the supervisory responsibilities for the resident agency office, the resident agency city activity, and the activity of Agents assigned to the resident agency when in the territory of that resident agency. (See subparagraph (4) above.) The SRA is not expected to personally carry out all of the administrative functions listed below, but he/she will be held accountable for their proper execution.

- (1) Knowledge regarding all matters within his/her territory of interest to the FBI
- (2) The proper administration of personnel registers
- (3) The physical condition and maintenance of resident agency space
- (4) Security of resident agency space
- (5) Administrative feature of Bureau automobiles
- (6) Public relations
- (7) Press relations
- (8) Liaison Responsibilities - All Resident Agents and particularly SRAs will be held accountable for developing and maintaining contacts and relationships with officials in their territories so that FBIHQ may be promptly informed of any criticisms or suggestions which those officials may have to offer regarding FBI, its personnel, or its operations.
- (9) Applicant recruiting
- (10) Reading and clipping of newspapers

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(11) The training of resident agency personnel, closely coordinated with the field office Training Coordinator

(12) Responsibility for the enforcement of the Bureau's rules and regulations

(13) Resident agencies with office space shall maintain current administrative folders for identification orders, wanted flyers, and check circulars, and arrange in numerical sequence with the lowest number at the bottom. Do not serialize. The file is to be unnumbered.

(14) Resident Agents and resident agencies may maintain administrative ticklers.

(15) Receipts for registered mail sent from a resident agency are to be forwarded to the field office for retention with other registered receipts for one year.

EFFECTIVE: 08/26/88

1-3.13 Supervisory Special Agent GS-14 SRAs

(1) GS-14 SRAs have responsibilities and authority commensurate with that of other GS-14 Field Supervisors. Their official title is Supervisory Special Agent - GS-14, but in order to distinguish between this position and the Field Desk Supervisor, as well as SRAs in lesser grades, the designation of Supervisory SRA will be used.

(2) In addition to the items set out above for all SRAs, the Supervisory SRA position will incorporate the following areas of responsibility and requisite authority:

EFFECTIVE: 05/18/81

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1-3.13.1 Personnel Supervision

The overall production and performance of resident agency personnel will be responsibility of the Supervisory SRA. He/she will, with appropriate input from the Desk Supervisor, prepare the performance ratings of all Special Agents and support and service personnel assigned to the resident agency. The Supervisory SRA will maintain personnel folders on the individuals assigned to the resident agency.

EFFECTIVE: 05/18/81

1-3.13.2 Supervision of Investigations

The Supervisory SRA representing the SAC and in close cooperation with each Desk Supervisor will have the responsibility of case supervision in his/her territory in the following manner:

(1) In the absence of the SAC and ASAC he/she will have the authority to assume full charge of major investigations occurring in his/her territory.

(2) He/she will assign all cases originating in his/her resident agency territory.

(3) The resident agency Supervisor will be responsible for ensuring that all investigations in his/her resident agency are conducted promptly and properly.

EFFECTIVE: 05/18/81

1-3.13.3 Case Reviews

Whether the 120-day case reviews are to be conducted by headquarters city Supervisors, primary relief supervisor, when approved by SAC, or by a method employing both the Desk Supervisor and the Supervisory SRA, will be left to the discretion of the individual SACs. If they are conducted by the Desk Supervisor, a copy of the review sheet (FD-271) with comments of the Desk Supervisor will be sent to the Supervisory SRA so that he/she might follow the Agent's progress. Regardless of the method used, the Supervisory SRA will maintain his/her copy of the case review sheet (FD-271) in the Agent's

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personnel folder until the next inspection. The case review method utilized must meet the following minimum conditions:

- (1) Case reviews must be conducted with each Agent at least every 120 days.
- (2) The review must be conducted on a person-to-person basis between a full Supervisory Special Agent (Desk Supervisor or GS-14 SRA), or primary relief supervisor, when approved by SAC, and the case Agent.
- (3) The method to be utilized must be committed to writing, clearly establishing responsibility for each phase of the case review. Obviously, there will be some situations in which responsibility will be jointly shared by the headquarters city Supervisor and the resident agency Supervisor.
- (4) All supervisory personnel must be furnished a copy of the SAC's written policy regarding this important managerial function. Each SAC will be ultimately responsible for making certain that complete and thorough case reviews are conducted with each Agent every 120 days by a Supervisory Special Agent.
- (5) | Deleted |
- (6) See Part II, Section 8-1.2.3, of this manual, for instructions concerning 60-day case reviews with probationary Agents.

EFFECTIVE: 06/14/88

1-3.13.4 Mail Supervision

(1) Supervisory SRAs will have the same authority as Desk Supervisors in signing out mail on behalf of the SAC with the limitations set out below. The Supervisory SRA authority will apply to mail completed by resident agency personnel. The exceptions will include all communications in cases of major importance or classifications regarding which the Supervisory SRA has limited knowledge and experience and in cases where he/she has insufficient background information (serials). Communications falling in these categories will be routed through the appropriate Desk Supervisor. Personnel matters, in all instances, will be routed through the SAC.

- (2) In matters where there is an indication the Desk

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Supervisor or other headquarters city personnel may have an interest in or a need for the information reported in a piece of correspondence, the Supervisory SRA will make certain copies are designated for their attention. The Supervisory SRA's responsibility in connection with mail signed out in the resident agency will be the same as that a Desk Supervisor has for correspondence signed out in headquarters city.

EFFECTIVE: 06/14/88

1-3.13.5 Workload Supervision

Responsibility for assuring an equitable distribution of work in the resident agency will rest with the Supervisory SRA. Where necessary for uniformity of work assignments, the Supervisory SRA has the authority to reassign cases and other matters.

EFFECTIVE: 03/24/86

1-3.13.6 Career Development

The Supervisory SRA will be given the same consideration for career selection and development as extended to other GS-14 Field Supervisors. The Alternate SRAs (ASRAs) in these large resident agencies will be Relief Supervisor trained. Relief supervisory positions in these and even the smaller resident agencies will not be limited to ASRA. Under the Supervisory SRA, the ASRA function would be similar to the principal relief on a headquarters city desk. Except for the very large resident agencies, the Supervisory SRA can and should also carry a caseload. The amount and type of cases to be personally handled by the Supervisory SRA is left to the discretion of the individual SAC.

EFFECTIVE: 03/24/86

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1-4 SUPERVISORY DESKS IN FIELD OFFICES

In requesting additional supervisory desks, SAC should be cognizant of fiscal constraints and aware of the fact that for every additional supervisor created, a street Agent is removed. The following factors are considered in evaluating whether to create or retain a supervisory desk in a field office:

(1) Ratio of desks presently in operation in relation to number of Agents in the office;

(2) Whether the perceived need for an additional supervisor is based upon long-term (years) or short-term (months) factors;

(3) Number of Agents to be assigned to the proposed new squad, whether there will be an increase in the Agent and support personnel office complement, and what the creation of the requested squad will do to existing squad complements;

(4) Number of Resident Agents in the office who contribute to supervisory workload for the desk supervisor, eliminating from computation Resident Agents assigned to Supervisory Senior Resident Agents;

(5) Nature of work on squad (complicated target cases or routine reactive investigations);

(6) "Workload" as opposed to "caseload," and is there any meaningful trend toward relatively permanent increase or decrease;

(7) | Deleted |

(8) Whether present supervisors perform an excessive amount of noninvestigative or lower level responsibilities, e.g., an SAC, ASAC, or Agent supervisor involved in administrative duties capable of relegation to subordinate or support personnel;

(9) Whether the work requires regular "on-the-street" supervision and involvement of a supervisor in conferences with United States Attorney's Strike Force, or other federal agencies and, if so, with what frequency;

(10) Whether TURK, MARs, and accomplishment figures (all components of our Resource Management Information System) support the recommended new desk;

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- (11) Demographic factors;
- (12) Whether the most recent inspection report recommended an additional desk and, if not, what intervening factors point to a current necessity;
- (13) Whether existing squads can handle current and anticipated investigative responsibilities to preclude formation of new squad;
- (14) Whether results achieved, to date, have been adversely affected by lack of adequate Agent supervision;
- (15) The precise manner, definitively stated in which field executives would utilize the additional time made available to them by the creation of an additional supervisory position.

EFFECTIVE: 10/18/95

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SECTION 2. FIELD OFFICE OPERATIONS

2-1 APPEARANCE AND MAINTENANCE OF OFFICES

EFFECTIVE: 02/24/88

2-1.1 Maintenance of Official and Personal Property (See  
Legal Attache Manual, 2-11 & 3-3.)

The SAC is responsible for the maintenance of the office in a neat and orderly manner and for the care of all property.

(1) Official papers, documents, books, and similar materials are not to be kept in desk drawers, but file cabinets for this purpose are to be supplied.

(2) Agents may keep in their desks: briefcases; bound Bureau bulletins; notebooks containing the most recent course of training received at the Bureau for 90 days (notes taken at specialized schools may be retained until separation from service); notes of annual and special conferences for 90 days; sidearm; not more than 50 rounds of ammunition for same; personally owned blackjack; current bound office memoranda; current diary; current National Academy Directory; office supplies for one week; map and street guide of the territory; copies of expense vouchers for one-year period; speech material of a current nature; latest issue of Bureau publications; dust cloth; and personal items currently used, segregated and neatly maintained, including smoking supplies, toilet articles in envelope or box marked personal, medicines, personal purchases made during the day, personal mail received during the day. Although employees are permitted to maintain certain personal belongings in their desks or other prescribed areas in FBI offices, no desk, drawer, cabinet, or any other space within FBI offices shall be considered to be the private space of any employee. (See Correspondence Guide-Field, 1-1(4) and Correspondence Guide-FBIHQ, 1-11.5.)

(3) Manuals, Bureau bulletins, SAC letters, Memoranda to all SACs, office rosters, and office telephone directories must be maintained in a safe and secure place so that they are not available

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to unauthorized individuals. (See MAOP, Part II, 2-1.3(5).)

EFFECTIVE: 08/27/93

2-1.2 Space Matters - Field Office

EFFECTIVE: 02/24/88

2-1.2.1 Repairs

(1) Minor repairs should be obtained through the building custodian.

(2) Major repairs must be authorized by FBIHQ.

EFFECTIVE: 02/24/88

2-1.2.2 Improvements and/or Structural Alterations

(1) Whether Government or non-Government building space, improvements and/or structural alterations must be authorized by FBIHQ. This is accomplished by executing a Reimbursable Work Authorization (RWA), General Services Administration (GSA) Form 2957, and submitting it to GSA. After GSA completes their portion of the form, it should be submitted to FBIHQ for approval with a letter of justification. A detailed cost breakdown of the work should be included in the cover letter. If approved, the form will then be returned to the appropriate field office for transmittal to GSA and subsequent commencement of the work.

(2) Annually, on a fiscal year basis, field offices may submit to FBIHQ, Attention: Facilities Management Unit, Facilities Management and Security Section, Personnel Division, for approval an open-end RWA (GSA Form 2957) for an initial amount not to exceed \$5,000. The open-end RWA is to be used for minor alterations and repairs to field office space. All other building space improvements and/or structural alterations must be requested separately and authorized by FBIHQ through the execution of GSA Form 2957 as set forth above.

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Upon receipt of the approved open-end RWA, it should be submitted to GSA, thereby authorizing GSA to perform minor alterations and repairs to field office space when requested by the field office. The field office must maintain a log documenting the date, purpose, and cost of each obligation made against the open-end RWA. When the initial \$5,000 has been depleted, requests for amendments to the initial RWA may be submitted to FBIHQ for approval in increments of \$5,000 up to a total of \$25,000 within a fiscal year for each field office. FBIHQ approval of amendments to the initial open-end RWA will be based on the justification submitted in support of the increase and the demonstration of responsible administration of the funds as evidenced by the logs.

(3) Annually on July 1, each field office holding an open-end RWA will be required to submit an amended RWA to FBIHQ returning the unused funds of the open-end RWA.

EFFECTIVE: 04/21/94

2-1.2.3 Space Requests

Requests for space and appropriate justification must be submitted to FBIHQ, Attention: Facilities Management and Security Section (FMSS), Personnel Division (PD). If approved, the request for space will be submitted to the GSA by GSA Form SF-81 as prepared and submitted by the Section Chief, FMSS, PD. This procedure will ensure proper preparation of the request, that it is in compliance with existing Executive Orders and GSA and DOJ directives, and will also ensure space is acquired within funding levels set by Congress. Contacts or correspondence with GSA regional offices of other than a routine nature must be approved by FBIHQ. Any requests to GSA concerning additional space, release of space, layout changes, renovations or any other changes in present or proposed field office space must be approved by FBIHQ prior to negotiations or commitments to GSA for such changes. Only GSA is authorized to conduct space surveys to locate space, and any activity by the Bureau in this area could result in inflated rental prices. If space suitable to your needs comes to your attention, there is no objection to advising GSA of this fact, but surveys or checks with realtors should not be conducted. There is no objection to contacting local GSA representatives concerning day-to-day maintenance problems pertaining to space unless some particular reason exists for advising FBIHQ.

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Keep FBIHQ advised concerning local developments with GSA in space matters.

EFFECTIVE: 04/21/94

2-1.2.4 New Construction

Requests from GSA for office space requirements for proposed new Federal construction (GSA Form 144) must be forwarded to FBIHQ for handling.

EFFECTIVE: 07/31/89

2-1.2.5 Field Office and Resident Agency Relocation

Immediately following any field office or resident agency relocation, submit Form FD-607 (Field Office and Resident Agency Change in Address or Telephone Number) to FBIHQ advising effective date of occupancy change, street and mailing address, the telephone numbers and the date the Intrusion Detection System installation was completed. A copy of Form FD-607 should be marked to the attention of the Facilities Management and Security Section, WB-950. Copies of the same communication should be forwarded to all other field offices. FBIHQ should also be advised when additional space is acquired or excess space is released. Submit this information to FBIHQ by electronic communication, Attention: Facilities Management and Security Section. (See MAOP, Part II, 1-3.7.)

EFFECTIVE: 06/06/96

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2-1.2.6 Commercial Space

Communications favorably recommending acceptance of commercial space for FBI use must also indicate results of credit, arrest, indices, and pertinent background checks regarding the owner or owners of the building. If the building is sold during our occupancy, the same check must be made covering the new owner or owners. Be alert at all times for any information of a derogatory nature concerning the lessor which would adversely affect our continued occupancy.

EFFECTIVE: 03/28/89

2-1.2.7 GSA Leasing Procedure

(1) GSA has initiated a leasing procedure for the acquisition of commercial space in amounts less than 2,500 square feet. The objective is to expedite the acquisition process and reduce the delivery time from space request to occupancy. The procedure is dependent upon requesting agency representatives having the necessary authority to make on-the-spot decisions binding on the agency. The program involves only resident agency space needs, and then only in those specific instances where no federal space exists and only commercial space is available. FBI interests must be considered primary in all such instances; our special requirements for location, security, and adequacy within established FBI guidelines, as well as rental costs, are all essential and must so continue, prior to the acceptance of commercial space offered by GSA. The field must be aware of all the above and communicate same to FBIHQ expeditiously to secure FBIHQ approval prior to conveying to GSA a decision binding on the FBI. Telephonic contact with Facilities Management and Security Section, FBIHQ, with same day communication confirming same data, is both feasible and practical.

(2) Lease Management

(a) By Memorandum of Understanding signed by the Assistant Attorney General for Administration on October 24, 1986, and the Administrator, GSA, on January 5, 1987, the DOJ was delegated authority to perform functions with respect to the nationwide management of GSA-leased facilities under either fully serviced leases or under leases where the government has only utility responsibility. Department of Justice Order 2410.4 dated August 14, 1987, and revised by DOJ Memorandum of May 12, 1995, re delegated that authority to the Director, FBI. This authority has been re delegated by the Director,

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FBI, to the Chief, Facilities Management and Security Section; the Chief, Space Management Unit (SMU); and Space Management Specialists within the SMU at FBIHQ, and to the Administrative Officers/Office Services Managers and Supervisory Administrative Specialists within FBI field offices. Agencies having this responsibility are authorized to assign and reassign space within the building managed by them, and may contract for alterations. The delegation does not authorize agencies to lease space. It only authorizes agencies to manage space leased by the GSA. No changes to leasing authority were made by this delegation. In order to manage a GSA-leased facility, officials delegated this authority by the Director, FBI, must seek designation as Contracting Officer Representative (COR) from the GSA Contracting Officer (CO). Upon designation by the CO, the COR may assume the responsibilities of lease management.

(b) To obtain lease management responsibilities for a specific GSA-leased facility, the COR must initially contact the SMU. The SMU will provide the appropriate assistance to the COR and coordinate contact with the GSA for the assignment of GSA-leased facilities for lease management. In implementing the duties of lease management, the COR must obtain prior approval from the SMU for all assignment and reassignment of space within a lease managed facility. Additionally, all desired alterations must be approved by the SMU prior to the award of a contract for the work. The COR may initiate a request to the lessor of a lease managed facility for alterations. Afterwards, the request should be submitted to FBIHQ for final approval by the SMU. All alterations at FBIHQ will continue to be managed by the Facilities Management and Security Section.

EFFECTIVE: 03/05/96

2-1.2.8 | Rental Costs |

The FBI is charged by GSA for space and services through rent which approximates the commercial charge for comparable space and services. The services included in this charge are those normally furnished in commercial practices. GSA will furnish services additional to those included in the rent on a reimbursable basis. Charges (billings) are rendered quarterly in advance. The billing includes adjustments for billing errors and changes in space assignments made prior to or during the previous quarter. GSA provides these billings to FBIHQ. Copies of the printouts supporting these billings will be furnished to the field on a quarterly basis. FBIHQ will query the field to verify the

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accuracy of the billing data.

EFFECTIVE: 03/28/89

2-1.2.9 Space Requirements Worksheet (GSA Form 1476)

It is not necessary, when completing GSA Form 1476, to identify employees by name. Title designation is sufficient.

EFFECTIVE: 03/28/89

2-1.2.10 Recurring Reimbursable Services

Recurring reimbursable services, for which separate charges will be made by GSA, will include all services performed after normal working hours, such as utilities for heating and air conditioning, and elevator service. Billing for such reimbursable services will be handled by each GSA Regional Office, as opposed to the rent for space occupied which is processed at the Public Buildings Service of GSA in Washington, D.C. All matters as to certification of work authorization and funding for recurring reimbursables are to be submitted by GSA Form 2957 to FBIHQ, Attention: Facilities Management and Security Section, for approval. Such services should be completely justified as to essential need for efficient operation, with areas for after-hour heating and air conditioning restricted to the Support Services Supervisor's (Office Services Manager (OSM)) office and code vault operation, where night and weekend personnel are assigned. FBIHQ does not sanction incurring such charges for resident agencies unless severe conditions exist and adequate justification is presented, such as a continuing Title III operation, after normal working hours under extremely uncomfortable conditions.

EFFECTIVE: 03/28/89

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2-1.3 Security of Office Space and Records

(1) Maintenance employees and members of the char force must not have the opportunity to read or remove Bureau information. During those periods when char force employees are working in immediate proximity of Bureau information, such as loose serials in the Administrative Officer's/Office Service Manager's (AO/OSM) office, or other unlocked documents, an employee on duty and working in the area should take appropriate precautionary steps with regard to observing the char force employee and otherwise protecting the Bureau's information.

(2) No Bureau space in field offices and resident agencies shall be vulnerable to eavesdropping by which unauthorized persons may overhear confidential conversation due to thin walls, air ducts, louvers, clandestine listening devices, etc. Refer to MIOG, Part II, 16-17, for specifications regarding the frequency and conduct of Technical Surveillance Countermeasures Inspections.

(3) All visitors to Bureau space, except maintenance personnel who have been cleared through established procedures, must be under escort of a Bureau employee at all times. Maintenance personnel who are working in areas housing unsecured classified or sensitive material must be under constant observation of a Bureau employee, even if previously cleared. These requirements pertain to all Bureau-occupied space, including resident agencies. (See Legal Attache Manual, 3-3.6; Correspondence Guide-Field, 1-4(2); Correspondence Guide-FBIHQ, 1-11.6.)

(4) Official trash includes classified national security information, grand jury information, Bureau rosters and directories, official reports and communications, employee records, and other sensitive FBI information that is being discarded. (See MIOG, Part II, 26-15; FCIM, Part II, 1-15.)

Official trash must be kept apart from ordinary trash, afforded appropriate security, and destroyed as soon as practicable using an approved method. Approved methods for the destruction of all paper products and UNCLASSIFIED magnetic media, such as videotape, audiotape, and floppy disks include:

(a) Burning in a manner that ensures complete combustion of the materials and subsequent mixing of the ash to preclude any possibility of reconstruction.

(b) Shredding with an approved, high-security

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crosscut shredder leaving a residue no larger than 3/64 inch by 1/2 inch.

(c) Mechanical disintegration leaving a random particle size no larger than 5 millimeters in any dimension.

(d) Melting, pulping, pulverizing, chemical treatment or other destruction method specifically authorized by the Security Programs Manager, Security Countermeasures Section, National Security Division (NSD), FBIHQ.

The above methods may be used for the destruction of CLASSIFIED magnetic media provided the media is degaussed (bulk erased) prior to physical destruction. High density media such as microfiche, microfilm and computer hard disks may require specialized destruction processes. The advice of the Information Systems Security Unit, Security Countermeasures Section, NSD, FBIHQ, should be sought in these cases.

Destruction must be supervised by FBI employees and, where practicable, performed in an FBI-controlled environment. Commercial and other government agency sources of destruction may be used provided all FBI security requirements are met. The Industrial/Facility Security Unit, Security Countermeasures Section, NSD, FBIHQ, should be contacted regarding the approval of contractors and facilities. When destruction occurs outside of FBI space, a minimum of two FBI employees shall witness the transport and destruction process.

The destruction of Top Secret and Sensitive Compartmented Information (SCI) must be witnessed and recorded by two employees with security clearances commensurate with the classification of the material being destroyed. This information is to be recorded on the FD-501 and shall include the names of the employees, the reason for destruction, and the date, location and method of destruction.

On a monthly basis the division/office Security Officer shall review the destruction procedures to verify the proper destruction of all classified materials and document this review in an appropriate control file.

(5) Office rosters, including office telephone directories, must be provided appropriate security to prevent unauthorized disclosure and are to be utilized for internal use and/or official business only. (See MAOP, Part II, 2-1.1.)



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(6) Bureau-approved Intrusion Detection Systems will be installed in all resident agencies, as well as any other Bureau office, storage or shop space, which is not contiguous to the field office headquarters.

b2 [REDACTED]

EFFECTIVE: 03/16/95

2-1.3.1 Maintenance and Security of Keys

(1) Keys should be maintained in a secure manner. A designated employee should be responsible for the maintenance and security of all keys. Wherever Tel-Kee cabinets are in use, keys should be maintained in such cabinets at all times except when in actual use.

(2) A charge-out system should be maintained utilizing Tel-Kee brass receipt holders when keys are removed from the Tel-Kee cabinet or other place of maintenance for temporary periods not to exceed 30 days. If keys are charged out by any employee for an indefinite period, property receipt, Form FD-281, should be utilized. If keys are removed to be used momentarily, i.e., to open desks, cabinets, and doors at the beginning of a workday or to lock desks, cabinets, or doors at the end of a workday, charge out for this purpose will not be necessary. However, the person in charge of the maintenance of the keys is strictly responsible for their return when permitted to be withdrawn for such purpose without charge out.

(3) Keys charged out by employees are to be maintained in a secure manner.

(4) The key, keys, or combinations to all Tel-Kee cabinets or other equipment in which keys are maintained shall be available to the ranking employee on duty after regular working hours so that all keys will be readily accessible in the event of an emergency.

EFFECTIVE: 07/27/90

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2-1.3.2 Proper Use and Changing of Lock Combinations and Disposal  
of Combination Locks/Security Equipment

(See Manual of Investigative Operations and Guidelines  
(MIOG), Part II, Sections 16-7.2.6(9) and 26-5.4.)

EFFECTIVE: 07/27/90

2-1.4 Instructional Books or Working Guides

Each SAC is responsible for arranging the review of instructional books and working guides in such frequency as to ensure their currency and accuracy, and for maintaining an administrative tickler or other record to indicate when and by whom these checks were last made.

EFFECTIVE: 07/27/90

2-1.5 Firearms in Field Offices

Instructions regarding the maintenance of firearms in field offices and resident agencies may be found in Part II, Section 12 of the Manual of Investigative Operations and Guidelines (MIOG).

EFFECTIVE: 07/27/90

2-1.6 Smoking in Bureau Space

(1) | The Department of Justice Property Management Regulations, Title 41 of the Code of Federal Regulations, Chapter 128, Subpart 128-20.1, prohibits smoking in all Department of Justice work places to ensure that personnel are not exposed, involuntarily, to environmental tobacco smoke at the work site. | In part, these regulations state:

| "Environmental tobacco smoke, also known as second-hand or passive smoke, has been identified by the Environmental Protection Agency as a major source of harmful indoor air pollution and a known cause of lung cancer, respiratory illness, and heart disease. The purpose of the following is to provide Department of Justice employees with the safest work environment possible.

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"This policy applies to all (FBI) personnel, visitors, contractors, and personnel of other agencies and businesses that operate within or visit (FBI) workplaces.

"Environmental tobacco smoke (is the) exhaled and/or side stream smoke emitted from smokers in the burning of cigarettes, cigars, and pipe tobacco (and is) a major source of harmful indoor air pollution and known cause of lung cancer, respiratory illness and heart disease.

"Workplace is defined as any (FBI-owned) or that portion of any (FBI-leased) building where work is performed by (FBI) personnel, (or) any vehicle acquired by the (FBI) for its personnel. (The new smoking policy is) to protect all (FBI) personnel from health hazards caused by exposure to tobacco smoke. (It bans) smoking of tobacco products in all (FBI) workplaces.

"Since environmental tobacco smoke is classified as a potential occupational carcinogen, exposure to environmental tobacco smoke must be reduced to the lowest feasible concentration; therefore, smoke break areas shall only be outdoors and away from common points of ingress and/or egress into the workplace. Indoor designated smoking areas are prohibited." (See MAOP, Part I, 13-13.)

(2) | Since this smoking policy is not intended to interrupt any undercover operations, each SAC and Assistant Director may use his/her discretion to control smoking in undercover vehicles and/or other workplaces. |

(3) Initially, and if the circumstances permit, employees should be encouraged to resolve any problems regarding smoking in work areas among themselves or through their respective supervisors. In sensitive circumstances, such as where an employee fears retribution or retaliation should they voice their objection or lodge a complaint concerning the violation of the Bureau smoking regulations, the employee may contact the Safety Office, Personnel Division (PD), FBIHQ, or a designated official in that office, to report a violation of the Bureau smoking regulations.

(4) The Safety Office, PD, FBIHQ, or their designated official, shall be responsible for obtaining as many facts as possible from the complainant or objector, and when appropriate, forwarding the facts without disclosing the identity of the objector or complainant to the appropriate FBIHQ Section Chief, Assistant Special Agent in Charge, or other designated official for further investigation.

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Should the above official be the subject of the complaint or objection or other sensitive circumstances exist making referral to that official inappropriate, the Safety Office or their designated official shall refer the matter to the official's supervisor or other appropriate official.

(5) Upon receiving a referral from the Safety Office, PD, FBIHQ, each FBIHQ division, office, or field office shall conduct the necessary investigation to either corroborate or refute the objection or complaint, and if corroborated, either correct the problem or document a violation of the Bureau smoking regulations and shall be responsible for referral of violations of Bureau policy for appropriate action to the Administrative Summary Unit, PD, FBIHQ.

EFFECTIVE: 06/06/95

2-2 RECORDS MANAGEMENT

Field offices must be operated strictly in accordance with Bureau instructions relating to Records Management. The Special Agent in Charge (SAC) in each field division (Administrative SAC in New York Division) is designated the "Custodian of Records." In the absence of the SAC, related responsibilities may be designated to the Assistant Special Agent in Charge (ASAC).

EFFECTIVE: 01/24/90

2-2.1 | General Instructions for Receiving Mail and Related Material |

| (1) Where possible, all incoming mail and related material must be x-rayed as it is received to detect improvised explosive devices and/or hazardous material.

(2) All incoming mail and related material must be inspected as it is received, paying particular attention to any overt indication of possible compromise. Packages received opened must be immediately reported to your Division Security Officer for appropriate action.

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(3) Offices must maintain a written log of all incoming Accountable mail (i.e., United States Postal Service (USPS) Express, Registered, Certified, Federal Express (FedEx), etc.) received for possible tracing purposes. Offices equipped with a FedEx Powership (2) may record incoming FedEx packages by using the FedEx satellite/computer system. Offices must generate a written record from the Powership of incoming FedEx packages with the initials of the employee who records each package. Offices not equipped with a Powership (2) shall record incoming FedEx packages by using FD-211. All incoming USPS Registered, USPS Express, and USPS Certified packages not recorded on USPS Form 3883 (Incoming Registered Mail) shall be recorded by using FD-211. All records shall be destroyed on a monthly basis when one year old. (See MAOP, Part II, 2-4.5.18.)

(4) Prior to disposing empty packaging containers, all address mailing labels (i.e., standard penalty envelopes and labels, USPS and commercial courier labels and airbills, etc.) shall be destroyed or defaced, ensuring no further use.

(5) All empty inner envelopes/wrapping material with any Bureau markings shall be disposed of in official trash receptacles.

EFFECTIVE: 06/06/96

2-2.1.1 Opening of SAC Mail

(1) Mail marked "Personal," whether addressed to the SAC by name only, title only, or both, must be opened only by the SAC.

(2) In the absence of the SAC, the acting SAC may open mail marked "Personal Attention," whether addressed to SAC by name only, title only, or both.

EFFECTIVE: 01/24/90

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2-2.1.2 Mail Opened by Support Personnel

(1) Mail addressed to the SAC by title only, by name and title, or by name only provided it does not appear to be personal in nature, may be opened by support personnel.

(2) When mail indicates enclosures, the person opening the mail must determine whether they have been received.

(a) If so, the initials of the person opening the mail must be placed adjacent to the word "Enclosure" or the abbreviation "Enc." If enclosures are received at a later date, note the date received.

(b) If not, a notation is made on the communication to that effect; FBIHQ or submitting field office should be immediately advised.

EFFECTIVE: 01/24/90

2-2.1.3 Block Stamping Mail

(1) Incoming mail

(a) A rubber stamp which shows the name of field office, date received (change date daily to coincide with calendar), searched, serialized, indexed, and filed must be impressed on the first page of nonevidentiary material:

- | 1. | In the space provided, or
- | 2. | In the lower right corner, or
- | 3. | On the reverse side at the bottom of photostats and documents where necessary, or
- | 4. | Elsewhere, since the communication must not be made illegible by the use of the stamp.

(b) When mail is opened by support personnel, FBIHQ mail shall be block stamped and delivered at once to the supervisory employee in charge. Mail from FBIHQ which must be opened by SAC or acting SAC shall be delivered to SAC, or in SAC's absence, to acting SAC upon receipt.

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(c) Other incoming communications must be block stamped and indices checked. If pending file exists, it shall be attached, if available, and routed to the proper supervisory personnel. If pending file not available (not in folder), name of Agent to whom case is assigned shall be written on left side of block-stamp impression and the communication routed to proper supervisory personnel. If there is no pending file, closed files identified with the subjects named in the title of the incoming communication shall be routed with the incoming communication to the proper supervisory personnel.

(2) Outgoing mail

(a) The following rubber stamp must be impressed on first page of copy retained in field office in location provided for by Item (1) above (Incoming Mail):

Searched \_\_\_\_\_  
Serialized \_\_\_\_\_  
Indexed \_\_\_\_\_  
Filed \_\_\_\_\_

The employee handling each of the functions indicated shall place his initials on the appropriate line. Red ink is to be used.

EFFECTIVE: 01/24/90

2-2.1.4 Teletypes, Airtels and Telegrams

(1) Handling during business hours -

(a) Immediate teletypes must be block-stamped as soon as received and hand carried to the SAC or person acting for him/her. Other teletypes, airtels, and telegrams must be block-stamped as soon as received, indices checked, and if file exists and is available it shall be attached and both file and communications routed to supervisory personnel at once.

(2) Handling during nonregular business hours -

(a) Immediate teletypes must be communicated to the SAC or person acting for him/her immediately.

(b) Priority teletypes - If Agent is on duty, Agent may use his/her discretion as to whether to communicate the teletype

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to the SAC or ASAC. If support personnel are on duty, they must communicate teletypes to supervisory personnel.

(3) Filing of teletypes -

(a) File FD-36 in the case file

(b) Deleted

(c) When a teletype containing the same text is sent individually to more than one field office, only the FD-36 is to be filed.

(d) Carbon of machine copy of transmitted message may be retained for one month and then destroyed.

EFFECTIVE: 10/06/94

2-2.2 General Instructions for Mailing/Shipping

(1) The sending office is responsible for making appropriate mailing/shipping determination ensuring mailing/shipping methods are properly used. Use cheapest mailing/shipping method which will suffice in each instance.

