

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

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

(PART 8 OF 8)



FEDERAL BUREAU OF INVESTIGATION

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SECTION 11. MISCELLANEOUS REGULATIONS

11-1 FIELD OFFICE LAW ENFORCEMENT CORRESPONDENCE

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11-1.2 Recommendation for Letter from Director (See MAOP, Part I, 5-17.)

(1) When letters of congratulations, appreciation, or condolence from the Director to individuals other than FBI employees are recommended by the field, such recommendations should be submitted promptly on Form FD-468, not on Form FD-255 (Recommendation for an Incentive Award). Requests should include the following:

(a) Full identifying data, titles, etc., and address of person(s) to be written;

(b) Specific data on which recommendation is based;

(c) Results of field office indices check.

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(2) Unless specified, letters are mailed directly from Headquarters to the addressee and no informational copies are made except to requesting office. Any special circumstances such as the following should be noted:

- (a) Copy to be sent to addressee's superior;
- (b) Letter to be sent back to the field office for presentation;
- (c) Any deadline should be noted and highlighted.

(3) If requests involve letters to individuals who reside within another field office's territory, approval should be sought from that office and included in the remarks on the FD-468. For example, when an election of officers of a police association occurs at a convention held in a field office territory, recommendations for congratulatory letters should be submitted by that office. Approval should be sought from the field office where the officer resides and this information should be included in the FD-468.

(4) FORM FD-468, NOT AIRTELS, SHOULD BE USED AS THIS FORM CLARIFIES REQUEST AND EXPEDITES PROCESSING.

(5) REQUESTS SHOULD NOT BE COMBINED WITH FORM FD-255 (Recommendation for Incentive Award).

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11-2 MAILING LISTS OF FIELD OFFICES

The mailing lists of field offices are compiled at FBIHQ on the basis of information submitted by the various field offices. The SAC will be held responsible for making timely notification to FBIHQ regarding required changes. When a revised mailing list is received from FBIHQ, it is the responsibility of each SAC to ensure that prompt and appropriate changes are made in the office's mailing procedures. Current changes are indicated by an asterisk.

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EFFECTIVE: 06/08/95

11-4 COPYRIGHT

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Any specific problems regarding copyright matters should be referred to Administrative Law Unit, Office of the General Counsel, FBIHQ.

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11-5 FBIHQ INFORMATION MANAGEMENT POLICY

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11-5.1 FBIHQ Filing of Documents for Official Records

(1) Federal regulations governing document filing:

To assist FBIHQ officials and supervisors in determining if documents should become part of our official records, the following laws, regulations, policies, and guidelines should be adhered to:

(a) Title 44, United States Code (USC), Section 3101, requires that the head of each Federal agency shall make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities.

(b) Title 44, USC, Section 3102, requires that the head of each Federal agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of the agency. The program, among other things, shall provide for:

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1. Effective controls over the creation, and over the maintenance and use of records in the conduct of current business;

2. In cooperation with the Administrator of General Services and the Archivist in applying standards, procedures, and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation, and facilitate the segregation and disposal of records of temporary value.

(c) Title 36, Code of Federal Regulations - To ensure that complete and accurate records are made and retained in the FBI, it is essential that we distinguish between records and nonrecord materials by the appropriate application of the above laws.

(2) Documentary materials are records when they meet both the following conditions:

(a) They are made or received by the FBI under Federal law or in connection with the transaction of FBI business; and

(b) They are preserved or are appropriate for preservation as evidence of the FBI organization and activities or because of the value of the information they contain. (If a document is filed for informational purposes only, it should have long-term use. If not, it should only be maintained by the interested party and destroyed when no longer needed.)

(3) The following categories of documents are informational in character and should not be routinely filed as official records:

(a) Teletypes from other Government agencies which provide general intelligence information but do not directly support specific investigations, counterintelligence activities, or investigative program management.

(b) VISA teletypes re visitors or immigrants which are not relevant to our investigative or counterintelligence responsibilities.

(c) Transmittal Form documents which are of no value for recordkeeping purposes.

(d) Statistical gathering documents (once data is

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loaded into our computer system or captured in other ways, there is no need to keep the document).

(e) "For Information Memo" which doesn't meet the criteria of an official record.

(f) Training and Conference Documents (There should be one document which describes the training or conference maintained as an official record, but not every teletype to and from field offices confirming attendance and containing other administrative information should be filed.)

