(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

To: All Field Offices

Counterterrorism

Counterintelligence

Date: 12/15/2006

Attn: ADIC SAC CDC FCI/IT Supervisors

> AD Billy DADs Section Chiefs

AD Bereznay DADs Section Chiefs

AD Finch DADs Section Chiefs

From: Office of the General Counsel National <u>Security Law Branch</u> Contact:

Approved By:

Cyber

Caproni Valerie E Thomas Julie F

Drafted By:

Case ID #: (U) 319X-HQ-A1487720-OGC

Title: (U) LEGAL ADVICE AND OPINIONS; UPLOADING OF NSL RETURN INFORMATION

Synopsis: (U) Provides guidance to the field as to the need to review NSL return information prior to uploading the information into FBI databases.

Details: (U)

It has come to the attention of the Office of General Counsel, National Security Law Branch (NSLB), that there <u>may be</u> <u>occasions in which NSL information has been uploaded into</u> <u>other databases prior to having been reviewed by any</u> FBI personnel. This is particularly likely to occur if the information is received in electronic form. However, a problem arises if the information that was received is not responsive to the NSL and thus, not relevant to an authorized national security investigation,

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To: All Divisions From: Office of the General Counsel Re: 319X-HQ-A1487720-OGC 12/15/2006

or, alternatively, if there was a mistake by the FBI in the NSL such that the records are responsive but not relevant to an authorized investigation. Such deficiencies in the NSL return information may never be discovered, or, discovered too late to prevent the use of information that the FBI did not properly collect. Therefore, it is imperative that the records be reviewed before uploading to assure that they are relevant to an authorized national security investigation. Thereafter, if the records were properly obtained, they may be uploaded into a database. If there is a problem with the manner in which they were obtained, other steps need to be taken.¹

Any questions about this matter may be directed to AGC

	Caproni Thomas
1-	Inomab

NSL VIO-27351

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¹ If the records were not properly obtained, i.e., there was a mistake by the carrier or the FBI in the NSL process, then the records should be sequestered with the CDC, and a potential IOB reported to NSLB. Thereafter, in its responsive EC, NSLB will indicate the proper disposition of the records. If the records were in fact properly obtained (<u>e.q.</u>, the records are covered by the attachment, if not the body of the NSL), they may be retained and uploaded. If the records were not properly obtained but are relevant to an authorized investigation (<u>e.g.</u>, exceed the time frame of the NSL but pertain to the subject of the NSL), the records should remain sequestered until another NSL is issued to cover those records. If the records were not properly obtained and are not relevant to an authorized investigation, the CDC is expected to contact the owner of the records and determine if the entity wants the records returned to it or destroyed by the FBI. For a full explanation of the manner in which NSL records should be maintained for IOB purposes, see EC, dated 11/16/2006, 278-HQ-C1229736, serial 2570.

	SEXRET			DATE: 08-29-2007 CLASSIFIED BY 65179/d REASON: 1.4 (c) DECLASSIFY ON: 08-29-	
THOMAS, JULIE	EF. (OGC) (FBI)			DECLASSIFI UN: Do-29-	-20.52
From: Sent: To: Subject:	Friday, December 1	(OGC) (FBI)	b2 b7E b6 b7C	· · · · · · · · · · · · · · · · · · ·	
with any originals/sig workstation.	· · · ·	don't appear in the fi . These were e-mai	te lea to me by	and I have not bee the agent who drafted them	n provided
Please don't hesitate	to call me on my cell,	if you nee	ed anything re	egarding this.	b/c bl
Thanks again,	b2 b7E b6 b7C				
		Ν	-	ALL INFORMATION CONTAIN HEREIN IS UNCLASSIFIED I 3990 RE SHOWN OTHERWISE	EXCEPT
(S) USLHQ.wpd (IZ KB)					b1

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

December 14, 2006

BY COURIER

Mr. Stephen Friedman Chairman Intelligence Oversight Board Room 50209 New Executive Office Building 725 17th Street, Northwest Washington, D.C.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 08-29-2007 BY 65179/dmh/ksr/cak

NSL VIO-27390

Dear Mr. Friedman:

This letter forwards for your information a selfexplanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, Division, IOB Matter 2006- " (U)

The enclosure sets forth details of investigative activity which the FBI has determined was conducted contrary to the Attorney General Guidelines for FBI National Security Investigations and Foreign Intelligence Collection and/or laws, Executive Orders, or Presidential Directives which govern FBI foreign counterintelligence and international terrorism investigations. (U)

