

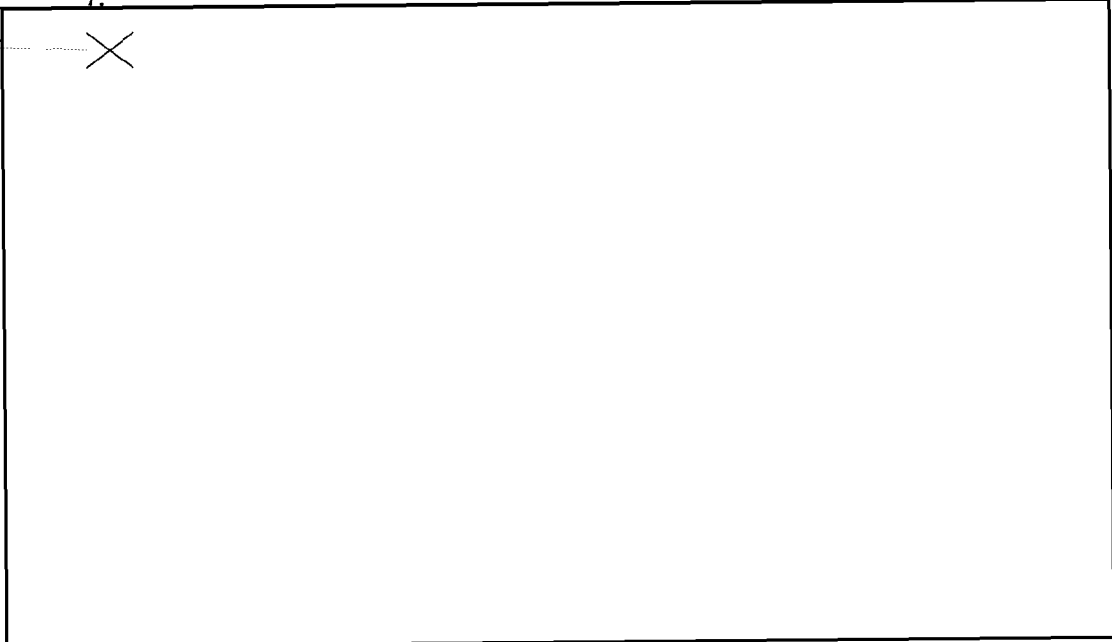
Section 19-1 (U) International Terrorism Investigations

- A. (U) International Terrorism investigations should also comply with general investigative requirements, *see: Sections 2 through 4, supra.*; general and specific Country Threat investigative requirements, *see: Sections 5 through 17, supra.*; and general Issue Threat investigative requirements, *see: Section 18, supra.*; as appropriate.

Section 19-2 (U) U.S. Policies on Counterterrorism

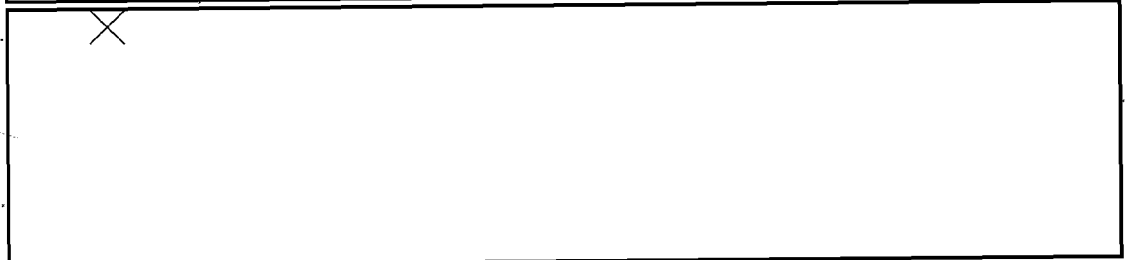
- A. (U) The United States shall reduce its vulnerabilities to terrorism at home and abroad. In this regard, the FBI has been charged with expanding its Counterterrorism program. *See: Presidential Decision Directive/NSC-39, Section 1.*

