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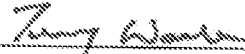
Total Deleted Page(s) = 6
Page 30 ~ b5 - 1; b7E - 3,4;
Page 31 ~ b5 - 1; b7E - 4;
Page 32 ~ b5 - 1; b7E - 4;
Page 33 ~ b5 - 1; b7E - 4;
Page 34 ~ b5 - 1; b7E - 4;
Page 35 ~ b5 - 1; b7E - 4;

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**INSPECTION DIVISION
EXTERNAL AUDIT AND COMPLIANCE SECTION
COMPLIANCE AND MITIGATION UNIT**



**2018 DOMESTIC INVESTIGATIONS AND
OPERATIONS GUIDE AUDIT
10/10/2018 -- 10/19/2018**



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TABLE OF CONTENTS

Contents

I. SCOPE AND METHODOLOGY	2
II. COMPLIANCE AREAS AND ERRORS	3
III. ADMINISTRATIVE MATTERS	5
IV. CONCLUSION	8
V. OBSERVATIONS AND RECOMMENDATIONS	9
VI. LIST OF APPENDIXES	20
Appendix A: Inspection Staffing Roster	21
Appendix B: Abbreviations	22
Appendix C: Audit Questions	29

I. SCOPE AND METHODOLOGY

Synopsis

(U//~~FOUO~~) The INSD External Audit and Compliance Section (EACS), Compliance and Mitigation Unit (CAMU) conducted a DIOG Audit to assess compliance with relevant policies and procedures in the areas of Type 1 & Type 2 Assessments; Otherwise Illegal Activity (OIA) for Confidential Human Sources (CHSs); and Custodial Recorded Interviews. The audit team reviewed 1,845 randomly-selected cases, Assessments, and CHS files open during 09/28/2016 – 07/22/2018. The DIOG, 0667DPG, dated 09/28/2016, and the [REDACTED], dated 09/21/2015, were utilized for the audit.

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Background

(U//~~FOUO~~) INSD in coordination with the Office of Integrity and Compliance (OIC), the Internal Policy Office (IPO), and Office of General Counsel (OGC) assessed risk associated with Type 1 & Type 2 Assessments; OIA for CHSs; and Custodial Recorded Interviews. Each were selected for the audit based on a review of Field Office self-identified non-compliance ECs from 2016 - 2018, which indicated a high level of compliance errors in these areas. The INSD oversight role, as set forth in the DIOG, Section 4.1.3, stated, "DOJ and the FBI's Inspection Division, and the FBI's OIC and OGC, also provide substantial monitoring and guidance."

Identification of Sample

(U) A representative sampling of 1,845 cases, Assessments, and CHS files open during the period 09/28/2016 – 07/22/2018 were randomly selected from a total of 76,022.

TABLE 1: DIOG Sample

Audit Category	Case/CHS File Population	Cases Audited for Instances of Non-Compliance
Type 1 & 2 Assessments	21,375	766
OIA for CHSs	501	466
Custodial Recorded Interviews	54,146	613
Total	76,022	1,845

*Of the 613 cases reviewed for potential Custodial Recorded Interview compliance instances, 99 contained custodial interviews.

Methodology

(U) From 10/10/2018 through 10/19/2018, a team of 15 Assistant Inspectors-in-Place (AIIPs) from various Field Offices and FBIHQ conducted the audit under the direction of the SC of the EACS, the UC of the CAMU, two Office of Inspections Team Leaders (TL), two representatives from the OIC, one OGC attorney, and two IPO DIOG subject matter experts.

(U) A four-step review process was used to identify any instances of non-compliance. The first step was identification of the potential compliance error by the AIP; the second step was review of the potential compliance error by the TL; the third step was a review by the IPO, OGC, and OIC representatives to confirm the correct interpretation and application of the DIOG. The final review was conducted by the UC and SC, to provide concurrence with the final results.

II. COMPLIANCE AREAS AND ERRORS

(U) An audit of 1,845 cases, Assessments, and CHS files resulted in 171 non-compliance errors. Of the 171 non-compliance errors, 56 (33%) were associated with Type 1 & Type 2 Assessments, 82 (48%) with OIA for CHSs, and 33 (19%) with Custodial Recorded Interviews.

