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Purpose of the investigations.

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Access to information for management.

Purpose of the investigations:

MOU, p. 1:

FBI policy for the NJTTF and JTTFs is to provide a vehicle to facilitate sharing FBI information with the intelligence and law enforcement communities to protect the United States against threats to our national security, including international terrorism, and thereby improve the effectiveness of law enforcement, consistent with the protection of classified or otherwise sensitive intelligence and law enforcement information, including sources and methods. All NJTTF and JTTF operational and investigative activity, including the collection, retention and dissemination of personal information, will be conducted in a manner that protects and preserves the constitutional rights and civil liberties of all persons in the United States.

Purpose of the investigations:

MOU, p. 1:

II. MISSION

The mission of the JTTF is to leverage the collective resources of the member agencies for the prevention, preemption, deterrence and investigation of terrorist acts that affect United States interests, and to disrupt and prevent terrorist acts and apprehend individuals who may commit or plan to commit such acts. To further this mission, the JTTF shall serve as a means to facilitate information sharing among JTTF members.

Purpose of the investigations:

MOU, p. 2:

Described by reference to : CONTROLLING DOCUMENTS

- 1 . Attorney General's Guidelines on General Crimes, Racketeering Enterprise and Terrorism Enterprise Investigations
2. Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection;
3. Attorney General's Guidelines on Federal Bureau of Investigation Undercover Operations;
4. Attorney General's Guidelines Regarding Prompt Handling of Reports of Possible Criminal Activity Involving Foreign Intelligence Sources;
5. Attorney General Memorandum dated March 6, 2002, titled "Intelligence Sharing Procedures for Foreign Intelligence and Foreign Counterintelligence Investigations Conducted by the FBI";

Purpose of the investigations:

CONTROLLING DOCUMENTS

6. Attorney General's Guidelines Regarding the Use of Confidential Informants;
7. Attorney General's Guidelines on the Development and Operation of FBI Criminal Informants and Cooperative Witnesses in Extraterritorial Jurisdictions;
8. Attorney General's Guidelines Regarding Disclosure to the Director of Central Intelligence and Homeland Security Officials of Foreign Intelligence Acquired in the Course of a Criminal Investigation; and
9. Memorandum from the Deputy Attorney General and the FBI Director re: Field Guidance on Intelligence Sharing Procedures for [Foreign Intelligence] and [Foreign Counterintelligence] Investigations (December 24, 2002).

Purpose of the investigations:

Oregon Statute 181.575 Specific information not to be collected.

No law enforcement agency . . .
. . . may collect or maintain information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership . . .
. . . unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.

Attorney General Guidelines.

These Guidelines do not authorize investigating or collecting or maintaining information on United States persons solely for the purpose of monitoring activities protected by the First Amendment or the lawful exercise of other rights secured by the Constitution or laws of the United States.

Privacy Act.

[Agencies shall]. . .
. . . maintain no record describing how any individual exercises rights guaranteed by the First Amendment . . .
. . . unless pertinent to and within the scope of an authorized law enforcement activity.

Purpose of the investigations:

MOU, p. 4:

PROGRAM MANAGEMENT, DIRECTION, AND SUPERVISION

In order to comply with Presidential Directives, the policy and program management of the JTTFs is the responsibility of FBI Headquarters (FBIHQ).

The overall commander of each individual JTTF will be the Special Agent in Charge (SAC) or Assistant Director in Charge (ADIC), if assigned, of the FBI's local Field Division.

Purpose of the investigations:

MOU, p. 4:

All investigations opened and conducted by the JTTF must be conducted in conformance with FBI policy, to include the above stated Controlling Documents.

Each FBI ADIC/SAC, through his or her chain-of-command, will ensure that all investigations are properly documented on FBI forms in accordance with FBI rules and regulations.

Any operational problems will be resolved at the field office level. Any problems not resolved at the field office level will be submitted to each agency's headquarters for resolution.

Purpose of the investigations:

MOU, p. 4:

Each JTTF member will be subject to the personnel rules, regulations, laws, and policies applicable to employees of his or her respective agency and also will adhere to the FBI's ethical standards and will be subject to the Supplemental Standards of Ethical Conduct for employees of the Department of Justice.

Where there is a conflict between the standards or requirements of the Participating Agency and the FBI, the standard or requirement that provides the greatest organizational protection or benefit will apply, unless the organizations jointly resolve the conflict otherwise.

Use of investigative tools not available under Oregon law:

- Principle example in past discussions: Lack of federal warrant requirement for placement of vehicle trackers.
- The trend toward uniformity.

Access to information for management:

MOU, p. 6:

State, local, and tribal members of the JTTFs, as well as appropriate supervisory personnel responsible for these individuals, must apply for and receive a Top Secret/Sensitive Compartmented Information (TS/SCI) Security Clearance granted by the FBI ...

... Pursuant to federal law, JTTF members are strictly forbidden from disclosing any classified information to individuals who do not possess the appropriate security clearance and the need to know.

Access to information for management:

MOU, p. 9:

All JTTF materials and investigative records, including any Memorandum of Understanding, originate with, belong to, and will be maintained by the FBI.

As FBI records, they may be disclosed only with FBI permission and only in conformance with the provisions of federal laws and regulations, including the Freedom of Information Act, 5 U.S.C. Section 552, and the Privacy Act of 1974, 5 U.S.C. Section 552a, as well as applicable civil and criminal discovery privileges.