Enclosure

UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE



b2 b7E Should you or any member of your staff require additional information concerning this matter, an oral briefing will be arranged for you at your convenience. (U)

Sincerely,

Julie F. Thomas Deputy General Counsel

1 - The Honorable Alberto Gonzales Attorney General U.S. Department of Justice Room 5111

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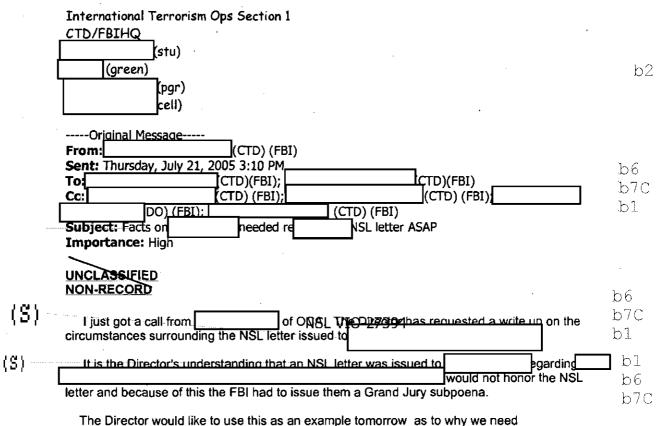
NSL VIO-27391

1 - Mr. James Baker Counsel, Office of Intelligence Policy and Review U.S. Department of Justice Room 6150

Message SPRET	Page 1 of 4	4
THOMAS, JULIE F. (OGC) (FBI)	DATE: 05-29-2007 CLASSIFIED BY 65179/dmh/k: PEASON: 1.4 (c) DECLASSIFY ON: 08-29-2032	sr/cak
From: (FBI)		
Sent: Tuesday, December 19, 2006 3:08 PM		
To: (OGC) (FBI);	INSD) (FBI)	ł
Cc: (FBI)	<u></u>	k k
Subject: FW: Facts or eeded re	NSL letter ASAP	ł
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Some futher information sent to me regarding this		
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To:		
Subject: FW: Facts or leeded r	NSL letter ASAP	
UNCLASSIFIED NON-RECORD		
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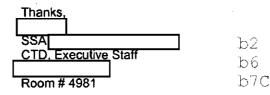
Page 2 of 4 Message b6 (FBI); (CID) (FBI) (S)b7C Subject: RE: Facts of needed re NSL letter ASAP b1 UNCLASSIFIED NON-RECORD (S)ecords along We originally were in the process of obtaining a subpoena with a sealed court order to be issued by This process was stopped at the direction of FBIHQ, CTD, and I was told that we needed to serve an NSL. We prepared the NSL and it was e-mailed to SAC Division, signed and returned. Our SAC, is currently TDY at FBIHQ. The NSL was then served on and their legal counsel advised that b6 he would not accept/honor the NSL because the NSL was only for b7C We had our CDC and FBIHQ involved in this throughout the process. FBIHQ, ITOS I, then advised tha Division would be forwarding us a GJ subpoena to serve. _We b2obtained the GJ subpoena from late Friday afternoon and served it on the atterney for lHe b7E (S)initially declined to honor the subpoena because he stated that we should have presented him with a b1 court order under the Patriot Act and also that he wanted each individual who had records a to (S) be named in the subpoena. He also made some additional remarks that I will not go into at this time Bottom line is we told him to consider himself served and provided him with the subpoena. A/SAC (S)also contacted the concentifie the one hour bound one hour attorney called our office and advised the documents were ready to be picked up. later the (S)This process delayed us approximately one day in obtaining the records. However, it occupied a great deal of my time and more importantly the time of two agents who could have been focusing on the investigation at hand. I would agree with the obvious, that administrative subpoena power in the field involving CT matters may be the single most important tool that the agents could use to improve/expedite their investigations. If you require any additional info please let me know. b6 Thanks b7C ----Original Message CTD)(FBI) From: b6 Sent: Thursday. July 21 2005 3:55 PM b7C (CTD) (FBI) To: CTD) (FBI); (FBI) b2 TD) (FBL) CTD)(FBI); Cc: (CTD) (FBI) b7E (FBI) (S) b1 Subject: FW: Facts on ISL letter ASAP heeded re Importance: High UNCLASSIEIED NON-RECORD Is the below true? Did we go NSL first and then GJS? Pls respond by e-mail. Anyone with full knowledge to get this back to by e-mail? b6 Assistant Section Chief b7C

(S)



The Director would like to use this as an example tomorrow as to why we need administrative subpoenas's to fight the war on terror. In particular, he would like to know how much extra time was spent having to get the Grand Jury subpoena.