TABLE 2: DIOG Non-Compliance

Audit Category	Compliance Errors	Cases Audited for Instances of Non-compliance
Type 1 & Type 2 Assessments	56	766
OIA for CHSs	82	466
Custodial Recorded Interviews	33	613
Total Errors	171	

(U//~~FOUO~~) For all types of compliance errors, the DIOG, Section 2.8.1.1, stated ““*Substantial non-compliance*” means non-compliance that is of significance to the matter and is more than a minor deviation from a DIOG requirement. Non-compliance that relates solely to administrative or peripheral requirements is not substantial.” During the review, all non-compliance errors were reported and analyzed by the OIC to determine whether any further action was required in each particular matter. The OIC confirmed a total of 171 substantial non-compliance errors.

A. Type 1 & Type 2 Assessments

(U//~~FOUO~~) INSD assessed, pursuant to the DIOG, Section 5 and Section 18, whether Type 1 & Type 2 Assessments: documented an authorized purpose and clearly defined objective; were properly identified; were not based solely on the exercise of First Amendment rights or on the race, ethnicity, gender, national origin, religion, disability, sexual orientation, or gender identity of the subject, or a combination of only such factors; were not concluded within 30 days and if so, justification reviews were conducted every 30 days; used physical surveillance, and if so, appropriate approvals were documented; had a FGJ subpoena issued, and if so, it was issued for the limited purpose of obtaining subscriber or customer information from providers of electronic communication services or remote computing services; utilized authorized investigative methods; and closing ECs included required annotations.

(U//~~FOUO~~) INSD reviewed 766 Type 1 & 2 Assessments and identified 56 compliance errors, as follows:

- (a) Twenty-eight Assessments did not meet the 30 day justification review requirement (DIOG Section 5.6.3.1.6 & Section 3.4.4.6);
- (b) Nineteen Assessments did not document an authorized purpose (DIOG Section 5.5 & Section 5.6.3.1.2);
- (c) Three Assessments [REDACTED] DIOG Section 18.5.8.3.2);
- (d) Two Assessments requested and received Voluntary Emergency Disclosure information (DIOG Section 18.6.8.5);
- (e) One Assessment had an unauthorized investigative method utilized (DIOG Section 5.9.1);
- (f) One Assessment had a FGJ subpoena issued for more than basic subscriber information (DIOG Section 18.5.9); and
- (g) One Assessment did not contain a surveillance log (DIOG Section 18.5.8.5).

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B. OIA for CHSs

(U//~~FOUO~~) INSD assessed, pursuant to the DIOG Section 17, [REDACTED] whether: the OIA was part of an authorized investigation; the OIA was identified as Tier I or Tier II activity; the OIA was for a criminal or national security investigation; the written and/or oral approvals were properly obtained and documented in the file; and the OIA Admonishments were provided, signed, and documented in the CHS OIA sub-file.

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(U//~~FOUO~~) INSD reviewed 466 instances of OIA documentation in CHS files and identified 82 compliance errors, as follows:

- a) Seventy-seven errors related to written acknowledgement of the OIA admonishments by the SAs or government official and the CHS were not documented in the CHS file (DIOG Section 17.5.4 and [REDACTED])
- b) Three errors were related to Tier I OIA authorization. Of the three errors, one did not have a second level approval authorization (DIOG Section 17.5.4 and [REDACTED]) [REDACTED] the second did not have written approval (DIOG Section 17.5.4 and [REDACTED]) [REDACTED] and the third did not specify the OIA activities listed in the authorization paperwork (DIOG Section 17.5.4 and [REDACTED]) and
- c) Two errors were related to Tier II OIA authorization. The first error was OIA activity which occurred outside appropriate authorization; the second error was OIA activity without an open CHS and OIA conducted prior to OIA authorization (DIOG Section 17.5.4 and [REDACTED])

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C. Custodial Recorded Interviews

(U//~~FOUO~~) INSD assessed, pursuant to the DIOG Section 18, whether: the subject was in custody for a federal crime at the time of the interview; the timing of the interview; the location of the interview; if Miranda rights were given and properly documented; if the interview was

recorded and properly documented; there was appropriate storage of any notes and recordings; and any exceptions to the mandatory recording of post-arrest custodial interviews were documented appropriately.

(U//~~FOUO~~) INSD reviewed 613 cases and identified 99 custodial interviews, which contained 33 compliance errors, as follows:

- (a) Twenty-one were related to required information to be documented on an FD-302 (DIOG Section 18.5.6.4.17.3.3); and
- (b) Twelve were related to recordings not being appropriately placed [redacted] (DIOG Section 18.5.6.4.17.3.3).