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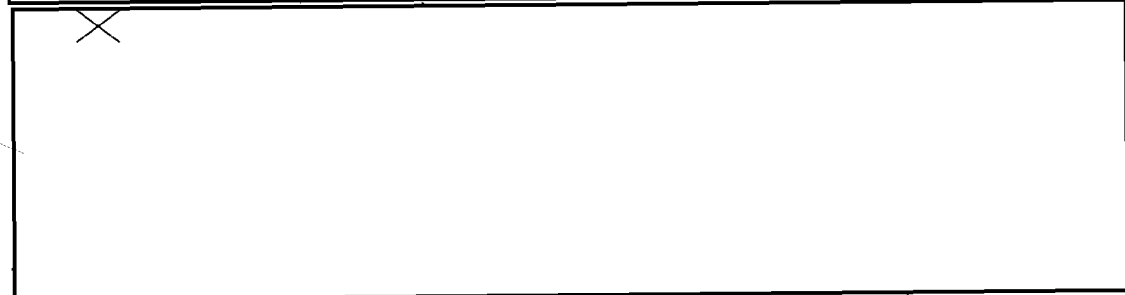
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Section 19-3 (U) Lead Agencies

A. (U) The coordination of Federal responses to terrorist incidents is normally the responsibility of Lead Agencies, as follows:

1. DOS is the Lead Agency for International Terrorism incidents that take place outside of U.S. territory.
2. DOJ (specifically the FBI, unless the Attorney General decides otherwise) is the Lead Agency for International Terrorism incidents that take place within U.S. territory, or in international waters and that do not involve the flag vessels of foreign countries.
3. The FAA is the Lead Agency for aircraft hijackings within the special jurisdiction of the United States. *See: National Security Decision Directive Number 207, p. 2, and Presidential Decision Directive/NSC-39, Section 3(D).*

Section 19-4 (U) The National Coordinator for Security, Infrastructure Protection and Counterterrorism

A. (U) The National Coordinator serves to integrate the Government's policies and programs on unconventional threats to the homeland and Americans abroad. He/she chairs the Counterterrorism Security Group, the Critical Infrastructure Coordination Group and the Weapons of Mass Destruction Preparedness Consequence Management and Protection Group. *See: Presidential Decision Directive/NSC-62, p. 13.*

Section 19-5 (U) Interagency Groups

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G. (U) The Critical Infrastructure Coordination Group is a forum for the convening of critical infrastructure Function Coordinators and Sector Coordinators. *See: Section 4F-2, infra.* Where appropriate, the Group is assisted by, (a) the Security Policy board, (b) the Security Policy forum and (c) the National Security and Telecommunications and Information System Security Committee. *See: Presidential Decision Directive/NSC-63, Section VII(3)*

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Section 19-6 (U) International Terrorism Responsibilities

A. (U) The FBI's International Terrorism responsibilities include:

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1. Investigating, preventing and responding to International Terrorism and terrorist group activities within the United States;
2. Investigating extraterritorial terrorist incidents which violate U.S. law with the concurrence of the host country and the support of DOS;
3. Conducting investigations within the United States, based upon requests from foreign law enforcement, intelligence and/or security agencies, when consistent with the Attorney General Guidelines for FBI Foreign Intelligence Collection and FCI Investigations;
4. Coordinating interagency activities, consistent with EO 12333;
5. Conducting investigations in support of other U.S. Government agencies' intelligence collection requirements, when requested, and when consistent with the Attorney General Guidelines for FBI Foreign Intelligence Collection and FCI Investigations, and approved by FBI Headquarters; and
6. Disseminating counterterrorism information, reports and intelligence estimates to appropriate Federal agencies and foreign governments, when consistent with the Attorney General Guidelines for FBI Foreign Intelligence Collection and FCI Investigations.

Section 19-7 (U) International Terrorism Case Characters

- A. (U) Characters utilized in International Terrorism investigations generally contain three parts: the IT designation; a country or entity designator; and a specific group designation. Examples are as follows:

IT-PLO-GUPS;
IT-Armenia-ASALA;
IT-El Salvador-FMLN;
IT-Peru-Sendero Luminoso;
IT-Italy-Red Brigades.