Please provide me with an e-mail regarding the particular facts of this incident. Just one paragraph in e-mail form will be sufficient.



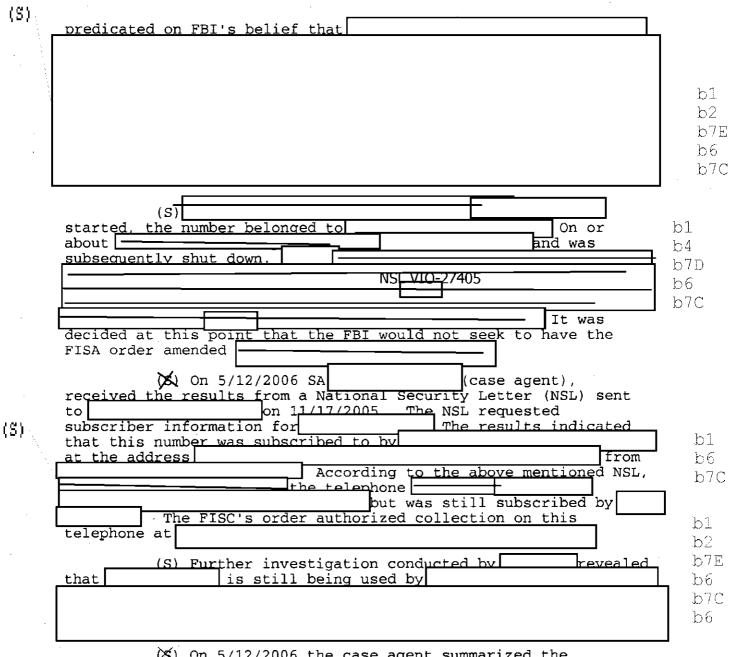
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SECKET

FEDERAL BUREAU OF INVESTIGATION

	Precedence: ROUTINE	Date:	12/28/2006	
	To: Inspection	Attn: Ms.	Investigative	
	Counterterrorism	Section, Attn: AD Attn: SAC, CDC	CLASSIFIED BY 65179/dmh/ksr/c REASON: 1.4 (c)	al
	From: General Counsel Counterterrorism Law U	лін тт/ту_1 30_1	DECLASSIFY ON: 06-29-2032	
	Contact:		b7E	
	Approved By:		b6 b7C	
(U)	Drafted By:	NSL VIO-27404	ALL INFORMATION CONTAINED HEPEIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE	
	Case ID #: 278-HQ-C1229736-VI	0 (Pending)	·	
	Title: (U) POSSIBLE INTELLIGE IOB 2006-	ICE OVERSIGHT BC	DARD MATTER b2	
(U) · · · · ···	Office of the General Counsel (Of Intelligence Oversight Board (IO) is reportable to the IOB. It is matter need not be reported to the Intelligence Policy and Review (Office Intelligence Policy and Review (Office Intelligence to the IOB) Court (FISC), and out of an abund reporting the matter to the IOB. the necessary correspondence to the	GC) review a pot B) error and det the opinion of The IOB. Because DIPR) provided a Foreign Intellig lance of caution OGC will prepa	cermine whether it $b7E$ OGC that this the Office of preliminary gence Surveillance 1, OGC is are and deliver	
(U)	(U) Derived From : Declassity On:	G-3 12/28/2006		
(0)~	Reference: (\$) 278-HQ-C1229736-VI	0 Serial 1396		
[Details: (S) On 7/30/2001 initiated a The converted into a U.S. person The in	Field Office	b1 b2 b7E b7E b6 b7C b7C	
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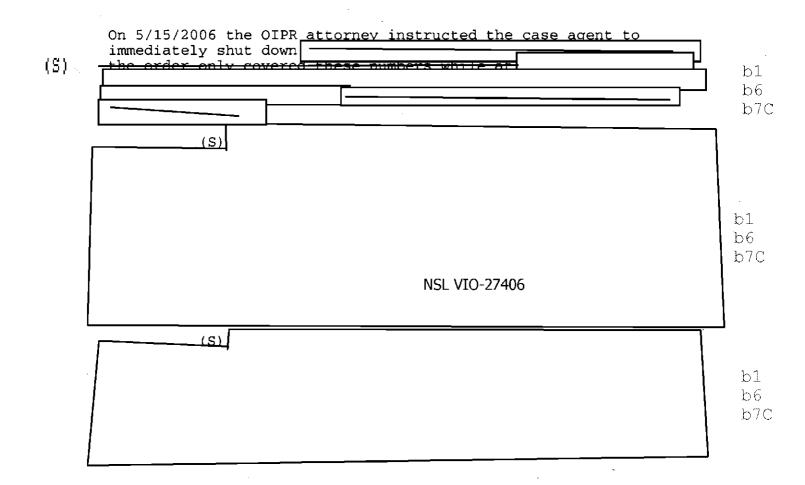
To: Inspection From: Office of General Counsel Re: 278-HQ-C1229736-VIO, 12/28/2006



