

6950/2/98
REV 2

LIMITE

EUROPOL 41
USA 5

NOTE⁽¹⁾

from : Presidency of Europol group

to : K.4 Committee

No. prev. doc. : 6950/1/98 EUROPOL 41 USA 5 REV 1

Subject : **Return visit to United States of America of Europol Experts**

1. Following the study visit by US experts to the EDU in January 1998, the subsequent report from the EDU (EUROPOL 37 USA 2) and discussions at the Working Group, the Presidency undertook to produce proposals on the next steps in the developments of relations between the EDU and the US.

2. The Presidency had informal discussions with the US authorities and they have produced a draft agenda (attached) for a return visit by representatives of the EDU, which would involve discussions, meetings and visits to a range of relevant institutions in the USA.

⁽¹⁾ This note exists in English only.

3. The Presidency made clear to the US that a return visit in May will not be practicable. However, it believed that the content of the proposed programme represents a helpful basis for continuing the dialogue begun in January and developing the EDU's understanding of relevant transatlantic organisations and activity. The Presidency was satisfied that it does not go beyond what is appropriate to the EDU in the pre-Convention phase. It proposed that efforts should now be made to find convenient dates for a visit along the lines proposed to be arranged in June. Following the visit, further discussions on developing relations with the US would take place in the Europol Working Group and, in due course, the future Management Board.
4. The Europol working group meeting on 1-2 April 1998 gave broad support to the Presidency's approach. Some delegations stressed the overriding priority of implementing the Europol Convention, but there was general recognition that the momentum of engagement with the US should be maintained. Some delegations stressed the importance of discussion at a working level and urged that the EU delegation for the return visit should not be too large. A specific suggestion was made that an item in the draft US programme on law enforcement executive agreements was premature and should be deleted.
5. Following the working group meeting the Presidency has had further informal contacts with the US authorities. They are, in principle, happy to receive the EU visit in the week commencing 15 June 1998. They were content to amend the programme as requested by the working group.
6. The Presidency proposes that the EU be represented on the return visit by a representative of the UK Presidency and one from the future Austrian Presidency, together with one member of the EDU management team and 2-3 other members of the EDU.
7. The K.4 Committee is invited to agree that the visit should proceed on this basis, if possible in the week of 15 June.

Timeframe and location : item

MONDAY, A.M.

Main Justice : **Welcome and introduction**

Timeframe and location : item

Main Justice : **Overview : the Federal Law Enforcement Structure**

Overview presentation describing the organization of federal law enforcement (existence of 50 separate federal law enforcement agencies) and general concepts of individual rights and federalism.

- function of law enforcement within US criminal justice system;
- criminal jurisdiction of various US law enforcement organizations; role of the state and local law enforcement.

Issues of US Law Affecting Law Enforcement Cooperation Agreements and Exchanges of Information with Foreign Counterparts.

Series of presentations describing constitutional, statutory principles applicable to information sharing with foreign authorities. Presentation to identify limits on different types of information sharing, protections required for information that is shared, and the US framework for protecting information provided by foreign authorities. Presentations to conform to Item 6 of Europol 1998 Work Programme (legal issues).

Main Justice : - **Privacy Act/Freedom of Information Act/Bank Secrecy Act/ Federal Records Act**

Discussion of key federal and state information access and preservation requirements and their impact on information sharing.

Main Justice : - MLA Treaties/Agreements

Discussion of how information sharing issues are addressed in mutual legal assistance treaties and agreements. Also discussion of US authority to enter into MLAA's.

[LUNCH]

MONDAY, P.M.

Main Justice : - US Standards-of-Conduct Approaches as Applied to Information Collection

Discussion of US philosophy behind standards of conduct, professional responsibility concerns in collecting and handling sensitive information.

Criminal Intelligence Analysis & Applications of Technology.

Series of presentations to describe US approaches to criminal intelligence analysis and information technology design and use.

FBI Headquarters : - Overview

Discussion of trends in development of criminal intelligence analysis, fact that no one US criminal intelligence analytical model exists.