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III. ADMINISTRATIVE MATTERS

DIOG Revisions

(U//~~FOUO~~) This DIOG Audit assessed compliance with the DIOG, revised 09/28/2016, (DIOG 2016). An updated version of the DIOG was released on 07/23/2018, (DIOG 2018). INSD assessed areas of non-compliance with the DIOG 2016, however, revisions to policy noted in the DIOG 2018, as well as technical fixes, eliminated the non-compliance as follows:

A. Voluntary Emergency Disclosure

(U//~~FOUO~~) Voluntary Emergency Disclosure, a subset of Stored Wire or Electronic Communications and Transactional Records [redacted] in the DIOG 2016, Section 18.6.8.2, which stated:

b7E -4

(U//~~FOUO~~) The DIOG 2018, Section 18.6.8.5, Voluntary Emergency Disclosure, explicitly allowed Voluntary Emergency Disclosure [redacted] The DIOG 2018, Section 18.6.8.5.2, stated:

(U//~~FOUO~~) INSD identified two instances where Voluntary Emergency Disclosure was used in [redacted] INSD did not document the compliance errors as the DIOG 2018 revision allowed for Voluntary Emergency Disclosure in [redacted] and this would no longer be a compliance issue.

B. Type 1 & Type 2 Assessment Closing Caveat

(U//~~FOUO~~) Both the 2016 and 2018 versions of the DIOG required caveat language when closing Type 1 & Type 2 Assessments and serializing to a zero classification file. The DIOG 2016, Section 5.12.1.1, stated:

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[redacted] the FD-71 or Guardian

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[redacted] Moreover, any FBI employee who shares information outside the FBI from such a closed Assessment file must ensure the following caveat is included in the dissemination: "This person [or group] was identified during an Assessment but no information was developed at that time that warranted further investigation of the person [or group]." INSD noted closed Assessments were missing the required caveat language.

(U//~~FOUO~~) [redacted] and Sentinel were integrated in July 2017 and the required caveat language was automatically annotated on closing documents and serialized into a PDF in Sentinel. The DIOG 2018, Section 5.12.1.1, stated: [redacted]

b7E -3, 4

[redacted] the Guardian FD-71a. Moreover, any FBI employee who shares information outside the FBI from such a closed Assessment file must ensure the following caveat is included in the dissemination: (U) "This person [or group] was identified during an Assessment but no information was developed at that time that warranted further investigation of the person [or group]."

(U//~~FOUO~~) Since the integration of [redacted] and Sentinel automatically annotated the required caveat and allowed for it to be serialized as a PDF, INSD did not document the compliance errors as a solution to future errors has already been identified and implemented.

C. Sentinel Cases Remained Open After [redacted] Assessment Closed

(U//~~FOUO~~) Following the integration of [redacted] and Sentinel in July 2017, newly assigned [redacted] an FBI case number within Sentinel. As a result of having [redacted] increasing administrative burden. INSD discovered there was not a [redacted]

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(U//~~FOUO~~) INSD assessed instances where there were delays in closing the Sentinel case or [redacted] Since the conclusion of the INSD review, a technological fix was incorporated [redacted] INSD did not document the compliance errors as a solution to future errors was identified and implemented.

Training Opportunities

(U//~~FOUO~~) In addition to the documented compliance errors, INSD assessed there were opportunities for improvement through training related to the Authorized Purpose of Type 1 & Type 2 Assessments.

Authorized Purpose in Type 1 & Type 2 Assessments

(U//~~FOUO~~) The DIOG 2018, stated: [redacted] *the Guardian FD-71a.*

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(U//~~FOUO~~) INSD assessed this justification was not always entered in the "Authorized Purpose" section of the [redacted] Assessment. In some instances, the authorized purpose was articulated in other sections of the [redacted] Assessment. Generally, an authorized purpose for an Assessment is to detect, obtaining information about, or prevent or protecting against Federal crimes or threats to the national security or to collect foreign intelligence. It cannot be arbitrary, vague, or generic language which does not delineate the need for further FBI evaluation. INSD

[redacted]

DIOG Review Recommendations

(U//~~FOUO~~) [redacted]

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Recorded Custodial Interview Administrative Elements and Caveat

(U//~~FOUO~~) [redacted]

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[redacted]

(U//~~FOUO~~) [redacted]

IV. CONCLUSION

(U//~~FOUO~~) INSD assessed a representative sample of Type 1 & Type 2 Assessments, OIA for CHSs, and Custodial Recorded Interviews, open during the review period of 09/28/2016 – 07/22/2018, to audit instances of potential non-compliance. The sample of 1,845 Assessments, Predicated Investigations, and CHS Files were reviewed solely for the three identified categories of potential non-compliance.