 $\langle X \rangle$ On 5/12/2006 the case agent summarized the investigation documented above and notified the ITOS II Supervisor, the OIPR attorney for this case, and the Phoenix Supervisor for the case. Subsequently NSLB was also notified.

SPCRET 2

To: Inspection From: Office of General Counsel



ANALYSIS

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(Sept. 13, 1993) and Section 2-56 of the National Foreign Intelligence Program Manual (NFIPM), OGC was tasked to determine whether the surveillance errors described here are matters that should be reported to the IOB. We believe that the reported activity does not require IOB notification, but OIPR provided a preliminary notice of an incident of non-compliance related to this matter. OGC respectfully disagrees and has filed memoranda stating the FBI's position on this matter.

(U) Section 2.4 of E.O. 12863 mandates that the heads of Intelligence Community components report all information to the IOB that it deems necessary to carry out its

SECRET

To: Inspection From: Office of General Counsel Re: (\$) 278-HQ-C1229736-VIO, 12/28/2006

responsibilities. That section requires Inspectors General and General Counsel of the Intelligence Community to report "intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." This language has been interpreted to mandate the reporting of any violation of guidelines or regulations approved by the Attorney General, in accordance with E.O. 12333, if such provision was designed in full or in part to protect the individual rights of a United States person. This includes violations of agency procedures issued under E.O. 12333, unless they involve purely administrative matters.¹ For the FBI, the Office of the General Counsel (OGC) submits reports to the IOB.²

	(X) The Attorney General's Guidelines for FBI Foreign
(S)	-Intelligence Collection and Foreign Counterintelligence
	Investigations (NSIG) provide that
	NSL VIO-27407 NSIG
	(Introduction) at 4 Section 2-55 of the NEIPM identifies as

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(Introduction) at 4. Section 2-56 of the NFIPM identifies as reportable to the IOB unauthorized investigations, the use of unlawful methods and techniques, exceeding the authorized scope of permitted activities, and failing to adhere to minimization requirements.³

(3) ··· ··

<u>1</u> (%) See EC from Inspection Division to All Divisions; Title: Revised Procedures for the Submission of Reports of Potential Intelligence Oversight Board (IOB) Matters, Case ID # 66F-HQ-A1247863 Serial 172 at 5-6 (2/10/2005). The Inspection Division is required to maintain for three years records of administrative violations, for possible review by the Counsel to the IOB, together with a copy of the opinion concerning the basis for the determination that IOB notification was not required. Id. Id.

(S) <u>See id.</u> at 4.

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3 (X) <u>See also id.</u> at 5, identifying reportable matters as including: (1) activities believed to be unlawful or contrary to Executive Orders or Presidential directives; (2) suspected violations of the Constitution: (3)

(S)

(5) initiating a

form or electronic surveillance or a search without authorization from the FISC, or failing to terminate an authorized surveillance at the time prescribed by the Court; and (6) failing to adhere to

SEGARET

To: Inspection From: Office of General Counsel (U) Re: 278-HQ-C1229736-VIO, 12/28/2006