FBI Headquarters : - The Federal Bureau of Investigation (FBI) Approach

Discussion of intelligence models used, how projects are generated and prioritized, gathering of information, process used (coordination responses and preparation of product), and use/dissemination of the analytical product. Discussion to include intelligence analysis as applied to substantive crime topics addressed in Work Programme.

- Demonstration of select databases, including stolen car database and NCIC.

Timeframe and location : item

TUESDAY, A.M.

FBI Headquarters : - The Drug Enforcement Administration (DEA) Approach
Discussion of definitions of intelligence in drug law enforcement; intelligence program structure at DEA; collection of investigative information versus intelligence; flow of information within DNA and to the federal, foreign, state and local community. Discussions will include the organization of information for analytical purposes, utilization of computer technology, and intelligence products and their purpose/value/application to drug law enforcement. Discussion to include intelligence analysis as applied to substantive crime topics addressed in Work Programme.

FBI Headquarters : - The US Customs Services (Customs) Approach
Discussion of intelligence models used, how projects are generated and prioritized, applications of technology towards intelligence support. Discussion to include intelligence analysis as applied to substantive crime topics addressed in Work Programme.

[LUNCH]

TUESDAY, P.M.

FBI Headquarters : - The National Drug Intelligence Center (NDIC)
Discussion of rationale for strategic intelligence analysis center, as well as application of technology and analytical methodologies to national drug intelligence collection and dissemination.

FBI Headquarters :

- Roundtable

Discussion with all participants in previous meetings (FBI, DEA, Customs, NDIC) to share ideas on intelligence analysis design.

- Breakouts

Additional meeting time with select agency analysts, officials, if requested by Europol.

WEDNESDAY, A.M.

INS - Forensic Documents

Lab :

- The Immigration & Naturalization Service (INS) Approach

Discussion of INS Intelligence analysis methodology and production, application of information technology towards domestic and foreign intelligence support, analysis, training program. Additional discussion targeted toward investigation of clandestine immigration networks, including discussion of standards & formats for relevant databases. Discussion to conform with Items 2.2, 2.3 of Work Programme (trafficking in human beings, clandestine immigration networks).

- Forensic Document Laboratory Tour.

Discussion of application of information technology towards the analysis of suspect identity and travel documents. Review of Document Intelligence Alert Program.

[LUNCH]

WEDNESDAY, P.M.

- FinCEN Headquarters :* - The Financial Crimes Enforcement Network (FinCEN)
Discussion of FinCEN intelligence analysis methodology and production, application of information technology towards intelligence support of money laundering investigations. Discussion to conform to Item 2.6 of Work Programme (money laundering). Also discussion of FinCEN international initiatives.
- FinCEN Tour. Discussion of application of information technology towards the analysis of suspicious activity, currency transaction reports. Review of artificial intelligence program. Discuss standards and formats for intelligence database.

THURSDAY, A.M.

- Baltimore/Washington HIDTA :* - High Intensity Drug Trafficking Area (HIDTA) Facility
Discussion of coordinated, multi-agency intelligence analysis as applied to drug trafficking investigations. [CLEAR with Olson, Lloyd]
- HIDTA tour. Discussion of application of technology, lay-out of facility to facilitate interagency drug trafficking investigations.

[EARLY LUNCH]

THURSDAY, P.M.

- USSS Headquarters :* - US Secret Service (USSS) Approach
Discussion of USSS intelligence analysis methodology and production, application of information technology towards intelligence support of suspect currently financial instrument investigations.

[OPTIONAL : Depart El Paso]

FRIDAY, A.M.

EPIC Facility, El Paso, TX :

[OPTIONAL : El Paso Intelligence Center (EPIC)

Discussion of rationale for strategic intelligence analysis center, as well as application of technology and analytical methodologies to drug intelligence collection and dissemination. [CLEAR]]

- [Tour of EPIC]

[LUNCH]

FRIDAY, p.m.

*US Border Inspection Facility,
El Paso, TX :*

[OPTIONAL : US Border Inspection Facility

Discussion of applications of technology toward border protection. Additional discussion of applications of technology at the border related to clandestine immigration networks .
[CLEAR]

- [Tour of US Border Inspection Facility]