

Dear [list members of SRC]:

We welcome your interest in participating in a Shared Responsibility Committee (SRC). The FBI uses the term SRC to refer to multi-disciplinary groups voluntarily formed in local communities – at the initiative of the group and sometimes with the encouragement of the FBI – to which the FBI may agree to refer potentially violent extremists for intervention so long as the SRC operates consistent with the principles and expectations set out below. This letter provides additional information on these principles and our role in referring individuals to an SRC. Through this letter we hope to ensure you are fully aware of the FBI's role as a referring entity in the intervention process, as well as potential outcomes and risk so that you can make informed decisions about whether to participate in the SRC.

The primary goal of an SRC intervention is disengagement. Disengagement is defined as the social and psychological process whereby an individual's commitment to violence is reduced to such an extent that he/she is no longer at risk of using violence as a solution to a grievance. It is not the role or goal of the SRC to influence an individual's core political or religious beliefs.

The FBI's primary objectives in referring an individual to the SRC are to enable community partners to develop community-led multidisciplinary solutions and to build community resilience and foster greater community trust, while also fulfilling the FBI's national security and public safety responsibilities. The FBI is not a member of the SRC.

FBI Referrals: The FBI may refer an individual of concern to the SRC, and the SRC will determine if there are appropriate intervention techniques for the individual. If the SRC determines that the individual is an appropriate subject for an intervention, qualified members of the SRC will then design and implement an individualized intervention plan. Intervention plans may include, among other things, mentoring support, life skills, anger management, cognitive or behavioral therapies, constructive pursuits, education skills, career building and support, family support, health awareness, housing support, drug and alcohol awareness and treatment, engagement and exposure with perceived adversaries, and mental health care.

The FBI's referral of a particular individual to the SRC does not preclude the FBI from investigating that individual. The FBI has responsibility for detecting and disrupting terrorism plots, and all legally permissible investigatory techniques will remain options for use by the FBI, in accordance with its guidelines and authorities. To the extent there is any investigation of the referred individual, the FBI may or may not share the full extent of that investigation with the SRC. The FBI will not, however, use the SRC as a means to gather intelligence on the subject or his/her potential connections to terrorism. State, local, and federal law enforcement agencies may use their law enforcement and prosecutorial authorities in appropriate circumstances without prior notification to the SRC.

Information Sharing and Rights Protection: After an individual is referred to the SRC, SRC members may assist each other by exchanging information on the individual in accordance with relevant laws. The FBI expects that SRC members will sign confidentiality agreements that forbid them from disclosing information regarding referred individuals outside of the SRC, unless otherwise specified (e.g., to FBI), including to other law enforcement entities, third parties, and the media, and from publishing reports that would identify or discuss specific cases or referred individuals. An SRC member who shares personally identifiable information about an individual to entities outside the SRC (including the FBI) is responsible for making reasonable efforts to ensure that the information shared is accurate, complete, timely, and relevant. The FBI may cease referring individuals to an SRC if the SRC does not observe such information protection and sharing obligations.

The SRC may share promising practices with other SRC programs or practitioners in other related areas, as long as doing so does not divulge confidential, privileged, or sensitive information. If information to be shared was acquired from the FBI, prior approval for dissemination of this information must be received in writing from the FBI.

Given the complex set of legal and privacy issues, SRC members should not consult outside experts regarding an intervention plan on behalf of the SRC for an FBI-referred individual without written permission from the FBI. SRC members, however, are not prohibited from obtaining legal counsel regarding matters arising directly out of the SRC member's role in an intervention.

Subject to statutory obligations including the Freedom of Information Act and the Privacy Act, the FBI will make all reasonable efforts not to divulge the identities of SRC members unless specifically authorized to do so by the SRC member. The FBI will immediately report to any SRC member any instance in which the member's personally identifiable information is used, disclosed, or accessed in an unauthorized manner (including any data losses or breaches). Similarly, we ask you to immediately report to the FBI any instance in which information shared about an intervention is used, disclosed, or accessed in an unauthorized manner (including any data losses or breaches).

In cases where sensitive but unclassified intelligence is shared with SRC members, such members will sign a form FD-857, Sensitive Information Nondisclosure Agreement. SRC members receiving FBI referrals will advise the FBI if they have ever had an active security clearance and whether that security clearance has ever been revoked. If an SRC member's security clearance is ever revoked for cause, he/she will inform the FBI and he/she will not be eligible to serve on the SRC.

Referred individuals retain rights and privileges under applicable federal and state laws, rules, and regulations while participating in SRC intervention programs, unless they sign a valid waiver of particular rights. Referred individuals may terminate participation at any time.

Training: The FBI and/or Department of Justice will provide training on information-handling obligations for SRC participants before their SRC participation begins. SRC members will also receive yearly refresher training.

Notification Obligations: In addition to any applicable statutory or other reporting requirements, SRC members will, consistent with applicable law, share information with the FBI regarding any serious threats of physical violence to another individual, group, or the public. Where the FBI is the referring entity, the SRC will also notify the FBI if the SRC deems the FBI-referred individual to be an inappropriate candidate for intervention at any time, and will, with an appropriate waiver from the individual, inform the FBI whether the SRC deems the intervention to have been successful or unsuccessful when the intervention terminates. The SRC can, but will not be required to, inform the FBI of an individual's progress throughout the course of the program. The FBI may share any information the SRC provides with other law enforcement agencies, members of the U.S. Intelligence Community, and foreign government agencies as needed.

Liability and Risk: The SRC members will immediately notify the FBI of any civil, administrative, or criminal claim, complaint, discovery request, or other request for information of which the SRC member receives notice, concerning or arising from any FBI referral or otherwise relating to any FBI referral. Financial and civil liability, if any, for the acts and omissions of each SRC member remains vested with that individual SRC member, in accordance with applicable law. This letter does not alter the applicable law governing civil liability, if any, arising from the conduct of members of the SRC. SRC members are responsible for obtaining their own insurance and legal representation in the event of any litigation arising from their SRC duties.

SRC members may be subpoenaed for documents or testimony related to a referred individual in any civil or criminal litigation. Participation as an SRC member does not result in a waiver of legal privileges that might otherwise be applicable to such subpoenas. To the extent that information and/or documents about a referred individual are shared by the SRC with the FBI, such information and/or documents might be disclosed to litigants and the court during the course of litigation and may be discoverable pursuant to the Federal Rules of Criminal or Civil Procedure or subject to disclosure under the Freedom of Information Act or Privacy Act.

This letter is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the FBI, the United States, or the officers, employees, agents, or other associated personnel thereof.

Funding: This letter is not an obligation or commitment of funds, nor a basis for transfer of funds. Even where the FBI agrees at any time to assume a particular financial responsibility, express written approval will be obtained before incurring any expenses associated with that responsibility. Also, note that all obligations of and expenditures associated with the SRC will be subject to budgetary and fiscal processes and availability of funds pursuant to all laws, regulations, and policies applicable thereto. There is no intimation, promise, or guarantee that funds will be available in future years.

Changes: We ask that you notify us of any changes regarding competent authorities and responsible agencies and individuals.

We look forward to working with you. Please do not hesitate to let me know if you have questions or concerns.

Sincerely,