(3) In the instant matter

(U) Title 18 U.S.C. § 3123(3)(b)(1)(C)(Issuance of an order for a pen register or a trap and trace device) states that an order shall specify "attributes of the communications to which the order applies, including the number or other identifier and, if known, the location of the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied..." (Emphasis added) There is sufficient case law to show that listing the wrong address is not fatal to the order, particularly when the correct telephone number is listed; the telephone number is clearly what the provider relies upon to trigger/configure the device. For example, in U.S. v. Doolittle, the court held that clerical errors resulting in an incorrect digit or an inversion of digits in the target's telephone numbers did not invalidate a wiretap application or order.⁴ Similarly, a typographical error in the defendant's address in the application authorization does not invalidate the application or order. NSL VIO-27408 __lobtained_FISC

(S) —

authority to collect Even though the telephone service for the covered under docket was moved from one address to another, the facilities continued to be used by the target during the period of authorized coverage. According to § 3123(3)(b)(1)(C), the address where the facility is located is required only "if known" and the case law indicates that having the wrong address is not fatal to the order. Accordingly, the FBI had FISC authority to cover the telephone numbers in question and thus the collection obtained while the facilities used by the target were located at a different address does not constitute a violation of the guidelines or regulations approved by the Attorney General.

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(U) ······ $-(\aleph)$ It is our opinion that in this instance there was no violation of the target's rights or of the guidelines or regulations approved by the Attorney General. But we also believe that because this matter has been brought to the attention of the FISC as a possible incident of non-compliance it needs to be reported to the IOB. The Office of General Counsel filed

the minimization or dissemination requirements specified in a FISC Order.

- (U) <u>U.S. v. Sklaroff</u>, 506 F.2d 837 (5th Cir. 1975).
- (U) U.S. v. De La Fuente, 548 F.2d 528 (5th Cir. 1977).

SECRET

To: Inspection From: Office of General Counsel (U) Re: (S) 278-HQ-C1229736-VIO, 12/28/2006

memoranda with the Office of Intelligence and Policy Review on July 21 and August 14, 2006, stating the opinion set forth above.

NSL VIO-27409

SECRET

(U) To: Inspection From: Office of General Counsel Re: (★) 278-HQ-C1229736-VIO, 12/28/2006

LEAD(s):

Set Lead 1: (Info)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

SECRET

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Set Lead 2: (Info)

COUNTERTERRORISM

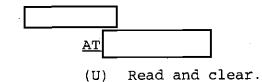
AT ITOS II

(U) Read and clear.

NSL VIO-27410

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Set Lead 3: (Info)



**

THOMAS, JULIE F. (OGC) (FBI) From: (OGC) (FBI) Tuesday, March 13, 2007 2:17 PM Sent: THOMAS JULIE E (OGC) (FBI) To: OGC) (FBI) b2 Cc: ÓGC) (FBI) RE: 10B 2007 Subject: SECRET//NOFORN b6 RECORD XXXX b7C DECLASSIFIED BY 65179/dmh/ksr/cak ON 08-29-2007 OB. She is not here this week so I did it. Here is a revision o IOF vpd b2 K D -----Original Message-----NSL VIO-27411 THOMAS, JULIE F. (OGC) (FBI) From: Sunday, March 11, 2007 1:58 PM Sent: (OGC) (FBI) To: ogc) (FBI) (OGC) (FBI) Cc: **IOB 2007** Subject: b2 SECRET#NOEORN b5 RECORD xxxx b6 b7C Julie F. Thomas DGC, National Security Law Branch Office of the General Counsel Room 7975 DERIVED FROM: Multiple Sources **DECLASSIFICATION EXEMPTION 1** SECRET//NØFORN DERIVED FROM: Multiple Sources **DECLASSIFICATION EXEMPTION 1** SECRET//NØFORN 3

THOMAS, JULIE F. (OGC) (FBI)

CDC Paralegal

	<u>· </u>		
From:	(OGC) (FB	81)	
	1av March 13 2007 1:59 PM		
To: b7C	GC) (FBI)		
	MAS, JULIE E. (OGC) (EBI): CAPR		
b7E			
Subject: FW:	NSL Questions - Over-collections		
SENSITIVE BUT UNCLASSIFIED	1		
NON-RECORD	-		
	· · · · · ·		
		Bs for credit reports in 1681u cases can't be o	
		d be a way to reference all the case files in th	ie IOB so
hat it was clear this was more tha	n one incident.		
		anta in 4004 and in neurota ma. Dianan an	b
this issue of	low providing full credit rep	orts in 1681u cases is new to me. Please con hether there is some renegade employee or	JIIIGUL
ndication that this is a recurring is		this whole long process with them to get ther	
edact so I don't know what the pr		•••	1110
Original Message	NS NS	SL VIO-27412	
rom:	(FBI)		1.0
ent: <u>Tuesday, March 13, 2</u>	007 12:51 PM		b2
o:			b7E
iubject: NSL Questions - Over	(FBI); (FBI);	FBI)	b6
Subject: NSL Questions - Over			b7C
SENSITIVE BUT UNCLASSIFIED	j -	ALL INFORMATION CONTAINED	DIC
NON-RECORD		HEFEIN IS UNCLASSIFIED	
		DATE 03-29-2007 BY 65179/dmh/ksr	/cak
II			
			b
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Thanks for all your as	sistance. I know that yo	u are extremely busy.	
	b2		