(U//~~FOUO~~) The audit identified 171 substantial non-compliance errors, which included 56 related to Type 1 & Type 2 Assessments, 82 for OIA for CHSs, and 33 regarding Custodial Recorded Interviews. INSD assessed the most significant causes of non-compliance stemmed from Field Offices failing to follow the DIOG requirement of conducting timely 30-day justification reviews and articulating an authorized purpose of Type 1 & Type 2 Assessments; failing to properly document signed OIA admonishments in CHS files; and failing to properly store and document Custodial Recorded Interviews.

V. OBSERVATIONS AND RECOMMENDATIONS

(U) **Observation 1:** Field Offices failed to document the authorized purpose and clearly defined objective in Type 1 & Type 2 Assessments in violation of the DIOG, 0667DPG, dated 09/28/2016.

(U//~~FOUO~~) **Analysis 1:** The DIOG, Section 5.5, stated: *“Before opening or approving an Assessment, an FBI employee or approving official must determine whether: A) An authorized purpose and clearly defined objective(s) exists for the conduct of the Assessment; B) The Assessment is not based solely on the exercise of First Amendment rights or on the race, ethnicity, gender, national origin, religion, sexual orientation, or gender identity of the subject, or a combination of only such factors....”*

(U//~~FOUO~~) The DIOG, Section 5.6.3.1.2, stated: [redacted] the FD-71 or Guardian.”

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(U//~~FOUO~~) INSD assessed 19 (2%) of the 766 audited Type 1 & Type 2 Assessments [redacted] the FD-71, [redacted] or opening EC. Of the 19 Type 1 & Type 2 Assessments found to be [redacted] 10 (which are noted with a *) were found to have been opened based solely on the exercise of First Amendment rights or on the race, ethnicity, gender, national origin, religion, sexual orientation, or gender identity of the subject, or a combination of only such factors:

Field Office	File Number	[redacted] FD-71 Serial Numbers
Albuquerque		
Detroit		
Jacksonville		
Jacksonville		
Los Angeles		
Los Angeles		
New York		
Newark		
Newark		
Philadelphia		
Philadelphia		
Phoenix		

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Field Office	File Number	<input type="text"/> FD-71 Serial Numbers
Portland		
Salt Lake City		
San Antonio		
Springfield		
Springfield		
St. Louis		
Tampa		

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(U) **Instruction 1a:**

(U) **Instruction 1b:**

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(U//~~FOUO~~) **Observation 2:** Field Offices did not conduct 30-day justification reviews for Type 1 & 2 Assessments, in violation of the DIOG, 0667DPG, dated 09/28/2016.

(U//~~FOUO~~) **Analysis 2:** The DIOG, Section 5.6.3.1.6, stated: "If a Type 1 & 2 Assessment is not concluded within 30 days, the SSA or SIA must conduct a justification review every 30 days (recurring until the assessment is closed) in accordance with DIOG Section 3.4.4..."

(U//~~FOUO~~) The DIOG, Section 3.4.4.6, stated: "Supervisors must conduct 30-day justification reviews for Type 1 and 2 Assessments. Following the end of the 30-day period, the agent, TFO, or IA and the supervisor have up to 10 calendar days to complete all aspects of the justification review and to document the review. Guardian (FD-71a)

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(U//~~FOUO~~) INSD assessed 28 (4%) of the 766 audited Type 1 & Type 2 Assessments lacked appropriate documentation of 30 day justification reviews:

Field Office	File Number	<input type="checkbox"/> FD-71 Serial Numbers
Boston	209C-BS-6677127	
Charlotte		
Chicago		
Chicago		
Cleveland		
Detroit	44B-DE-2135842	
Honolulu	282A-HN-2409076	
Jackson		
Jacksonville		
Las Vegas		
Los Angeles		
Louisville		
Miami		
Minneapolis		
New Orleans	87-NO-2146092	
New Orleans		
New York		
New York		
Newark		
Oklahoma City		
Omaha		
Philadelphia		
Phoenix	9-PX-2827992	
Phoenix		
Phoenix		

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Field Office	File Number	FD-71 Serial Numbers
Portland		
San Juan		
Washington		

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(U) Instruction 2: [Redacted]

[Redacted]

(U//~~FOUO~~) **Observation 3:** OIA Admonishments containing required dates and signatures were not uploaded [Redacted] in violation of the DIOG, 0667DPG, dated 09/28/2016, and the [Redacted] dated 09/21/2015.