(2) All FBI information (documents and related material) must be shipped by Federal Express (FedEx), U.S. Postal Service (USPS) Registered, or USPS Express between Bureau offices within the United States and Puerto Rico. The use of USPS Express must be limited only to locations not covered by FedEx (Post Office boxes, etc.).

(3) Mail should not be insured. Insurance payments are prohibited by Title 40, USC, Section 726.

(4) Mail in smallest possible envelope which adequately protects the material at the least possible cost. Basic envelope selection guidelines are:

(a) Use a 4 1/8 X 9 1/2 inch envelope whenever possible. Envelope shall not be more than 1/4 inch thick so it can be processed on postal high-speed optical character readers and bar code

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sorters. This dimension might consist of five sheets of 8 1/2 X 11 bond paper, or ten sheets of 8 1/2 X 11 tissue paper, or an equivalent combination.

(b) Fold material to be mailed--unless too thick or cannot be folded without being damaged--to fit into the smallest size envelope, without overstuffing.

(c) Window envelopes shall not be used for the following:

1. Classified material
2. Material relating to National Security
3. Material highly confidential to the FBI or addressee
4. Addressee is a high-level government or private sector official

(d) Choose an envelope only slightly larger than the material to be mailed, to minimize shifting within the envelope.

(e) Consolidate multiple mailings made on the same day to the same address in one envelope, instead of using a separate envelope for each item.

(f) When bulk or size of mail requires a large envelope (9 1/2 by 12 inch or larger), or mail is classified, double envelopes should be used, one inside the other, to guard against mail breaking open in transit. The inner envelope should have the same address and return address as outer envelope. Whenever the envelope contains classified information, the inner envelope should also be clearly marked "Classified Material Enclosed."

(5) If possible, all information destined to a Legat Attache (Legat) must be transmitted by electronic communication (EC) or secure facsimile. Information which cannot be transmitted to a Legat by EC or secure facsimile must be sent to FBIHQ for forwarding purposes. Direct shipments to Legats may only be used when the information is time sensitive and the material is not classified or considered sensitive. Direct shipments of classified/sensitive material to Legats are strictly prohibited.

Whenever sending Legat information to FBIHQ for forwarding purposes,

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put the information in an envelope and seal. Indicate the appropriate Legat destination point and classification level (unclassified, confidential, or secret) on the envelope. If the information being forwarded to a Legat has an "original" communication destined to FBIHQ for action/information purposes, attach the sealed envelope to the original communication and indicate next to the Legat copy designation "Sealed Envelope attached."

Once FBIHQ receives information for forwarding to Legats, FBIHQ will separate the information into two categories, classified and unclassified. The classified information will be shipped via the Department of State Diplomatic Pouch System and the unclassified information will either be shipped via the USPS Express mail service or other acceptable commercial express services. This procedure will expedite unclassified material to Legats and ensure the safe shipment of classified material.

(6) Because of the Bureau's mandated responsibilities, FBI offices are constantly sending/receiving hoax explosive devices (usually evidence), explosive components, hazardous substances, and other dangerous materials which, when x-rayed, might appear suspicious. When offices screen all incoming items, they will experience tense situations as a result of these items being shipped. Offices should not disregard any suspicious package, even though it may be labeled with a Bureau mailing label. Labels can be easily duplicated and used as a possible camouflage technique by bombers to deceive the recipient.

(a) To identify these possible suspicious-looking items prior to receipt and minimize possible disruption of the workplace, a "Mail/Package Alert" Form (FD-861) must be used.

(b) Prior to mailing/shipping items between Bureau offices which, when x-rayed, might appear suspicious, an immediate teletype must be sent or a telephone call made to the recipient. The teletype or telephone call should identify the shipping method (United States Postal Service Registered, FedEx, etc.) identifying/tracking number, office of origin, description of contents, date it was mailed/shipped, and any other information which may be beneficial to the recipient.

(c) Upon receipt of the above-mentioned information, the recipient must complete an FD-861 and post it on or near the x-ray machine in a conspicuous manner. It is the responsibility of each office to designate an appropriate area for the posting of such information and advise all employees responsible for x-raying

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incoming mail and related material of the designated area. Also, appropriate security must be afforded to the Mail/Package Alert Forms to prevent possible compromise. That is, the posting of such information in unsecured FBI space (i.e., loading dock, reception area, etc.) is strictly prohibited.

(d) The form must remain posted at all times until the item in question is received. Upon receipt of the questionable item, the FD-861 should be removed from the x-ray machine or designated area, and the bottom portion of the form completed (initials of the employee who identified the package and date received). The completed form should be retained for 90 days. Thereafter, the form should be disposed in official receptacles.

(e) The same procedures apply for mailing/shipping to the J. Edgar Hoover (JEH) FBI Building. An immediate teletype must be sent to FBIHQ, Attention: Mail Services Unit (MSU), Room 1B006, or call (202) [REDACTED] (8 a.m. - 4:30 p.m., EST) or (202) [REDACTED] (24 hours a day, seven days a week). The MSU will be responsible for ensuring appropriate JEH FBI personnel are advised of the questionable item.

(f) When mailing/shipping possible suspicious-looking items OUTSIDE the Bureau, offices should make a courtesy telephone call to the recipient, providing the same information as described above (i.e., shipping method, identifying/tracking number, date sent, description of contents, etc.).

(g) Each office (including resident agencies and off-site facilities) should designate at least two employees to serve as points of contact for this matter. This will ensure that a possible communication breakdown will not occur and appropriate personnel are notified in a timely manner. Offices should consider telephone operators, mailroom personnel, and/or the supervisor responsible for managing mail x-raying screening equipment to serve as a point of contact.

(7) Receipt card, FD-441, must be enclosed in all envelopes/cartons containing Confidential and Secret intra-Bureau correspondence. Receipt card must be returned to the sending office at the end of the day on which it is received. If there is no other mail being sent to the office which prepared the receipt card, it should be sent by itself in a small letter-size envelope. This envelope should not be registered.

(8) Check the address on the envelope or label with the

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letter to which it applies before sealing the mail.

(9) Deleted

EFFECTIVE: 06/04/97

2-2.2.1 Mail Classes and Shipping Services

(1) Federal Express (FedEx) - The Bureau's use of FedEx small package overnight express service is provided under General Services Administration (GSA), Contract No. GS-23-F-9656D, and is mandatory for the Department of Justice and most other executive agencies subject to 41 CFR 101-40. The scope of the contract does NOT include "letters," i.e., ROUTINE first-class mail to a private citizen, as defined in United States Postal Service (USPS) Regulations, 39 CFR 310.1 (Private Express Statutes).

The scope of the contract also does NOT include the following for shipment:

- (a) Cash, currency, and collectible stamps and coins;
- (b) Live animals, including birds, reptiles and fish;
- (c) Shipments which require FedEx to obtain a federal, state, or local license for their transportation;
- (d) Human corpses, or human parts, cremated or disinterred human remains;
- (e) Lottery tickets or gambling devices;
- (f) Shipments which may cause damage or delay to equipment, to personnel, or to other shipments;
- (g) FM-04 Class 8 corrosives;
- (h) Shipments of which the carriage is prohibited by law, statute, or regulation of the state through which the shipment must travel;

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(i) Fireworks (Explosive Class C, common fireworks) unless prior written approval is obtained from FedEx;

(j) Used hypodermic needles and/or syringes or medical wastes;

(k) Single packages greater than 150 pounds in weight and/or greater than 119 inches in length, and 165 inches in length and girth combined;

(l) Single packages smaller than 7 inches in length, 4 inches in width and 2 inches in depth;

(m) Shipments which contain both firearms and ammunition in the same package; and

(n) Any other article which FedEx prohibits its commercial customers from shipping (see "FedEx U.S. Government Service Guide" and "FedEx Worldwide Service Guide").

(2) The contract specifically states that urgent letters must be delivered in accordance with the USPS Private Express Statutes which, for the most part, means that delivery must be made before 12 noon the following business day. To comply with Private Express Statutes and to receive GSA contract rates, Bureau offices must use FedEx "Priority Overnight" service with a 10:30 a.m., next-business-day delivery commitment. Using FedEx "Standard Overnight" service with a 3 p.m. next-business-day delivery commitment, or using "second-business-day" service with a 4:30 p.m. delivery commitment for FBI documents is prohibited and is in violation of Private Express Statutes and USPS regulations. Using FedEx "First Overnight" with an 8 a.m., next-business-day delivery commitment is NOT provided under the GSA contract, but may be used only on occasions where the earlier delivery commitment is absolutely necessary. Under no circumstances should "First Overnight" be used whenever shipping to FBI Headquarters (FBIHQ). All FedEx packages destined to FBIHQ are picked up at 8:30 a.m. each business day regardless of the type of service indicated.

(3) USPS Private Express Statutes also require that all letters shipped express next-business-day must be marked "Extremely Urgent," or "Private Carriage Authorized by Postal Regulations," or with a similar statement. Packaging containers provided by FedEx and most other express couriers are marked "Extremely Urgent." However, standard opaque packaging containers provided by GSA and commercial vendors are not marked as such. Whenever using standard opaque packaging containers for express shipping purposes, Bureau offices are

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required to mark the container "Extremely Urgent" next to the address mailing label/airbill, as specified within USPS regulations.

(4) The contract also specifies that packages must be delivered within 60 seconds after the published delivery commitment, or they will be delivered free of charge. When this does occur, FedEx will automatically credit FBI accounts for late deliveries. To support the automatic credit for late deliveries, the invoice generated from FedEx Powership 2 and 3 Systems should not be used for payment purposes. FedEx will provide a weekly paper invoice to all FBI FedEx account locations which should be reviewed for accuracy. Accurate weekly invoices only should be marked "OK to pay" with the approving official's signature, date, and appropriate purchase order number for your division (furnished by Finance Division), and promptly forwarded to FBIHQ, Commercial Payments Unit, Room 1987. Invoices which are not correct should be reconciled by calling FedEx at (800) 645-9424. Invoices which cannot be reconciled should be brought to the attention of FBIHQ, Mail Services Unit, Room 1B006, Extension 1624.

(5) The scope of the contract also provides for the shipment of "Dangerous Goods," as defined by the International Air Transportation Association (IATA) Dangerous Goods Regulations. Bureau offices must comply with all federal, state, and local laws governing packing, marking, and labeling whenever shipping dangerous goods. Specific information about dangerous goods may be found in the service condition section of the August, 1996, FedEx U.S. Government Contract Service Guide, pages 21-25, or by calling FedEx at (800) GO-FedEx, Extension 1666. (See MAOP, Part II, 6-2.3.9; MIOG, Part II, 13-6.7(9).)

(6) The use of FedEx is considered "Premium Transportation" and should not be indiscriminately or needlessly used. Bureau offices should use the cheapest mailing method which will suffice in each instance. Bureau offices are authorized to use FedEx for the daily, consolidated shipment of FBI documents and related material between Bureau offices within the United States and Puerto Rico. However, the use of FedEx for shipment of office supplies, forms, and/or routine material is prohibited. The sending office is responsible to make the appropriate shipping determination, ensuring FedEx is properly used.

(7) All FedEx shipments between Bureau offices must have the sender's and recipient's complete address and telephone number on the label/Airbill.

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(8) All FedEx shipments must have a FedEx SEL-17 exception sticker next to the address mailing label. Bureau offices may obtain SEL-17 stickers by contacting FBIHQ, Mail Supervisors on extension 4303.

(9) All Accountable Mail shipments containing FBI documents and related material must be delivered to their respective shipping representative. The use of collection boxes is prohibited.

(10) All Bureau offices equipped with a FedEx Powership must verify the delivery of FedEx packages shipped within two work days after shipment. Lost, missing, or "failure of performance" packages must be immediately reported to your Division Security Officer and FBIHQ, Mail Management Program Analysts on Extension 1624, or on Extension 1622, for appropriate action.

(11) FedEx Powerships must be operated in a dedicated mode as defined in the Automated Data Processing Telecommunications Security Policy, Manual of Investigative Operations and Guidelines (MIOG), Part II, Section 35-9.4.8. That is, they may only be used to communicate, process, and store FedEx transactions. NO other software or data is to be entered into, processed on, or transmitted by this computer. All Powerships must be labeled with a data description label (SF-711) to indicate that the equipment is contractor-owned. Bureau offices may obtain SF-711 labels from their division's supply technician.

(12) Packaging containers (i.e., envelopes, boxes, tubes, etc.) provided by the USPS and FedEx must have continuous nylon-reinforced filament tape placed around the container.

(13) Standard opaque packaging containers shipped via FedEx must be sealed with plastic or gummed paper tape so that it appears "mummy wrapped." Thereafter, at LEAST three continuous strips of nylon-reinforced filament tape must be placed around the container.

(14) Packaging containers provided by FedEx must NOT BE REUSED for shipment purposes. These containers are designed for one shipment only. Standard opaque packaging containers may be reused only when the container is structurally sound, with no holes, tears, or missing flaps. Obsolete address mailing labels and markings must be removed or covered prior to shipment.

(15) The "release signature" block on FedEx Airbill must

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NOT be executed under any circumstances.

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2-2.2.2 Registered Mail

The weight and size limits for registered mail is 70 pounds and 108 inches in length and girth combined.

(1) Use registered mail for - (See MAOP, Part II, 2-2.2.9.)

(a) Deleted

(b) Evidence

(c) Valuables - item having a reimbursable value, such as coin, currency, jewelry, etc. The reimbursable value must be declared to the postal service.

(d) Material classified under Executive Order 12356. "Secret" and "Confidential" material must be enclosed in opaque sealed envelopes where size permits or in opaque sealed boxes. Refer to MIOG, Part II, 26-7.2, for transmitting material of this type to other agencies. (See also NFIP Manual, Part I, 8-7.2.)

(e) Firearms - when within weight limitations (See MAOP, Part II, 6-2.3.9; MIOG, Part II, 12-5(5) & 13-6.7(29), for shipment of firearms.)

(f) Any other material which the Bureau has ordered sent by registered mail.

(g) Receipts for registered mail (FD-441) sent from a resident agency are to be forwarded to the field office headquarters. Field offices are to verify receipt of all registered mail and FD-441s by noting adjacent to the registered number on U.S. Postal Service Form 3877 (outgoing registered mail) or 3883 (incoming registered mail), the date and the initials of the employee who confirms the receipt of the mail and FD-441. Thereafter, the FD-441s are to be destroyed. Postal Service Forms 3877 and 3883 are to be destroyed on a monthly basis when one year old. (See MAOP, Part II, 2-4.5.18.)

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(h) Form FD-441b (Registered Mail Tracer Request) is to be used to trace and verify receipt of registered mail dispatched to an FBI office when the registered mail receipt cards have not been returned to the originating office. The receiving office is to execute the appropriate portion of the form and return it to the sending office. The information on the FD-441b will be recorded in the absence of the misplaced registered mail receipt card. Thereafter, the FD-441b may be destroyed.

(i) Form FD-441a (Receipt) is green in color and is to be used in connection with mailing evidence from one field office to another or from a field office to FBIHQ. The form is to serve as verification that the receiving office did, in fact, receive the evidence. The receiving office is to execute the appropriate portion of the form and return it to the sending office (Attention: Evidence Control Technician) where it is to be placed in an evidence envelope (FD-340 or FD-340b) and filed in the 1A section of the case file for retention pending final disposition of the file. (See MAOP, Part II, 2-4.4.11.)

(2) Numbering Registered Mail

(a) All registered mail must be numbered by a self-adhesive number preprinted, i.e., (R020043002), label.

(b) Labels should be used in numerical order and the complete nine digit number, including the prefix "R" must be recorded on the postal manifest.

(c) Labels are obtained from local post offices.

(3) Wrapping Registered Mail - Standard opaque packaging containers shipped via USPS Registered mail must be sealed in a manner that will allow application and retention of adhesive stamps, postage meter impressions and postal endorsements made by hand stamp, ball-point pen, or number two pencil. The use of masking, cellophane, nylon-reinforced, and/or plastic tape on the outer finish of registered mail is prohibited. Bureau offices must use extra gummed paper tape to ensure the registered packaging container does not break open in transit.

(4) Registered mail from FBIHQ -

(a) A record of mail received from FBIHQ must be maintained for one year on Form FD-211.

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(b) Record must show date and time of receipt, accountable/tracking number, initials of employee signing postal service receipt when a return receipt is received, whether the return receipt card is Bureau Form 4-37 or whether it is U.S. Postal Service Form 3811.

(c) Enter on Form 4-37 the actual time of receipt of the mail by the Bureau employee from the post office box or the actual time the mail is delivered to the office by a postal service employee.

(d) Deleted

EFFECTIVE: 04/07/97

2-2.2.3 Express Mail (USPS)

Provides for next-day service if mailed no later than the designated time required by each post office. May be used for transmitting information classified "Confidential" or "Secret" between FBI offices within the United States and Puerto Rico. The use of USPS Express Mail must be limited only to locations not covered by FedEx (Post Office boxes, etc.). Contact your local post office for service information.

EFFECTIVE: 06/06/96

2-2.2.4 First-Class Mail (11 ounces or under) (See MAOP, Part II, 6-2.3.9.)

(1) Receives expeditious handling and transportation and consists of mailable post cards, matter wholly or partially in writing or typewriting, matter closed against postal inspection, bills, and statement of account.

(2) Pieces of mail are not acceptable for mailing if they are LESS than any one of the following measurements:

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3 1/2 inches high;  
5 inches long; or  
.007 (Seven thousandths) of an inch thick

(3) Pieces of mail more than 1/4 inch thick do not have to measure at least 3 1/2 inches high or 5 inches long. EXEMPTED from all but the minimum thickness dimension are mailings of keys, identification cards and tags.

(4) A surcharge will be required for First-Class mail weighing one ounce or less if any one of the following dimensions are exceeded:

6 1/8 inches high;  
11 1/2 inches long; or  
1/4 inch thick

(5) First-Class mail weighing more than 12 ounces which requires expeditious handling and transportation should bear the notation "Priority" immediately above the address. A rubber stamp with 1/4-inch high or larger letters should be used. Size limit - 108 inches in length and girth combined. Weight limit - 70 pounds.

(6) Expense checks for the individual resident agency should be placed in one envelope and directed to Senior Resident Agent (SRA) for personal distribution by SRA. Make a notation on the date expense checks are mailed to SRA and initials of employee on Bureau letters of transmittal for expense checks. First-class or Priority mail is to be used in mailing expense checks.

(7) Always use First-Class mail or Priority mail for outside source correspondence mailed to Alaska, Hawaii, and Puerto Rico. Airmail is to be used only for International Mail.

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||2-2.2.5| Second-Class Mail

Use for mailing periodicals, such as magazines, newspapers, etc., when postage is paid by permit, postage stamps, or postage-meter stamps. For details, consult Postal Manual or local Postal Service if need for use occurs. Not normally used in Bureau mailings.

EFFECTIVE: 12/14/93

||2-2.2.6| Third-Class Mail

(1) Consists of mailable matter which is not mailed or required to be mailed as First-Class mail, Second-Class mail and weighs less than 16 ounces. Consult Postal Manual or local Postal Service if need for use occurs.

(2) A surcharge will be required for Third-Class mail weighing two ounces or less if any one of the following dimensions are exceeded:

6 1/8 inches high;  
11 1/2 inches long; or  
1/4 inch thick

EFFECTIVE: 12/14/93

||2-2.2.7| Fourth-Class Mail (Parcel Post) | (See MAOP, Part II, 6-2.3.1(2).)

(1) Consists of mailable matter not mailed or required to be mailed as First-Class mail. Weight - Minimum - 16 ounces - Maximum - 70 pounds. Size limit - |108| inches in length and girth combined.

(2) Routine, nonurgent parcel post mailings should be mailed in the morning or early afternoon, not at the peak mailing period, 5 p.m. to 10 p.m.

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EFFECTIVE: 12/14/93

||2-2.2.8| Certified Mail|(See Correspondence Guide-Field.)|

Certified mail provides for a receipt to the sender and a record of delivery at the post office of addressee; it is handled the same as regular mail in transit and no record of it is maintained at the sending post office. Not available for parcels and packages. May be used for mailing material not requiring the security of registered mail but where a return receipt is desired. Not normally used in Bureau mailings.

EFFECTIVE: 12/14/93

2-2.2.9 Mail to United States Attorneys

Mail for a USA located in field office headquarters city may, at SAC's discretion, be mailed to USA unless USA's office and field office are in the same building. In such instances it should be delivered by messenger or clerk. If mailed, handle consistent with above instructions in MAOP, Part II, |2-2.2.2|(1) regarding registered mail.

EFFECTIVE: 06/06/96

||2-2.2.10| Mailing of Training Film|(See MAOP, Part II, 8-3.2(14).)|

(1) To or from Anchorage, Honolulu, and San Juan Offices should be mailed by Priority Mail.

(2) Other training film mailings, unless advised to contrary in a particular instance, should be mailed by parcel post, endorsed "Special Fourth-Class Rate" - and "Special Handling."

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EFFECTIVE: 12/14/93

||2-2.2.11| Handling of Photographs

(1) Place the name and the date of the photograph on the back. If sent with request to locate and apprehend, place the description on the back. When an auxiliary field office is requested to exhibit a photograph of a suspect or a subject to a witness(es), the communication containing request should contain, in addition to necessary photograph(s) of the suspect or subject, an appropriate number of suitable elimination photographs to be exhibited along with photograph of the suspect or subject. (In expedite situations where an auxiliary office is already in possession of suspect's or subject's photograph and necessary exhibition of photograph does not allow time for receipt of additional elimination photographs from requesting office, such photographs may be obtained from available auxiliary office sources and displayed.)

(2) Received - If to be filed, place the file and serial number on the back of each copy, in addition to the name and date on one copy only.

(3) Prepared for use of investigative personnel - Photographs duplicated for temporary use of personnel in connection with investigations and not intended for file should be destroyed after the purpose for which prepared has been served. Such copies do not need to be charged out or accounted for.

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2-2.2.12 Business Reply Mail (Moved from 2-2.2.2)

Mandatory use of business reply mail by federal agencies is required by the United States Postal Service (USPS). Official mail envelopes furnished to any person, concern, or organization, from or through whom official reply is desired, must be preprinted in a business reply mail format, as required by the USPS. Penalty Mail stamps or a postage meter impression may be applied to envelopes distributed for reply purposes in lieu of the preprinted business reply mail envelopes.

EFFECTIVE: 06/06/96

2-3 INDEXING

EFFECTIVE: 04/23/91

2-3.1 Purpose

The purpose of indexing is to record individual names; nonindividual names, such as corporations; and property which are relevant to FBI investigations so that this information can be retrieved, if necessary, to support an efficient and effective case management system for current and future investigations. The FBI Headquarters General Index (HQGI) also serves as an information resource to the Executive Branch of the U.S. Government. Executive Branch Agencies request name searches against this general index as part of their investigations to determine suitability for employment, trustworthiness for access to classified information by U.S. Government employees, contractors, licensees, grantees, military personnel and other individuals with an officially determined need for access or, in the case of aliens, eligibility to remain in the United States.

EFFECTIVE: 04/23/91

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2-3.2 General Policy

(1) A general index in support of FBI administrative and investigative matters must be maintained in an automated and/or a manual environment at the field office and Headquarters levels. Only information which is relevant and necessary to accomplish a purpose authorized by statute, Executive Order of the President, or by the Constitution is to be recorded in FBI files.

(2) It is absolutely essential to include as much identifying information (see 2-3.4.1) as possible once the decision is made to index based on the guidelines in this manual. The efficiency and effectiveness of present and future index systems will be determined largely by the completeness of each index record. "Indices Popular" names, such as but not limited to, JAMES JACKSON and/or JOHN SMITH, without specific identifying data are of little or no value to subsequent users of the index.

(a) Cautions: Repetitive subject indexing within a case is not necessary and is prohibited. If case Agents and/or their supervisors require repetitive subject indexing, they must request and obtain the assistance of one of the automated investigative support systems. Indiscriminate reference indexing without specific purpose also is not acceptable.

(b) Incomplete common names (common names which do not include at least a partial first name and full last name), except for title information, as well as separate standalone address, telephone, and automobile license plate numbers, should not be indexed absent extraordinary circumstances. Such unidentifiable names and/or numbers create further information management overhead costs which are not economically justifiable now or in the future.

EFFECTIVE: 04/23/91

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### 2-3.3 Indexing Criteria and Guidelines

There are two types of records (subject and reference) included in the general index of each field office and/or FBIHQ in both automated and manual systems.

(1) Subject index records are prepared on individual and nonindividual names that are the focus of an investigation and property information in the title of most files. There are exceptions in Office of Professional Responsibility matters (see MIOG, Part I, Section 263-7), zero file matters and control file matters. It should be noted that it is only necessary to index each subject and alias(es) once in each case.

(2) Reference index records are prepared on individual names, nonindividual names and property information which are not in the title of a file and are, therefore, not a known subject/target of the current investigation. The majority of these names are found in the body of a document.

EFFECTIVE: 04/23/91

#### 2-3.3.1 Mandatory Indexing (See MAOP, Part II, 2-3.3.2(1), 2-3.5(2) & (3) & 10-17.8.)

(1) CASE TITLE INFORMATION: Any information which is or should be in the title of any case file, including but not limited to all known aliases, requires the preparation of a subject index record. Special attention should be afforded those files using abbreviated "et al." or "code name" titles to ensure a subject index record is prepared for each subject and/or target of the investigation. The "CHANGED" title instructions (MAOP, Part II, 10-16.7.4) must be followed in such cases. An exception is permitted regarding indexing of FD-430s in auxiliary offices (see MIOG, Part I, Section 91-12.2(9)).

(2) RECIPIENTS OF SUBPOENAS: When a person or the records of a person, business and/or individual of a business are subpoenaed in an FBI investigation (except if the subpoena is a grand jury subpoena), the person and/or the business to whom the records relate, including aliases, must be indexed in the field office general indices of the office issuing and/or serving the subpoena. To illustrate, if the records of the John Doe/ABC Company are subpoenaed from the telephone company, it is the John Doe/ABC Company, not the

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telephone company or the telephone company employee, that is to be indexed. Grand jury subpoenas may be indexed ONLY in indices that are accessible ONLY by those assisting the attorney for the government in that specific grand jury investigation.

(3) INDIVIDUALS POLYGRAPHED: The names and aliases of individuals polygraphed by FBI polygraph examiners must be indexed in the general index of the field office conducting the polygraph examination and in the FBIHQ general index.

(4) ELSUR COVERAGE: The names of known subjects/targets (Principals) of an electronic surveillance and those having proprietary interest in the property covered by the Elsur, including all known aliases, must be indexed as subject records even though they may not be reflected in an abbreviated title, i.e., "et al." or "code name" titles.

(5) STOP NOTICES: The requesting and placing offices are required to index each name and/or item of property which is documented in a stop notice while the stop notice is in force. Once the stop notice is discontinued, the index records are to be removed.

(6) COOPERATIVE WITNESSES: The names of these individuals, including aliases, as defined in the Manual of Investigative Operations and Guidelines (MIOG), Part I, Section 270-2, must be indexed.

(7) "ZERO" FILE MATTERS: All titles must be indexed at least one time, including all names of complainants except for names of individuals representing repetitive-type sources of information such as, but not limited to, security officers of private institutions or law enforcement officers. The titles of the separate communications in these files may be indexed as references. (See MAOP, Part II, 2-3.6.4(2)(f).)

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2-3.3.2 Discretionary Indexing

(1) It is emphasized that all individuals who furnish information or names developed in an investigation need not be indexed. Only information that is considered relevant and necessary for future retrieval by the case Agents and/or their supervisors should be indexed. This is discretionary and is therefore a very subjective decision-making process. Field investigators, their immediate supervisors and the Administrative Officer/Office Services Manager can be held accountable only for compliance with the mandatory indexing provisions (see 2-3.3.1).

(2) It also should be noted that all witnesses or persons interviewed or contacted by the FBI are NOT routinely indexed. Such indexing is discretionary but should not be done indiscriminately, i.e., there must be some basis for the position that the information indexed may be necessary for future retrieval. Witnesses and persons interviewed are well known to the Agent during the pending investigation and generally no useful purpose is served in connection with FBI responsibilities to have such information available in the index for future retrieval. The criteria as listed are sufficient for future investigative needs and are responsive to the Bureau's responsibilities under the name check program. To do otherwise would result in building a store of data too large to be efficiently manageable or essentially useful. The retention of extraneous data cannot be justified under the basic mandates of the Bureau.

(3) Examples of discretionary indexing:

- (a) Suspects
- (b) Close Relatives and Associates of Subjects
- (c) Victims and Complainants: This refers to victim(s) not listed in the title of a case and/or complainants (except "Zero" files).

(d) Witnesses or Others Contacted

(e) Property: Property of value noted below which is not entered in NCIC and can be identified by unique serial numbers can be indexed only if future retrieval is considered necessary. Property without a unique serial number or other identifying number should not be indexed in the general indices except for property in the title of a file or unless extraordinary reasons exist for doing so. Examples of additional pertinent data for different types of

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property are noted below:

1. Aircraft: Indexing should include aircraft serial number, make, year and manufacturer's model name and/or number. Aircraft registration numbers and engine serial numbers enhance record quality, if available.
2. Firearms: Indexing should include caliber, make and model number, if known, in addition to the serial number.
3. Vehicles: Indexing should include the year, make, model number, engine and/or transmission serial numbers and the Vehicle Identification Number (VIN).
4. Currency and Other Securities: Indexing should include the serial number of any bonds, money orders, stock certificates, traveler's checks, etc.
5. License Plates: Indexing should include the number, year and state of registration.

(f) Computer Addresses: This refers to addresses used with computer-related crimes. Computer Addresses are unique electronic names and numbers. They contain periods (e.g., 133.31.22.52, KAGUNSUN2.C1.KAGU.SUT.AC.JP), and are identified as Network User Identification (NUI) or Network User Address (NUA). Please refer to Indexing Guidelines on the proper way of entering Computer Addresses in the Index application of the Field Office Information Management System (FOIMS).

EFFECTIVE: 02/01/94

2-3.4 Index Data

It is important that each and every name index record created contains as much related identifying or descriptive data as possible in an attempt to make that name unique. This will allow the future searcher the ability to efficiently and effectively identify the information sought at the index level and eliminate other names without having to review additional documentation. There are two types of index data which help make an individual name unique, namely identifying and descriptive data. Identifying data is considered more

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valuable than descriptive data since descriptive characteristics are subjective and change more over time.

EFFECTIVE: 06/14/88

2-3.4.1 Identifying Data

The relative uniqueness of a name is determined by obtaining, documenting and indexing the following fields of information:

- (1) Birth date
- (2) Birth place
- (3) Sex
- (4) Race
- (5) Social Security number
- (6) FBI number
- (7) Other numbers
  - (a) Military serial number
  - (b) Selective Service number
  - (c) Identification order number
  - (d) Wanted flyer number
  - (e) Alien registration number
  - (f) Immigration and Naturalization number
  - (g) Passport number
  - (h) Check circular number

(i) Chinese telegraphic code: This code has become known as the Standard Telegraphic Code (STC). In addition to indexing

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the Wade-Giles or Pinyin Romanized version of Chinese names, a separate index record is to be prepared on the equivalent STC number.

EFFECTIVE: 06/14/88

2-3.4.2 Descriptive Data

(1) Descriptive data includes: height; weight; color of eyes; color of hair; scars and marks; etc. This information is beneficial and may be included in the miscellaneous fields of the automated or manual records.

(2) Address and localities (state or foreign country where individual has lived, worked or traveled) can also be considered descriptive data. This information is used as an eliminating factor in volume searching matters, such as the National Name Check Program, especially when dealing with a name that appears in the indices many times.

EFFECTIVE: 06/14/88

2-3.5 Indexing Requirements of General Indices Versus Automated Investigative Support Systems

(1) All investigative documents are to be reviewed, marked for indexing, if appropriate, and the index information entered into the general index of a field office in accordance with general index guidelines. Copies of documents channelized to sub files established in major operations need not be indexed when the original file copy of the channelized document has been indexed and is filed in the main case file. The guidelines of the specific automated system are to be applied to determine entry of data into that system.

(2) Automated investigative support systems, such as the Criminal Law Enforcement Application (CLEA), the Investigative Support Information System (ISIS), the Intelligence Information System (IIS) and the many microcomputer applications, are investigative tools and are considered part of the central records system. Names recorded in any one of the automated investigative support systems MUST also be recorded in the general indices of the field office or FBIHQ ONLY IF THEY MEET THE CRITERIA FOR THE MANDATORY INDEXING AS NOTED IN 2-3.3.1.

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(3) In other words, names or property which fall within the guidelines for optional (discretionary) indexing can be entered in the automated investigative support systems without being entered in the general index. OFFICES HAVING NAMES IN THE AUTOMATED INVESTIGATIVE SUPPORT SYSTEMS MEETING THE MANDATORY CRITERIA IN 2-3.3.1 WHICH ARE NOT INCLUDED IN THE GENERAL INDEX ARE IN NONCOMPLIANCE WITH FBI INDEXING RULES AND REGULATIONS.