Section 19-8. (U) The CTAWU (Counterterrorism Threat Assessment and Warning Unit)

- A. (U) The CTAWU was established in December 1996, to replace the Terrorist Research and Analytical Center (TRAC). The CTAWU is the program manager for the FBI's National Threat Warning System, which provides terrorism warnings to U.S. Government agencies and nationwide law enforcement. Terrorism warnings are disseminated to State and local law enforcement agencies through NLETS (the National Law Enforcement Telecommunications System). The CTAWU produces counterterrorism threat assessments for major special events in the United States and also publishes the FBI's annual report on terrorism, entitled "Terrorism in the United States."

Section 19-9 (U) International Terrorism and Acts of Terrorism Investigations:

- A. (U) International Terrorism investigations usually result in the collection of CI and foreign intelligence information, as well as International Terrorism

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information. Just as is true of International Terrorism information, such information may be of value to other U.S. Government entities and to foreign law enforcement and intelligence services; and consideration should be given to submitting it to FBI Headquarters by means of communications suitable for dissemination.

B. (U) All International Terrorism information which may have an immediate impact on U.S. National Security; identify imminent threats to a national interest of the United States; receive wide media coverage; or require prompt dissemination to other Federal agencies, Legats or foreign services; must be reported to FBI Headquarters by means of communications suitable for dissemination.

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D. (U) When foreign law enforcement or intelligence services are requested to furnish information which will not derive from extraordinary or highly sensitive techniques, and can reasonably be expected to be necessary to future judicial proceedings; the following statement should be made part of the requests:

1. "The information requested may be necessary in future judicial proceedings. Therefore, it is asked that it be obtained in a fashion, and that it be provided in a form, which can be utilized for that purpose."

E. (U) Within 30 days of initiating an International Terrorism Preliminary Inquiry, an opening communication must be submitted to FBI Headquarters.

F. (U) Copies of all field office International Terrorism communications must be directed to the appropriate FBI Headquarters operational desk.

G. (U) Copies of all communications concerning terrorist group chapters, cells and other subgroups, as well as their formal or informal leaders and principal members should be furnished to the Offices of Origin for their parent organizations.

1. The Offices of Origin must ensure that all such information is included in their summary LHMs on the parent organizations.

H. (U) Generally, joint International Terrorism investigations with other Federal, State and/or local law enforcement agencies require FBI Headquarters authority. In exigent circumstances this authority may be obtained telephonically, followed by a confirming communication. Normally, however, a communication articulating the need for a joint enterprise must first be submitted.

1. Such authority is not required as respects joint investigations with the U.S. Secret Service involving threats to the President and/or other persons under Secret Service protection.

2. Further, such authority is not required as respects formal joint terrorism task forces, inasmuch as appropriate security clearances concerning other agency

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participants will already have been obtained.

I. (U) Acts of Terrorism investigations are criminal investigations. They are opened and investigated in accordance with procedures which specifically pertain to their background predicate offenses. They are to be used only for gathering evidence which will be needed to support successful criminal prosecutions. Therefore, if a pending 199 case discloses information indicating that a foreign power, or an Agent of a foreign power is actively planning, or presently engaged in an Act of Terrorism, a separate 265 case should be opened. And if a 265 case is opened against a target who is not already the subject of a 199 case, at the same time the 265 case is opened, a 199 case should also be opened in order to address all intelligence aspects of the case which may arise. Whenever a 265 case is opened, a communication must be forwarded to CTD, setting forth the targeted activities which may involve violation of Federal criminal statutes.

1. The existence of parallel criminal and intelligence cases will require close coordination between the field office, FBI Headquarters and DOJ, in order to minimize administrative and/or investigative errors which might damage the criminal case. Criminal procedures require the Government to disclose to criminal defendants the bases of cases, as well as all exculpatory information, making possible the disclosure of classified sources and techniques. The impact of this can be minimized, however, by virtue of the CIPA statute. *See: Title 18, USC, Appendix 3, Sections 1-16.*

2. Electronic communications intercepted under FISA procedures, are acquired for the purpose of collecting foreign intelligence information, in order to reduce threats to National Security. And, of course, all information deriving from FISA intercepts is classified. Therefore, as soon as a 199 case gives rise to a 265 case; or as soon as a 199 case FISA penetration begins to predominantly produce information pertaining to criminal activities, efforts must immediately be taken to terminate the FISA surveillance. Use of the FISA technique is almost always precluded within the parallel 265 case; and use of both a FISA penetration in a 199 case and a Title III penetration in a parallel 265 case is rare. The appropriate FBI Headquarters operational units should be contacted, and should then confer with OGC and DOJ's OIPR, to resolve legal and administrative issues, and to facilitate the transition.