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(U//~~FOUO~~) **Analysis 3:** The DIOG, Section 17.5.4, stated: "OIA by a CHS must be approved and documented in conformity with the AGG-CHS and the [Redacted]"

(U//~~FOUO~~) [Redacted]

[Redacted]

(U//~~FOUO~~) INSD noted six (1%) of the 466 audited CHS files had the signed OIA Admonishments placed in the CHS Main file instead of the OIA sub-file. These instances were not documented as compliance errors.

(U//~~FOUO~~) INSD assessed 77 (17%) of the 466 audited CHS files lacked signed and dated OIA Admonishments:

OIA Signed Admonishment Not Present in [Redacted]			
File Number	Case Open Date (*closed)	Serial/ S-Number	Observation
	01/17/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	08/16/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	04/10/2018		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	08/01/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.

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OIA Signed Admonishment Not Present in 			
File Number	Case Open Date (*closed)	Serial/ S-Number	Observation
	10/23/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/27/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	05/30/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/26/2012		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/26/2012		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	04/20/2018		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	04/13/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/10/2015		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/28/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/30/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/21/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	12/19/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/06/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	08/07/2013		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	05/24/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	05/25/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/18/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/29/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	05/11/2018		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	02/29/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	12/07/2015		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	09/25/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	12/03/2015		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	04/11/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/18/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.

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OIA Signed Admonishment Not Present in 			
File Number	Case Open Date (*closed)	Serial/ S- Number	Observation
	06/19/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/03/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/09/2015		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/18/2013		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	01/30/2018		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	01/02/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	12/09/2015		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/14/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/27/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	05/31/2013		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	04/18/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/12/2018		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
50A-MW-2097140	11/01/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	01/27/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	01/27/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	09/17/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	12/11/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/14/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	08/15/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	08/15/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	02/03/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/27/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	10/04/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	09/15/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	09/15/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.

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OIA Signed Admonishment Not Present in 			
File Number	Case Open Date (*closed)	Serial/ S-Number	Observation
	07/02/2012		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	12/11/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	02/04/2014		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	02/12/2015		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/23/2012		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
245D-NY-81713	*10/30/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	08/11/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	01/06/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	03/24/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	11/01/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	04/16/2018		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/26/2012		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	01/05/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/19/2015		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/26/2012		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	05/11/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	02/01/2017		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/26/2012		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	11/30/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	11/22/2013		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
	06/10/2016		Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.
07/31/2015	Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.		
05/30/2017	Signed OIA Admonishments were not uploaded to the CHS OIA sub-file.		

(U//FOUO) Instruction 3a:

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[Redacted]

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(U//~~FOUO~~) **Instruction 3b:**

[Redacted]

[Redacted]

(U) **Observation 4:** Field Offices did not [Redacted]
violation of the DIOG, 0667DPG, dated 09/28/2016.

b7E -4

(U//~~FOUO~~) **Analysis 4:** The DIOG, Section 18.5.6.4.17.3.3, stated:

[Redacted]

[Redacted]

(U//~~FOUO~~) INSD assessed 12 (12%) recordings, of the 99 custodial interviews were not
appropriately placed in [Redacted]

Field Office	File Number	Serial Number
Albuquerque		
Albuquerque	198S-AQ-2222953	
Baltimore		
Boston		
Chicago		
Houston		
Louisville	281F-LS-2104529	
Miami	88A-MM-2164980	
Mobile		
New York		
Philadelphia		
San Antonio		

b3 -1
b7A -1
b7E -1

(U//~~FOUO~~) **Instruction 4a:**

[Redacted]

[Redacted]

b5 -1

(U//~~FOUO~~) **Instruction 4b** [Redacted]

b5 -1
b7E -4

18.5.6.4.17.3.3.

(U//~~FOUO~~) **Observation 5:** Field Offices did not include required documentation in FD-302s for recorded custodial interviews, in violation of the DIOG, 0667DPG, dated 09/28/2016.