(4) Due to the downgrading of the FBI Network (FBINET) to the Secret/collateral operational level, there is a prohibition against the use of FBINET to process Top Secret (TS) and Sensitive Compartmented Information (SCI). The Secure Data Information System (SDIS) exists at FBIHQ and provides an automated means of indexing and retrieving TS/SCI material. This system will be provided to all offices in the future. Until such time that this system is available to all offices, a manual index or a microcomputer application must be used within all offices to index and retrieve TS/SCI material. (See FCI Manual, Introduction, Section 1-10, Searching for TS/SCI records.)

EFFECTIVE: 11/25/94

2-3.6 Responsibilities

EFFECTIVE: 02/14/92

2-3.6.1 Special Agent (See also Correspondence Guide-Field, 1-10, 1-11 & 1-11.1)

The Special Agent assigned a case is the manager of that case in all aspects. It is the Agent's responsibility to ensure compliance with all appropriate laws, rules, regulations and guidelines, both investigative and administrative, from inception of the case through disposition of the evidence (unless support personnel are specifically designated with that evidence responsibility). The Special Agent receives assistance in the management of cases through support provided by the Administrative Officer (AO) or Office Services Manager, the Supervisory Special Agent or the designated Relief Supervisor, the Legal Advisors and the various Agent program or specific topic advisors. (See MAOP, Part II, 2-3.6.4(1).)

(1) Agents are responsible for obtaining the birth date

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for all individuals interviewed and to record that information in appropriate documentation. If the date of birth is not obtained, the reason for its absence must be documented in the interview report along with an approximate year of birth for that individual. (See also MAOP, Part II, 10-13.3(9), and Correspondence Guide-Field, 2-4.4.4(3).)

(2) Agents are responsible for circling (subject) and underlining (reference) or instructing the stenographer or typist to circle (subject) or underline (reference) in red pencil any information within the body of a communication which is covered by the mandatory indexing criteria, including aliases and identifying/descriptive data. (See MAOP, Part II, 2-3.6.4(2)(b).)

(3) The Agent need not mark the specific information typed in the title of the communication. The rotor employee will, as a matter of routine, prepare index records on names and property contained in the original title and any "CHANGED" or "CHANGED (INTEROFFICE)" titles. However, the identifying descriptive data within the body of the communication related to the title information must be marked by the case Agent on the copy of the communication. The copy is then forwarded to the rotor employee. Upon accomplishing the requested indexing, the copy may be destroyed or returned to the Agent, if requested. (See MAOP, Part II, 2-3.6.4(2)(b).)

(4) Specific care must be taken to ensure names which are not reflected in abbreviated titles, i.e., "et al." and "code name" titles, are indexed. (See MAOP, Part II, 2-3.6.4(2)(b) & 2-4.3.)

(5) The Agent is also responsible for underlining (reference) names, including aliases and identifying/descriptive data, or instructing the stenographer or typist to underline (reference) in red pencil those names or other items with related identifying data appearing in the body of a communication which are discretionary items for indexing and deemed necessary for future retrieval. (See (10) & MAOP, Part II, 2-3.6.4(2)(b).)

(6) The Agent to whom the case is assigned is responsible for any necessary marking for indexing of FD-302s or inserts without delay. Indexing of these communications is to be done by marking a copy of the FD-302 or insert, or by marking the communication in which copies of the FD-302 or insert are used as insert pages. If the FD-302 or insert has been received from another office, the Agent to whom the case is assigned is to indicate on a copy of the FD-302 or insert any necessary indexing, and promptly return it to the rotor employee for appropriate action. (See MAOP, Part II, 2-3.6.4(2)(b),

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2-4.3.2(2), 10-13.3(9), & 10-13.9, and Correspondence Guide-Field,  
2-11.4(3).)

(7) Deleted

(8) Information to be indexed in teletypes, except those known to be disseminated at FBIHQ to other agencies, is to be flagged by typing (X) or (XX) symbols, in parentheses, preceding and following the information to be indexed. If the information is reference data in the body of the teletype, the (X) symbol, in parentheses, should be used. If the information relates to subject data not set forth in the title, the double (XX) symbol, in parentheses, should be used. Information carried in the caption is automatically indexed as described in 2-3.6.4. In those teletypes known to be disseminated at FBIHQ, material to be indexed should be set out in the administrative section of the communication and flagged in the same fashion as in other teletypes. (See MAOP, Part II, 2-3.6.4(2)(b)(d) and Correspondence Guide-Field, 2-9.3.1(8)(n) 6.)

(9) Indexing may be indicated on an unserialized copy of the communication and forwarded to the rotor employee. Upon accomplishing the requested indexing, the rotor employee should destroy the copy or return it to the Agent, if requested. It is not necessary to transfer indexing markings to the file copy. (See MAOP, Part II, 2-3.6.4(2)(b) & 2-4.3.)

(10) Information to be indexed in other outgoing communications (airtels, letters, reports, memoranda, etc.) to FBIHQ requires a marking to signify related identifying and/or descriptive data for indexing. The author of the document is responsible for ensuring this information is marked for indexing under mandatory or optional indexing guidelines (red circle for subject or underlining for references). A red circle is then placed along the right margin of the first page. The page number(s) of the document requiring indexing is to be recorded in the red circle. If no indexing is required, a red "X" is placed in the circle.

Either the author of the document, the case Agent and/or the responsible Supervisory Special Agent, is to place his/her initials adjacent to the red circle, when approving the document for transmittal. This indicates all information to be indexed has been appropriately marked, or that no indexing is required. The FBIHQ original or top copy must have these markings. Support Services Section personnel are to assist the Agent in complying with these requirements whenever possible. Outgoing communications to other field offices do not require this type of flagging. (See (5) & MAOP.

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Part II, 2-3.6.4(2)(b)(c.)

(11) Agents may not recommend closing of a case, absent extraordinary circumstances, until a full name, all available aliases and all available or reasonably obtainable identifying data for all individual subject records are recorded in the general index. (See MAOP, Part II, 2-3.6.2(2) & 2-3.6.4(2)(d).)

(12) FBIHQ personnel (Agents, analysts, etc.) will utilize a green circle (subject) or green underlining (reference) to mark information for indexing on incoming communications not already automatically indexed (Titles) or already marked by the field offices on the original or top copy. FBIHQ personnel will also mark the yellow file copy of outgoing communications and the original of internal memoranda, as needed. If FBIHQ data processing personnel discover that a subject and/or reference record on a particular name in a particular case has already been prepared, it will only be necessary for the Information Management Division to modify the subject record with new identifying/descriptive data and/or update the reference record with the additional serial number.

EFFECTIVE: 09/08/93

#### 2-3.6.2 Supervisory Special Agent's Responsibility

(1) The Agent Supervisor, or the Relief Supervisor, in addition to providing substantive investigative guidance, must ensure there is continual emphasis on compliance with the indexing guidelines. Once a decision is made to index, whether by Office Services Manager personnel or by the Agent, attempts must be made on all pending cases to obtain identifying/descriptive data defined in Section 2-3.4.1 and Section 2-3.4.2 of this manual. Lack of consistent compliance can be reflected in any critical elements that cover the obtaining and/or reporting of information and communications responsibilities. Agent Supervisors must also be vigilant and ensure that repetitive subject and/or indiscriminate reference indexing does not occur. If repetitive subject indexing is considered necessary and advantageous for a specific major case, use of the various automated investigative support systems must be utilized since such indexing in the general indices is prohibited.

(2) Supervisors may not approve the closing of cases, absent documented extraordinary circumstances, until the full name, all available aliases and all available or reasonably obtainable identifying data for

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all individual subject records are recorded in the general index.

(3) Appropriate automated management tools to easily review indexing within a case at file review time and by investigative squad compared to investigative program areas at specific intervals of time (quarterly) have been designed.

EFFECTIVE: 02/14/92

2-3.6.3 SAC's Responsibility

(1) Deleted

(2) As noted in Section 2-3.6.2 above, appropriate automated management tools have been designed to measure a level of quality regarding identifying data in the pending caseloads. A quarterly report will be provided to the SAC through the Administrative Officer/Office Services Manager which will compare the overall efforts of each Agent Supervisor with each of the investigative programs and the overall office effort itself. The SAC should review these reports with the Agent Supervisors and consider their individual efforts in the annual performance appraisals through the use of any critical element involving supervision of subordinates.

EFFECTIVE: 03/04/94

2-3.6.4 Office Services Manager's Responsibility | (See MAOP, Part II, 2-3.6.1(3)(8).) |

(1) The staff of the Administrative Officer (AO) or Office Services Manager (OSM) will, as a matter of routine, prepare index records on names, aliases, and data in the title, including "CHANGED" or "CHANGED (INTEROFFICE)" titles, and will review other incoming, outgoing, and intraoffice communications, using the following markings:

(a) Blue pencil check over last name - name searched and index card found which identifies the specific case file (subject matter) of the communication.

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(b) Blue pencil circle over last name - name searched and no index card found which identifies the specific case file. (NOTE: The foregoing indexing markings are also searching symbols indicating the results of index check of incoming communications.)

(c) Red pencil diagonal through blue circle over last name - index card now prepared on name.

(d) Red diagonal through red pencil circle (subject) or underline (reference) - index record has been prepared on name.

(2) Other responsibilities of the AO/OSM staff will include the following:

(a) If AO/OSM personnel are aware that underlined names are subject-type names, they may upgrade the marking to a subject record and, if already indexed, a new record need not be prepared. It will be necessary only to modify an existing record with additional identifying/descriptive data or new serial numbers. The decision to upgrade is discretionary.

(b) Word Processing personnel should inquire of the Agent on each dictation, whenever possible, if there is any indexing to be marked and, if the response is positive, comply with the instructions in Section 2-3.6.1 (2) through (10). (See Correspondence Guide-Field, 1-11.1.)

(c) Mail desk personnel should be alert regarding any communication going to FBIHQ to ensure it is appropriately flagged in compliance with the indexing guidelines in Section 2-3.6.1 (10). If there is an absence of flagging, the AO/OSM should be informed.

(d) Rotor personnel should comply with restrictions against filing serials and closing cases before indexing is completed as set forth in Section 2-3.6.1, (8) and (11).

(e) Indexing SAC memoranda, material in double zero (instructional and policy) files and administrative (i.e., vouchers, space matters, automotive maintenance, physical fitness program, etc.) files is discretionary. If indexing is not desired on documents contained in these files, it is not necessary for personnel to place the nonindexing mark (red circle with an "X" inside it) nor indicate that no indexing is required by affixing initials adjacent to the red circle.

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(f) Material in zero files shall be fully indexed as noted in the mandatory indexing criteria, MAOP, Part II, 2-3.3.1(7).

EFFECTIVE: 08/23/93

### 2-3.7 Disposition of Index Data

If and when a field office territory is realigned, the SACs and the Office Services Managers involved should contact the Information Management Division, Information Services Section, Office Management Services Unit, for current policy on the handling of existing manual index cards or electronic index records. The destruction, accession and or archiving of index information is controlled by policy articulated in "The Records Retention Plan And Disposition Schedule."

EFFECTIVE: 02/14/92

### 2-3.8 Index Searching Procedures for New Mail

(1) When new mail is received without a file number, automated indices should be searched. If the results are positive, then a manual search is not necessary. However, if the automated search is negative, the manual indices should be searched.

(2) When new mail is received with a pre-Universal Case File Number (UCFN), the document should be searched in the automated indices. As in (1) above, if the results are positive, then a manual search is not necessary. If the automated search is negative, the manual indices should be searched.

(3) When new mail is received with a UCFN file number, the document should be searched in the Field Office Information Management System (FOIMS) Case Application by the case number.

(a) If the results of the FOIMS Case Application search are positive, the mail should be routed to the rotor. Direct routing to the rotor is done to eliminate redundant searching. (During the process of opening the case or modifying the title as in a "CHANGED" or "CHANGED (INTEROFFICE)" communication, all the names should have already been searched in both the automated and manual indices.)

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(b) If the results of the FOIMS Case Application search are positive, but the new mail has a "CHANGED" or "CHANGED (INTEROFFICE)" title, only the new names need to be searched in the automated indices. Again as in (1) above, if the automated search is negative, the manual indices should be searched.

(c) If the results of the FOIMS Case Application search are negative, the document is searched according to the procedures in (1) above.

(4) When a case file is identified, a blue pencil check is placed over the last name or file number and the file number written over the block-stamp impression.

(5) When the results of the search are negative, a blue pencil circle is placed over the last name or file number. Any file references "identical" or "not identifiable" with the searched information shall be recorded on the incoming communication or on the indices search slip (FD-160), whichever is the more practical. If the nonidentifiable references are numerous, they may be indicated by the notation "numref" after a representative number have been recorded.

(6) When the search is negative, then a full search should be made on combinations, variations, and contractions, the extent of which is determined by the searching employee. As a minimum, the name "John Henry Martin" should be searched as given and as John H. Martin and John Martin. All combinations searched must be shown on the incoming communication or the attached search slip so that the extent of the index search is readily apparent.

EFFECTIVE: 06/28/91

2-3.8.1 Alternate Office Indices Search (AOIS)

(1) Alternate Office Indices Searching (AOIS) is an investigative tool and may not be a suitable substitute for traditional index search requests. Users of AOIS should be aware that the content of the indices being searched does not include File A names, ELSUR overhear names and other possibly sensitive information, and that the age of the indices is dependent on the length of time FOIMS has been installed in the field office.

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(2) The information derived from any positive hits is for the internal use of the FBI and may not be disseminated outside the FBI without the consent of the Assistant Director, SAC, or Legat who is the sponsor of the data base.

(3) The following are two types of searching:

(a) Regional Searching - An automated regional indices search is an on-line procedure whereby one or more FBI field office's and/or Legat's records are searched within a specific region's data base and the results are immediately produced on the computer screen.

1. When searching one office at a time, it is not mandatory to have a year of birth or race/sex. All records matching this request will be displayed and identified unless additional search parameters such as year of birth, race/sex, etc., are used.

2. When searching two or more offices, it is mandatory to incorporate the year of birth and race/sex as searching criteria, otherwise the search cannot be conducted. It should be noted that the only records that will be identified in two-or-more-office searching at any one time are index records which contain a year of birth within the range of the request. Indices records which do not contain a year of birth will not be displayed or identified.

(b) Global Searching - An automated global indices search is an on-line procedure whereby all regions are searched simultaneously but the results are produced only in a printout format.

When performing a global search, it is mandatory to use a year of birth and race/sex as searching criteria. It should be noted that the only records that will be identified in two-or-more-office searching at any one time are index records which contain a year of birth within the range of the request. Indices records which do not contain a year of birth will not be displayed or identified.

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2-3.9 Search Slip (FD-160)

(1) Form FD-160, indices search slip, may be used during the searching procedures or it may be submitted by employees requesting a search of the indices. (Form FD-160a, continuation sheet, may be used if more pages are needed.)

(2) The employee who reviews the references listed on Form FD-160 (and FD-160a, if used) must indicate by symbol the results of the review. These symbols are:

- Identical (I)
- Not identical (NI)
- Not identifiable (?)
- Unavailable reference (U)

(3) The search slip is to be stapled to the document to which it pertains and the document and search slip are to be filed as one serial. If there is no pertinent document, the search slip is to be serialized in the appropriate file. Index records on identical references are to be consolidated.

EFFECTIVE: 07/27/90

2-3.10 Summary Memorandum-Serialized-Index Records

A summary memorandum which includes all information on one subject or subject matter is to be serialized in the main file. The index records on identical references are to be consolidated.

EFFECTIVE: 07/27/90

2-3.11 Charge-out Card

A charge-out card, FD-260, is to be placed in the manual indices to indicate an index card is out of file whenever the circumstances are such that the absence of a charge-out card might cause a failure to locate information in the files.

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EFFECTIVE: 07/27/90

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MANAGEMENT OF FILES

(1) FBIHQ, field office and Legal Attache file fronts and backs are white with color-coded borders to facilitate sorting and routing and to enhance security. Form 4-596 has a BLACK border and is used for FBIHQ investigative and administrative files. Form 4-596a has a YELLOW border and is used for FBIHQ nonpersonnel files stored and maintained in the File|Services|Unit, Information|Resources| Division. Form FD-245 has a BROWN border and is used for field office criminal investigative and administrative files. Form FD-245a has a GREEN border and is used for field office informant and asset files. Form FD-245b has a BLUE border and is used for all Legal Attache office files. Form FD-245c has a RED border and is used for|National| security investigative files. Form FD-245d is SOLID WHITE and is used for field office personnel files. File fronts and backs for Universal Case File Number (UCFN) cases are WHITE with the above-mentioned COLOR-CODED STRIPED borders.

(2) The following listing identifies applicant (\*) and security-related (\*\*) classifications. All other classifications are criminal-related or administrative in nature.

1*	64**	109**	126*	157**	212**	225**	259*
2**	65**	110**	127*	158**	215**	226**	260*
3**	67*	111**	128*	161*	216**	227**	261*
14**	73*	112**	130*	170**	217**	228**	262**
35*	77*	113**	132*	185**	218**	229**	263**
37*	97**	116*	133*	191**	219**	241*	265**
38*	98**	117**	134**	199**	220**	243**	266**
39**	100**	118*	138*	200**	221**	246**	268**
61**	102**	121*	140*	201**	222**	247**	270**
62*	105**	123*	151*	202**	223**	248**	271**
63*	108**	124*	155*	203**	224**	256**	278**
						279**	
						283**	

EFFECTIVE: 06/05/95

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2-4.1 Investigative Files

(1) General Procedures - Originating offices are to forward to designated recipient offices two copies of all outgoing documents and enclosures for investigative files. FD-302s, inserts, and Laboratory reports require three copies to be forwarded. When necessary indices searches have been completed, the original incoming communication is then routed to the responsible supervisor for appropriate action. Matching the correspondence with the investigative file before routing to the supervisor is discretionary. After any necessary administrative notations have been placed on the original document by the supervisor, the document is then routed to the rotor employee to be serialized, acted upon as indicated by the supervisor, and filed. Thereafter, the original incoming communication is not charged out nor removed from the investigative file except for court purposes or to reproduce to satisfy requests for copies.

(2) A copy or copies can also be used to disseminate leads/information to Special Agents and support employees. These copies are not to be serialized nor charged out, and are destroyed by recipients when no longer needed. However, copies marked for indexing are returned to the rotor employee. Upon accomplishing the requested indexing, the rotor employee should destroy the copy or return it to the Special Agent, if requested. It is not necessary to transfer index markings to the file copy. These procedures are also applicable to administrative and zero files, but are not applicable to classified documents requiring special control.

EFFECTIVE: 02/14/92

2-4.1.1 Serializing

(1) Each document that is placed in an investigative file must be numbered in sequence. This number is known as the serial number and the document known as the serial. An enclosure to the document is to be given a separate serial number. Inserts or FD-302s sent or received as enclosures to another document should be given separate serial numbers. (See (2) and (3) below.)

(2) Cover page(s), report, and letterhead memorandum of evaluation should be serialized as one serial. None is an enclosure of any other.

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(3) A letterhead memorandum and its accompanying letterhead memorandum evaluating sources should be serialized as one serial.

(4) When a duplicate/copy of a document is required to be filed, it is given the same serial number as the original document.

(5) When a serial number is skipped, a charge-out slip, FD-5, showing the skip must be placed in the file in sequence. This charge-out slip must be signed by the Support Services Supervisor (Office Services Manager) and approved by a duly authorized supervisor.

(6) When a serial is transferred from one file to another, draw a line through the classification, file, and serial numbers. Write above or below the old numbers the classification, file, and serial numbers of the file to which transferred. Place executed charge-out slip, FD-5, in the file from which serial transferred.

(7) Do not reserialize files because of skips or transfer of serials.

(8) Copies of affidavits for search warrants and copies of complaints for arrest warrants and any affidavits thereto should be filed as serials in the case file and not in exhibit envelopes.

EFFECTIVE: 02/14/92

#### 2-4.1.2 Zero Files (0) - Nonspecific Information

##### (1) Serializing -

(a) Serialize the documents placed in them.

(b) When additional documents referring to the same subject are received, file them next to the previous serial and write the same serial number and a letter suffix on the new serial. Only the approved office copy (FD-36) of an outgoing teletype shall be filed.

(2) Must be maintained for - A zero file must be opened for each classification, and contained therein is the material which does not require investigation. Since the material does not require investigation, leads should not be assigned out of these files.

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EFFECTIVE: 02/14/92

2-4.1.3 Double Zero (00) Files - Instructions and Policy

(1) Serializing -

(a) Serialize the documents placed in them. Only one copy needed.

(b) Administrative review letters and replies thereto, if any, should be filed in the double zero file for the classification involved with copies to appropriate case files when necessary.

(2) Must be maintained for - In these files, one of which is to be opened for each classification, are to be placed statutes, decisions, instructions in bulletin, SAC letter or SAC memorandum form, and other documents containing instructions or policy applicable to the classification involved. Since the material does not require investigation, leads should not be assigned out of these files.

EFFECTIVE: 02/14/92

2-4.1.4 Dead Files - No Pending Investigation

A dead file is prepared when no investigation is contemplated in the foreseeable future but data should be kept in a separate file to facilitate handling. Dead files should be filed in the closed files section. They shall be serialized like investigative files.

EFFECTIVE: 02/14/92

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2-4.1.5 Control Files (See MAOP, Part II, 3-4.11.)

(1) Control files (except for record check and declination files) are separate files established for the purpose of administering specific phases of an investigative matter or program. The institution of a control file in an investigative matter or program is left to the discretion of the individual with the administrative responsibility for the particular investigative matter or program or by SAC authorization. A control file is an administrative tool for managing a particular investigative matter or program. For this reason, control files are not created in each and every investigative matter or program. Control files should not be counted on the Monthly Administrative Report.

(2) Leads on occasion may be assigned out of control files. In circumstances where neither an investigation nor an inquiry is warranted, the FBI may ascertain the general scope and nature of criminal activity in a particular location or sector of the economy. Activity in these control files must be reviewed periodically.

(3) In order to facilitate a periodic review, a "CONTROL FILE REPORT" has been made available to all automated offices. It lists all control files and lead activity for each file for the most recent quarter. This report has been created for use by field office management. It provides a monitoring capability to ensure that lead activity within control files is acceptable and within the Attorney General and other FBI investigative guidelines. Control files are captured in the case application by entering "C" in the "CASE TYPE" field of the "OPEN A CASE" menu. This report may be accessed through the "MISCELLANEOUS CASE LISTS" menu. The Administrative Officer/Office Services Manager is required to produce this report on a quarterly basis and provide this report to the SAC for SAC's management review. In order to avoid impacting the response time during normal working hours, the request for this report should be scheduled after 6 p.m. and before 6 a.m. near the 15th of the month following the end of each quarter.

(4) When referring to the file number of a control file in communications, the file number must include the letter "C" as part of the case number to indicate the file is a control file. The letter "C" is considered part of the file number and must be used on all communications concerning control files. (Example: 105A-CE-C0012345)

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EFFECTIVE: 05/18/94

2-4.2 Administrative Files

EFFECTIVE: 02/14/92

2-4.2.1 Noninvestigative Files

(1) Need not be serialized unless to do so would be enhancing to operation. (Except accident and contact files). (See MIOG, Part I, Section 66.)

(2) Each field office is to establish a separate administrative file for the following subject matters. Administrative file covers are to be marked "ADM" in the lower right corner. Only one copy of documents designated for these files must be filed unless unusual circumstances warrant filing more than one copy. The files are to be filed in numerical sequence in the pending files section. When an administrative file is closed, it is to be filed in numerical sequence in the closed file section. The heading and subheading of the Administrative files and the correspondence designated for these files are to be adequately indexed to assure retrievability.

CLASSIFICATION 1 - TRAINING MATTERS

MAIN HEADING

SUBHEADING

Training  
Training  
Training  
Training  
Training  
Training

Agents - New  
Agents - Annual  
Agents - Technical  
Clerical  
Firearms  
In-Service (or other FBIHQ  
training)

Training  
Training  
Training

Law Enforcement Conferences  
Police (General)  
Police Schools --  
(individual files according  
to locale) (not to be  
carried as pending files or  
to be reported on monthly

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administrative reports)

CLASSIFICATION 66 - ADMINISTRATIVE MATTERS | (See MAOP, Part II,  
2-4.5.12, 2-4.5.13, 2-4.5.15, 2-4.5.23.) |

MAIN HEADING

SUBHEADING

Accomplishments  
Accomplishments  
Addressograph  
Administrative  
Administrative  
Administrative  
Administrative

Statistical  
Statistics in Process

Administrative

Indexing  
Filing System  
General  
Office (Confined to matters  
relating to an individual  
field office)

Administrative Report  
Ammunition  
Arraignment  
Arrests  
Automobiles

Confidential Financial  
Disclosure Reports, Conflict  
of Interest Certifications  
(Sub A) (See MAOP, Part I,  
1-14 (14).)

Monthly

General (If correspondence is  
sufficiently large, it is  
permissible to maintain  
separate files bearing  
following titles:  
Automobiles - Storage  
Automobiles - Gasoline and  
Oil, etc.  
Automobile accidents shall  
be reported in separate  
files bearing classification  
#66.)

Automobiles  
Automobiles

Radio

(By individual car number -  
If an automobile is  
transferred to another field  
office, the file pertaining  
to it should also be  
forwarded.)

Bills of Lading  
Bills of Lading

Incoming  
Outgoing

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Charity Campaigns  
Check Circulars  
Coordinators, Use of  
Credit Bureau  
Duplicating and Reproduction  
Equipment  
Employee Compensation

Office of Personnel Management  
Regulations  
Agent Injuries

Films  
Firearms

(Reports concerning the  
training of Agents in the  
use of firearms shall be  
filed under classification  
#1 - Training - Firearms.)

Forms  
GTRs  
Household Goods  
Identification Orders  
Identification Orders  
Imprest Fund/Draft System  
Inspections  
Internal Revenue  
Service Data  
Interviews  
Inventory  
Jails

Transportation  
Outstanding  
Correspondence

Leave  
Mailing List  
Office Memoranda  
Personnel  
Photographic Equipment  
Physical Examinations  
Position Classification  
Property

Approved or Condemned

Radio  
Radio  
Registers

Conduct  
Nonexpendable Charge-out  
System  
CW Network  
FM  
(maintained for field  
office FD-420 and FD-420a)

Report Writing  
Resident Agencies  
Resident Agencies  
Retirement  
SAC Letters and SAC  
Memorandums (be filed

General  
(individual files by location)

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in "OO" file cabinet)

Salary Matters

Searches and Seizures

Space

Supplies

Surveillances

Technical Equipment

Technical and Microphone

Surveillances (To be  
kept under lock and

supervised by the SAC)

Telephones and Teletypes

Transmittal Letters

Visiting Employees

Vouchers

Vouchers

Wanted Flyers

Weekend and Night Duty

Logs; Request for  
authorization,  
Justification Letters, and  
Administrative Matters

Checks and Bonds

General

By Name of Companies

(3) SAC letters, SAC memorandums, and Bureau bulletins contained in administrative files should be carefully examined before they are destroyed to ensure that instructions which are still applicable and which will be of future value are retained. (See MAOP, Part II, 2-4.5.12(33) & 2-4.5.17(4)(e).)

(4) CLASSIFICATION - 67 -

(a) Employees' personnel files, including the Employee Medical File System (EMFS) subfile and the Employee Security subfile, are to be kept under lock and key under the supervision of the SAC. These files are to be sent to FBIHQ when an employee is designated SAC or transfers to FBIHQ. Files of employees who resign or retire shall be retained 90 days and then sent to FBIHQ where duplicate records will be destroyed immediately and nonduplicative records will be integrated into the Official Personnel Folder. When permanent or temporary indefinite employees leave to enter the military service, retain files in field office. Upon notification from the Bureau that restoration rights of an employee have expired, the personnel files are to be forwarded to FBIHQ. (See MAOP, Part I, 20-4.1; Legal Attache Manual, Part I, 4-3).

(b) The office personnel file is to be kept under lock and supervised by the SAC. This file should be indexed and serialized. Items that are to be filed in the office personnel file:

1. Data favorable or unfavorable to the office

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or its personnel, copies to files on individuals.

2. Recommendations for supervisory positions.  
Copy to be placed in individual's personnel file.

3. Recommendations for attendance at special  
schools. Copy to be placed in individual's personnel file.

4. Recommendations for advancement. Copy to be  
placed in individual's personnel file.

5. Recommendations for incentive award or  
commendations. NO COPY IS TO BE PLACED IN INDIVIDUAL'S PERSONNEL  
FILE.

6. Information concerning public officials or  
business contacts where no investigation is contemplated and such  
information should not be generally available to employees.

(5) CLASSIFICATION 80 - PUBLIC AFFAIRS MATTERS

MAIN HEADING

SUBHEADING

Public Affairs

FBI National Academy

Public Affairs

Identification Matters

Public Affairs

Laboratory Matters Other

Than Bureau

Public Affairs

Public Relations Matters

Public Affairs

Research Matters -

Laboratory (FBIHQ)

Public Affairs

Uniform Crime Reporting

Speech Material

FBI National Academy Items

Speech Material

Interesting Identifications

Speech Material

Laboratory Matters

Speech Material

Speech Material (File copy

in case file if one

maintained.)

CLASSIFICATION 94 - RESEARCH MATTERS AND GENERAL  
CORRESPONDENCE

See MIOG, Part I, Section 94.

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EFFECTIVE: 02/25/97

2-4.3 Filing Procedures

Original documents may be placed in file without being marked for indexing; however, indexing may be indicated on an unserialized copy of the communication and forwarded to the rotor employee. Upon accomplishing the requested indexing, the rotor employee should destroy the copy or return it to the Agent, if requested. It is not necessary to transfer indexing markings to the file copy.

(1) All written matter (documentary) is to be filed except routing slips. However, routing slip 1-374 shall be filed and routing slip 0-7 shall be stapled to the material to which it pertains and filed whenever it contains any instructions which should be made a permanent part of the file.

(2) If no file exists, the document must be given a classification, file, and serial number and file made up.

(3) Files must be bound with fasteners and covers.

(4) Write the classification and file number on the top cover in the space provided.

(5) | Deleted |

(6) | Deleted |

(7) | Pending cases will be filed by classification. Within the classification, the cases may be filed either according to Office of Origin (OO) and then sequentially within the OO, or numerically without regard to the OO at the discretion of the field office. Closed files will be filed sequentially within the OO identifier. Closed files will require expansion space at 57 points, one for each field office and FBIHQ. A field office may desire to place their office designator either at the beginning or the end of closed files. |

(8) Pending files are to be kept in a unit separate from the closed, RUC, and dead files. Pending files are kept in properly numbered file folder.

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(9) Earlier sections of multisectioned files may be kept in the closed section.

(10) Files may not be taken from the field office without the authority of the SAC who may grant such authority only in instances of imperative necessity.

(11) Files may be withdrawn from the filing cabinets only by those employees authorized to do so by the SAC.

(12) File folders which are in good condition are to be reused whenever possible.

EFFECTIVE: 08/27/93

2-4.3.1 Maintenance of Original or Duplicate Field  
Office Files in Resident Agency (RA)/Off-Site (OS)  
Location

All field office files are to be maintained in the headquarters city unless specific authority has been granted by FBIHQ to maintain pending original or duplicate field office files in an RA/OS location. (For considerations addressed herein, an "off-site location" is defined as any non-RA space not contiguous with headquarters city office space and not staffed by FBI personnel 24 hours a day.) Requests to maintain pending original or duplicate field office files in an RA/OS are to be submitted to FBIHQ, Attention: Information Management Division (IMD), for review and consideration. Such requests are not to be submitted on a UACB basis.

(1) Security and Administrative Requirements:

(a) Limited to locations staffed by a Supervisory Special Agent (SSA) or Supervisory Senior Resident Agent (SSRA), with support positions allocated to the site sufficient to maintain the files. The site must have Field Office Information Management System (FOIMS) capability. No increase in support Target Staffing Level (TSL) in a field office or an RA/OS location will be granted for the purpose of administering this program.

(b) The RA/OS location must be capable of being fully secured when not manned and must be protected with an approved intrusion detection system (IDS), i.e., a system which is in

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compliance with a document entitled "Intrusion Detection System Standards," disseminated to all offices by Bureau airtel dated 2/28/90, captioned "Physical Security." The system must sound an alarm at the headquarters city, but may, if desirable, also sound an alarm at the local police department (PD). Headquarters city personnel must be responsible for ensuring RA/OS Special Agent (SA) personnel and, if not a covert site or otherwise inappropriate, local police are notified of the alarm. SA personnel are to immediately respond to the alarm location and conduct an inspection of the premises to determine security status or unauthorized entry.

(c) Armed response by FBI personnel, local PD, or other appropriate armed security personnel must be as soon as possible, but must not exceed 10 minutes from the time of the alarm. This period is dictated by the time GSA-approved Class 5 security containers have been rated against physical attack.

(d)



(e)



(f)



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(g)

(h)

The SSA/SSKA assigned to the location will ensure alarms are tested on at least a monthly basis, and such testing is to be documented in an appropriate administrative file.