3. Classified information obtained in the course of a 265 case should be placed in a classified subfile to that investigation.

4. For specific guidance as respects FCI, foreign intelligence and International Terrorism investigations which may lead to criminal prosecutions, *see: the December 24, 2002 Memorandum from the Deputy Attorney General and the Director, FBI, captioned "Field Guidance on Intelligence Sharing Procedures for FI and FCI Investigations."*

Section 19-10 (U) Human Rights Offenses

A. (U) Whoever commits a war crime

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1. Inside or outside the United States;
2. Either the perpetrator or the victim being a member of the Armed Forces or a U.S. national; shall be imprisoned for any term of years up to life. If death results the penalty includes death.
3. A war crime is any conduct:
 - a) Defined as a grave breach of the international conventions signed at Geneva in 1949, or any protocol thereto to which the United States is a party;
 - b) Prohibited by the Annex to the Hague Convention IV, Articles 23, 25, 27 or 28;
 - c) Which violates common Article 3 of the international conventions signed at Geneva in 1949, or any protocol thereto to which the United States is a party, and which deals with non-international armed conflict; or
 - d) Of a person who in relation to an armed conflict willfully kills or causes serious injury to civilians, contrary to the provisions of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended at Geneva in 1996. *See: Title 18, U.S. Code, Section 2441 and Executive Order 13107.*

B. (U) Whoever commits torture

1. Outside the United States;
2. The offender being either a U.S. national, or present in the United States; irrespective of the nationality of the offender or victim; shall be fined and/or imprisoned for a term of not more than 20 years. If death results the penalty shall be imprisonment for any term of years up to life, or death.
3. An act of torture is an act committed by a person under color of law; with the specific intent to inflict severe physical or mental pain or suffering upon another person within his/her custody or physical control. *See: Title 18, U.S. Code, Section 2340-2340B and Executive Order 13107.*

C. (U) Whoever commits genocide

1. The offense being either inside the United States; or
2. The offender being a U.S. national; shall be fined not more than \$1,000,000 and/or imprisoned for a term of not more than twenty years. If death results the penalty shall be a fine of not more than \$1,000,000 and imprisonment for life.
3. An act of genocide is an act which is committed with the specific intent to destroy, in whole or in substantial part, a national, ethnic, racial, or religious group. *See: Title 18, U.S. Code, Sections 1091-1093 and Executive Order 13107.*

Section 19-11 (U) The Behavioral Analysis Program

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A. (U) See: Section 2-35, supra.

Section 19-12 (U) Foreign Emergency Support Team (FEST)

- A. (U) To ensure an effective U.S. Government response to international terrorism incidents, the FEST concept was developed by interagency agreement and promulgated by National Security Council memorandum. FEST ensures the provision of specialized interagency assistance to U.S. foreign Missions and friendly governments overseas during terrorist incidents.
- B. (U) The FEST is led by a senior State Department officer, and includes representatives from DOS, CIA, FBI, and other federal government agencies as required. The team is able to deploy within four hours of notification in response to an international terrorist incident. The International Terrorism Operations Section (ITOS), CTD, makes all policy decisions regarding the FBI's participation in FEST. The ITOS is responsible for selecting the FBI personnel assigned to a FEST deployment.
- C. (U) During working hours, contact by the DOS will be made directly to the ITOS Section Chief for initiation of the FBI FEST call-out procedures. During nonworking hours, the DOS will notify the Strategic Intelligence Operations Center (SIOC), which will then immediately contact the ITOS Section Chief for initiation of the FBI FEST call-out procedures. The FEST response is designated to depart from Washington, D.C., within four hours of the time mobilization is ordered.
- D. (U) All personnel assigned to support the FEST and therefore subject to deployment, must obtain proper documentation and immunizations. Diplomatic passports for appropriate FBI personnel are maintained in the Counterterrorism Section, DOS. All personnel are advised that these passports are strictly for use during FEST missions, and are not to be used for any other purpose.

Section 19-13 (U) Alpha Designations

A. (U) See: Section 1-04, supra.

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