(U//~~FOUO~~) **Analysis 5:** The DIOG, Section 18.5.6.4.17.3.3, stated: [Redacted]

b7E -4

(U//~~FOUO~~) INSD assessed 21 (21%) of the 99 custodial interviews assessed did not include required FD-302 documentation:

Field Office	File Number	Serial Number		
Baltimore	[Redacted]	[Redacted]		
Boston				
Charlotte				
Charlotte				
Chicago				
Chicago				
Chicago				
Honolulu				
Las Vegas				
Las Vegas				
Los Angeles				
Louisville			281F-LS-2104529	19
Miami			88A-MM-2164980	4
Mobile	[Redacted]	[Redacted]		

b7A -1
b7E -1

Field Office	File Number	Serial Number
New York		
New York		
Philadelphia		
Philadelphia		
Phoenix		
Washington		
Washington		

b7A -1
b7E -1

(U//FOUO) **Instruction 5:** [Redacted]

[Redacted]

b5 -1
b7E -4

(U//FOUO) **Observation 6:** Field Offices utilized OIA for a CHS in an Assessment. INSD assessed the DIOG, 0667DPG, dated 09/28/2016, and the [Redacted] dated 09/21/2015, were unclear if this was an authorized technique in Assessments.

(U//FOUO) **Analysis 6:** During the review of OIA for CHSs, INSD discovered two occasions when a CHS was approved to conduct OIA in an Assessment;

[Redacted]

b7D -1,2

(U//FOUO) The DIOG, Section 17.2, stated: *“The use of OIA may be approved in the course of undercover activities or operations that involve an FBI employee or that involve use of a CHS. When approved, OIA should be limited or minimized in scope to only that which is reasonably necessary under the circumstances including the duration and geographic area to which approval applies, if appropriate.”* Section 17.3, stated: *“OIA can be authorized for an FBI employee or CHS to obtain information or evidence necessary for the success of an investigation under the following limited circumstances: A) when that information or evidence is not reasonably available without participation in the OIA; B) [Redacted] or C) when necessary to prevent serious bodily injury or death.”*

b7E -4

(U//FOUO) [Redacted]

[Redacted]

(U//FOUO) Recommendation 6a:

[Redacted]

[Redacted]

(U//FOUO) Recommendation 6b:

[Redacted]

[Redacted]

b5 -1
b7E -4

VI. LIST OF APPENDIXES

Appendix A: Inspection Staffing Roster

Appendix B: Abbreviations

Appendix C: Audit Questions

DIOG Audit 2018
Inspection Division
Compliance and Mitigation Unit

Appendix A: Inspection Staffing Roster

Section Chief, External Audit and Compliance Section

Suzanne Turner

Compliance and Mitigation Unit (CAMU)

[Redacted]

b6 -1
b7C -1

Team Leaders

[Redacted] (OI)
[Redacted] (OI)

[Redacted] (CAMU)

[Redacted] (CAMU)

Assistant Inspectors in Place

[Redacted] (SD)

[Redacted] (PG)

[Redacted] (HQ)

[Redacted] (HQ)

[Redacted] (HQ)

[Redacted] (SD)

[Redacted] (CG)

[Redacted] (PX)

[Redacted] (HQ)

[Redacted] (HQ)

[Redacted] (LA)

[Redacted] (HQ)

[Redacted] (LA)

[Redacted] (HQ)

[Redacted] (HQ)

Appendix B: Abbreviations

The following abbreviations are utilized in the body of inspection reports:

A/	Acting
AD	Assistant Director
ADC	Associate Division Counsel
ADD	Associate Deputy Director
ADIC	Assistant Director in Charge
AFOSI	Air Force Office of Special Investigations
AG	Attorney General
AGG	Attorney General Guidelines
AIP	Assistant Inspector-in-Place
AIS	Analytical Integrity Standards
ALAT	Assistant Legal Attaché
AOB	Average on Board
AOR	Area of Responsibility
ASAC	Assistant Special Agent in Charge
ASC	Assistant Section Chief
ATF	Bureau of Alcohol, Tobacco, Firearms, and Explosives
AUSA	Assistant United States Attorney
CAM	Collection Awareness Message
CAP	Collection Action Plan
CBP	US Customs and Border Protection Agency
CD	Counterintelligence Division
CDC	Chief Division Counsel
CDefC	Cleared Defense Contractors
CFC	Complex Financial Crime
CFCP	Complex Financial Crime Program
CHS	Confidential Human Source
CHSC	Confidential Human Source Coordinator
CHSPG	Confidential Human Source Police Implementation Guide
CI	Counterintelligence
CIA	Central Intelligence Agency
CID	Criminal Investigative Division
CIO	Chief Information Officer
CIP	Computer Intrusion Program
CIRG	Critical Incident Response Group
CJIS	Criminal Justice Information Services Division
CMC	Crisis Management Coordinator
COB	Close of Business
CollMC	Collection Management Coordinator
CPD	Corporate Policy Directive
CPN	Corporate Policy Notice
CPO	Corporate Policy Office
CRO	Chief Reports Officer