(i) All classified material shall be stored in a GSA-approved Class 5 or better security container. This container shall be maintained in the separate interior file storage room and locked when not under the personal control of an authorized and appropriately cleared Bureau employee.

(j) Nonclassified material, if feasible, shall be stored in GSA-approved Class 5 or better security containers. If conditions so require (such as weight/floor load capacity, or other space considerations), nonclassified material may be stored in conventional tub-type rotors secured by a hasp and combination lock, or in conventional file cabinets secured by a bar and combination lock. These containers shall also be housed in the separate file storage room.

(k) Top Secret or Sensitive Compartmented Information (SCI) material must not be maintained in the RA/OS unless a demonstrable operational need is shown, prior approval has been granted by the Security Programs Manager (SPM), FBIHQ, and the storage facility is in compliance with the requirements for the storage of such material (see MIOG, Part II, Section 26-5).

(l) Informant and asset files shall be maintained in the headquarters city, as shall any information which identifies an informant or asset.

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(m) FCI, sensitive organized crime, public corruption, and undercover operation files are to be maintained in the headquarters city, unless the SAC or Acting SAC has personally determined on a case-by-case basis that retention of the file in the RA/OS will be necessary to the effective conduct of the investigation, and that the files can be retained in a secure manner. SACs or Acting SACs cannot delegate this authority to authorize the retention of these files in the RA/OS. Justification and authorization to retain the aforementioned files in the RA/OS are to be documented by memorandum to the case file(s) involved and personally approved by the SAC or Acting SAC.

(n) All files are to be returned to the headquarters city office within 30 calendar days of when closed/RUC'd.

(o) The transport of files in bulk between the field office and the RA/OS, and vice versa, must be by armed SA personnel or registered mail. If by registered mail, the division head is to make a determination regarding the need for an armed escort between the post office and the RA/OS location and/or the headquarters city office. This determination must be based upon the results of a threat assessment conducted by the affected division, taking into account, among other considerations, the volume and contents of the material being transported. This assessment should be documented in an appropriate control file and personally approved by the division head.

(p) All non-Bureau personnel allowed entry into RA/OS space are to be escorted at all times, unless they have been granted appropriate clearance/access to Bureau space in accordance with established procedures set forth in MIOG, Part I, Sections 259 and 260. Official material, both classified and unclassified, must be secured, covered, and/or otherwise protected from inadvertent disclosure to any personnel not known to possess proper authorization for access to the material.

(2) All original files, including those opened in the RA/OS, must be charged out at the headquarters city to the RA/OS to ensure accountability and retrievability. This may be done through FOIMS by the required case management format or, if desired, by FD-5. All original files retained in the RA/OS must be maintained in accordance with all provisions set forth herein regarding the management of files and communications.

(3) Procedures for Maintenance of Duplicate Field Office Files in RA/OS locations:

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(a) The original of all record material, i.e., memoranda, letters, teletypes, airtels, letterhead memoranda, FD-302s, reports, etc., must be retained in the original headquarters city file and are not to be charged out to or filed as a serial in duplicate file in the RA/OS. In extraordinary circumstances, serials in the original headquarters city file may be charged out and recharged on a case-by-case basis to personnel assigned to the RA/OS when it has been determined by the SSRA/SSA that the serials are necessary and enhancing to the conduct of day-to-day business.

(b) Duplicate copies of memoranda, letters, airtels, teletypes, FD-302s, reports, etc., are to be forwarded to approved RA/OS locations for retention in the duplicate file. A stamped notation, "Duplicate Copy Forwarded to \_\_\_\_\_ (RA/OS) on (date)," is to be placed on the original of the communication contained in the headquarters city file.

(c) All communications in the headquarters city file must be serialized in headquarters city. The copy of such communications forwarded to approved RA/OS locations for maintenance in the duplicate field office file must also contain the corresponding serial number with the stamped notation "Duplicate Serial - Original Filed in Headquarters City File." It is not necessary to charge out the duplicate serial from the headquarters city file.

(d) In locations supported by the Field Office Information Management System (FOIMS) and supervised by an SSA/SSRA, indexing should be performed contemporaneously with the opening of a case, and subsequently, as needed. Unserialized mail received/originated in the RA/OS may be serialized and indexed in these locations once the FOIMS serialization has been extended to the RA/OS and adequate training has been completed. All such original communications must then be promptly forwarded to headquarters city after indexing and serializing.

(e) Serials removed from the duplicate field office file in the RA/OS must be charged out pursuant to existing regulations.

(f) A stamped notation, "Duplicate File Maintained In The \_\_\_\_\_ (RA/OS)," is to be stamped on the file cover of all headquarters city files having duplicate counterparts maintained in the RA/OS location.

(g) A stamped notation, "Duplicate File - Original Maintained In Headquarters City," is to be stamped on the file cover

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of all duplicate files maintained in approved RA/OS locations.

(h) When the investigative matter to which the duplicate field office file pertains is closed or RUC'd, the duplicate file is to be forwarded to headquarters city within 30 calendar days where a serial-by-serial match is to be made with the original file. Any serials in the duplicate file that bear "action" notations, i.e., notations issuing instructions, notations requesting action be taken, notations of certification that action was taken, etc., not appearing on the original file copy of the serial are to be matched with and filed adjacent to the original serial. Remaining serials in the duplicate file not bearing "action" notations may be destroyed. The employee destroying duplicate copies of serials is to initial and date the top (last) serial in the original file and note thereon that extra copies have been purged and destroyed.

(i) Deleted

EFFECTIVE: 02/28/91

2-4.3.2 Administrative Handling of FD-302s and Inserts  
(See MAOP, Part II, 10-13.8.)

(1) Original FD-302s and inserts are to contain no markings other than the initials of the author(s) and the serial number. The original document is to be filed along with a second block-stamped copy. The third copy of the document is the "Agent Copy" and is not to be serialized nor charged out, and should be destroyed by recipients when no longer needed. However, if the "Agent Copy" is marked for indexing, it is to be returned to the rotor employee. Upon accomplishing the requested indexing, the rotor employee should destroy the copy or return it to the Special Agent, if requested. It is not necessary to transfer indexing markings to the file copy. If additional copies are required, they may be photocopied.

(a) In nonsensitive-type cases where a Resident Agent is the case Agent, the original and copy, after being initialed, will be retained in the headquarters office, as indicated in (1) above. In the event a copy of the FD-302 or insert is necessary for work purposes in the resident agency, such must be charged out to the particular Agent.

(b) If assigned to headquarters office and the

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dictator is the Agent to whom the case is assigned, he/she should initial the original FD-302 and return it to the Administrative Officer/Office Services Manager with a copy to be filed as indicated in (1) above.

(c) In resident agencies, if the dictator is the Agent to whom the case is assigned, he/she should initial the original FD-302 and submit it and one copy to the Administrative Officer/Office Services Manager for filing.

(2) Indexing of FD-302s (See MAOP, Part II, 2-3.6.1 (6), 10-13.9.)

(a) If indexing of FD-302s is necessary, and a report is not being immediately prepared, the Agent to whom the case is assigned shall use the third copy ("Agent Copy") as an indexing copy, as outlined in (1) above. If a report is being prepared immediately, indexing on the third copy of the FD-302 is not necessary; the Agent is to indicate the necessary indexing on the copy of the report.

(b) Original FD-302s and 1A envelopes are to be forwarded to the OO at time prepared and/or acquired with exception of those 1A envelopes which are to be returned to the contributor in the jurisdiction wherein they were obtained. Lead office may retain excepted 1A envelopes until they have served their purpose or until lead office file has satisfied the destruction criteria at which time these 1A envelopes should have served their purpose and should be returned to contributor. (See MAOP, Part II, 10-13.10.)

(3) The original of an FD-302 is to be filed along with a second block-stamped copy. The initialing of the FD-302 by the reporting employee constitutes the necessary authority to serialize and file. The original is to contain no markings other than the initials of the author(s) and the serial number. If prosecution proceeds by trial, the pertinent originals shall be furnished to the USA in the same manner as signed statements are furnished to the USA. A notation should be placed on the block-stamped copy showing that the original was removed for court purposes. When the FD-302 is utilized as a memorandum, it should be date stamped and filed as a serial after it has been initialed for the file.

(4) When copies of FD-302s or inserts are received from another office as an enclosure, the original transmittal communication and two copies of the enclosed FD-302 or insert are to be filed. The second copy of the transmittal communication with the third copy of

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the enclosed FD-302 or insert is the "Agent Copy" and is not to be serialized nor charged out, and should be destroyed by recipients when no longer needed. However, if the "Agent Copy" is marked for indexing, it is to be returned to the rotor employee. Upon accomplishing the requested indexing, the rotor employee should destroy the copy or return it to the Special Agent, if requested. It is not necessary to transfer indexing markings to the file copy.

EFFECTIVE: 10/16/96

2-4.3.3 Charge-Out Procedures

The basis of the charge-out system is the charge-out slip, FD-5. The perforated portion of FD-5 is used to route the file or serial to employee requesting same. FD-5 must be executed when files are withdrawn for purposes other than running ticklers, use of the Support Services Supervisor (Office Services Manager), or examination of mail by SAC, ASAC, or supervisor. When the last copy of a serial is charged out, and the serial is automated, a description of the serial is optional. If the serial is not automated, the charge-out slip must contain a description of the serial. When an employee assigned to the Support Services Supervisor's (Office Services Manager) Office removes a serial from a file, other than a consolidated file, and prepares the charge-out slip, the classification and case numbers of the file need not be shown on Form FD-5.

EFFECTIVE: 02/14/92

2-4.3.4 Charge Out of Files

- (1) Pending - FD-5 must be executed and placed in the file folders.
- (2) Closed - FD-5 must be executed and clipped to a red 10 x 10 card which must be placed in the space from which the file was withdrawn.
- (3) To whom may file be charged out? - To employees having a need for them. Permission of the SAC must be obtained for an Agent to charge out a file on a matter on which Agent is not assigned.

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to work. Files are to be charged out in the name of the person who is to use them.

(4) How long may files be charged out? - Files may be charged out seven calendar days counting Saturdays, Sundays, and holidays. If transferred to another employee, recharge them. Files may be recharged once if necessary.

EFFECTIVE: 02/14/92

2-4.3.5 Charge Out of Serials

Serials may be charged out to any employee having official need for them. Serials may be charged out 60 calendar days. Serials may be recharged at end of 60 days and every 60 days thereafter if necessary. The person to whom charged must submit recharge if retained. If transferred, recharge them.

(1) Pending files -

(a) FD-5 must be executed and placed on top of the most recent serial in the section of the file from which withdrawn.

(b) Procedure on return of initialed serials to pending cases: File the serials, but if the file is not in the drawer put the serials in the file folder and file them on the return of the file. When rotor filing system is used, file serials in file folder whether file is in or not. If file is in, place 10 x 10 inch card in folder with serials to serve as "Flag" to handle this material after uninitialed serials have been processed. Destroy the charge-out slip when the file is returned.

(2) Closed files -

(a) FD-5 must be executed and placed on top of the most recent serial in the section of the file from which withdrawn and a red 10 x 10 card inserted in the file in the space from which the serial was withdrawn. If more than one serial is withdrawn from a section of a closed file only one red card is to be used per section.

(b) Procedure on return of initialed serials to closed cases: File the serials, but if the file is not in the drawer put the serial and red card in a blank folder which must be placed in

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the space from which the file is withdrawn. Upon the return of the files, file them, destroy the charge-out slip, and return the red card to supply. When a case is closed and serials are charged out, send routing slip to employee to whom charged to return.

(3) Charge out of new mail -

In emergencies when file is unavailable, new mail may be charged out to headquarters Agents without serializing. In such event prepare descriptive charge out and staple to copy of incoming piece of mail. If no copy is available, reproduced copy must be prepared. Mail charged out by description rather than by serial number shall bear blue pencil mark just to right of block-stamp impression so all personnel handling it will be aware of method of charge out. When Agent receives a piece of mail which has been charged out by description, it must be returned to the Support Services Supervisor's (Office Services Manager) office for serializing within five workdays.

(4) Recharge serials -

When a nonautomated serial is to be recharged and the charge-out slip contains considerable description as to the serial, the Support Services Supervisor (Office Services Manager) may date or block stamp the original charge-out slip, initial it to show that the serial has been recharged, and destroy the recharge slip prepared by the Agent.

(5) Serials permanently charged -

(a) Serials permanently charged from pending and closed files must be replaced by FD-5, fully executed and filed in place of the serial.

(b) Top Secret and/or Sensitive Compartmented Information mail which is to be permanently charged out from pending and closed files must be replaced by an FD-654, fully executed and filed in place of the serial.

(6) Files and/or serials temporarily charged -

(a) In the event it becomes necessary to forward files and related record material (indices cards) from the field office to FBIHQ for processing in connection with litigation and/or FOIPA matter, etc., such material should be duplicated for retention in the respective field office prior to forwarding the original.

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records. This applies to all documents (including FD-192s and 1-A exhibit envelopes) in the file whether an auxiliary office or office of origin file. Upon return of the original record(s), the duplicate material is to be destroyed unless the need to again respond to a like requirement is foreseen. In the event the exigent circumstances and/or cost of duplicating voluminous material would render the aforementioned procedure impractical, you should contact the FBIHQ Division making the request.

(b) In the event it becomes necessary to add any administrative notation to a duplicate copy of a document retained in the field office, you must first contact the FBIHQ entity to which the material is charged to ensure the original is similarly marked.

(c) Whenever any files and/or serials or other record material are to be removed from the premises of FBI space, whether or not copies are retained, Form FD-702 is to be utilized to identify the charge out.

EFFECTIVE: 07/27/90

#### 2-4.3.6 Consolidation of Files

(1) Files consolidated on the authority of the SAC when there are two or more files on the same subject, pertaining to related or similar matter, and handling will be facilitated through consolidation. If Bureau file number is available, place on first serial of file being consolidated. Retain the front cover of the eliminated file. Write on it "consolidated with \_\_\_\_\_" (show new file number).

(2) Files in all classifications must be consolidated within six months after closed or referred upon completion to office of origin (RUC'd).

(3) Maintain control file showing security classifications in which files are being consolidated and the extent of such consolidation. Project will be checked during field office inspection by FBIHQ.

(4) Show reason for destruction on the file front of consolidated volume beneath the file numbers:

67-11210 - 67-11250 -

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All files destroyed with the exception of the enclosed per Manual of Administrative Operations and Procedures (MAOP).

(5) Files which must be consolidated when not destroyed under the one-year rule.

(a) Administrative - General

(b) Administrative - Office

(6) Procedure in consolidating files -

(a) Do not retain the front covers.

(b) Consolidate as many files as possible, limiting thickness to 1 1/2 to 2 inches, whenever possible. Write the classification number and the beginning and ending file numbers on the front cover of the consolidated file. Dividers are not to be used.

(c) 1-A serials of the consolidated files are to remain in the same relative sequence as previously.

(d) In the 42 classification, retain one copy only of the most recent photograph of the deserter. Leave the photograph in the white exhibit envelope and staple white envelope to the back of serial one. Destroy manila envelope. If exhibits other than photographs are in the manila envelope retain manila envelope and leave white envelope containing one copy of most current photograph therein.

(e) No copies of serials in consolidated files are to be retained unless the copies bear action notations not appearing on the original. (Machine copies of teletypes are to be destroyed.) If Bureau file number is available, place on first serial of file being consolidated. The employee consolidating shall, on the top serial of each file, note "Consolidated," date and employee's initials. Employee will thus certify that up to that point in the file all copies not otherwise accounted for of the serials have been destroyed.

(f) When a file which had been consolidated is reopened, a charge-out slip must be placed in space from which file was removed. When again closed, it is replaced in proper sequence in consolidated file.

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(g) Files may be consolidated past a break in the classification. When a pending case is reached, place a charge-out slip in the consolidated file to show that the case is pending.

EFFECTIVE: 05/31/90

#### 2-4.3.7 Reclassification of Files

(1) When it becomes necessary to reclassify a file and the file is comprised of only one volume containing a few serials, the entire file should be reclassified, renumbered, reserialized, and reindexed to the new number. All new mail received subsequent thereto will follow in sequence.

(2) Should a file contain numerous serials consisting of one or more volumes, the entire volume(s) should become serial one of the new file. This is accomplished by cutting the original file front down to file size, hole punch, block stamp, and place back on file. Immediately under original file number write "reclassified into" and indicate new file number followed by "serial 1." Place new file front, Form FD-245, on file reflecting new file number. Should the file consist of multiple volumes, aforementioned procedures should be followed; however, the first volume would become serial one, volume one; volume two, serial one, volume two; volume three, serial one, volume three, etc. All new mail received will follow in sequence.

(3) Place in the closed and/or pending files section in proper sequential order a file cover, Form FD-245, reflecting the file number that was reclassified with notation thereon that file has been "reclassified into," i.e., 91-1234.

(4) Above procedure will direct anyone looking for the old file to the new one, and at the same time, eliminate the laborious task of renumbering, reserializing, and reindexing voluminous material. These procedures should be applied to all investigative and noninvestigative files if and when it becomes necessary to reclassify same.

EFFECTIVE: 10/19/90

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2-4.3.8 Missing Files or Serials (See MIOG, Part II, 26-13.2;  
FCIM, Part II, 1-13.2.)

(1) Files or serials missing for 30 days are to be reported to the Information Resources Division, Attention: Field Information Support Section. A damage assessment of the information missing as to its impact upon the FBI Investigative Mission is to be completed and forwarded to the Field Information Support Section with the original notification.

(a) In the event these files or serials contain classified material, the aforementioned information must be accompanied by a damage assessment, as outlined in the Manual of Investigative Operations and Guidelines, Part II, Section 26-13.1. The damage assessment will be forwarded to the Security Programs Manager (SPM), FBIHQ.

(b) When files and serials are located, information concerning the circumstances of the recovery is to be furnished to FBIHQ.

(c) If the files or serials are classified, efforts should be directed to identify individuals having possession, and if these individuals possess appropriate security clearance and "need-to-know" access to the files or serials. If the individuals do not possess appropriate security clearances and "need-to-know" access, they are to be interviewed regarding the circumstances surrounding their exposure to the information and be given the FD-722, "Inadvertent Disclosure Statement," in accordance with current procedures in the Manual of Investigative Operations and Guidelines, Part II, Section 26-4.1.

(2) On 60-day intervals, the Administrative Officer (AO) (Office Services Manager) is to direct to the SAC a memorandum advising SAC of the status of missing material and efforts to locate same (communication not to be furnished to FBIHQ). Such memoranda are to be reviewed and initialed by the SAC for subsequent filing in the control file. On December 1st of each year, the AO (Office Services Manager) will again direct to the SAC a memorandum recapitulating all missing material and indicating what efforts are being made to locate same. After this communication has been reviewed and the SAC is satisfied that sound procedures to facilitate locating missing material have been implemented and are being adhered to, SAC should initial the memorandum for subsequent filing in the control file (communication not to be furnished to FBIHQ). All 60-day follow-up

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memoranda that have been incorporated into the December 1st communication are to be purged from the control file. The initial communication advising FBIHQ of the missing material is to be retained until files and/or serials are located, or destruction criteria have been met.

(3) It will be the responsibility of each SAC to follow this matter to ensure that every effort is being made to recover material that is missing. FBIHQ does not intend to follow with any office regarding this matter but will collect this information for accountability and statistical purposes only to later be incorporated into a profile report and furnished to the Inspection Staff for their scrutiny and evaluation at the time the respective field office is inspected. Should it be determined that files and/or serials are missing as a result of employee negligence or willful destruction of such material, it will be the responsibility of the SAC to notify and make appropriate recommendations to the Personnel Division and/or the Office of Professional Responsibility of the Inspection Division.

EFFECTIVE: 04/21/94

2-4.4 Retention of Property by the FBI

EFFECTIVE: 08/23/84

2-4.4.1 Evidence (See MAOP, Part II, 6-13.9(6).)

(1) Property may be acquired during investigations in accordance with the law concerning searches and seizures, and by warrant, subpoena, or consent including voluntary delivery. If a request is made by anyone that property is to be taken into possession in any other manner, employees must explain their lack of authority. Form FD-597 (Receipt for Property Received/Returned/Released/Seized) is to be used to document the receipt/return of property acquired during investigations. The FD-597 consists of an original and two copies with carbon insert. The original is to be filed in the 1A section (FD-340a) of the investigative case file. One copy of the FD-597 is to be furnished to the contributor, and one copy, when appropriate, returned with the search warrant.

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(2) | It is essential that seized/recovered/contributed property be properly identified and described by investigative personnel at the time possession is transferred to the investigator. The items are to be carefully packaged and the containers properly identified. If appropriate, chain of custody is to be established and a record thereof is to be maintained from the time possession transfers to the investigator to the time of trial/disposition. To minimize the number of FBI personnel required to establish chain of custody, it is recommended that one or two investigators be designated to identify and describe all evidence at any particular search or arrest site. |

EFFECTIVE: 10/16/96

2-4.4.2 | Evidence Control Room (ECR) (See MAOP, Part II, 2-4.4.4 and 2-4.4.10:) |

(1) | The designated ECR should be a separate area, usually within the confines of field office space, used solely for the storage of seized/recovered/contributed property which can reasonably be expected to be introduced in court and/or subject to chain of custody, regardless of size. Access to the ECR is restricted to ensure evidentiary property is accounted for, retrievable, and can withstand defense challenges concerning chain of custody.

(a)



(b) Appropriate personal protective supplies and

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first aid and safety equipment should be stored in the ECR for easy accessibility. This includes, but is not limited to: disposable gloves/gowns, disposable plastic aprons, eye/mouth protection, pails with disinfectant, biohazard bags for disposing biohazard material (bag to be placed in a hard cardboard box), containers to hold needles, sink with hot and cold running water (with elbow or foot connection), flammable cabinets, acid cabinets, poison cabinets, and biohazard labels and containers.

(c) The Drug Vault (or room) should be afforded outside ventilation for the storage of odoriferous substances. The floor should be made of a nonporous material so that it can be disinfected.

(d) In the event evidentiary property is of such volume that it is not practical to store in the ECR or similar facility within field office space, it may be stored in a secure off-site facility at the discretion of the Special Agent in Charge (SAC). The off-site facility should be established in accordance with the guidelines set forth in (1) (a) through (c) above. Every effort should be made to store evidence in the ECR; however, if a similar facility within field office space or an off-site facility is used, these facilities are considered satellites of the ECR and are subject to the same administrative controls afforded the ECR.

(2) Form FD-455 (Access Log - Evidence Storage Facility) is to be maintained for each ECR or satellite ECR whether located within field office space or an off-site. In addition, a separate FD-455 is to be maintained for each valuable, drug, and ELSUR evidence repository regardless of size or location. The FD-455 establishes a reliable record of persons gaining entry. The visitor SIGNS his/her own name - one name per line, reason for entry, the case file number and 1B/1D serial number, if appropriate, and the date and time of entry/exit. This information is extremely useful in defense against attacks regarding chain of custody. In field offices where an "enclosed reception area" has been established at the entrance to the ECR, it is not required that the FD-455 be signed as long as the visitor does not enter beyond this "enclosed reception area." Investigative personnel reviewing evidence in the "enclosed reception area" are not required to sign the FD-455; however, the chain of custody must be signed as a record of their review of the evidence. The FD-455 logs are to be maintained from inspection to inspection. The logs are eligible for destruction following an inspection when the evidence, pertaining to the log entries, has been disposed of or the files listed on the log are eligible for destruction, whichever is sooner. (See 2-4.4.7 (1).)

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(a) The Evidence Control Technician (ECT) and Alternate Evidence Control Technician (AECT), when substituting for the ECT for one day or longer, are required to sign in and out on the FD-455 log maintained for the ECR only upon initial entry and final departure on a given day. Any other employee, including the AECT, when the ECT is on duty, must sign in/out on the FD-455 log for each entry/exit on a given day. ONLY ONE SIGNATURE PER LINE IS PERMITTED.

(b) In those field offices where more than one full-time ECT and/or more than one evidence storage facility is operated on a daily basis, access to the storage facility(s) is to be recorded on the FD-455 log as follows:

The ECT must sign in/out on the FD-455 log for the primary ECR, when first entry/last exit of the day is made. Access to any satellite ECR must be recorded on the FD-455 log maintained for that satellite ECR for each entry/exit on a given day.

(3) Access to the ECR and/or other evidence storage facilities which store general evidence, located within or outside field office space, is strictly limited to the ECT and AECT(s). Access by other employees is prohibited unless accompanied by the ECT/AECT, or as outlined in (7) below, and documented on the FD-455 log maintained for the facility accessed.

(4) In instances involving large seizures of evidentiary property which occur during off-duty hours (nights/weekends/holidays), the services of the ECT/AECT should be used to assist with analyzing, cataloging, inventory and storage of the seized/recovered property.

(5) In the event that the services of ECT/AECT are not utilized, a secured night depository is to be used for the temporary storage of valuable/drug evidence until the next business day. The night depository should be secured to the floor either outside the ECR or in the Night Supervisor's working area.

(6) The ECT/AECT is not authorized to access the Drug/Valuable Vault unless accompanied by the Administrative Officer (AO) or the person(s) designated to act on behalf of the AO as the Vault Witness Official (VWO). The vault witness responsibility remains with the AO, but the actual duty may be delegated to meet the requirements of the field office and resident agencies. However, the VWO should not be an AECT. Each office should limit the number of

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designated VWOs, and must document the list of authorized vault witnessing personnel in the evidence control file. The VWO must also sign the FD-455 for each entry/exit.

(7) The only persons having emergency access to the Drug/Valuable Vault (both combinations or both keys) and the ECR will be the Special Agent in Charge (SAC), the Assistant Special Agent(s) in Charge (ASAC), and the Supervisory Special Resident Agent (SSRA). The written access numbers to the combination(s) or the key(s) for the dual access entry must be stored separately. One combination (or key) is to be maintained in a GSA-approved security container with the central combination record file; the other combination (or key) is to be placed in the COMSEC vault safe. The SAC/ASAC/SSRA who makes an emergency entry/exit into the ECR must sign the FD-455, and document their access by an electronic communication (EC) to the Evidence Control File. (See (3).)

(8) A refrigerator/freezer is to be placed in the ECR for the storage of body fluids and any perishable-type evidence. Food items, for personal consumption, are NOT to be stored in this refrigerator.

(9) On the entrance to the ECR (preferably the door) and on the refrigerator in the ECR, a BIOHAZARD WARNING label is to be placed.

EFFECTIVE: 10/16/96

2-4.4.3 Responsibilities of the Evidence Control Technician (ECT)  
(See MAOP, Part II, 2-4.4.10.)

The ECT is designated custodian of seized/recovered evidentiary property which encompasses the following responsibilities:

(1) Familiarity with the procedures set forth herein; the Manual of Investigative Operations and Guidelines (MIOG) Part II, Section 13 (Laboratory Division Aids to Investigations) for assistance in the collection, identification, preservation, packaging and transmittal of evidence; HANDBOOK OF FORENSIC SCIENCE; MIOG, Part II, 13-6.7.1 concerning the handling and storage of hazardous chemicals; the FORFEITURE AND ABANDONED PROPERTY MANUAL concerning



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disposition of property; Dangerous Goods Regulations, International Air Transport Association (IATA).

(2) Ensures that access to the Evidence Control Room (ECR) and other evidence storage facilities is limited to persons having an official need; that all individuals entering the facilities are escorted and that access is recorded on Form FD-455 (Access Log - Evidence Storage Facility) maintained for EACH storage facility.

(3) Ensures that the proper protective clothing/equipment is stored and is readily available in the ECR, and is utilized when handling hazardous or potentially hazardous evidentiary property.

(4) In conjunction with Subpart H of Title 49, Code of Federal Regulations, Part 172 which requires that training be provided to those individuals who, in the course of their employment, directly affect Hazardous Materials (HAZMAT) transportation safety, the ECT is to avail himself/herself of such training. ECTs are to receive specialized HAZMAT training for air transport shipments every two years by a certified Department of Transportation or IATA-approved school. Strict fines are imposed on individual employees by the Federal Aviation Administration for noncompliance.

(5) Ensures, by physical examination of property, that the descriptive data entered into the automated evidence system (aka "Collected Item"), as furnished by case Agent/acquiring Agent, adequately reflects the property to be retained. (When evidence is heat-sealed, the sealing/witnessing officials are responsible for the accurate description of the evidentiary items.)

(6) Responsible for the recordkeeping, storage, and maintenance of all evidence. Responsibility for nonevidentiary property acquired during investigations may, at the discretion of the SAC, be assigned to the ECT if his/her workload permits. Otherwise, the SAC should assign responsibility for nonevidentiary property to an employee other than the ECT.

(7) The case Agent, acquiring Agent, and/or Agent Supervisor, depending upon the circumstances, as individuals or collectively, share the responsibility for ensuring that seized/recovered/contributed evidence is properly documented on the FD-192. The evidence and/or documentation is to be submitted to the ECT within 10 calendar days from the date that the evidence was seized/recovered. Should extenuating circumstances prevent handling of the evidence within 10 calendar days, the ECT advises the Agent that an electronic communication (EC), aka Late Day Memo, is to be

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submitted to the SAC, signed by the Squad Supervisor and thereafter placed in the investigative case file. (A copy of the EC is to be directed to the ECT, placed in a binder in the ECR, and maintained from inspection to inspection.) The ECT is authorized to reject evidence that is submitted late without the accompaniment of an EC. The 10 calendar days for the acquiring Agent begin with the seizure of the property and end when the ECT receives the evidence and signs the chain of custody. (If the acquiring Agent submits only the FD-192, thereby maintaining the evidence, the ECT is to be cognizant of the 10-day time frame and should not accept the late FD-192 without an EC. In the event the evidence is retained by the acquiring Agent, proper charge-out procedures are to be followed.)

(a) When lead offices (LOs) forward evidence to the office of origin (OO), the following documents (when necessary) should accompany the evidence:

FD-192 (package copy and file copy)  
EC for late submission - SA and/or ECT  
FD-597

(See also 2-4.4.4 (2).)

(8) The ECT is responsible for ensuring that the seized/recovered/contributed evidence is properly captured in Collected Item within 10 calendar days from the date the evidence and/or documentation was presented to him/her by the seizing Agent. Should extenuating circumstances prevent the ECT from entering the information into the automated evidence system, aka Collected Item, within 10 calendar days, the AO is to be advised by EC which is to be placed in the investigative case file. (A copy of the ECT's EC is placed in a binder in the ECR, and maintained from inspection to inspection.) The 10 calendar days for the ECT begin when:

(a) he/she signs the chain of custody at the time he/she acquires the evidence, or

(b) when he/she acquires only the documentation, and ends when he/she enters the information into Collected Item. (See 2-4.4.4 (3).)

(9) Ensures that exact location of property is noted in Collected Item; that the 1B, 1C, or 1D serial number is recorded on the automated FD-192/FD-192a for file; that bar code labels are placed directly on the general evidence packaging, and on the plastic

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pouches containing valuable or drug evidence; that an automated FD-192/FD-192a is filed in the case file and a second copy is attached to the property or placed in the binder/folder maintained in the valuable/drug evidence repository.

(10) Ensures chain of custody documentation for evidence is recorded in Collected Item and on the automated FD-192 maintained with the evidence.

(11) Ensures evidence is properly packaged and labeled for forwarding to FBIHQ other field offices, Drug Enforcement Agency (DEA), or contributor and that transmittal/disposition information is recorded in Collected Item.

(12) Retrieves evidence from the ECR and any other evidence storage facility as requested by Agent personnel; accurately records chain of custody on the form maintained with the package copy of the automated FD-192; and in Collected Item; produces a charge-out reminder report to ensure property held over 60 days is either recharged or returned to the storage facility.

(13) Upon request, retrieves nonevidentiary property from the facility and charges out the property by using an FD-5 (Charge-Out form) in accordance with established charge-out procedures. Maintains and monitors a record of property charged out to ensure nonevidentiary property held over 60 days is either recharged or returned to the facility.

(14) Follows closely the automated property disposition tracking system to ensure every effort is made to return property to contributor and/or property declared abandoned is processed on a timely basis. Closed Cases with Pending Evidence Report is to be run and distributed to squad supervisor(s) for evidence disposition decisions every 60 days.

(15) Disposes of property on instructions of FBIHQ, other field offices, or Agent personnel through actual destruction (drug evidence excluded), return to contributor, or other methods as appropriate. Should property that has been declared abandoned become the property of the FBI, ensures action is taken by supply personnel to have the property placed on the field office inventory.

(16) As necessary, may be required to testify in a court of law regarding evidentiary property (chain of custody) for which responsible.

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(17) At the discretion of the SAC, serves as a fully trained member of the Evidence Response Team.

(18) Upon the advice of the Evidence Program Manager, FBIHQ, and at the request of the Inspection Division, FBIHQ, conducts inspections of field office evidence programs with SAC approval.

(19) At the request of the Evidence Program Manager, FBIHQ, and with the consent of the SAC, assists the Evidence Program Manager to conduct training and ECR assessments in various field offices.