(g) Negative Request for Agency Check (FD-356)
Negative FBIHQ Record Checks (FD-493)
Negative CIA Record Checks (FD-786, 0-66)

(The field office that requested these checks will have the results.)

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11-5.2 Bureau Manuals - Making and Transmitting Manual Changes

(1) Manual policy changes are to be accomplished and transmitted to the field in one of the following ways:

(a) By routine manual changes with no preceding communication.

(b) By memorandum to all Special Agents in Charge (SAC) followed by manual change. The manual changes should be prepared at the same time as the SAC memorandum.

(c) By teletype followed by manual change. A copy of the teletype must be forwarded to the Manuals Desk, Information Resources Division (IRD).

(d) Policy changes containing highly sensitive information may be transmitted by classified airtel (with a copy to the Manuals Desk). This is the only approved exception with regard to the use of airtels to transmit policy changes.

(2) Policy changes transmitted by classified airtel and/or teletype because of an exigency are to be followed by manual change memorandum directed to the Manuals Desk, IRD, within 10

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workdays.

(3) Prior to the submission of a memorandum requesting a manual policy change, contact should be made with the Manuals Desk for assistance in preparation of manual change memoranda. See Section 14 of the "Correspondence Guide - FBIHQ" for the proper format for making manual changes.

(4) Each FBIHQ division is to maintain a control folder in the division's front office concerning manual changes which are the responsibility of the division.

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11-6 SURVEYS DIRECTED FROM FBIHQ TO FBI FIELD OFFICES

(1) DEFINITION: A survey is defined as any FBIHQ request for information directed to field and/or Legal Attache offices that requires, either on a one-time or recurring basis, the collection of facts, figures, or other data that, when aggregated, are essential in determining the status, value, performance and/or condition of a program, process, policy, system, or other organizational function.

(2) The information provided by surveys may serve any operational, administrative, legal, or quality feedback requirement required by FBIHQ, including information requirements originating from outside the FBI.

(3) The 1983 policy, as provided below, will continue to apply:

(a) A control file will be maintained in each FBIHQ division (separate offices included) to act as a repository for copies of all surveys to the field which originate from that division/office;

(b) Each FBIHQ division/office will designate a manager to oversee this control file and to coordinate, plan, and review all division/office surveys prior to their being forwarded for approval; and

(c) Any standing and periodic surveys approved as to

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form and frequency may thereafter be disseminated without resubmission for approval.

(4) JUSTIFICATION REQUIREMENTS FOR SURVEYS: In order to ensure that only essential surveys are sent to field offices, all divisions/offices will, when requesting authority to survey the field, provide justification for such requests in accordance with the following guidelines:

(a) Provide a statement that characterizes the value of the survey, how the information will be used, and the organizational objectives to be attained.

(b) Certify that the information requested is unavailable from existing FBIHQ information systems or records and that the data collection requirements are worth the time that will be redirected from investigations.

(c) Certify that only the minimum level of information is being requested to satisfy FBIHQ needs and only from the appropriate field offices.

(d) Ensure that the survey or request is as concise as possible and provides for ease of use and completion. To accomplish this, the sponsoring component will assure the following:

1. Instructions and questions are clearly worded, with consistent formats;

2. Uses the most efficient distribution/collection/processing media (e.g., computer networks);

3. Uses standard time frames (e.g., end of fiscal year) when possible;

4. Provides a reasonable deadline;

5. Provides a contact person/telephone number for questions from the field offices; and

6. Provides information feedback to the participating field offices, when appropriate.

(e) When the survey is approved, the Inspection Division's Organizational Program Evaluation and Analysis (OPEA) Unit will be included on the copy count of the document that transmits the

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| survey to the field.

| (5) OPEA ASSISTANCE:

| (a) OPEA will provide prompt assistance, when
| requested, in the development of surveys and/or requests for
| information.

| (b) OPEA will maintain an index of approved surveys,
| including the topic(s), originating division/office, a general
| statement of the nature and extent of the targeted respondents, and
| date of the survey. This index will be available to all FBIHQ
| divisions and offices to aid in their search for preexisting data and
| to provide samples of survey questions.

| (6) FINAL APPROVAL: Each survey that meets the terms of
| the above definition will be forwarded to the Deputy Director for
| final approval. The cover communication that transmits the survey
| will contain a specific statement that the survey has been approved by
| the Deputy Director. |

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