CR	Civil Rights
CRP	Civil Rights Program
CS	Computer Scientist
CSCC	Central Strategic Coordinator Component
CSG	Consolidated Strategy Guide
CSO	Chief Security Officer
CT	Counterterrorism
CTD	Counterterrorism Division
CTP	Counterterrorism Preparedness
CyP	Cyber Program
CyD	Cyber Division
CTT	Cyber Threat Team
DAD	Deputy Assistant Director
[REDACTED]	
DCO	Division Compliance Officer
DD	Deputy Director
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DI	Directorate of Intelligence
DIA	Defense Intelligence Agency
DIN	Domain Intelligence Note
DIOG	Domestic Investigations and Operations Guide
DLAT	Deputy Legal Attaché
DMC	Domain Management Coordinator
DO	Director's Office
DOD	Department of Defense
DOE	Department of Energy
DOJ	Department of Justice
DOR	Depth of Review
DPD	Division Policy Directive
DT	Domestic Terrorism
DTA	Division Threat Analysis
DTO	Drug Trafficking Organization
DTP	Domestic Terrorism Program
[REDACTED]	
EAD	Executive Assistant Director
EC	Electronic Communication
ECPA	Electronic Communications Privacy Act
ECT	Evidence Control Technician
[REDACTED]	
ELSUR	Electronic Surveillance
EM	Executive Management
E-mail	Electronic Mail
EOD	Enter On Duty
ERT	Evidence Response Team
FACE	Freedom of Access to Clinic Entrances

b7E -6

b7E -3

b7E -6

FAM	Federal Air Marshal
FATG	Fraud Against the Government
FBI	Federal Bureau of Investigation
FBIHQ	FBI Headquarters
FCI	Foreign Counterintelligence
FD	Finance Division
EI	Full Investigation
FIF	Financial Institution Fraud
FIG	Field Intelligence Group
FISA	Foreign Intelligence Surveillance Act
FISAMS	Foreign Intelligence Surveillance Act Management System
FISC	Foreign Intelligence Surveillance Court
FLSD	Facilities and Logistics Services Division
FM	Financial Manager
FO	Field Office
FOASR	Field Office Annual Source Reporting
FOI	Field Office Inspection
FOIA	Freedom of Information Act
FOSP	Field Office Strategic Plan
FPO	Federal Prosecuting Official
FSL	Funded Staffing Level
FTR	Federal Travel Regulations
FY	Fiscal Year
GAGAS	Generally Accepted Government Auditing Standards
G/CEP	Gang/Criminal Enterprise Program
GPC	Government Purchase Card
HCF	Health Care Fraud
HIDTA	High Intensity Drug Trafficking Area
HRD	Human Resources Division
HQC	Headquarters City
HSI	Homeland Security Investigation
HUMINT	Human Intelligence
IA	Intelligence Analyst
IB	Intelligence Bulletin
IDQ	Intelligence Directed Query
IG	Inspector General
I/Is	Indictments/Informations
IC	Inspector-in-Charge
IINI	Innocent Images National Initiative
IIR	Intelligence Information Report
IM	Intelligence Memo
IN	Intelligence Note
INSD	Inspection Division
IOB	Intelligence Oversight Board

b7E -3

IOD	International Operations Division
IP	Intelligence Program
IPC	Intelligence Program Coordinator
IPM	Intelligence Program Manager
IPO	Internal Purchase Order
IPR	Intellectual Property Rights
IRAM	Inspection Risk Assessment Matrix
IS	Intelligence Study
ISPs	Internet Service Providers
IT	International Terrorism
ITP	International Terrorism Program
ITSD	Information Technology Services Division
JTTF	Joint Terrorism Task Force
LD	Laboratory Division
LEGAT	Legal Attaché
LLD	Less Lethal Device
LOA	LEGAT Operations Assistant
LSRT	Laboratory Shooting Reconstruction Team
MAOP	Manual of Administrative Operations and Procedures
MAPA	Management and Program Analyst
MIOG	Manual of Investigative Operations and Guidelines
MOU	Memorandum of Understanding
NA	FBI National Academy
NAACP	National Association for the Advancement of Colored People
NASA	National Aeronautics and Space Administration
NCIS	Naval Criminal Investigative Service
NJTTF	National Joint Terrorism Task Force
NPR	National Program Review
NSA	National Security Agency
NSB	National Security Branch
NSL	National Security Letter
NSLB	National Security Law Branch
NTPs	National Threat Priorities
OC	Organized Crime
OCP	Organized Crime Program
OCA	Office of Congressional Affairs
OCDETF	Organized Crime Drug Enforcement Task Force
OCKO	Office of the Chief Knowledge Officer
OEEOA	Office of Equal Employment Opportunity Affairs
OGA	Other Government Agency
OGC	Office of the General Counsel
OIA	Otherwise Illegal Activity
OIC	Office of Integrity and Compliance
OIG	Office of the Inspector General