EFFECTIVE: 10/16/96

2-4.4.4 | Evidentiary Property (See MAOP, Part II, 2-4.4.11 (3) and 2-4.4.16.)

To facilitate recordkeeping and storage procedures, evidentiary property is divided into three categories: general evidence, valuable evidence, and drug evidence. All newly acquired evidence must be entered into Collected Item.

Procedures for the administrative handling and storage of evidence are as follows:

(1) In field offices where Special Agent personnel do not directly enter their own evidence into Collected Item, the traditional green FD-192 is to be used as a "data loading form" (draft) to communicate to the ECT the information that is to be entered in Collected Item. The evidence, together with the "draft" FD-192, a signed chain of custody (automated sheet), and the case file, are then furnished to the ECT. Upon entering the information into Collected Item, the "draft" FD-192 is thereafter destroyed. It is NOT to be used as the file or package copy. (See (11).)

(2) The evidence and/or the documentation is to be submitted to the ECT within 10 calendar days from the date the evidence was seized/recovered/contributed. Should extenuating circumstances prevent handling of the evidence within 10 calendar days, the ECT advises the SA that an EC (aka Late Day Memo), is to be submitted to the SAC, signed by the Squad Supervisor and thereafter placed in the investigative case file. (A copy of the EC is to be

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directed to the ECT, placed in a binder in the ECR, and maintained from inspection to inspection.) The ECT is authorized to reject evidence that is submitted late without the accompaniment of an EC. The 10 calendar days for the acquiring Agent begin with the seizure of the property and ends when the ECT receives the evidence and signs the chain of custody. (If the acquiring Agent submits only the FD-192, thereby maintaining the evidence, the ECT is to be cognizant of the 10-day time frame and should not accept the late FD-192 without an EC. In the event the evidence is retained by the acquiring Agent, proper charge-out procedures are to be followed.)

(a) When LOs forward evidence to the OO, the following documents (when necessary) should accompany the evidence:

FD-192 (package copy and file copy)  
EC for late submission - SA and/or ECT  
FD-597

(See also 2-4.4.3 (7).)

(3) In field offices where Agent personnel directly enter their own evidence into Collected Item, the Agent sends the automated FD-192 to the ECT's printer and thereafter provides the evidence, together with a signed chain of custody (automated sheet), and the case file to the ECT. The 10 calendar days for the acquiring Agent begin with the seizure of the property and end when the ECT receives the entered information through Collected Item.

(4) The ECT is responsible for ensuring that the seized/recovered/contributed evidence is properly captured in Collected Item within 10 calendar days from the date the evidence and/or documentation was presented to him/her by the seizing Agent. Should extenuating circumstances prevent the ECT from entering the information into Collected Item within 10 calendar days, the AO is to be advised by an EC which is to be placed in the investigative case file. (A copy of the ECT's EC is placed in a binder in the ECR, and maintained from inspection to inspection.) The 10 calendar days for the ECT begin when:

(a) he/she signs the chain of custody at the time he/she acquires the evidence

(b) when he/she acquires only the documentation, and ends when he/she enters the information into Collected Item. (See 2-4.4.3 (8).)

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(5) The ECT accepts the evidence and signs the chain of custody. He/She then enters the required information (if not already done so by the Agent), and produces a bar code number (which is affixed to the evidence packaging) and a 1B/1D serial number. (For detailed procedures on entering evidence into Collected Item, see the AUTOMATED CASE SUPPORT (ACS) USERS' GUIDE.) The chain of custody and a record thereof must be maintained on evidentiary items from the time of acquisition to the time of disposition.

(6) Upon assigning the bar code to the evidence, the ECT is required to print three new copies of the FD-192 which show the bar code. One copy of the automated FD-192 (file copy) is submitted to the Supervisory Special Agent (SSA), primary relief supervisor, ASAC or SAC for initialing, and is then filed in the first section of the investigative case file immediately above the 1A section (FD-340a). (See (11)(c).) If there is no 1A section, the file copy becomes the first item in the first section of the investigative case file. The file copy may be maintained in a subfile, in which case a blank automated FD-192 should be placed in the main file as a substitute for the original indicating their location, i.e., "1B serials maintained in Subfile E."

(7) For GENERAL EVIDENCE, the second copy (package copy) of the automated FD-192 and the written chain of custody is affixed to and remains with the evidence until final disposition. For VALUABLE AND DRUG EVIDENCE, the package copy and the written chain of custody is filed in numerical sequence, by file number, in a binder which is maintained in the ECR.

(8) The third copy is an informational copy which is to be forwarded to the paralegal specialist within the field office for forfeiture potential. (See (11).)

(9) The written chain of custody documents the SIGNATURES of persons, including the ECT, who receive custody of the evidence while it is the property of the FBI. The first chain of custody is established as a result of entering the group data on the first page of the automated FD-192 and indicates the identity of the person who collected the evidence. Subsequent chain-of-custody signatures will be made by the ECT or other individuals who receive the property. Chain-of-custody entries should not disclose that the evidence is received by the ECR; instead the entry should show the signature of the person to whom the custody of the evidence has been given. (The only exception to this policy is when evidence is forwarded to the DEA or FBI Laboratories.)

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(10) In task force investigations, it is permissible for a federal criminal investigative agent from a participating federal agency or a deputized officer from a participating police department, to record chain of custody on Form FD-192 (Control Form for General/Valuable/Drug Evidence) when that investigator/officer is involved in the acquisition of the property documented on the FD-192. He/She may also participate as the sealing/witnessing agent in the verification and sealing of DRUG/VALUABLE EVIDENCE. Support employees may be witnessing officials for valuable evidence only.

(11) In EMERGENCY SITUATIONS where circumstances dictate the immediate transmittal of evidence to FBIHQ and/or the DEA Laboratory by Agent personnel in an RA, prior to being furnished to the ECT for handling, the property must be documented, within the 10-calendar-day time frame, in Collected Item as noted in Section 2-4.4.4 (1) through (8), and handled according to the following procedures:

(a) The case/seizing Agent is to note transmittal information on the chain-of-custody page of the automated FD-192, (i.e., forwarded to FBI/DEA Lab, registered mail number or Federal Express number, date of transmittal letter, etc.), and furnish the chain of custody and an automated FD-192 (or a drafted green data-loading FD-192) to the ECT. The ECT does NOT sign the chain-of-custody page unless he/she is physically taking custody of the evidence; however, the appropriate information must be recorded in Collected Item. (See (21)(d).)

(b) The ECT assigns a bar code number and a 1B serial number to the evidence documentation. The bar code label is held by the ECT until the evidence is returned by the DEA or FBI Laboratory.

(c) The file copy of the automated FD-192 is initialed by an SSA and filed in the case file as noted in Section 2-4.4.4 (6).

(d) The package copy of the automated FD-192 is retained in the ECR and filed in a binder labeled "Evidence sent to FBIHQ" or "Evidence sent to DEA Lab" according to the transmittal date.

(e) When the evidence is returned to the field office, the ECT attaches the assigned bar code to the property, and properly executes the chain of custody on the package copy of the automated FD-192. The package copy of the automated FD-192 is

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affixed to the general evidence or filed in the binder maintained in the valuable/drug vault. The chain-of-custody information is then entered into Collected Item.

(f) If the evidence is to be returned to the RA, and not to the ECT in Headquarters City, the RA is to request that a copy of the laboratory report be furnished to the ECT when the evidence is returned to the RA.

(12) Collected Item will produce 60-day charge-out reminders.

(13) Property or items seized or recovered incidental to a search and seizure should generally be treated as evidence and maintained in the ECR. The below-listed material/items, are currently considered hazardous materials.

Flash Paper  
Live Ammunition  
Explosives  
Radioactive Materials  
Flammable Liquids and Solids  
Flammable and Nonflammable Gases  
Spontaneously Combustible Substances  
Oxidizing and Corrosive Materials

All require special packaging and the amount of each item which can be shipped is regulated. (See the Manual of Investigative Operations and Guidelines (MIOG), Part II, 13-6.7.1 and the HANDBOOK OF FORENSIC SCIENCE for specific requirements and instructions for the handling/storing/shipping hazardous materials.)

(14) Property seized for forfeiture, which is also evidence, should be treated as evidence and maintained in the ECR during the forfeiture process. (See the FORFEITURE AND ABANDONED PROPERTY MANUAL, Step 3-1.)

(15) Nonevidentiary property, if size permits, may be filed in the 1A section of the case file. Otherwise, large nonevidentiary property (serialized as a 1C), seized, subpoenaed or contributed pursuant to investigative activity, is to be stored in a separate area within, or, at the discretion of the SAC, outside the field office, in space specifically designated for the storage of nonevidentiary items. (See 2-4.4.16.)

(16) Chain of custody on Grand Jury Material (Rule 6E)

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Material) is not required unless specified by the case Agent. The case Agent will consult with the AUSA to determine whether chain of custody should be maintained on specific Grand Jury Material. If so required, an FD-192 is completed and the material is stored in the ECR. When a chain of custody is not required, Grand Jury Material is documented on Form FD-192a (Control Form for Nonevidentiary Items), entered into Collected Item as a 1C serial, and segregated from the other nonevidentiary property, with access given only to those individuals named on the Grand Jury List. When Grand Jury Material is entered into Collected Item as a 1C, it is charged out by using Form FD-5 (Serial Charge-Out). (See MAOP, Part II, 2-4.4.16 and 10-13.8 and MIOG, Part II, 2-9.5 and 2-9.7.)

(17) Special Agents' original interview notes are not intended to be used as evidence at a trial, and questions raised by the defense with respect to them generally attempt to focus on inconsistencies between the original notes and the resulting FD-302. Just as it is not necessary to maintain chain of custody on the FD-302, it is not necessary to maintain chain of custody on original interview notes and they should be filed in the 1A section (FD-340a) of the case file.

(18) Classified National Security Information should be handled in the same manner as other evidence, with the exception that it must be retained in a storage receptacle, appropriate to its level of classification, with full consideration as to the necessary chain-of-custody accountability. Money, weapons, and other items of intrinsic value shall not be stored in the same security container unless they are also classified. Material believed to be classified, but not so identified, must be protected as though it is classified. Within 30 days a determination as to its classification must be made either by presentation of the material to an Original Classification Authority or comparison with an approved classification guide in accordance with MIOG, Part II, 26-2.3. Under no circumstances will classified material be released to any person unless it has been determined that they have the necessary clearance and/or access commensurate with the classification level of the material and a demonstrated need to know.

(19) Electronic Surveillance (ELSUR) evidence (serialized as a 1D) should be handled in the same manner as general evidence, with the exception of Title III material which must be sealed within five (5) days by the court. (See MIOG, Part II, 10-9.) However, ELSUR evidence is not to be stored in the ECR, but rather in a room specifically designated for such material. The physical requirements for this room are the same as for an ECR (see 2-4.4.2). (See FCI

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Manual, Introduction, 1-2.6.3.)

(20) Obscene material which will be retained as evidence must be clearly marked "Obscene" and stored as general evidence in the Evidence Control Room (ECR). (See 2-4.4.11 and MIOG, Part I, 145-2; Correspondence Guide - Field, 1-14.)

(21) For Preautomated Evidence only:

Every effort should be made to enter all evidence into Collected Item. However, if extenuating circumstances prevent the entry of preautomated evidence into Collected Item, the following guidelines are to be followed:

(a) Three copies of the nonautomated green Form FD-192 should exist for preautomated evidence.

1. The original copy must be signed by an SSA and filed in the first section of the case file immediately above the 1A section (FD-340a). If there is no 1A section, the file copy becomes the first item in the first section of the case file. The file copy may be maintained in a subfile, in which case a blank nonautomated green FD-192 should be placed in the main file as a substitute for the original indicating their location, i.e., "1B serials maintained in Subfile E."

2. The package copy of the nonautomated green FD-192 records the chain of custody and must remain with general evidence. (If valuable/drug evidence, the package copy is not affixed to the property, but is filed in numerical sequence by file number in a binder which is maintained in the valuable/drug evidence repository. The package copy may be reproduced if more than one copy is required.) The signatures of persons, including the ECT, accepting custody must be recorded thereon as follows:

a. The first chain-of-custody entry is the employee who first acquired the property as identified on the front page of the nonautomated green FD-192.

b. The second chain-of-custody entry is the individual to whom the property was first released. The date, time and reason for release is also required.

c. The third chain-of-custody entry is the signature of the ECT or other individual who accepts possession from the individual releasing it (second chain-of-custody entry) along

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with the date, time, and reason for acceptance.

d. Chain-of-custody information continues in this fashion as the property changes hands. Chain-of-custody entries should not disclose that the evidence is released to or accepted by the ECR; the entry must show the signature of the person accepting/releasing custody.

3. It is the responsibility of the ECT to ensure that the chain of custody is accurately recorded on the package copy of the nonautomated green FD-192.

4. The index copy of the nonautomated green FD-192 serves as the index of property acquired as evidence. A consolidated record of all index copies is to be maintained in the ECR in a binder labeled "(Name of Field Office) - Index of Evidence." The index copies are to be filed by evidence category (general, valuable, drug) in numerical sequence by file number. If a satellite ECR is established in a resident agency (RA), the index copies of the nonautomated green FD-192s for evidence maintained in that RA are to be maintained in the field office Headquarters City ECR in a separate binder labeled "(Name of Resident Agency) - Index of Evidence" and filed therein as noted above. To maintain an effective recordkeeping system and to facilitate the conduct of physical inventories as required in Section 2-4.4.15, the Headquarters City's and RA's indexes must be kept up to date by noting any type of chargeout/transmittal/disposition of property on the appropriate index copy.

(b) A 1B number should be assigned to the nonautomated green FD-192 by the ECT. A notation should be made on the nonautomated green FD-192 noting the exact location of the property stored in the ECR. When applicable, the 1B number should also be listed on the evidence label attached to the plastic pouch containing drug or valuable evidence. The ECT should ensure that the location of the property and the 1B serial number are legible on each copy of the nonautomated green FD-192.

(c) When physical inventories are conducted as required in Section 2-4.4.15, the inventories of preautomated evidence will be reconciled with the index copies of the nonautomated green FD-192s maintained by the ECT in the Headquarters City ECR, not those maintained in satellite ECRs in the RA. Therefore, the Headquarters City ECT should be advised of any type chargeout/transmittal/disposition of property located in the RA to prevent discrepancies.

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(d) If preautomated evidence is required to be transmitted to FBIHQ and/or the DEA Laboratory, it is suggested that the evidence be immediately entered into Collected Item, and handled according to the guidelines as noted in Section 2-4.4.4 (11)(a).

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2-4.4.5 | General Evidence

(1) Items of evidence such as firearms, ammunition, clothing, typewriters, computer equipment, latent fingerprints lifted from a crime scene, and documentary items (exclusive of ELSUR evidence) such as books of account, printed materials, video tapes, motion picture films, magnetically or electronically recorded cards, tapes, discs, are treated as general evidence and stored within the ECR.

(2) If documentary items have been admitted into evidence during court proceedings or serve a continuing law enforcement purpose, the items may be retained by the FBI with the concurrence of the USA. (See also MIOG, Part II, Section 28 and Legal Handbook for Special Agents, 5-12.4.)

(3) ELSUR evidence is treated as general evidence in Collected Item, and handled in accordance with procedures set forth herein, and in MIOG, Part II, 10-9.

(4) Clothing that may contain blood and/or other liquids of known or unknown origin, should be completely dried before being stored or shipped. In field offices that are moving to newly acquired space, or being renovated, a separate room (not inhabited by employees) should be utilized to air-dry these garments. This room is to be either in the ECR or adjacent to the ECR and have outside ventilation. If the drying room is outside of the ECR, it must be as secure as the ECR.

(5) Prior to storing and/or shipping blood-stained garments, the HANDBOOK OF FORENSIC SCIENCE and the DANGEROUS GOODS REGULATIONS should be consulted.

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2-4.4.6 Firearms (Moved from 2-4.4.3) (See 2-4.4.17.)

(1) By Statutes

(a) Title 18, USC, Section 3665, provides as follows: Firearms possessed by convicted felons-

"A judgment of conviction for transporting a stolen motor vehicle in interstate or foreign commerce or for committing or attempting to commit a felony in violation of any law of the United States involving the use of threats, force, or violence or perpetrated in whole or in part by the use of firearms, may, in addition to the penalty provided by law for such offense, order the confiscation and disposal of firearms and ammunition found in the possession or under the immediate control of the defendant at the time of his arrest. The court may direct the delivery of such firearms or ammunition to the law-enforcement agency which apprehended such person, for its use or for any other disposition in its discretion."

(b) In all cases in which firearms and ammunition are seized pursuant to the above statute, the USA shall be notified of the seizure so that USA may bring it to the attention of the court at the time of sentencing.

(c) There is no objection to a court order directing disposal by the FBI Laboratory. (See MIOG, Part II, 13-12.8.)

(d) Other federal statutes, indexed under "Firearms" in the U.S. Code Annotated, provide for forfeiture of firearms used in violation of various statutes including liquor laws and used in named national parks and declaring contraband any firearm with respect to which there has been committed a violation of any provision of the National Firearms Act or any regulation issued pursuant thereto. The responsibility for selecting the applicable statutes, if any, is that of the USA.

(2) By Other Means - If Title 18, USC, Section 3665, or other statutes relating to confiscation or forfeiture do not apply, the firearms shall be disposed of as follows:

(a) If the firearm is the property of the subject,

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obtain from subject a signed waiver of ownership rights and forward the firearm to the FBI Laboratory.

(b) If the firearm is the property of the subject and subject is convicted and will not waive ownership rights, deliver the firearm to the USM as part of subject's property or deliver it to subject's attorney or other designated representatives.

(c) If the firearm is the property of the subject and subject is acquitted and will not waive ownership rights, deliver the firearm to subject or to designated representative.

(d) If the firearm was stolen from a known and legitimate owner, return the firearm to owner. If the firearm is the property of the United States, return it to the nearest appropriate government agency office.

(e) If the legitimate owner of the firearm cannot be determined, deliver the firearm to the USM as abandoned or unclaimed property unless the firearm bears a U.S. government stamp in which case it should be determined if it is desired for inclusion in the Reference Firearms Collection (RFC) of the FBI Laboratory and, if not, it should be forwarded by express, collect, to the nearest U.S. Army Ordnance arsenal or depot with the request that a receipt be furnished the field office by the military authorities.

(f) Whatever the ownership status of the firearm, if the Bureau only borrowed it as evidence from another law enforcement agency which obtained it upon arrest of the subject, it should be returned to that agency.

(g) If the subject is not prosecuted federally and is delivered to some other agency, as in the case of a deserter or a person arrested for unlawful flight to avoid prosecution, deliver the firearm to that agency, along with the subject.

(3) In situations (b) through (g) above, obtain a receipt (FD-597) from person to whom firearm is delivered and place it in the 1A section of the investigative case file.

(4) If a firearm (or ammunition) is held for evidence and any person demands the immediate return of it, or a firearm is otherwise held and two or more claimants dispute ownership, hold the weapon and refer the legal problem to the USA.

(5) Any offer of a firearm for inclusion in the RFC

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should be accepted only if the owner will furnish a release showing that the weapon is being given to the FBI unconditionally with the understanding that if the FBI Laboratory has a similar weapon or for any other reason does not desire its retention, the weapon may be destroyed.

(6) All firearms obtained by the FBI through a court order or waiver of ownership shall be handled according to the following criteria:

(a) All firearms shall be submitted to the Firearms-Toolmarks Unit, FBI Laboratory, along with any requests for their return to the field offices and justification for such action.

(b) The Laboratory shall have the option of retaining any such firearms for its RFC unless specifically instructed by court order to destroy a firearm.

(c) The FBI Academy, Quantico, will be advised by the Laboratory of any firearms received that are not being included in the RFC and will decide whether they are needed for training purposes or for reissue.

(d) If there is a request for the return of the firearm to the field office for issue or display and if it is not needed by the Laboratory or Training Division, the Training Division will evaluate the request and, if approved, will perform the necessary refurbishing, or deactivation of these firearms. It is to be noted that approval of such requests will not be routine and must be supported by ample justification.

(e) If not needed by the Training or Laboratory Division and there is no request to return the firearm to the field (or if request denied), the Laboratory will destroy the firearm. The field office is not authorized to destroy any confiscated firearms.

(7) Seized/recovered firearms that are to be retained by FBI field offices pending resolution of an investigative matter are to be stored in the Evidence Control Room (ECR).

(8) Firearms are not to be accepted by the ECT for storage until they have been examined by a field office Firearms Instructor and rendered safe. THE FIREARMS INSTRUCTOR IS TO CERTIFY THE EXAMINATION BY:

(a) SIGNING HIS/HER NAME, AND



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(b) PLACING THE DATE THAT THE WEAPON WAS EXAMINED AND RENDERED SAFE IN THE LOWER LEFT HAND CORNER OF THE CHAIN-OF-CUSTODY PAGE OF THE PACKAGE COPY OF THE AUTOMATED FD-192.

Chain-of-custody information is not to be recorded if possession of the firearm does not change during the safety examination. Once rendered safe, firearms may be stored in a secured cabinet or on open shelving within the ECR.

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2-4.4.7 Drug Evidence (See MAOP, Part II, 2-4.4.9, 2-4.4.10, 2-4.4.11; MIOG, Part I, 281-8.1(3), 281-8.1.4(2), 281-8.1.5, 281-8.1.6, 281-8.1.8.)

(1) Drug evidence must be afforded maximum security while in the FBI's possession, and not co-mingled with any other type of evidence. Storage should be in one or more of the following types of facilities:

(a)

(b)

filing is permissible

Open-shelf

(c)

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b2  
[REDACTED]  
Exterior ventilation for the storage of odoriferous substances and the health and safety of evidence personnel is to be afforded. Open shelving is permissible.

(d) [REDACTED]  
Exterior ventilation for the storage of odoriferous substances and the health and safety of evidence personnel is to be afforded.  
[REDACTED]  
Open shelving is permissible.

(e) [REDACTED]  
[REDACTED]

(f) A separate Form FD-455 (Access Log - Evidence Storage Facility) is to be maintained for EACH drug repository. If open shelving is utilized, then one FD-455 Log for the room/vault is sufficient. (See 2-4.4.2 (2).)

(g) The ECT/AECT is not authorized to access the drug/valuable storage facility unless accompanied by the AO, or the person(s) designated to act on behalf of the AO as the Vault Witnessing Official (VWO). The vault witness responsibility remains with the AO, but the actual duty may be delegated to meet the requirements of the field office and resident agencies. However, the VWO should not be an AECT. Each office should limit the number of designated VWOs and must document the list of authorized vault witnessing personnel in the evidence control file.

(h) The Agent submitting the drug evidence to the

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ECT must remain with the ECT while he/she processes the evidentiary property and until the VWO arrives to access the vault and witness the storage of the drugs.

(i) The only persons having emergency access to the drug/valuable storage facility (both combinations or both keys) and the ECR will be the SAC, the ASAC, and the Supervisory Special Resident Agent. The written access numbers to the combination(s) (or the key(s) for the dual access entry to the drug/valuable vault) must be stored separately. One combination (or key) is to be maintained in a GSA-approved security container with the central combination record file; the other combination (or key) is to be placed in the COMSEC vault safe.

(2) Drug evidence should be stored in a reasonably controlled environment as elevated temperatures or humidity may result in some drug decomposition. Marijuana and crude preparations of some other drugs, such as cocaine, PCP and methamphetamine, are highly odoriferous and will require more than normal ventilation for odor control. Wet or freshly harvested marijuana will mildew if not thoroughly dried before being sealed and stored. It is also advisable to fumigate marijuana to curb insect growth within the bundles. For health and safety reasons, proper outside ventilation of the drug vault/room is required.

(3) Two federal criminal investigative agents and/or deputized officers (one designated the sealing agent/officer and one the witnessing agent/officer, who are not support employees) are responsible for ensuring that drug evidence is weighed/counted and verified before the evidence is sealed, transmitted to the DEA Laboratory or placed in storage in accordance with the following procedures:

(a) The drug evidence, along with the original container, is placed in an appropriate size plastic evidence pouch and weighed/counted. The weighing should be accomplished on a scale capable of weighing in gram increments and the weight recorded on the FD-723 (Evidence Label). If the drug seizure involves tablets or capsules, the number of tablets or capsules can be determined by actual count if the quantity is small or, if too voluminous to count, by computation based on relative weights, e.g., count and weigh 100 units to determine a unit weight and then divide this weight into the net weight of the entire exhibit to determine the total number of units. If liquids are involved, the gross quantity will be reported by volume. Estimates will be based on the known or apparent size of the container.

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(b) The FD-723, is to be completed with the following information:

1. Field Office Name
2. File Number
3. Date of Seizure or Purchase
4. Sealing Official's Printed Name
5. Sealing Official's Signature
6. Witnessing Official's Printed Name
7. Witnessing Official's Signature
8. Laboratory Examiner's Signature
9. Weight (for drugs)
10. DEA Exhibit Number (for drugs)

(c) Ensure that the completed FD-723 is placed on the outside of the plastic evidence envelope, at the top, and folded at the perforation over both sides of the envelope. Insert the envelope into the heat sealer ensuring that the heat seal is made across the FD-723.

(d) The use of plastic evidence envelopes is not always practical for bulk drug evidence seizures. Therefore, the entire bulk shipment must be packaged in boxes or cartons of uniform size. Each box should contain no more than 15-20 kilograms of substance and should be packed as full as possible. Packing material should be added, if required, to ensure that boxes will not be crushed when stacked and transported.

1. Each box or carton is to be closed with fiber-reinforced plastic tape ensuring that the tape encircles the carton and that the tape ends meet or overlap on the top.

2. An FD-723 is to be completed to include the date of sealing and the printed names and signatures of the sealing agent/officer and witnessing agent/officer.

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3. The FD-723 is to be affixed to each box at the top to ensure that it covers both ends of the plastic fiber-reinforced tape. The label should be covered with clear plastic tape to ensure that names and signatures are not obliterated during transport and handling.

4. Each box will be numbered consecutively (1 of 10; 2 of 10, 3 of 10, etc.) with a permanent marker in large print.

5. Each box should also be marked with the number of packages it contains. (For additional specifics on bulk drug seizures, see MIOG, Part I, 281-8.1 through 281-8.1.11.)

(e) Opening and resealing of drug evidence must be conducted in the presence of at least two federal criminal investigative agents/deputized officers. The reasons and procedures must be fully documented in an FD-302. Two copies of the FD-302 are to be generated - one is designated for the investigative case file, and a second copy is to be presented to the ECT with the resealed evidence. (The ECT is to maintain the ECR copy of the FD-302 in a binder from inspection to inspection).

(f) A sealed plastic evidence pouch is opened by cutting off the sealed upper edge with scissors or a paper cutter, ensuring that the FD-723 is intact. If the evidence is to be resealed, both portions of the used pouch are to be retained, placed in a new evidence pouch with the evidence and sealed following the above-mentioned instructions. Opening and resealing drug evidence is to be continued in this fashion.

(g) When bulk drug evidence is required to be opened, it is done so by first cutting the FD-723 from the top of the box. If the evidence is to be resealed, the previously used FD-723 is placed in a plastic envelope inside the box, and the box is then sealed following the above-mentioned instructions. (For detailed procedures on entering drug evidence into Collected Item, see the ACS USERS GUIDE.)

(4) Laboratory analyses of seized drugs will be conducted by the DEA Laboratories. The transmittal to and return of drug evidence from the DEA Laboratories are to be recorded in Collected Item. (See MIOG, Part I, 281-8.1.3.)

(a) Usually, DEA is requested by the FBI to forward the original packaging that contained the drugs to the FBI.

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Laboratory for latent fingerprint analysis. When this occurs, the packaging will be returned, separated from the drugs, and at a later date. To account for the evidentiary property that has now become two pieces, the "Split" function is performed in Collected Item when the drugs are returned. This will give both pieces of evidence their own chain of custody. If the drugs are properly sealed by the DEA chemist, the package is not to be resealed by the FBI, as the DEA chemist will testify to the contents and to his/her sealing procedures. (The DEA Laboratory may complete the lower portion of the FD-723 that states "for Lab use only." However, they are not required to do so, as DEA reseals the package with their own seal.)

(b) When drugs packaging has been examined for latent fingerprints by the FBI Laboratory (therefore having been separated from its original contents), it is also treated as a drug, and therefore should be sealed by the FBI Laboratory in the same manner as any drug. The FBI Laboratory will heat seal the packaging and complete the lower portion of the FD-723 that states "for Lab use only." The field office will process the sealed drugs packaging in Collected Item (continuing the entry that was began by the "Split" function), and place the evidence in storage in the drug vault.

(5) DEA Form 7 (Report of Drug Property Collected, Purchased or Seized) is a six-part form (original and five copies) and is to be utilized when transmitting drug evidence to the DEA Laboratory. DEA Form 7 is transmitted to the appropriate DEA Regional Laboratory by cover communication. Procedures for filling out the form are as follows:

(a) DEA Form 7 is to be typed. Each form is limited to three (3) exhibits inasmuch as there is not sufficient space for the results of analyses of more than three (3) exhibits. The submitting office case file number and exhibit number (see item 9) should be placed on all drug evidence pouches so they can be matched with the accompanying correspondence.

Item 1: Self-explanatory. Money flashed will be checked only where drugs were seized as a result of using a flash roll.

Item 2: Enter field office file number, e.g., |245A-HN-1234|. This number is essential for future case identification and retrieval.

Item 3: Disregard.

Item 4: Enter "FBI."

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- Item 5: Self-explanatory.
- Item 6: Disregard.
- Item 7: Self-explanatory.
- Item 8: Disregard.
- Item 9: The exhibit number or sequence number is assigned by the submitting office or by the DEA chemist. An exhibit is defined as any substance differing in form, color or shape from any other submitted materials or acquired at a different time and place. When there are several submissions from one field office or separate submissions from several field offices, it will be the responsibility of the office of origin (OO) to assign the sequential exhibit numbers. The DEA Laboratory may also be contacted to determine the next sequential exhibit number for that particular case.
- Item 10: The "alleged drug" is that drug which the evidence is purported to be, or is sold as, by the defendant.
- Item 11: Describe fully the labels on the original containers and specify whether seals on these containers were intact. This entry may be continued under Item 15 ("Remarks"), as necessary.
- Item 12: Approximate the amount of substance in each exhibit by size or weight. The exact count and precise weight of submitted exhibits will be determined by the DEA chemist.
- Item 13: Indicate whether all the materials seized are being submitted or only a portion thereof.
- Item 14: Complete only if the evidence was acquired through an undercover purchase.
- Item 15: The OO and the OO file number must be identified under "Remarks." The OO file number will become the DEA Laboratory case control number for all future submissions in that case. When drug evidence is submitted by lead offices (LO), the LO must determine the OO file number and enter it under Item 15. Also, under "Remarks," it should be indicated whether latent fingerprint

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examinations or other forensic laboratory examinations are to be performed by the FBI's Laboratory Division. The cover communication should also set forth these requests and include appropriate case background data.

Item 16: Self-explanatory.

Item 17: Supervisory Special Agent.

(b) The copy distribution for DEA Form 7 is as follows:

Copies one through five are to be forwarded by cover communication, with the evidence, to the appropriate DEA Laboratory.

Copy six is to be detached by the submitting office and attached to the field office file copy of the cover communication and filed in the case file.

(c) Upon completion of the laboratory analyses, copy three will be sent to the OO and copies one and two will be returned to the submitting field office. These copies contain results of the DEA analyses and are to be filed in the 1A section (FD-340a) of the case file of the respective field office. All evidence will be returned to the submitting field office for retention and eventual destruction. The DEA Laboratory will not accept responsibility for the storage of drug evidence.

(6) The Federal-Wide Drug Seizure System (FDSS) is a computerized system which produces records of federal drug removals without regard for individual agency involvement. Participating agencies are DEA, FBI, the Immigration and Naturalization Service (INS), the U.S. Coast Guard (USCG), and the U.S. Customs Service (USCS). The FBI's participation in the FDSS is required whenever the weight of drugs recovered by the FBI exceeds established weight thresholds. At that time, a Federal Drug Identification Number (FDIN) will be telephonically obtained from the El Paso Intelligence Center (EPIC) and recorded on the DEA Form 7. The FDIN will be used by DEA's Statistical Services Section to capture records from the participating federal agencies. DEA's System to Retrieve Information from Drug Evidence (STRIDE) will continue to capture statistical information concerning FBI drug removals and will use that information for quality control of the FDSS. The following procedures have been established for implementation of the FDSS:

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(a) An FDIN will be required for drugs recovered if the weight entered in Item #12 of DEA Form 7, "Approx. Gross Quantity Seized," or Item #13 of DEA Form 7, "Approx. Gross Quantity Submitted," exceeds the following thresholds:

Heroin	100 grams or 1/4 pound
Morphine	100 grams or 1/4 pound
Opium	500 grams or 1 pound
Cocaine	500 grams or 1 pound
Marijuana	25 kilograms or 50 pounds or 50 plants
Khat	5 kilograms or 10 pounds
Hashish	1 kilogram or 2 pounds
LSD	100 units
Other drugs	5,000 units

(b) Separate FDINs are required for each drug that exceeds the above weight thresholds, regardless of whether they came from the same incident. Samples extracted from a bulk seizure do not require separate FDINs.

Some examples of when an FDIN is needed are:

1. Exhibits 1, 2, and 3 of cocaine are seized during the execution of a warrant. Collectively the evidence weighs 900 grams; individually none weigh more than 500 grams. No FDIN is needed for any exhibit.

2. Exhibits 1, 2, and 3 of cocaine are seized during the execution of a warrant. Exhibit 1 weighs 600 grams and needs an FDIN. Exhibits 2 and 3 weigh less than 500 grams; neither requires an FDIN.

3. Exhibit 1 is 600 grams of cocaine. Exhibit 2 is 250 grams of heroin, and both were seized during the execution of a warrant. Each exhibit requires a separate FDIN.

4. Exhibit 1 is a bulk marijuana seizure, and is reported on DEA Form 7 along with sub-exhibits 1A through 1K which are samples extracted from the seizure. The total collected exceeds 25 kilograms. An FDIN is needed for exhibit 1, but not for sub-exhibits 1A through 1K.

(c) The FDIN will be obtained by the first federal agency to take custody of the drug evidence. On the rare occasions when the FBI assumes custody of drug evidence from another federal agency, the FDIN must be provided to the FBI as part of the custody

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transfer.

b2 (d) Obtain the FDIN by contacting EPIC at FTS  
[redacted] or [redacted] Be ready to provide the following  
information, which will be recorded in a log maintained by EPIC:

1. Name and Title of Official Requesting the  
FDIN
2. Agency and Telephone Number of the Official  
Requesting the FDIN
3. Date and Local Time Collected
4. Place Collected (city, state)
5. Conveyance Type (e.g., vehicle, vessel,  
aircraft, or person)
6. Conveyance Identifier (e.g., name, number)
7. Quantity of Drug Collected (including unit  
of measure)
8. Type of Drug Collected (e.g., heroin,  
cocaine, or marijuana)

EPIC will issue an FDIN, which will be an eight-digit number beginning with the last two digits of the fiscal year in which the drug evidence was collected, e.g., 95000010. There will be no dashes or periods in the number.

(e) The FDIN is listed in the "Remarks" section of  
DEA Form 7.

(f) The method of drug removal (seized, recovered,  
collected, or purchased) does not affect the need for an FDIN. The  
determining factor is the weight estimate which includes the minimum  
wrapping necessary for evidentiary or packaging purposes. (See MIOG,  
Part I, 281-8.1.)

(8) To maintain the integrity of the drug evidence and to  
avoid unnecessary handling and possible exposure to toxic materials,  
Agent personnel should not attempt to transfer drug contents from the  
original package, wrapper or container into a substitute container.  
Those items which require both chemical analyses for drug contents



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and subsequent latent fingerprint or laboratory examinations of the packaging material itself for handwriting, or other type of forensic laboratory analyses, should be submitted to the DEA Laboratory and the appropriate information noted in the "Remarks" section of DEA Form 7. The DEA chemist will conduct the chemical analysis, then forward the items directly to FBIHQ, Attention: Laboratory Division, as appropriate.

(9) Drug evidence returned from DEA Laboratory is not to be opened, if properly sealed by the DEA chemist, but placed in storage as received. The DEA chemist occasionally removes the evidence from the original container(s) and returns the examined evidence to the submitting office in a substitute container(s) causing uncertainty as to whether the returned evidence is identical to the submitted evidence. In such instances, the ECT should note the change in containers on the package copy of the FD-192 stating the number of sealed containers returned from the DEA Laboratory and the DEA Laboratory numbers that appear on the containers and make appropriate modifications in Collected Item to accurately describe the evidence in storage.

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2-4.4.8 | Valuable Evidence | (Moved from 2-4.4.6) (See MAOP, Part II, 2-4.4.9 and 2-4.4.10.)

(1) Valuable evidence is defined as money irrespective of amount and country of origin, jewelry irrespective of value and composition, negotiable documents, and other items of intrinsic value, excluding drug evidence.

(2) Seized currency subject to criminal or civil forfeiture is to be delivered to the U.S. Marshals Service for deposit in the Seized Asset Deposit Fund, and such transfer is to be recorded by the ECT in Collected Item. However, if the seized currency serves a significant independent, tangible, evidentiary purpose, i.e., presence of fingerprints, packaging in an incriminating fashion, or the existence of a traceable amount of drug residue on the bills, the currency is retained pending final disposition of the investigative matter.

(3) Valuable evidence is to be independently

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counted/verified by two officials. The sealing official is to be a federal criminal investigative agent or deputized officer; the witnessing official may include the ECT, the paralegal specialist, or other support employee directly involved in the processes of seizing, packaging, and initial documentation of the evidence. They are to verify the accuracy of the count and/or detect any errors before the evidence is sealed and placed in storage.

(a) The valuable evidence is placed in an appropriate-sized plastic evidence pouch. The FBI evidence label, FD-723, is to be completed with the following information:

1. Field Office Name
2. File Number
3. Date of Seizure or Purchase
4. Sealing Official's Printed Name
5. Sealing Official's Signature
6. Witnessing Official's Printed Name
7. Witnessing Official's Signature
8. Laboratory Examiner's Signature
9. Weight (for drugs)
10. DEA Exhibit Number (for drugs)

(b) The completed FBI evidence label (FD-723) is placed on the outside of the plastic evidence envelope, at the top, and folded at the perforation over both sides of the envelope. Insert the envelope into the heat sealer ensuring that the heat seal is made across the evidence label (FD-723).

(c) The Agent submitting the valuable evidence to the ECT must remain with the ECT while he/she processes the evidentiary property and until the VWO arrives to access the vault and witness the storage of the valuable evidence.

(d) Opening and resealing of valuable evidence must be conducted in the presence of:

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1. Two federal criminal investigative agents/deputized officers, or
2. One federal criminal investigative agent/deputized officer and one witnessing official (as described in paragraph (3) above), or
3. Two paralegal specialists (one of which serves as a sealing official and one as a witnessing official)

(e) The reasons and procedures must be fully documented in an FD-302 by the sealing and witnessing officials. Two copies of the FD-302 are to be generated--one is designated for the investigative case file, and a second copy is to be presented to the ECT with the resealed evidence. (The ECT is to maintain the ECR copy of the FD-302 in a binder from inspection to inspection.)

(f) A plastic evidence pouch is opened by cutting off the sealed upper edge with scissors or a paper cutter, ensuring that the FD-723 is intact. If the evidence is to be resealed, both portions of the used pouch are to be retained, placed in a new evidence pouch with the evidence, and sealed following the above-mentioned instructions. Opening and resealing evidence is to be continued in this fashion.

(g) If valuable evidentiary items are of such size as to preclude the use of a plastic evidence pouch, i.e., paintings, the property should be boxed or wrapped in brown paper and secured with plastic fiber-reinforced tape ensuring that the tape encircles the package and that the tape ends meet or overlap. The FD-723 label is to be completed with all pertinent information and affixed to each box top or package front to ensure that it covers both ends of the plastic fiber-reinforced tape. The label should be covered with clear plastic tape to ensure that names are not obliterated during transport and handling.

(h) When large valuable evidentiary items are required to be opened, it is done so by first cutting the FD-723 from the front of the package or top of the box. If the evidence is to be resealed, the previously used FD-723 is placed in a plastic envelope inside the new package or box, and the new package or box is then sealed following the above-mentioned instructions.

(4) Valuable evidence must be afforded maximum security while in the FBI's possession, and not co-mingled with any other type of evidence. Storage should be in one or more of the following types

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of facilities:

(a)

(b)

filing is permissible

Open-shelf

(c)

Exterior ventilation for the storage of odoriferous substances and the health and safety of evidence personnel is to be afforded. Open shelving is permissible.

(d)

Exterior ventilation for the storage of odoriferous substances and the health and safety of evidence personnel is to be afforded.

Open shelving is permissible.

(e)

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b2  
[REDACTED]

(f) A separate Form FD-455 is to be maintained for each valuable repository. (See 2-4.4.12.)

(g) The ECT/AECT is not authorized to access the drug/valuable storage facility unless accompanied by the AO, or the person(s) designated to act on behalf of the AO as the VWO. The vault witness responsibility remains with the AO, but the actual duty may be delegated to meet the requirements of the field office and resident agencies. However, the VWO should not be an AECT. Each office should limit the number of designated VWOs and must document the list of authorized vault witnessing personnel in the evidence control file.

(h) The only persons having emergency access to the drug/valuable storage facility (both combinations or both keys) and the ECR is the SAC, the ASAC(s), and the Supervisory Special Resident Agent. The written access numbers to the combination(s) (or the key(s) for the dual access entry to the drug/valuable vault) must be stored separately. One combination (or key) is to be maintained in a GSA-approved security container with the central combination record file; the other combination (or key) is to be placed in the COMSEC Vault safe.

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2-4.4.9 | Temporary Storage - Drug and Valuable Evidence  
(See MAOP, Part II, 2-4.4.7 and 2-4.4.8.)

(1) A security-type safe with a dual-combination locking system may be used for TEMPORARY STORAGE of drug and valuable evidence not to exceed ten (10) calendar days from date of acquisition. The secure container should be located either outside the ECR or in the Night Supervisor's working area. The container should be secured to the floor. The contents of the night depository safe must be removed at the beginning of each work day by the ECT, accompanied by the VWO, properly stored in the ECR pursuant to

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established policy, and entered into Collected Item. Evidence that is being temporarily stored within the container is to be properly heat-sealed and appropriate documentation is to be attached prior to its temporary storing.

(2) Neither the SAC's safe nor a squad supervisor's safe are to be used for the temporary storage of drug/valuable evidence. In those instances when seizures of drug/valuable evidence are anticipated during off-duty hours (nights, weekends/holidays), the services of the ECT/AECT should be utilized to assist with the analyzing, cataloging and labeling of the evidence.

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2-4.4.10 | Storage of Evidence in Resident Agencies (RAs)

(1) Evidence that is needed at the RA for Agent review, court proceedings, etc., must be charged out by the ECT to the appropriate Agent, who is then responsible for storing it securely. Evidence that is seized, subpoenaed, or voluntarily contributed, and not relinquished to the ECT for processing into Collected Item, must be stored temporarily within RA space in a security-type safe.

(a) Access to the temporary storage facility is limited to the appropriate Agent, and the Senior Supervisory Resident Agent (SSRA) or Senior Resident Agent (SRA).

(b) An FD-455 is to be maintained for the facility and each instance of access must be recorded thereon to include the signature of the person(s) gaining entry, reason for entry, case file number and 1B number, and the date and time of entry/exit to successfully defend any chain-of-custody challenges.

(2) At the discretion of the SAC, an ECR may be established in an RA in accordance with the guidelines set forth in 2-4.4.2 and all rules and regulations applicable to evidence storage and handling applies. Drug and valuable evidence may be stored within the ECR as set forth in 2-4.4.7 and 2-4.4.8, or may be stored in a bank safe-deposit box. An employee in the RA is to be designated an ECT, and is directly responsible for the recordkeeping, storage, and maintenance of evidence in the RA. In the event bank safe-deposit boxes are used and the designated RA/ECT is a support

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employee, he/she must be escorted to and from the bank by the VWO.

(a) Form FD-455 (Access Log - Evidence Storage Facility) is to be maintained for the ECR and the drug and/or valuable repository, whether located within the ECR or in a bank safe-deposit box. Each instance of access must be recorded on the FD-455 to include the signature of the person(s) gaining entry, reason for entry, case file number and 1B serial/exhibit number, and the date and time of entry/exit to successfully defend any chain-of-custody challenges.

(b) Access to the RA/ECR and/or bank safe-deposit box is strictly limited to the RA/ECT and the SSRA/SRA. Access by other employees is prohibited unless accompanied by the RA/ECT and SSRA/SRA. Access is to be documented on Form FD-455. For access to the drug/valuable evidence storage facility, whether located within the field office or in a bank safe-deposit box, the RA/ECT is accompanied by the SSRA/SRA, who is the VWO. If the drug/valuable evidence is stored in a safe-deposit box, the names of the RA/ECT, SSRA/SRA are to appear on the bank access signature card, and documented in the field office evidence control file by electronic communication (EC) and updated as necessary.

(c) The RA/ECT ensures the following:

1. That the evidence is entered Collected Item within 10 calendar days.
2. If the evidence is submitted late, an EC must accompany the evidence before being entered into Collected Item.
3. That a 1B serial number is recorded on the automated FD-192 for file.
4. That the evidence is bar coded.
5. That an automated FD-192 is initialed by the SSRA/SRA and filed in the case file; a second copy is attached to the property; and a third copy is made for forfeiture.
6. That chain-of-custody documentation is recorded in Collected Item and on the automated FD-192 maintained with the evidence.
7. That an FD-302 is completed when evidence is to be resealed.

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8. That evidence is properly packaged when the need arises to mail.

9. That disposition information is recorded in Collected Item.

10. Retrieves evidence from RA/ECR when need arises and ensures chain of custody is accurately recorded in Collected Item and on the automated FD-192.

11. Produces every 60 days a charge-out reminder report for evidence charged out from RA/ECR.

12. Disposes of property on instructions of SA personnel by appropriate methods.

13. As necessary, may be required to testify in a court of law regarding evidentiary property for which responsible.

(For detailed responsibilities of the ECT, see 2-4.4.3.)

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2-4.4.11 Transmittal of Evidence to Field Offices and FBIHQ/DEA Laboratories

(1) The ECT is responsible for properly preparing evidence for mailing/shipping. Refer to MIOG, Part II, Section 13, and the HANDBOOK OF FORENSIC SCIENCE for illustrated packaging chart and related information.

(a) For shipping of drug and valuable evidence, the case Agent is to ensure that the evidence is properly heat-sealed prior to being packaged for shipment. Due to the fact that drug/valuable evidence is not to be left solely in the custody of the ECT, the case Agent/acquiring Agent and/or the VWO is to witness the wrapping/packaging of such evidence by the ECT for shipment.

(2) Due to chain-of-custody requirements, ALL EVIDENCE TRANSMITTED BETWEEN FBI OFFICES IN THE U.S. AND PUERTO RICO, IS TO BE SENT BY EITHER U.S. POSTAL SERVICE USING ONLY REGISTERED MAIL, OR BY

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FEDERAL EXPRESS. However, Classified National Security Information shall be transmitted according to its classification level as prescribed in MIOG, Part II, 26-7. (When U.S. Registered Mail is used, Form FD-441a (Return Receipt for Evidence Control Technician) must be completed, and placed in the outer evidence packaging. If Federal Express is utilized, never use their "drop-off" service. Ensure that the package is picked up and a receipt is received.) Regardless of the mode of shipping, clear yellow evidence tape must always be placed over the shipping address label.

(a) Evidence that is shipped to other agencies is to be shipped via U.S. Registered Mail, return receipt requested (PS 3811.) The receipt is then placed in the 1A section of the investigative case file. (See 2-4.4.13.)

(b) Evidence that is being returned to the contributor/owner is to be shipped U.S. Registered Mail, return receipt requested (PS 3811.) (See 2-4.4.17.) The receipt is then placed in the 1A section of the investigative case file.

(3) If evidence is being transmitted from one field office to another, the evidence must first be entered and disposed in Collected Item.

(a) The ECT in the transmitting office prints out two copies of the automated FD-192. The file copy is initialed by the Squad Supervisor, and filed in the investigative case file. (If the case file is in the office of origin (OO) and it is the lead office (LO) that is shipping the evidence to the OO, then the file copy of the FD-192 and all other appropriate documents required by the investigative case file are to be shipped to the OO with the evidence.) (Drug and valuable evidence must be appropriately sealed before being transmitted.) The package copy of the automated FD-192 must accompany the evidence that is being shipped. When transmitting to the FBI or DEA Laboratories, the package copy of the automated FD-192 remains filed in a binder marked "(Name of Office) - Evidence sent to FBI Lab" or "(Name of Office) - Evidence sent to DEA Lab." The binder is maintained in the ECR. (See Section 2-4.4.4.)

(b) The ECT in the transmitting office will record the manual chain of custody on the automated FD-192 maintained with the evidence:

Received By: Honolulu  
Remarks: Sent via FEDEX #123456789  
(or Reg #246)

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w/EC dated 2/23/96

The ECT in the transmitting office will also record the automated chain of custody in Collected Item:

Accepted Date.>> 02231996  
Accepted Time.>> 0200pm  
Accepted By....>  
Organization..>> Honolulu  
Reason.....>> Forwarded  
Remarks.....> Sent via FEDEX #123456789  
(or REG #246)  
w/EC dated 2/23/96

(c) The FD-441a is for FBI use only. This form is to be executed by the ECT in the transmitting office and placed in the package with the evidence when the evidence is being shipped via U.S. Registered Mail.

(d) The ECT in the receiving office must complete the remaining portion of the FD-441a (if U.S. Registered Mail was utilized) and return it to the sending office, Attention: ECT. The receipt is then placed in the 1A section of the investigative case file.

(e) In the receiving office, the cover sheet of the package copy of the automated FD-192 that accompanied the evidence is filed in a 1A envelope in the appropriate case file. The ECT then enters the evidence into Collected Item, giving it a 1B number for his/her office. He/She then generates three new automated FD-192s (for the file, for the evidence, and for forfeiture) to document the receipt of the evidence in the receiving office. The original chain of custody (that accompanied the evidence) is attached to the newly computer-generated FD-192, is appropriately signed, and remains with the evidence in the receiving office.

Page One of the "Received Collected Item" (formally known as the Group Information) will read as follows:

Category.....>> 1B  
Acquired Date...>> 02261996  
Acquired Time...>> 1000am  
Acquired By.....>> (name of ECT in receiving  
field office)  
Contributor.....>> (name of transmitting  
field office)

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(4) If evidence is being transmitted from a field office to FBIHQ or DEA Laboratory, it must first be charged out manually and documented in Collected Item. Drug and/or valuable evidence must be sealed prior to being shipped.

(a) The ECT in the transmitting office will record the manual chain of custody on the automated FD-192 maintained with the evidence:

Received By: FBI Lab (or DEA Lab)  
Remarks: Sent via FEDEX #123456789  
(or REG #246)  
w/EC dated 2/23/96

The ECT in the transmitting office will also record the automated chain of custody in Collected Item:

Accepted Date.>> 02231996  
Accepted Time.>> 0200pm  
Accepted By....>  
Organization...> HQ (or DEA)  
Reason.....>> Analysis  
Remarks.....> Sent to FBI Lab (or DEA Lab)  
via FEDEX #123456789  
(or REG #246) w/EC dated  
2/23/96

The package copy of the automated FD-192 is retained in the ECR and filed in a binder/folder labeled "Evidence Sent To FBI (or DEA) Laboratory" according to date of transmittal.

(b) The FD-441a is to be completed by the ECT in the transmitting office (if U.S. Registered Mail is utilized), and placed inside the outer packaging with the evidence that is to be transmitted between field offices, and field offices and FBIHQ. DO NOT use Form FD-441a when transmitting evidence to DEA.

(c) The FBIHQ Laboratory and field offices must complete the remaining portion of the FD-441a (if U.S. Registered Mail is utilized) and return it to the sending office, Attention: ECT. The receipt is then placed in the 1A section of the investigative case file.

(d) When the evidence is returned, the ECT is to record chain of custody on the automated FD-192 maintained with the

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evidence and in Collected Item. If general evidence, affix the package copy of the automated FD-192 to the evidence. If drug or valuable evidence, place the package copy of the automated FD-192 in the binder maintained in the drug/valuable vault.

(5) As a general rule, evidence seized/recovered by RA personnel is stored in Headquarters City and transmittal of such evidence to another field office/FBIHQ/DEA Laboratory is handled by the Headquarters City ECT. However, if an ECR has been established in a RA, evidence must be administratively handled and entered into Collected Item prior to being wrapped/packaged/shipped by the RA/ECT according to the aforementioned guidelines. Otherwise, RAs may only transmit evidence directly to another field office/FBIHQ/DEA Laboratory in instances where the urgency of a particular situation demands expedient handling, or in instances when the bulk of the evidence is such that to ship through Headquarters City for subsequent shipping elsewhere would be impractical. In such instances where FBIHQ/DEA Laboratory returns evidence directly to an RA, a copy of the communication transmitting/returning the evidence must be furnished to the Headquarters City ECT for appropriate administrative handling, when the RA does not have an established ECR.

(6) Before filing or forwarding obscene and indecent matter which has come into the possession of an employee during the course of an investigation, it shall be placed in a sealed container and the container marked for identification and the label marked "Obscene." Such evidence is considered general evidence and stored in the ECR. (See MAOP, Part II, 2-4.4.4; MIOG, Part I, 145-2; Correspondence Guide-Field, 1-14.)

(7) For the handling, transportation, shipping, and storage of explosives, see MIOG, Part II, 13-16.2 and 13-16.3, and the HANDBOOK OF FORENSIC SCIENCE.

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2-4.4.12 Charge-Out Procedures - Evidentiary Property  
(See MAOP, Part II, 2-4.4.8 and 2-4.4.16.)

(1) Evidence stored in the ECR, or other evidence storage facilities, may be charged out to any employee having an official need. Evidence may be charged out for up to 60 calendar days and recharged at the end of those 60 days and, if necessary, every 60 days thereafter as follows:

(a) The ECT is to record chain of custody on the automated FD-192 and in Collected Item.

(b) The package copy of the automated FD-192 must remain with the evidence. Care should be exercised by the employee accepting custody of the evidence to ensure that chain-of-custody information is recorded on the package copy of the automated FD-192.

(2) The ECT must run Collected Item charge-out reminders, and recharge evidence every week or every two weeks, depending on the size of the field office.

(3) If the evidence is to be recharged, the person to whom the evidence is currently charged must initial next to that item on the Evidence Charge-Out Report and return the report to the ECT. If the evidence is no longer required to be charged out, the person to whom the evidence is currently charged immediately returns the evidence to the ECR for storage.

(4) Two copies of the Charge-Out Report should be printed by the ECT. One copy is forwarded to the appropriate squad supervisor for initialing by appropriate squad personnel. The second copy is maintained by the ECT, to reconcile responses from each Squad/RA. Charged-out evidence will appear on the Charge-Out Report at 60-day intervals until the evidence is returned to the ECR for storage.

(5) Upon return of the evidence, the ECT records chain of custody on the automated FD-192 and in Collected Item. Once all charged-out evidence has been accounted for, both copies of the Charge-Out Report are to be discarded.

(6) When evidence is accessed by Agent personnel for review/examination outside the ECR, or in the "reception area" of the ECR, chain of custody must be executed on the automated FD-192 maintained with the evidence and in Collected Item. If the

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review/examination takes place in the "reception area" of the ECR, the FD-455 need not be completed, as the visitor did not enter the actual ECR where the evidence is stored.

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2-4.4.13 Evidence Released to Custody of Outside Agencies  
(See MAOP, Part II, 2-4.4.11.)

(1) When evidence is permanently released to the custody of an outside agency, disposition and chain-of-custody documentation is to be recorded on the package copy of the automated FD-192 and in Collected Item. A receipt for the property (Form FD-597) must be signed by the person representing the receiving agency and then filed in the 1A section of the investigative case file. When money is involved, the receipt should clearly indicate that the receiving agency counted the money and that the amount corresponds to the amount listed on the original documentation.

The ECT is to:

(a) Place the package copy of the automated FD-192 in the 1A section of the investigative case file. The chain of custody will show the signature of the Agent who charged out the evidence, followed by a statement showing release of the evidence to the receiving agency. For example:

Received By: [REDACTED] 1/8/96 2pm  
Remarks: Review  
Received By: Released to USM [REDACTED]  
1/8/96 3pm  
Remarks: See FD-597 dated 1/8/96

(b) Make an appropriate notation on the file copy of the FD-192 (which is in the investigative case file) regarding the disposition, i.e., "Released to the custody of USM [REDACTED] by SA [REDACTED] on 1/8/96 - See 1A-5."

(c) Modify Collected Item to reflect the chains of custody and disposition.

Chain = Accepted Date...>> 010896

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Accepted Time..>> 0200pm  
Accepted By.....> [REDACTED]  
Organization.....> [REDACTED]  
Reason.....>> Review  
Remarks.....> Probable release to USM

Disposition = Disposal Method>> USMO  
Disposal Date..>> 01081996

Chain = Accepted Date..>> 010896  
Accepted Time..>> 0300pm  
Accepted By.....>  
Organization.....> USMO  
Reason.....>> Released  
Remarks.....>> Released to custody of  
USM [REDACTED] see FD-597  
1/8/96

If one or several items, as opposed to all items listed on the FD-192 are released, perform the "Split" function in Collected Item, and make appropriate notations on the file copy of the FD-192 and on the new chain of custody. A new package copy of the automated FD-192 is printed and is attached to the original chain-of-custody page for the remaining item(s), and is maintained with the remaining item(s) of property pending final disposition of all items. (See the ACS USER'S GUIDE for detailed instructions on the splitting of evidentiary items.)

(2) When property is temporarily released to an AUSA or non-Task Force officer, the Agent charging out the evidence signs the chain of custody and retains the package copy of the FD-192 (with chain of custody attached) until the evidence is returned to him/her. The non-Task Force officer signs a receipt (FD-597) for the property. The receipt is attached to the FD-192 until the evidence is returned to storage, at which time the receipt is then placed in the 1A section of the investigative case file. (AUSAs do not sign chains of custody nor FD-597s.)

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| 2-4.4.14 | Handling of Evidence and Property by the U.S. Marshal  
| (Moved from 2-4.4.2.) |

(1) Where it can be arranged to the satisfaction of the U.S. Marshal (USM) and the SAC, property seized as evidence should be turned over to the USM. However, no attempt should be made to store with the USM items not known to be evidence. U.S. Marshal's Manual, Section 541, dated December 15, 1971, provides that "Marshals are authorized and instructed to accept, store, and safeguard all items to be used in evidence, and all nonevidentiary property involved in violations of federal gambling laws, which have been seized by the F.B.I. incident to an arrest or in connection with searches and seizures under warrants. Only such property as is to be used in evidence or seized for gambling violations should be accepted. The storage of any other property in the possession of the F.B.I. is the responsibility of the Bureau representatives. Any questions as to whether particular property will or may be used in evidence will be resolved by the U.S. Attorney of the District where the property is to be stored." The SAC is responsible for ensuring proper storage and security of such property. If deemed necessary, FBIHQ assistance should be solicited. The USM will give a receipt for property stored under USM's custody, keeping a copy of the receipt accurately describing the property received. The USM's Manual further instructs that "seized money will be counted in the presence of the person from whom it is received, and both the Marshal and the person delivering the money will sign the receipt." The USM will return seized property or evidence to the owner or other person designated, or otherwise dispose of it in accordance with a court order or written instructions from the USA. Receipts obtained for property released to the custody of the USM should state that the property has been verified by the USM, and when money is involved, the receipt should clearly indicate the USM has counted the money and the amount is correct. These receipts should be filed in the 1A section of the investigative case file. (See MIOG, Part I, 91-13.8.)

(2) When property is seized as evidence and it is of such a nature that its bulk (i.e., an automobile) and other circumstances would bring it within the purview of USM's Manual, Section 541, ensure by contacting the USA that USA desires the matter to be held as evidence for future court action. A letter to this effect should be obtained from the USA, or if an oral opinion is given, it should be confirmed in writing by the field office. A copy of the correspondence should be furnished to the USM and it should be made clear to all parties concerned in writing that the USM is holding the item or items as evidence.

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(3) The foregoing procedure does not alter in any manner the prevailing FBI instruction that Agents should not take possession of a stolen motor vehicle (ITSMV case). If a special problem arises in an ITSMV case in which the automobile may also be an item of evidence, the situation should be discussed with the USA and handled in accordance with the above-outlined procedures. To assist in gathering complete data regarding the recovered vehicle, the FD-653, Motor Vehicle Inspection Inventory Record, may be used. The FD-653 is an optional administrative form which, if used, is to be retained in the 1A section of the investigative case file, with the Agent's notes.

(4) A consolidated record is to be maintained of all property released to the custody of the USM. This may be accomplished by placing in a folder entitled "Record of Evidentiary Material in Possession of USM" a reproduced copy of the FD-192 and/or the 1A evidence envelope, FD-340 and/or FD-340b, bearing appropriate notation of disposition of the evidence or portion of the evidence. Otherwise, a log of such items may be maintained, identifying the items by file number, subject of case, description of item(s), and date released to the USM. These records are to be reconciled annually with corresponding records of the USM to ensure their accuracy. Any differences or inaccuracies are to be immediately resolved. This is to be accomplished at the time of the inventory of the general evidence, and a notation certifying to the accuracy of the records affixed to the FBI copy of such record along with the date and name of the employee who made the comparison.

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2-4.4.15 Physical Inventory - Evidentiary Property  
(See MAOP, Part II, 2-4.4.4.)

(1) A physical inventory of automated evidentiary property maintained in Headquarters City and all RAs is to be conducted as follows:

(a) A 100 percent inventory of general evidence at least once in a 12-month period as determined by the SAC.

(b) A 100 percent unannounced inventory of drug and

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valuable evidence at least once in a 12-month period as determined by the SAC, but not to coincide with the yearly inventory of general evidence.

(c) A 100 percent inventory of drug and valuable evidence upon the arrival of a new SAC. (Not required for arrival of new ASAC.)

(d) A 100 percent inventory of general, drug, and valuable evidence when there is a change in the ECT position(s) in Headquarters City and/or RAs.

(e) A 100 percent inventory of all evidence before and after the relocation of a field office, RA, and/or ECR.

(f) At any time an SAC deems an inventory to be necessary.

(2) The SAC is to designate an Agent(s) and/or supervisory support employee(s) who is not involved in evidence handling to conduct the inventory.

(3) The ECT and the ELSUR File Assistant are not to conduct an inventory, nor are their respective supervisors; however, the ECT and the ELSUR File Assistant should be present, in their respective facilities, to ensure the integrity of the chains of custody during an inventory.

(4) The employee(s) who is designated to conduct an inventory must sign in and out on the FD-455 maintained for each evidence facility. The chain of custody is NOT TO BE SIGNED by the employee(s) conducting inventory. Sealed evidence is NOT TO BE OPENED.

(5) When an inventory of the drug/valuable vault is to be conducted, the Vault Witness Official (VWO) is to be present throughout the inventory process.

(6) The inventory is to be conducted as described in the ACS USER'S GUIDE.

(7) An electronic communication (EC) to the SAC, documenting that a physical inventory was conducted is to be prepared by the person(s) who conducted the inventory, and placed in the field office evidence control file specifically designated for the inventory of evidence. The EC should reveal the date(s), names(s) of

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individual(s) who conducted the inventory, any deficiencies detected, and steps taken to resolve the deficiencies. The EC is to be maintained from inspection to inspection. The final copy of the Exception Report should be included as an enclosure to the EC.

(8) The SAC is to immediately advise FBIHQ, Attention: Evidence Program Manager, Field Services Unit, Field Information Support Section, Information Resources Division, of any unresolvable errors, and the steps being taken to resolve the problem. If the SAC recommends administrative action, this is to be so noted in the documentation to FBIHQ.

(9) FOR PREAUTOMATED EVIDENCE ONLY:

(a) Whenever an automated inventory is to be conducted, but a field office continues to have "manual" evidence, an inventory is also required of the preautomated evidence.

(b) The SAC is to designate an Agent(s) and/or supervisory support employee(s), who is not involved in evidence handling, to conduct the inventory. The same employee(s) who conducted the automated portion of the inventory may also conduct the preautomated inventory.

(c) The ECT and the ELSUR File Assistant are not to conduct an inventory, nor are their respective supervisors; however, the ECT and the ELSUR File Assistant should be present, in their respective facilities, to ensure the integrity of the chains of custody during an inventory.

(d) The employee(s) who is designated to conduct an inventory must sign in and out on the FD-455 maintained for each facility.

(e) The inventory of preautomated evidence is to be reconciled with the index copies of the FD-192 maintained in the Headquarters City ECR. The Headquarters City employee designated to conduct the inventory is to furnish the employee designated to conduct the RA inventory with the index copies of the FD-192 for property located in the RA and select the general evidence exhibits for sampling. In addition to the physical inventory, the employee designated to conduct the RA inventory is to reconcile the index copies furnished to him/her with the RA index copies and note any discrepancies in the EC prepared documenting the conduct of the inventory.

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(f) The chain of custody is NOT TO BE SIGNED by the employee(s) conducting the inventory. Any discrepancies noted when conducting the inventory and steps taken to resolve the discrepancies are to be documented by EC and noted on the reverse side of the index copy of the FD-192. At the conclusion of the inventory, the index copies of the FD-192 are to be returned to the Headquarters City ECT for filing in the appropriate index of evidentiary property binder.