b7E -5

OLEC	Office of Law Enforcement Coordination
OPA	Office of Public Affairs
OPR	FBI - Office of Professional Responsibility
Op Order	Operations Order
OST	Operational Support Technician
OTD	Operational Technology Division
PAL	Prioritized Action List
PAR	Performance Appraisal
PC	Public Corruption
PCHS	Potential Confidential Human Source
PCIR	Public Corruption Information Report
PCOR	Program Coordinator
PCP	Public Corruption Program
PFI	Principal Firearms Instructor
PI	Preliminary Investigation
PIOB	Potential Intelligence Oversight Board
PM	Program Manager

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b7E -5

QSSR	Quarterly Supervisory Source Report
RA	Resident Agency
RCFL	Regional Computer Forensics Laboratory
RFI	Request For Information
RIP	Recruitment in Place
RMA	Resource Management and Allocation
RMD	Records Management Division
RPO	Resource Planning Office
RO	Reports Officer
SA	Special Agent
SABT	Special Agent Bomb Technician
SAC	Special Agent in Charge
SAS	Supervisory Administrative Specialist
SC	Section Chief
SCI	Sensitive Compartmented Information
SCIF	Sensitive Compartmented Information Facility
SDR	Source Directed Requirement
SecD	Security Division
SES	Senior Executive Service
SETA	Special Event Threat Assessment
SFOS	Supervisory Financial Operations Specialist
SIA	Supervisory Intelligence Analyst
SIOC	Strategic Information and Operations Center

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SIR	Situational Information Report
SIRG	Shooting Incident Review Group
SIRT	Shooting Incident Review Team
SITREP	Situational Report

SME	Subject Matter Expert
SMS	Strategy Management System
SOG	Special Operations Group
SOP	Standard Operating Procedure
SOS	Staff Operations Specialist
SPC	Strategic Partnership Coordinator
SPS	Strategy Performance Session
SSA	Supervisory Special Agent
SSG	Special Surveillance Group
SSIA	Senior Supervisory Intelligence Analyst
SSRA	Supervisory Senior Resident Agent
SSTF	Safe Streets Task Force
STTF	Safe Trails Task Force
SWAT	Special Weapons and Tactics
TD	Training Division
TDY	Temporary Duty
TF	Task Force
TFA	Task Force Agent
TFO	Task Force Officer
TMS	Threat Mitigation Strategy
TMT	Threat Mitigation Team
TOC-E	Transnational Organized Crime - Eastern
TOC-W	Transnational Organized Crime - Western
TPD	Third Party Draft
TRIP	Travel Request Initiation & Payment
TRP	Threat Review and Prioritization
TS	Top Secret
TSC	Terrorist Screening Center
TSL	Target Staffing Level
TTP	Tactical Targeting Package
TURK	Time Utilization Record Keeping
UC	Unit Chief
UCE	Undercover Employee
UCO	Undercover Operation
UDP	Undisclosed Participation
UIA	Unauthorized Illegal Activity
U.S.	United States
USA	United States Attorney
USAO	United States Attorney's Office
USG	United States Government
USIC	United States Intelligence Community
USMS	United States Marshals Service
USPER	US Person
USSS	United States Secret Service
VC	Violent Crime
VCAC	Violent Crimes Against Children

VCP	Violent Crimes Program
VCTF	Violent Crimes Task Force
VCT	Violent Criminal Threat
VCTP	Violent Criminal Threat Program
WCC	White Collar Crime
WCCP	White Collar Crime Program
WG	Working Group
WMD	Weapons of Mass Destruction
WMDD	Weapons of Mass Destruction Directorate
WMDP	Weapons of Mass Destruction Program