(g) An EC to the SAC, documenting that a physical inventory was conducted is to be prepared by the person(s) who conducted the inventory, and placed in the field office evidence control file specifically designated for the inventory of evidence. The EC should reveal the date(s), name(s) of individual(s) who conducted the inventory (if different from the employee(s) who conducted the automated inventory), any deficiencies detected, and steps taken to resolve the deficiencies. The EC is to be maintained from inspection to inspection. The index copies of the FD-192s used for the inventory are to be reproduced and attached to the EC. The EC and enclosures are to be retained from inspection to inspection.

(h) The SAC is to immediately advise FBIHQ, Attention: Evidence Program Manager, Field Services Unit, Field Information Support Section, Information Resources Division, of any unresolvable errors, and the steps being taken to resolve the problem. If the SAC recommends administrative action, this is to be so noted in the documentation to FBIHQ.

(i) The sample inventory of preautomated evidence is accomplished as follows:

1. Count all index copies of the preautomated FD-192s.

2. Determine the sample inventory for your office using the following table as explained:

COLUMN A represents the total number of index copies of FD-192s that correspond to the total evidence holding

COLUMN B represents the starting range from which to select the initial FD-192 to commence the sample inventory

COLUMN C represents successive interval points, after the

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initial selection (COLUMN B), for selecting other FD-192s that build the total sample inventory

COLUMN D represents the range of the total number of FD-192s selected that will be used for the sample inventory.

(A)	(B)	(C)	(D)
TOTAL FD-192A RANGE	INTERVAL START RANGE	SELECTION INTERVAL POINT	TOTAL SAMPLE INVENTORY RANGE
1 - 199	NA	NA	ALL
200 - 299	1 - 2	2nd	100 - 149
300 - 399	1 - 3	3rd	100 - 133
400 - 499	1 - 4	4th	100 - 124
500 - 599	1 - 5	5th	100 - 119
600 - 699	1 - 6	6th	100 - 116
700 - 799	1 - 7	7th	100 - 114
800 - 899	1 - 8	8th	100 - 112
900 - 999	1 - 9	9th	100 - 111
1000 - 1099	1 - 10	10th	100 - 109
1100 - 1199	1 - 11	11th	100 - 109
1200 - 1299	1 - 12	12th	100 - 108
1300 - 1399	1 - 13	13th	100 - 107
1400 - 1499	1 - 14	14th	100 - 107
1500 - 1599	1 - 15	15th	100 - 106
1600 - 1699	1 - 16	16th	100 - 106
1700 - 1799	1 - 17	17th	100 - 105

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1800 - 1899	1 - 18	18th	100 - 105
1900 - 1999	1 - 19	19th	100 - 105
2000 +	1 - 20	20th	(*)

\* The sample inventory for all FD-192s totaling 2000 or more will equate to 5 percent of the total number of FD-192s.

EXAMPLE:

a. 2000 FD-192s X 5 percent = a sample of 100 FD-192s to be used in the conduct of the sample inventory. The starting range is between 1 and 20 and every 20th FD-192 thereafter.

b. 2050 FD-192s X 5 percent = a sample of 102.5 (102) FD-192s that are to be used in the conduct of the sample inventory. As in a. above the starting range will be between 1 and 20 and every 20th FD-192 thereafter.

c. 3500 FD-192s X 5 percent = a sample of 175 FD-192s that are to be used in the conduct of the sample inventory. As in a. above the starting range will be between 1 and 20 and every 20th FD-192 thereafter.

The sample inventory for all evidence corresponding to 2,000 or more FD-192s will be determined by following the above-stated formula.

3. ERRORS:

a. If the sample inventory reveals no unresolvable error, the inventory is complete and there is no need for further action.

b. If the sample inventory reveals an unresolvable error, an inventory of all evidence is to be conducted.

c. If the inventory of all evidence reveals an unresolvable error, the SAC is to notify FBIHQ as outlined in (9) (h) above.

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2-4.4.16 Nonevidentiary Property (Revised and Moved from 2-4.4.4.)

(1) 1A Serials:

(a) 1A serials are documents or items of property which are pertinent to an investigation. Generally the size, nomenclature, and/or value of the nonevidentiary item will determine the place where it is to be filed; however, all physical evidence seized or contributed incidental to a search by search warrant, arrest, or crime-scene search, that requires a chain of custody, must be maintained in the Evidence Control Room (ECR) as 1B evidentiary property.

(b) If the evidence is not likely to come under attack regarding chain of custody, and is of such size that it can be filed in the investigative case file, it is to be placed in a white evidence envelope (Form FD-340 and/or FD-340b) showing the universal case file number and serial number of the item, the date received (by investigating employee), name and address of contributor, whether it may be returned, whether a receipt was given, and description of the evidence. The serial number of the document in the investigative case file that originated and identifies the 1A may be recorded on the FD-340 and FD-340b at the discretion of the case Agent. The FD-340 and/or FD-340b is to be placed inside the 1A envelope, FD-340a, which is a letter-sized manila envelope known as the 1A serial in the investigative case file. The FD-340a is to be block stamped and initialed for filing. Only those support employees designated by the AO may initial the FD-340a for filing. The FD-340a envelope is placed at the bottom of the file under serial number one. The FD-340a shall be clearly marked as to contents and shall bear the date the FD-340 and/or FD-340b was placed in the FD-340a, and file, and serial number. If the number of FD-340's and/or FD-340b's in the FD-340a envelope increases to the point where the file is unwieldy, a subfile must be opened and filed adjacent to the investigative case file.

(c) In zero and control files, the FD-340a evidence envelope is to be filed adjacent to the EC, letter, or other communication to which it pertains.

(d) When transmitting 1A evidence to another field office, leave the evidence in the white evidence envelope (FD-340

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and/or FD-340b) and place a notation on the FD-340a 1A evidence envelope to show disposition and describe the method of transmittal. Modify Collected Item to show the disposition. Do not send FD-340's and/or FD-340b's to FBIHQ. If a portion of the evidence is being transmitted, prepare a FD-340 and/or FD-340b for the receiving office in the same fashion as above and place appropriate notations on the FD-340a. No outer enclosure envelope is required.

(2) Bulky Nonevidentiary Material:

(a) If other nonevidentiary bulk property which may be pertinent to an investigation and must be retained is of such size that it cannot be filed in the 1A section (FD-340a) of the investigative case file, it is to be made a 1C, documented on Form FD-192a, and recorded in the investigative case file. The material is to be stored segregated from evidentiary property and access restricted to those persons with an official need. (See 2-4.4.4.)

(b) The drafted FD-192a and the property is to be furnished to the ECT. (Form FD-340/FD-340b is to be furnished to the Investigative Management Assistant (IMA) working the specific squad rotor.)

(c) Collected Item will computer-generate the 1A/1C serial number. The ECT/IMA will enter the exact storage location.

(d) One copy of the automated FD-192a is to be filed in the 1C section of the investigative case file. (The FD-340/340b is filed in the 1A section (FD-340a) of the investigative case file.)

(e) A second copy of the automated FD-192a is to be affixed to and remains with the property until final disposition.

(f) When nonevidentiary property is required to be charged out, it is done so by using Form FD-5 (Serial Charge-Out). Personnel having an official need may charge out nonevidentiary property for up to 60 calendar days, and if necessary, recharge every 60 days thereafter. (See MIOG, Part I, 91-13.8.)

(3) Nonevidentiary property entered into Collected Item is handled in the same manner as evidentiary property. However, a chain of custody is not required, and an inventory is not conducted.

(4) Federal Grand Jury (FGJ) Material:

(a) Access to FGJ material must be limited to

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authorized persons appearing on the FGJ list, and when not in use must be placed in a secured location. The FGJ list may be the Rule 6(e) letter of the Assistant United States Attorney (AUSA), or (with the concurrence of the USA's office) an FBI internal certification list. (See MIOG, Part II, 2-9.6.1.)

(b) Absent chain-of-custody requirements, the material is to be placed in a subfile which is locked in a container (or room) with a combination lock, the combination of which is known only by such authorized persons appearing on the FGJ list. The combination(s) is to be changed annually. The material is documented on Form FD-192a in a timely fashion. When the material is required to be charged out, Form FD-5 is utilized. Please note that when a secured room is used, rather than separate secured containers, individuals with access to that room must be listed on the FGJ lists of all cases that are in that room. (See MIOG, Part II, 2-9.7 (2).)

(c) When a chain-of-custody is required, the material is treated in accordance with the rules and regulations pertaining to general evidentiary property, i.e., documented in the investigative case file within 10 calendar days on Form FD-192. (See 2-4.4.12.) However, the material is stored segregated from all other types of general evidence in either a separate room with a combination lock (used exclusively for the storage of evidentiary FGJ material), or a separate container within the ECR, or on separate shelving within the ECR. When a separate room is utilized, a separate Form FD-455 (Access Log-Evidence Storage Facility) is to be maintained. The ECT, and in his/her absence, the Alternate ECT, accesses the material, as is the rule with all evidentiary property. When the need arises, appropriate charge-out procedures are utilized. (See MAOP, Part II, 2-4.)

(d) Evidentiary and nonevidentiary FGJ material must never be co-mingled for storage purposes.

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2-4.4.17 Disposition of Property

(1) When an investigative case is closed, it is the responsibility of the case Agent to dispose of seized/recovered/contributed property when there is no further need for retention. Whenever there is any doubt regarding the need for retention, the AUSA should be consulted and the contact recorded in the investigative case file.

(2) Certain case files will be marked for "Permanent Retention" and will eventually be transferred to the National Archives and Records Administration. In such instances, only those evidentiary and nonevidentiary exhibits, regardless of size, that are documentary in nature, generated by and considered FBI records (i.e., Agents' interview notes, photographs, work papers, ledgers, journals, etc.), are to be preserved as part of the case file. Documentary materials (i.e., records of private enterprises, original or copies, contributed, seized or subpoenaed) should be returned to the rightful owner when the investigative or administrative purpose for which they were obtained has been satisfied. (See also MIOG, Part II, Section 28, and Legal Handbook for Special Agents, 5-12.4.) Likewise, physical property (i.e., typewriters, radios, televisions, firearms, etc.) is to be returned to their rightful owner.

(3) Guidelines for the disposition of drug evidence are contained in the Manual of Investigative Operations and Guidelines (MIOG), Part I, Section 281-8.

(4) Guidelines for the disposition of firearms are contained in the MAOP, Part II, 2-4.4.6.

(5) Detailed procedures for disposition of forfeited and abandoned property are contained in the FORFEITURE AND ABANDONED PROPERTY MANUAL.

(6) The following procedures should be followed for disposing/returning of general and valuable evidence in a closed investigative case:

(a) The case Agent and/or ECT (when advised in writing via an EC by the case Agent) should make every effort to notify the owner/contributor of the property, telephonically or in writing, advising that their property may be reclaimed within 30 calendar days and will be released to him/her or his/her authorized Agent. Record in the case file the fact that the contact was made.

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(b) If property is personally returned to the owner/contributor, Form FD-597 is to be properly executed. The original of the FD-597 is to be placed in the 1A section of the investigative case file.

(c) If the owner/contributor requests that the property be returned by mail, it is to be sent by U.S. Registered Mail, return receipt requested. When the return receipt (Postal Form 3811) is returned to the field office, it is to be placed in the 1A section of the investigative case file. Form FD-631 (Return of Seized/Recovered Property), a preprinted transmittal letter, is to accompany the property when the property is returned to the owner by mail. The FD-631 should request that the owner sign the enclosed FD-597 and return it in the attached postage paid, self-addressed envelope. The FD-597 should detail the exact property being returned. When the FD-597 is received by the field office and signed by the owner of the property, the original is to be placed in the 1A section of the investigative case file. (See MAOP, Part II, 2-4.4.11.)

(7) The ECT is responsible for ensuring the following recordkeeping procedures are followed when evidentiary and nonevidentiary property is disposed of:

(a) The package copy of Form FD-192 should have a completed chain of custody reflecting the disposition. Form FD-192a should also reflect the disposition by the placing of a notation. Forms FD-192/FD-192a are then placed in the 1A section of the investigative case file. Collected Item must be modified to reflect the date and method of disposition. Ensure that the disposition is reflected in the disposition field and on the automated chain of custody.

(b) If one or several items, as opposed to all items listed on Forms FD-192/FD-192a are disposed of, the package copy of the FD-192/FD-192a is to be kept with the remaining items of property pending final disposition of all items.

(8) A notation is to be placed on the closing communication indicating that property acquired during the investigation has been disposed of, disposal is being initiated, or stating a valid reason for retention. Supervisors may not approve the closing of cases in which property has been seized/recovered/contributed without the appropriate notation.

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(9) Retention of evidence/nonevidence in closed cases can be monitored through the ACS to:

(a) Provide supervisory personnel the tools to enforce prompt property disposition through the case review process;

(b) Provide field office management statistical reports to identify individuals/squads which are not in compliance with property disposition procedures; and

(c) Highlight noncompliance trends to the Inspection Staff for evaluation.

The report "Closed Cases With Pending Collected Item," is to be printed and distributed to appropriate case Agents at 60-day intervals by the ECT to ensure that those items eligible for disposition are handled. If evidence is to be retained for an extended period of time, the case Agent should so indicate by recording an anticipated disposition date and his/her initials on the report. (An EC to the investigative case file is then required explaining the reason for retaining the evidence. A copy of the EC is maintained in the ECR until final disposition of the evidence.) The report is then initialed by the supervisor and returned to the ECT. The returned reports showing retention, are to be maintained in a binder in the ECR from inspection to inspection.

EFFECTIVE: 10/16/96

2-4.4.18 Forms Used in the Evidence Program

DEA-7	Report of Drug Property Collected, Purchased or Seized
FD-5	Serial Charge-Out
FD-192	Control of General/Drug/Valuable Evidence
FD-192A	Inventory of Nonevidentiary Property
FD-302	Form for Reporting Information That May Become Testimony

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FD-340	1A Envelope (9" x 6 inches)
FD-340A	1A Envelope (9 x 11" inches)
FD-340B	1A Envelope (4 1/8 x 9" inches)
FD-441A	Return Receipt for Evidence Control Technician
FD-455	Access Log-Evidence Storage Facility
FD-597	Receipt for Property Received, Returned, Released, Seized
FD-631	Letter to Accompany Return of Documentary Evidence
FD-632	Evidence Transmittal Envelope
FD-723	Evidence Label
FD-737	Indemnity Agreement
PS-3811	Domestic Return Receipt

EFFECTIVE: 10/16/96

2-4.5 Destruction of Field Files and Records

The destruction of FBI files and records is governed by Title 44, U.S. Code, Sections 3303 and 3303a; Title 36, Code of Federal Regulations, Part 1220; the General Records Schedule (GRS); and the FBI Records Retention Plan and Disposition Schedule (The Plan) developed by the National Archives and Records Administration (NARA) and the FBI, which was approved by the United States District Court, District of Columbia, Washington, D.C., September 9, 1986.

FILES AND RECORDS NOT IDENTIFIED HEREINAFTER ARE NOT TO BE DESTROYED WITHOUT SPECIFIC FBIHQ AUTHORITY.

The following field files and records are authorized for destruction after observance of the instructions and restrictions set forth below. The file number and date of destruction are to be recorded on Form FD-478 (List of Files Destroyed/Transferred to FBIHQ). Form FD-478, containing the file numbers and dates files were

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destroyed, is to be maintained at the beginning of each respective classification in the closed files section. For files bearing the Universal Case File Number (UCFN), the FD-478 should be filed at the beginning of the field office breakdown in the closed files section. At the option of each office, an additional copy of Form FD-478 may be maintained in an administrative control file entitled "List of Files Destroyed."

EFFECTIVE: 03/29/90

2-4.5.1 Restrictions:

(1) Periodically, and pursuant to criteria outlined in The Plan, FBIHQ issues to the field instructions to mark certain field files/records, including auxiliary office files with 50 or more volumes/sections, with legends "Do Not Destroy: Historical Value: National Archives" and/or "X: Do Not Destroy: Historical Value: National Archives." Files so marked are permanent and must be retained for eventual transfer to the NARA.

(2) Freedom of Information/Privacy Acts (FOI/PA) Request:

Upon receipt of an FOI/PA request in the field office, the request must be immediately searched through the office indices to identify any relevant files which must be immediately marked to indicate that an FOI/PA request is pending and to preclude premature destruction pending resolution of the request.

(3) Litigation Matters:

No field office may engage in file destruction until all litigation matters have been searched through the office indices and relevant files identified and marked for retention pending resolution of the litigation. Case files which bear the notation that files are being retained due to pending litigation are to be maintained until notification is received from FBIHQ that the litigation has been resolved. Upon receipt of new litigation matters from FBIHQ, all file destruction must cease until the new litigation freeze sheets have been searched through the office indices and related files identified and marked for retention pending and to preclude premature destruction pending resolution of the litigation.

(4) Tax Returns/Tax Return Information:

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Tax returns and/or tax return information are to be removed from auxiliary office files prior to destruction and forwarded to the office of origin for retention in the office of origin file for five (5) years from date of receipt of the Internal Revenue Service (IRS) material from IRS, or five (5) years from the date of any disclosure, whichever is longer.

(5) Original Documents:

Original FD-302s, Laboratory reports, Latent Fingerprint reports, original surveillance logs, Agents' investigative notes, original photographs and other original documents maintained in the 1-A exhibit section of auxiliary office case files are to be forwarded to the office of origin prior to destruction of the auxiliary file. Form FD-491 (Transmittal of Original Documents to Office of Origin) may be used for this purpose.

(6) Office of Origin (OO) Changes:

In those cases where OO is changed, both the new OO and new auxiliary office will apply the 10-year (criminal) or 20-year (security/applicant) destruction rule. It will be the responsibility of the new OO to advise the original OO when case is closed. This will ensure that original documents and/or evidence is not prematurely destroyed.

(7) Investigative/Administrative Needs:

Case files which continue to serve investigative, administrative or research needs may be retained if deemed necessary. If a case file that has not been marked for archival retention is retained beyond the authorized destruction period, a memorandum should be placed in each case file justifying the need for longer retention.

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2-4.5.2 Destruction - Investigative Files and Records:

(1) Index Records/Cards: Automated index records in the Automated Case Support (ACS) data base will be deleted when the corresponding file is destroyed in the Investigative Case Management (ICM) application. Manual index records corresponding to files destroyed should be purged from the general indices at the discretion of the SAC.

(2) Copy Destruction: Duplicate copies of communications which DO NOT contain action notations, i.e., notations issuing instructions, notations requesting action be taken, notations of certification that action was taken, etc., may be removed from files that have been stamped as having historical/research value (exceptional/permanent), and destroyed. Copies of documents which contain action notations not appearing on the original file copy are to be retained along with the original file copy. Similarly, copies of documents in other investigative case files may be purged and destroyed when the case is Closed/Referred Upon Completion (RUC'd). (See MAOP, Part II, 2-4.3.1(3)(h) & 2-4.5.3.)

(3) Record Checks:

(a) AUXILIARY OFFICES may destroy, when six (6) months old, results of contacts with various credit, law enforcement, and federal, state and local Bureaus to determine criminal, credit and/or employment status of individuals related to current investigations.

(b) Record Checks in OFFICE OF ORIGIN are to be retained/destroyed commensurate with the disposition authority of the office of origin case file to which the record check relates.

(c) Field office files containing record checks conducted in connection with applications for employment, and resulting in receipt of information identifiable with applicant may be destroyed when six months old or when all administrative needs have been met, whichever is later.

(4) Auxiliary Office Files:

(a) Auxiliary office files in the following classifications may be destroyed one (1) year after RUC'd, or one year from the date of the last relevant communication, whichever is later, AND AFTER OBSERVANCE OF THE FOREGOING RESTRICTIONS/INSTRUCTIONS:

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Classifications:

1,	2,	4,	5,	6,	7,	8,	9,	10,
11,	12,	13,	14,	15,	16,	17,	18,	19,
20,	21,	22,	23,	24,	25,	26,	27,	28,
29,	30,	31,	32,	33,	34,	35,	36,	38,
39,	40,	41,	42,	43,	44,	45,	46,	47,
48,	49,	51,	52,	53,	54,	55,	56,	57,
58,	59,	60,	64,	65,	68,	69,	70,	71,
72,	73,	74,	75,	76,	78,	79,	82,	83,
84,	85,	86,	87,	88,	89,	90,	91,	93,
95,	96,	97,	98,	99,	100,	102,	103,	104,
105,	106,	107,	108,	110,	111,	112,	113,	114,
115,	117,	119,	120,	122,	125,	129,	131,	135,
136,	139,	141,	142,	143,	144,	145,	146,	147,
148,	149,	152,	153,	154,	155,	156,	157,	158,
159,	160,	162,	164,	165,	166,	167,	168,	169,
171,	172,	173,	174,	176,	177,	178,	179,	180,
181,	182,	183,	184,	185,	186,	187,	188,	191,
192,	193,	194,	195,	196,	197,	198,	199,	200,
201,	202,	203,	204,	206,	207,	208,	209,	210,
213,	214,	215,	216,	217,	218,	219,	220,	221,
222,	223,	224,	225,	226,	227,	228,	229,	230,
231,	232,	233,	234,	235,	236,	237,	238,	239,
240,	241,	242,	244,	245,	246,	247,	248,	249,
250,	251,	252,	253,	255,	256,	257,	258,	262,
264,	265,	266						

(b) Classification 81: After a determination has been made that none of the foregoing restrictions are applicable, auxiliary offices' case files in classification 81 may be destroyed after one (1) year in all offices EXCEPT PORTLAND AND FORMER BUTTE FIELD OFFICE. BUTTE AUXILIARY OFFICE FILES IN THE 81 CLASSIFICATION CREATED PRIOR TO THE BUTTE/SALT LAKE CITY MERGER 6/6/89, AND NOW RESIDENT IN SALT LAKE CITY, ARE PERMANENT AND MUST BE RETAINED.

(c) Also, destroy when one (1) year old the following:

1. Form FD-430 (Bank Robbery Statistical Airtel) - Field Control File copy only.
2. Fugitive Bank Robbery (FUBANK) circulars - Field Control File copy only.
3. National Bank Robbery Album (NABRA)

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circulars - Field Control File copy only.

(5) FOI/PA FILES: Files containing correspondence and supporting documents (excluding official file copy of material if filed therein) TWO (2) YEARS after the date of reply, provided access was granted to all records requested and no appeal was filed, files containing responses to requester for nonexistent records, responses to requester who provided inadequate description, or those where requester failed to pay reproduction fees.

(6) Zero "0" Files: Zero "0" files in classifications one (1) through two hundred seventy-nine (279), exclusive of classifications 192, 214, 258, 261, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278 and 279, may be destroyed when three (3) years old or when all administrative needs have been met, whichever is later. Prior to destruction, Zero "0" file material must be reviewed and any policy material identified transferred to the corresponding Double Zero "00" file for permanent retention.

(7) Nontax Criminal Information: Destroy when five (5) years old, copies of correspondence maintained in administrative control files concerning nontax criminal information requested and obtained from the Internal Revenue Service (IRS). See MIOG, Part II, Section 19.

(8) Freedom of Information and Privacy Acts Requests:

Files and records relating to FOI/PA requests are authorized for destruction SIX (6) YEARS after the date of last relevant entry, reply to requester, final adjudication by court and/or FBI agreement to amend:

- (a) Records involved in litigation;
- (b) Those under appeal;
- (c) Those records involved in request to amend and/or expunge certain information;
- (d) Those files where access to all or part of the records requested was denied; and
- (e) Control file (Classification 190 only) for information disseminated to individuals and/or other agencies. (See MIOG, Part I, 190-3.3(1).)

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(9) Classification 163: AUXILIARY OFFICE case files in classification 163 may be destroyed if closed for ten (10) years or longer and if none of the foregoing restrictions are applicable.

(10) OFFICE OF ORIGIN files in the following classifications may be destroyed when ten (10) years old if none of the foregoing restrictions are applicable.

Classifications:

11,	13,	16,	18,	20,	22,	24,
30,	33,	34,	53,	57,	59,	68,
78,	84,	85,	95,	107,	135,	136,
154,	155,	169,	171			

(11) Classification 116: AUXILIARY OFFICE (FBIHQ is origin) case files in classification 116 created between November, 1947, and September, 1948, and contain no correspondence between the field office and FBIHQ are permanent and must be retained for eventual transfer to the NARA. Remaining auxiliary office case files in the 116 classification may be destroyed if closed for twenty (20) years and none of the foregoing restrictions are applicable.

(12) AUXILIARY OFFICE (FBIHQ is origin) case files in the following classifications may be destroyed if closed for twenty (20) years or longer after a determination has been made that none of the foregoing restrictions are applicable:

Classifications:

37,	77,	118,	121,	124,	126,	127,
128,	130,	132,	133,	138,	140,	151,
161,	259,	260				

(13) Legat Files and Records:

(a) The NARA has designated all Hong Kong and Mexico City Legat investigative case files and corresponding index cards as exceptional/permanent; consequently, there will be no destruction of these records. All other Legat files and corresponding index cards are eligible for destruction when five (5) years old after application of the criteria of THE PLAN to identify exceptional/permanent case files in this collection. Closed Legat files are stored at FBIHQ; therefore, they will be reviewed by the Information Resources Division to identify and mark for preservation any exceptional/permanent Legat

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files. A numerical list of files to be transferred to the NARA and an alphabetical listing, by file number, of information indexed in exceptional/permanent Legat files will be furnished to all Legats with instructions to purge the Legat indices and forward the index records to FBIHQ to be matched with the corresponding exceptional/permanent file for eventual transfer to the NARA. After the index records have been purged and forwarded to FBIHQ, the index purge list may be destroyed by the Legat. The numerical list of files transferred to the NARA should be retained by the Legat for future reference.

(b) Remaining Legat files, except Hong Kong and Mexico City, will be destroyed according to the five (5) year authority granted by the NARA. In conjunction with the destruction process, the files will be reviewed and a list made of all information indexed by Legats. The Legats, except Hong Kong and Mexico City, will be furnished a list of all files destroyed and a listing of all information indexed by the Legats. These listings are to be used by the Legats to purge and destroy the corresponding microfiche and index records. The list of information indexed may be destroyed once the index purge and destruction process have been completed. The list of files destroyed is to be retained by the Legat for future reference.

(14) Destruction of Original Foreign Intelligence/Foreign Counterintelligence (FCI) Electronic Surveillance Tape Recordings:

See Foreign Counterintelligence Manual (FCIM), Introduction, Section 1.

(15) Classification 67: FBI employment application case files pertaining to unsuccessful applicants, declined offers (by applicants) for employment and related correspondence which are maintained within classification 67 case files or control files in the various FBI field offices. Material maintained by field offices is duplicative of material maintained at FBIHQ inasmuch as FBIHQ is the office of origin and field offices are lead (auxiliary) offices in classification 67 matters.

(a) Case files or control files wherein no appeal and/or litigation has been filed. Destroy when two years old or when all administrative needs have been met, whichever is later.

(b) Case files or control files wherein an appeal and/or litigation has been filed and which contain complaints with related correspondence, reports, exhibits, withdrawal notices, copies of decisions, records of hearings and meetings, and other records as described in Title 29, Code of Federal Regulations, Part 1613.

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Section 222 and resolved within the FBI, by Equal Employment Opportunity Commission or by United States Court(s). Destroy four years after final resolution of the case or when all administrative needs have been met, whichever is later.

(c) Field office case files or control files containing only correspondence and/or leads received from other field offices or FBIHQ which supplements the full background investigation which is being conducted primarily by FBIHQ or another field office. Destroy when six months old or when all administrative needs have been met, whichever is later.

EFFECTIVE: 02/25/97

2-4.5.3 Destruction - Noninvestigative Files and Records:

Copy Destruction: Duplicate copies of communications may be destroyed at any time if they contain no action notations, i.e., notations issuing instructions, notations requesting action be taken, notations of certification that action was taken, etc. Copies bearing aforementioned notations not appearing on the original file copy of the communication must be retained with the original document until the entire file qualifies for destruction.

EFFECTIVE: 09/27/91

2-4.5.4 Deleted

EFFECTIVE: 09/27/91

2-4.5.5 Deleted

EFFECTIVE: 09/27/91

2-4.5.6 Deleted

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EFFECTIVE: 09/27/91

2-4.5.7 Deleted

EFFECTIVE: 09/27/91

2-4.5.8 Deleted

EFFECTIVE: 09/27/91

2-4.5.9 Noninvestigative Files and Records to be Destroyed If More Than Six (6) Years and Three (3) Months Old

[Confidential Voucher Matters - Field office files containing voucher records processed as Direct Advance Vouchers or through the Third Party Draft System including, but not limited to, supporting documents, such as Draft Request Forms (FD-794), receipts, cancelled checks, bank statements, check stubs, and bank passbooks.]

EFFECTIVE: 10/19/95

2-4.5.10 Files and Records to be Destroyed If More Than Six (6) Years Old

(1) Automobiles - Accidents - Destroy six years after case is closed. Retain if loss of life, personal injury to third party, or possible suits involved.

(2) Health Record Cards - Cards containing dates of employees' visits, diagnosis, and treatment. Destroy six years after date of last entry on card.

(3) Time and Attendance Registers, FD-420 and FD-31 (obsolete) and Time and Attendance/TURK Registers, FD-420a (See MAOP, Part II, 3-3.2.)

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(4) All Leave Accounting Listings. Destroy when six years old, at end of leave year, or when administrative needs have been met, whichever is later.

(5) Leave Requests, FD-282

(6) Compensatory Time Request, FD-813

(7) Doctors' Certificates

EFFECTIVE: 02/25/97

2-4.5.11 Files and Records to be Destroyed When Five Years (5) Old, or Five (5) Years From the Date of Receipt or Disclosure, Whichever Is Longer

(1) Documents identified as tax returns and/or containing tax return information maintained in the field office (Classification 66) administrative control file entitled "Tax Return/Tax Return Information" may be destroyed five years from the date of receipt of the Internal Revenue Service (IRS) material or five years from the date of any disclosure, whichever is longer.

(2) General Training/Police Training/Firearms Training Matters - Field office administrative case files containing inquiries, requests, schedules, authorizations, and approvals for short-term training sessions(s) at the FBI Academy or within the immediate territory of a specific FBI field office. Material within the case files is utilized for individual registration, applicant scheduling and attendance purposes only. Case files serve no useful purpose to the field office after completion of the training session(s). Destroy when five years old or when all administrative needs have been met, whichever is later. Prior to destruction, all volumes will be screened by the FBI in order that any personnel-related material may be filed within the Official Personnel File (OPF) of FBI personnel or within the individual file of an FBI National Academy graduate. (See MAOP, Part II, 8-3.5.)

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2-4.5.12 Files and Records to be Destroyed If More Than  
Three (3) Years Old (See MAOP, Part II, 2-4.2.1.)

(1) Automobiles - After vehicle leaves custody by sale,  
transfer, donation, or exchange.

(2) Deleted

(3) Deleted

(4) Deleted

(5) Deleted

(6) Deleted

(7) Deleted

(8) Deleted

(9) Correspondence relating to position classification  
appeals. Destroy three years after resolution.

(10) Correspondence relating to employee appeals of  
performance ratings. Destroy three years after resolution.

(11) Tax Exemption Files - Tax exemption certificates and  
related papers. [REDACTED]

b2 [REDACTED] Destroy three years after period covered by related account.

(12) Telephone Toll Statements, invoices, and toll slips  
(See MAOP, Part II, 6-9.2.7.)

(13) Report of Excess Personal Property, SF-120

(14) Correspondence, reports, and data relating to voucher  
preparation

(15) Imprest Fund/Draft System

(16) Charity campaigns

(17) Bills of lading

(18) Government Transportation Requests and related  
correspondence

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(19) Household Goods - Transportation

(20) Correspondence relating to reimbursing individuals, such as travel orders, per diem vouchers, transportation requests, hotel reservations, and all supporting papers documenting official travel by officers, employees, dependents, or others authorized by law to travel.

(21) Lost or damaged shipment files - Schedules of valuables shipped and related correspondence

(22) Semiannual Motor Vehicle Report, FD-111

(23) Radio Equipment Maintenance Log, FD-341. Retain for three years after completion.

(24) Postal Irregularities - Correspondence relating to irregularities in the handling of mail, such as loss or shortage of postage stamps or money orders or loss or destruction of mail. Destroy three years after investigation completed.

(25) Printing and duplicating - Files and correspondence pertaining to planning and other technical matters relating to the printing and duplicating function.

(26) Telecommunications general files, including plans, reports, and other records pertaining to equipment requests, telephone service and similar matters.

(27) Speech material - except one copy of speech material of continuing interest.

(28) Quarterly and/or semiannual reports of the national organization of the Communist Party USA, furnished all offices by New York. If desired, individual offices may maintain for historical value. New York will retain.

(29) Copies of annual letters submitted on informants maintained in control file.

(30) Firearms

(31) Inspections (For destruction of work papers, see MAOP, Part II, 2-4.5.13(7).)

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(32) Office Personnel File (SAC is to review prior to destruction and specify documents to be retained longer than three years.) (See MAOP, Part II, 2-4.5.17(2).)

(33) Memorandum to All SACs (formerly SAC Letters), and Bureau bulletins. Carefully review to ensure that instructions which are still applicable and which will be of future value are not destroyed prematurely. (See MAOP, Part II, 2-4.2.1(3) & 2-4.5.17(4)(e).)

(34) Monthly Administrative Reports, FD-29 and FD-29a

(35) Foreign National Field Office Control Files - Records pertaining to the movement of foreign nationals to and from the United States. Control files only; field office investigative case files are to be retained/destroyed commensurate with the disposition authority applicable to the specific case file classification wherein the material is maintained.

(36) Equal Employment Opportunity (EEO) Control Files - General correspondence, copies of regulations with related records pertaining to the Civil Rights Act of 1964, the EEO Act of 1972, any pertinent later legislation and EEO Committee meeting records (including minutes and reports)

(37) Volumes of letters, often from chronic letter writers, which do not require acknowledgement. Correspondence is nonspecific, frequently incoherent, and contains no data of interest to the FBI or any other agency.

(38) Voucher Matters - Field office files containing voucher records which have been forwarded to FBIHQ for payment.

(39) Restoration of Annual Leave Requests - Standard Form (SF) 71 or equivalent and all supporting documentation of requests and approvals of restoration of annual leave. Destroy three years after end of leave year during which annual leave was originally earned.

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2-4.5.13 Files and Records to be Destroyed When Two Years Old or  
After Office Inspection, Whichever Is Later (See MAOP,  
Part II, 2-4.2.1.)

- b2
- (1) Daily Reports, FD-28
  - (2) Record of Agents' individual accomplishments
  - (3) Copies of correspondence requesting record checks of  
[REDACTED] and Passport Office, Department of State,  
maintained in control file.
  - (4) Copies of quarterly progress letters submitted  
concerning informants (FD-374) and data maintained in control file to  
compile these letters.
  - (5) Deleted
  - (6) Deleted
  - (7) Inspection work papers (yellows) covering prior  
inspection provided inspection just completed was full inspection and  
not a recheck. If longer retention deemed essential, appropriate  
notation to be made. (See Part II, 2-4.5.12(31).)
  - (8) Copies of the Accomplishment Report (FD-515)  
maintained in the control file.
  - (9) Authorization to maintain Bureau Vehicle Overnight at  
Agent's Residence on Irregular and/or Emergency Basis, FD-490.
  - (10) Original Agent File Review Sheets (FD-271) maintained  
for inspection purposes.
  - (11) Pending Transcription Workload and Delinquency  
Report (FD-703) and Automated Workload Tracking Reports.
  - (12) FD-515 Cumulative/Comparative Reports - Field  
office control file containing summary of statistical accomplishments  
accumulated from FD-515 by individual program(s).
  - (13) Resource Management Information System - Field  
office control files (including subfiles) containing resource  
management statistical information, i.e., manpower allotment,  
manpower hours utilized, individual program(s) accomplishments and  
projections.

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(14) Unaddressed Work - Field office control files containing correspondence and/or leads which, prior to the implementation of the Automated Case Support (ACS) System, were unaddressed and are currently in ACS as closed case files. (See MAOP, Part II, Section 2-5.2.5.)

EFFECTIVE: 02/25/97

| 2-4.5.14 | Deleted |

EFFECTIVE: 09/22/93

2-4.5.15 Files and Records to be Destroyed When Two Years Old, If Certain Conditions Are Met | (See MAOP, Part II, 2-4.2.1.) |

| (1) | Deleted |

(2) Supply Management Matters - Files containing original correspondence relating to supply requirements and procurement matters submitted for internal supply management operation and administration, exclusive of that original material which has been incorporated into investigative case files, or that material which has been forwarded to FBIHQ.

(3) Ammunition - Destroy two years after completion or cancellation of requisition.

(4) Inventory/Requisition Matters - General files containing requisitions, inventory lists and inventory cards for supplies and equipment necessary to supplement and/or maintain current inventory, exclusive of that material which has been incorporated into specific investigative case files, or that material which has been forwarded to FBIHQ.

(5) Property Disposal Correspondence Files - Correspondence maintained by units responsible for property disposal, pertaining to their operation and administration.

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(6) Space files and related correspondence pertaining to the allocation, use, and release of space under agency and/or General Services Administration (GSA) control. Destroy two years after termination of space assignment, when lease is canceled, or when plans are superseded or obsolete.

(7) Files and correspondence relating to the administration, operation, and execution of the copying, duplicating, and printing functions.

(8) Procurement matters - ORIGINAL correspondence files concerning internal operation and administration not forwarded to FBIHQ.

(9) Deleted

(10) Equal Employment Opportunity (EEO) Counselors' notes. Destroy two years after the date of creation, unless the EEO Counselor forwards them to FBIHQ for storage and later destruction (see MAOP, Part I, 4-5.1.4 and 4-5.1.5).

(11) Deleted

(12) Complaint Form (FD-71) - Control Files only; field office investigative case files opened as a result of information recorded on FD-71 are to be retained/destroyed commensurate with the disposition authority applicable to the specific case file wherein the material is maintained.

(13) Administrative case files containing correspondence, memoranda, annuity estimates, and other records used to assist retiring employees or survivors claim insurance or retirement benefits, including but not limited to reports, registers, or other control documents, and other records relating to retirement, such as SF-2807 or equivalent.

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2-4.5.16 Files and Records to be Destroyed When One Year Old, If  
Certain Conditions Are Met

(1) Deleted

(2) Copies of correspondence forwarded to Office of  
Personnel Management relating to performance rating board reviews.  
Destroy one year after case is resolved (for files created prior to  
the Civil Service Reform Act of 1978).

(3) Notice of Tardiness, FD-120. Destroy when one year  
old at the end of the calendar year.

(4) Deleted

(5) Deleted

(6) Deleted

(7) Forms

(8) Gun Vault Charge-Out Records, FD-79

(9) Bank robbery, bank burglary, and bank larceny  
summaries

(10) Theft from Interstate Shipment and Interstate  
Transportation of Stolen Property summaries

(11) New Agents' Training Unit class books.

(12) Voluntary Leave Transfer Program Records -  
Administrative case files documenting the receipt and donation of  
leave for medical emergencies, including receipt applications,  
FBIHQ/field office approvals or denials, medical or physician  
certifications, leave donation records or OF-630-A,  
supervisor/timekeeper approvals, leave transfer records, payroll  
notification records, and leave program termination records.

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2-4.5.17 Files and Records to be Destroyed When One Year Old on an Annual Basis

(1) Field Personnel Files - Destroy superseded documents. Forward file to FBIHQ 90 days after separation or retirement of employee for final disposition.

(2) Office Personnel File - Destroy obsolete temporary documents relating to Bureau personnel only. (See Part II, 2-4.5.12(32), for disposition of remaining documents.)

(3) Firearms Score Card, FD-39

(4) In the absence of specific instructions to the contrary, material in any administrative file not listed for destruction in this manual may be destroyed when one year old on an annual basis if of no value, except for the following administrative files which must be retained:

(a) Arraignment

(b) Arrests

(c) Interviews including confessions and signed statements

(d) Searches and seizures

(e) Carefully review Memoranda to All SACs (formerly SAC Letters) to ensure that instructions which are still applicable and which will be of future value are retained.

(5) Individual Security Patrol Daily Report, FD-215; Combined Security Patrol Report, FD-215a; and Security Patrol Log, FD-215b.

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2-4.5.18 Files and Records to be Destroyed When One Year Old on a  
Monthly Basis

(1) Postal Records and mail and delivery service control files - Including record of Registered Mail, FD-211; U.S. Postal Service Forms 3877 (Outgoing registered mail) and 3883 (Incoming registered mail); records relating to certified, insured, and special delivery mail, including receipts and return receipts; application for postal registration and certificates of declared value of matter subject to postal surcharge; reports of loss, rifling, delay, and other improper treatment of mail matter; records of receipt and routing of incoming and outgoing mail and items handled by private delivery companies; statistical reports on mail handled and work performed; records relating to checks, cash, stamps, money orders, or other valuables remitted by mail; and correspondence relating to the administration of the mail room operation.

(2) Except New York and Washington Metropolitan Field Offices: Copies of INS form I-94 or equivalent form used locally to furnish information from the I-94 to FBIHQ which pertain to individuals within the provisions of the FCI Manual, and which are retained in control files only and the index cards relating thereto.

EFFECTIVE: 03/29/90

2-4.5.19 Files and Records to be Destroyed When Six Months Old, If  
Certain Conditions are Met

- (1) Deleted
- (2) Field Stenographer's and Typist's Daily Report, FD-76
- (3) HF Radio Log, FD-279
- (4) Telecommunications message registers, logs, performance reports, daily load reports, and related and similar records

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| 2-4.5.20 | Deleted |

EFFECTIVE: 03/29/90

2-4.5.21 Files and Records to be Destroyed When Three Months Old,  
If Certain Conditions Are Met

(1) Transmittal letters - checks and bonds

(2) Automobile Record Form, FD-73

| (3) FM Radio Station Log, FD-283 | (See MIOG, Part II,  
16-4.2.4.) |

(4) Gasoline sales tickets (tissue copy)

| (5) Deleted |

(6) Identification credentials, including cards, badges, parking permits, photographs, agency permits to operate motor vehicles; property, dining room, and visitors' passes; and other identification credentials. Destroy three months after return. | (See MAOP, Part II, 6-10.2 (3).) |

(7) Building and Equipment Service Files - Requests for building and equipment maintenance services, excluding fiscal copies. Destroy three months after work performed or requisition canceled.

(8) Carbon copy of printout produced by NCIC terminal not required to be retained. However, an NCIC log must be maintained for all criminal history record checks; the log will be maintained for a minimum of one year.

(9) Unless required as part of a review or investigation, alarm log sheets and paper tape records of all alarm calls received shall be destroyed when no longer required after three (3) months.

(10) Visiting employees log, FD-426

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2-4.5.22 Files and Records to be Destroyed When Two Months Old, If  
Certain Conditions Are Met

(1) Messenger Service Files - Daily logs, assignment records and instructions, dispatch records, delivery receipts, route schedules, and similar records related to the messenger function.

(2) Telecommunications - Copies of incoming and outgoing messages retained in the message center.

EFFECTIVE: 11/27/90

2-4.5.23 Files and Records to be Destroyed When Purpose Has Been  
Served (See MAOP, Part II, 2-4.2.1.)

(1) Request for Personnel Action, SF-52 (when used to advise of arrival date of a transferred employee into the field office)

(2) Itinerary, FD-330

(3) Circulars, flyers related to charity campaigns, recreational matters, open season for thrift savings program, open season for health/life insurance/retirement benefits, blood donor program, savings bond campaign.

(4) Copies of SF-50 documenting individual personnel actions.

(5) Credentials - Papers related to identification credentials, including receipts, indices, listings, and accountable records. Destroy when all listed credentials are accounted for.

(6) Telecommunications - Tapes of outgoing messages. Destroy after transmission.

(7) Channelizing memoranda in criminal cases and security cases must be destroyed following submission of reports or following submission of LHM in nonprosecutable espionage and nationalistic tendency cases.

(8) Channelizing memoranda in security cases must be destroyed when the contents have not been included in a report or LHM because the information is of no value to the report or LHM. In

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destroying these memoranda, be guided by the following instructions:

(a) The Agent, at the time he/she dictates the report or the LHM in nonprosecutable espionage and nationalistic tendency cases, is to prepare a memorandum (Form FD-338) listing the channelizing memoranda to be destroyed by serial or serial scope and requesting Administrative Officer to destroy. List channelizing memoranda to be destroyed because they are of no value to the report or LHM by file and serial number. This memorandum should indicate that pertinent information contained in the serials to be destroyed was incorporated in the report or the LHM, or in security cases was not included because the information was of no value to the report or LHM.

(b) The cover pages accompanying the report or the cover document accompanying the LHM will list the file and serial number of the original informant reports or master channelizing memoranda except in cases concerning reports or LHM prepared by Legal Attaches since Legat sources are not usually available for testimony.

(c) In the case of multiple volumes, the destruction memorandum should be prepared by the Agent in sufficient numbers so that one copy will appear in each volume of the multiple volume file being stripped.

(d) Prior to destruction, the Agent's recommendations are to be reviewed and approved by the supervisor at the time he/she reviews and approves the report or the LHM.

(e) Employee destroying the channelizing memoranda must place date of destruction and his/her initials on the destruction memorandum. Thereafter, this memorandum will be filed in the case as a permanent record of the serials destroyed.

(f) Channelizing memoranda based on confidential investigative techniques may be destroyed after submission of LHM or report. The cover pages of the report or the cover document of the LHM must record the exact location in the office files of the original information.

(g) Channelizing memoranda of translations of foreign language newspapers and periodicals may be destroyed provided the original translation is maintained in the main file of the publication concerned.

(h) Channelizing memoranda from other offices may be

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destroyed provided the communication of transmittal and one copy of the channelizing memoranda are retained in your office. The cover pages to the report or the cover document to the LHM should list field office and the file number in which the original recording is located, as well as location in your files of the retained copy.

(9) Do not destroy channelizing memoranda in the following instances: The original recording; serial one of a file regardless of its nature; serials containing indexing. It would appear that if indexing was necessary to channelizing memoranda, such indexing would only be done in the main case file as set forth in the title of the communication; serials showing "action" information: e.g., opening, closing, posting, or instructions given by a supervisor to an Agent concerning the case.

(10) The destruction of those channelizing memoranda should be subject to close supervisory control to ensure that all pertinent information contained in these memoranda is reported in the investigative report or the LHM.

(11) Stop notice cards and correspondence received by field offices requesting affirmative action in connection with stop notices placed with Immigration and Naturalization Service (INS) and Bureau of Prisons (BOP) maintained in administrative file (if no case file exists) when stop notices have been canceled or expire.

(12) Deleted

(13) Teletype summaries or reproduced copies of teletype summaries on civil unrest sent to all field offices by FBIHQ.

(14) Deleted

(15) Routing of Earnings and Leave Record, FD-655.

(16) Field Office Special Surveillance Group (SSG) Daily Worksheets - Control files which have been arranged in monthly volumes and workshift for the purpose of gathering and maintaining statistics used for administrative purposes.

(17) Weekly Press Summary File (WPSF)/National Periodical Summary File (NPSF) - Volumes of copies of newspaper articles from various national/international newspapers (WPSF) and periodicals (NPSF). Material is furnished to field offices and Legal Attaches by the Office of Congressional and Public Affairs, FBIHQ, for informational/reference purposes ONLY. Retention by the field office

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or Legal Attaches is OPTIONAL.

(18) Investigator - Case files containing past issues of FBI employee magazine "The Investigator." Formal filing of "The Investigator" is unnecessary.

(19) Internal office memoranda unique to individual FBIHQ division, field office, resident agency or Legal Attache Office and accumulated solely for the internal administration of each individual entity.

(20) Dissemination Files - Field office control files containing correspondence and/or lead(s) received from other field offices. Leads are disseminated to appropriate field office squad, resident agency, or local law enforcement agency for follow-up. Material has been accumulated solely as a "tracking system" of official records disseminated to other agencies and filed for administrative purposes only inasmuch as lead(s) usually meet with negative results. Case files opened as a result of dissemination of correspondence and/or lead(s) are to be retained/destroyed commensurate with the disposition authority applicable to the specific case file wherein the material is maintained.

(21) Law Enforcement Bulletin and related Indexing Lists - Material is furnished to field offices and Legal Attaches for informational/reference purposes related to training activities. Official filing is NOT REQUIRED and any future retention, for reference purposes only, should be at the discretion of the field office Training Coordinator.

(23) FBI Recreation Association (FBIRA) - Administrative case files pertaining to the overall functions of the FBIRA. Formal filing of FBIRA material is unnecessary. Material pertinent to the organization and/or operation of the FBIRA should be put under the control of the field office FBIRA committee, as chosen by the field office employees.

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| 2-4.5.24 | Deleted |

EFFECTIVE: 01/20/95

2-4.5.25 Records to be Destroyed After Separation or Transfer of  
Employee

Employee record cards used for informational purposes.

EFFECTIVE: 03/29/90

2-4.5.26 Files and Records to be Destroyed When Abolished or  
Superseded

(1) Copies of position descriptions and related  
correspondence

(2) Copies of official publications, charts, posters,  
directives, regulations, forms, press releases or similar material.

EFFECTIVE: 03/29/90

2-4.5.27 Files and Records to be Destroyed When Canceled or Revised

Mailing lists - Correspondence, request forms, and other  
records relating to changes in mailing lists and card lists. Destroy  
when canceled or revised, whichever is appropriate.

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2-4.5.28 Files and Records to be Destroyed Upon Termination or  
Completion

(1) Copies of routine procurement files, including contract, requisition, purchase order, lease, and bond and surety records. (Excluding original correspondence not forwarded to FBIHQ)

(2) Copies of successful or unsuccessful bids.

EFFECTIVE: 03/29/90

2-4.5.29 Files To Be Destroyed Upon Notification From FBIHQ

(1) Office of Professional Responsibility (OPR) case files maintained by field offices may be destroyed upon receipt of notification from Administrative Summary Unit, Personnel Division, FBIHQ, that the OPR matter has been resolved.

(2) Case files which have been stamped with OCIS/ISIS/ISS/TIS notations. Destroy office of origin case files in accordance with destruction authority granted by FBIHQ. Auxiliary office case files may be destroyed after a determination has been made that none of the foregoing restrictions are applicable.

EFFECTIVE: 10/19/95

2-5 CASE MANAGEMENT - FIELD OFFICES

EFFECTIVE: 03/29/90

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2-5.1 Opening Cases

- (1) When one or more interviews are to be conducted
- (2) When the USA is consulted and a written record of USA's opinion furnished USA
- (3) When an informant is being operated.
- (4) In considering the above it should be borne in mind when a file is opened designating a particular individual as the subject of that file that the Bureau be in the position to justify the establishment and later the maintenance of that file on the grounds that there is sufficient jurisdiction for the Bureau to investigate that matter as a separate activity. This is also applicable to the use of subfiles, meaning that if such a file is opened it must meet this test.

(a) The universal list of subfiles, and the standard code assigned to each subfile are listed below. These subfiles should be used when appropriate. The subfiles are not to be opened until a specific need exists.

Standard Subfile:

Code:

1A Exhibits	1A
FD-192s (Evidence)	1B
FD-192As (Bulky, Nonevidence)	1C
FD-302s and inserts	302
Background Information re subject (FD-160, FD-125, FD-809)	BC
Case Expenditures	CE
ELSUR Administrative (Criminal & FCI matters)	ELA
ELSUR Original Logs (Criminal and FCI)	EL1
ELSUR Copies and Logs (Criminal and FCI)	EL1A
ELSUR Transcripts (Criminal and FCI)	EL1B
Grand Jury Material	GJ
Physical Surveillance Logs	FISUR
Forfeiture	FF
Lab/Latent Reports	LAB
Mail Covers	MC
Newspaper Clippings (Press Releases)	NC
Subpoenas	SBP
Telephone Subscriber and Telephone	TEL
Toll Information	

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(b) When more than one subfile is needed for a specific category, numbers are to be used following the code. For example, three Forfeiture subfiles would be named: FF1, FF2, FF3, etc.

(c) With regard to ELSUR usage in both criminal and FCI matters, subfiles will be opened for the purpose of maintaining the administrative correspondence relating to the ELSUR usage. Where more than one ELSUR authorization is sought/obtained, additional subfiles may be opened and named ELA2, ELA3, ELA4, etc. In each case a subfile for retaining original logs and hard copy printouts of communications intercepted in criminal and FCI matters will be opened and named EL1. Multiple installations in a given case will require additional subfiles, i.e., EL2, EL3, EL4, etc. COPIES of these logs/printouts are to be retained in a subfile named EL1A. Multiple installations will require additional subfiles for COPIES of these logs, i.e., EL2A, EL3A, EL4A, etc. Full text or partial transcripts of intercepts are to be maintained in subfiles named EL1B.

(d) The Manual of Investigative Operations and Guidelines (MIOG), Part I, Section 137-11, sets forth policy for maintaining Criminal Informant (CI)/Cooperating Witness (CW) subfiles.

(e) The National Foreign Intelligence Program Manual, Part I, 5-5.1, sets forth policy for FCI and International Terrorism (IT) Assets subfiles.

(f) The MIOG, Part II, 2-9.7, sets forth policy for grand jury material subfiles.

(5) The initials of a supervisor must be placed on the serial opening or reopening a case. In opening new fugitive cases each fugitive subject must be assigned a letter priority designation. The supervisor will make the appropriate letter designation on the lower left hand corner of the opening serial.

EFFECTIVE: 07/12/95

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2-5.2 Status of Cases

(1) The status of the case shall be marked on the top cover of a file in the lower right corner as follows:

(a) Unassigned - When it is necessary to defer the assignment temporarily, the case should be entered as unassigned - UNA.

(b) Assigned - All active investigative cases must be assigned immediately upon receipt. Name of employee to whom assigned and date must be entered.

(c) Closed - C and date

(d) Referred upon completion - RUC and date

(e) Dead - Dead and date

(f) Pending inactive - P\*

(g) Unaddressed - UNAD

(2) When the status of a case is changed, the top cover should be marked accordingly.

EFFECTIVE: 08/27/93

2-5.2.1 Pending Case

A case is pending where there is work remaining to be done or to be reported.

EFFECTIVE: 10/27/86

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2-5.2.2 Pending Inactive

(1) Instructions to the Support Services Supervisor (Office Services Manager (OSM)) to place a case in pending-inactive status must be in writing on the appropriate serial, which must be initialed and dated by the supervisory employee and flagged for the Support Services Supervisor's (OSM) attention.

(2) A case should be placed in a pending-inactive status when:

(a) All investigation has been completed and only prosecutive action or other disposition remains to be determined and reported;

(b) Deleted

(c) In fugitive cases, refer to the "Pending Inactive Status when All Logical Investigation has been Conducted," and "Locating and Relocating Fugitives Outside the United States" citations appearing in MIOG, "Fugitive-General" Section, Part II, Section 21.

(3) Pending-inactive cases are not to be assigned to investigative personnel when no useful purpose results.

EFFECTIVE: 10/27/86

2-5.2.3 Referred Upon Completion to the Office of Origin (RUC)

(1) Cases may be referred upon completion to the office of origin by an auxiliary office when all investigation in the field office has been completed, no prosecutive action is to be begun in the auxiliary office, and a communication precluding the necessity of preparing a report has been prepared.

(2) RUC administratively those cases involving fugitives, other than ten most wanted fugitives, when all of the following conditions have been met:

(a) A lead is developed within the confines of a field office as to the possible whereabouts of a fugitive;

(b) The lead is promptly washed out because it is

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found that the individual is not identical with the fugitive

(c) The lead is purely local in nature and did not originate at FBIHQ or at any field office

(d) No other investigation is pending in that field office in connection with the particular fugitive case

EFFECTIVE: 04/23/91

| 2-5.2.4 Closed | (See MAOP, Part II, 3-4.5 (9) (d).) |

(1) Case may be closed when:

(a) The USA declines prosecution

(b) The Federal grand jury returns a "No Bill"

(c) A nolle prosequi has been entered

(d) Final prosecutive action has been completed

(e) All leads have been exhausted and the SAC authorizes closing. SAC's opinion must be based on the belief that further investigation would not be warranted

(f) In antitrust cases, the original complaint is received

(g) In a Lobbying Act case, the original complaint is received

(h) In routine deserter cases, a communication is received from the apprehending office; in nonroutine deserter cases, an RUC report is received from apprehending field office

(i) In parole, mandatory release, and probation violator cases, an RUC report, teletype, or airtel is received from apprehending field office

(j) In bank robbery statute violations, in selective instances by FD-430 (See MIOG, Part I, Section 91.)

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(k) In involuntary servitude and slavery cases, an initial investigation has been conducted, and all logical leads have been exhausted.

(l) In civil rights cases involving allegations of police brutality, the initial investigation has been conducted pursuant to MIOG, Part I, Section 282-4.1 and, in the opinion of the SAC, the totality of the circumstances indicates that the case is not of a serious or substantial nature and does not warrant further investigation. In all other civil rights cases, when logical investigation has been conducted (See MIOG, Part I, 50-4 (1).)

(m) Deleted

(n) In election laws cases, the original complaint is received

(o) In cases under Civil Rights Act of 1964, when preliminary or limited investigation has been conducted

(p) In antiriot laws cases, a preliminary investigation has been conducted

(q) In discrimination in housing cases, an initial investigation has been conducted, and all logical leads have been exhausted

(r) Deleted

(2) Bankruptcy cases must be presented to USA and cannot be closed administratively. (See MIOG, Part I, 49-7.)

(3) The initials of a supervisor must be placed on the serial closing a case administratively.

(4) When a case is closed, the office of origin must, by teletype or airtel, immediately advise auxiliary offices.

(5) When office of origin or auxiliary office obtains information which would seem to preclude any further investigation of a case or of any phase of it, appropriate offices and FBIHQ should be advised immediately. If there is nothing additional to be done by receiving offices, they may close administratively. This instruction includes office of origin if status report only would have been submitted. (See MAOP, Part II, 10-9 (10).)

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(6) 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.

EFFECTIVE: 01/31/94

2-5.2.5 Unaddressed Work (UNAD)

(1) UNAD is defined as investigative matters that cannot be adequately addressed by available manpower. These investigative matters could be either new cases in an office or pending cases which cannot be handled at the current time due to a shift of manpower priorities. Only "Office of Origin" (OO) cases can be recorded as UNAD. Auxiliary office cases must be opened as pending cases and assigned to appropriate personnel.

(a) Allegations of criminal activity which are not within the prosecutive guidelines of each office and, as a result, subject to blanket declinations, should not be recorded as UNAD. Each of the sections relating to the FBI investigative classifications in the MIOG should be reviewed to determine if policy and procedures for the classification would prohibit utilizing UNAD status.

(b) Each SAC must ensure that: (1) all available investigative resources are being fully utilized on investigative matters prior to recording allegations and/or events as UNAD and (2) a periodic review of these matters must be conducted by the Supervisory Special Agents (SSA) and the Supervisory Senior Resident Agents (SSRA).

(c) Allegation or events which are recorded as UNAD must be periodically reviewed to determine whether there is any concurrent Federal, state or local investigative jurisdiction. If concurrent jurisdiction exists, the matter must be referred in writing to the appropriate law enforcement agency within 30 days of making the case UNAD.

(2) UNAD matters can be placed in a UNAD Control File, and a periodic review of this file must be conducted by the SSA and

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the SSRA. See MAOP, Part II, Section 2-4.1.5 for the existing policy pertaining to Control Files.

(3) At the discretion of each office and/or SSA, UNAD matters can be opened and assigned a Universal Case File Number (UCFN) through the Case application of the Field Office Information Management System (FOIMS).

(a) Once a case has been identified as UNAD, the SSA or SSRA will be required to assign a priority ranking and estimate the number of months which would be required to resolve the matter.

(b) The purpose of the priority ranking is to assist each office in selecting which matters will be addressed first as additional investigative resources become available. The value 1 will be the highest priority, and the value 10 will be the lowest priority.

(c) The estimate of time required to resolve the matter will be recorded in monthly increments. The maximum estimate allowed will be 60 months (5 years).

(d) The SSAs and/or SSRAs will document their decisions by writing on the opening communication as follows: "O&A UNAD, Priority (1 to 10), Estimated Months (1 to 60)."

(e) For new cases, the Information Management Analyst/Clerk (IMA/IMC) will record UNAD in both the "Assigned" and "Status" fields of the first screen of the "Open a Case Option" in the Case application of FOIMS. The IMA/IMC will execute the "Open an OO Case" option, and a subsequent screen will appear verifying the prior input at which time the "Priority" field and the "Estimated Months" field will appear for entry. The case opening function will then proceed routinely.

(f) The matter will be assigned a UCFN, but will not be counted or reflected on the Monthly Administrative Report (MAR). The physical filing methodology and storage of these UNAD matters is left to the discretion of each field office. The decisions made, however, should be documented and indexed under UNAD to an appropriate administrative/dead/control file within each office for subsequent compliance review.

(g) For existing pending cases, the IMA/IMC will close out the case (C4) in the Case application of FOIMS. Then the IMA/IMC will reopen the UCFN through the Reopen function (F2), with UNAD in the "Assigned to" and "Status" fields. The IMA/IMC

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will also record the information in the "Priority" and "Estimated Months" field.

(h) An Unaddressed Work Report is available through the Miscellaneous Case Lists in the Case application of FOIMS. This report can be used to list UNAD matters by Case Squad or by Investigative Program. Upon request of the SSA or SSRA, the IMA/IMC can remove UNAD cases from the Unaddressed Work Report (Closed) by placing a closed date in the "Closed Date" field.

(i) Upon request of the SSA or SSRA, the IMA/IMC can change a UNAD cases to a pending status. The IMA/IMC will close out the UNAD case, and then reopen the case with a Pending status, and assign it to appropriate Agent personnel.

EFFECTIVE: 01/31/94

2-5.3 | Tickler and Lead Applications and Balancing Pending Cases

(1) Tickler Application

The Tickler Application in FOIMS can be used to follow and track cases. Access the "ENTER A TICKLER" screen in the Tickler Application.

(2) Lead Application

(a) An additional device for management of cases in FOIMS is the Lead Application. The Lead Application is used when leads are assigned to investigative personnel other than the person to whom the case is assigned.

(b) After communications are marked for leads, they must be entered into the database using FOIMS.

(c) Access the lead application, "ENTER A LEAD."

(d) When the lead is covered, modify the lead through the "QUERY BY ASSIGNED" or "QUERY BY CASE NUMBER," and enter

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the covered date.

(3) Every 90 days, the Administrative Officer or Legat is required to print the PENDING CASES report from the FOIMS Case List. This report is to be balanced against the actual pending cases in the office. To access this report, the AO will display the FOIMS menu, press <F1> for cases. At the Case Menu, press <F9> for case listings. At the Case Listings Menu press <F3>, Case File Lists, Pending Cases. When the Pending Case List Menu is displayed, select the function key for the order desired for pending cases to be printed. The reports, with appropriate verification markings, should be filed in the same file containing the copy of the Monthly Administrative Report.

EFFECTIVE: 08/27/93

| 2-5.3.1 | Deleted |

EFFECTIVE: 08/27/93

| 2-5.3.2 | Deleted |

EFFECTIVE: 08/27/93

| 2-5.3.3 | Deleted |

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| 2-5.3.4 | Deleted |

EFFECTIVE: 08/27/93

| 2-5.3.5 | Deleted |

EFFECTIVE: 08/27/93

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| 2-5.3.9 | Deleted |

EFFECTIVE: 08/27/93

2-5.4 Reports

EFFECTIVE: 10/28/85

| 2-5.4.1 | Deleted |

EFFECTIVE: 03/04/94

| 2-5.4.2 Daily Report of Security Patrol Clerk (FD-215)

| The daily report of the Security Patrol Clerk is a white form made up so that the date, name of employee, hours worked, name of building, time, area covered, remarks, security of Bureau automobiles, security of Bureau automobile keys (if applicable), including time and remarks, and signature can be entered. The security patrol clerk must submit this form daily to the SAC for review and approval. In those field offices and FBIHQ divisions where Security Patrol Clerks are supervised directly by an SA, they will not be required to execute Form FD-215. Form FD-215a (Combined Security Patrol Report) will continue to be used.

EFFECTIVE: 10/28/85

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EFFECTIVE: 07/19/95

2-6 ACCOUNTING INVESTIGATIONS

Set forth below are the types of cases which the Bureau considers to be actual accounting cases and accounting-type cases. This list is to be used as a guide in determining whether an investigation falls within the category of an accounting matter.

EFFECTIVE: 07/18/85

2-6.1 Actual Accounting Cases

(1) Where the investigation actually entails the detailed examination of books and records.

(2) Where there is a possibility that testimony may be required as to accounting matters.

These cases are to be assigned to a Special Agent Accountant (SAA) in every instance.

EFFECTIVE: 07/18/85

2-6.2 Accounting-Type Cases

(1) Those cases in which, although no detailed examination of books and records is required, the investigation entails the tracing of billings from one company to another or to the U.S. Government. This situation occurs in many fraud against the Government cases.

(2) Those cases in which the matter can be handled more effectively by an SAA since the investigation involves the review and interpretation of financial statements, bank records, and similar data.

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with which an accountant is more familiar. One example of this situation is a lead in a bankruptcy case to interview customers of the bankrupt where such interviews necessarily require an inspection of accounts payable records and supporting data.

(3) Those cases requiring an interview or series of interviews dealing with business administration or operations which because of accountant's educational background and previous experience an accountant may be more qualified to handle.

(4) These cases should be assigned to an SAA when an accountant is available. These cases may be assigned to nonaccountants where it appears a nonaccountant is capable of handling the matter properly and an accountant is not available.

EFFECTIVE: 07/18/85

2-6.3 Policy

(1) The SAC, ASAC, and field supervisors will be held personally responsible to ensure that SAAs are assigned to matters where their accounting background and training can be utilized effectively when such matters are pending in a field office.

(2) When an SAA has developed to the extent where SAA has additional qualifications over those previously reported, inform FBIHQ by letter for the attention of the Criminal Investigative Division.

EFFECTIVE: 07/18/85