b6 b7C

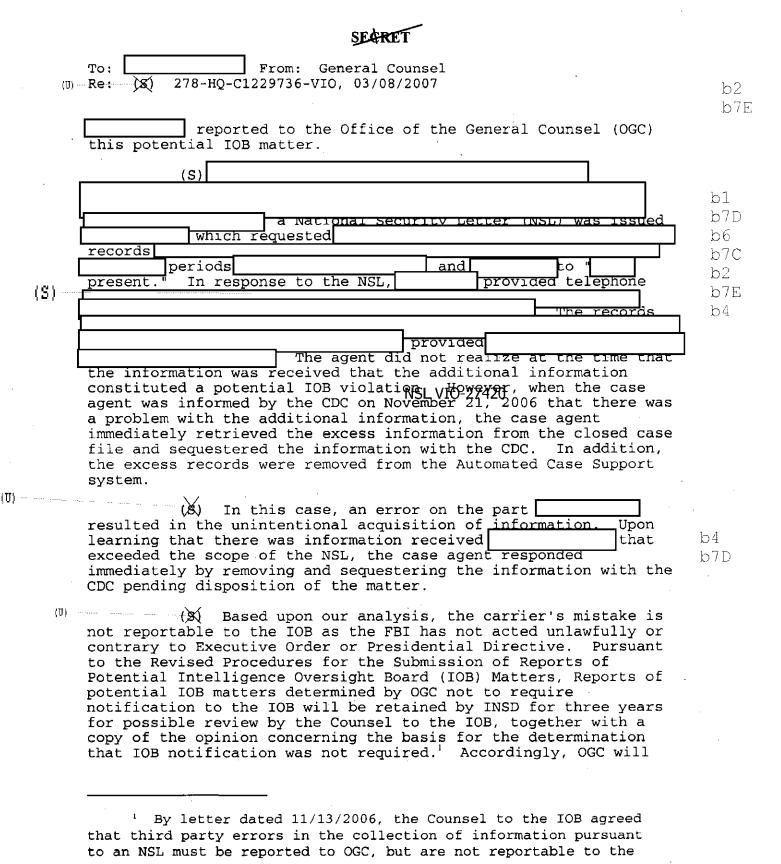
From: Sent: To: Subject:	Monday, March 12, 200 THOMAS, JULIE F. (O RE: IOB 2007-	(OGC) (FBI))7 10:48 <u>AM</u> GC) (FBI	(OGC) (FBI)	
SECRET//NOFORN RECORD xxxxx Julie: I spoke with bot	h the SA and SSA involved in	this matter; both stated	DECLASSIFIED BY 651797dmh, ON 03-29-2007 that they ran the NSL by their CDC's	_
Original Message From: THOM/	s, julie F. (ogc) (FBI)	-,		
Sent: Sunday To: Subject: IOB 20	2. March 11, 2007 1:05 PM (OGC) (FBI);	(OGC) (FBI)		
-SECRET//NOFOF RECORD xxxxx	<u>{N</u> -	NSL VIO	-27413	
Julie F. Thomas DGC, National S Office of the Gen Room 7975	ecurity Law Branch eral Counsel		b2 b7E b5 b6 b7C	
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DATE: 08-29-2007 CLASSIFIED BY 65179/dmh/ksr/cak REASON: 1.4 (c) DECLASSIFY ON: 08-29-2032

SECRET

	FEDERAL BUREAU OF INVESTIGATION						
	Precedence: ROUTINE Date: 6/2/2007						
	To: Attn: SAC ASAC						
	CDC SSA SA						
	Counterterrorism Attn: ITOS I, CONUS IV						
x	Inspection Attn: Ms. IIS, Rm 11865	b2 b7E					
	From: General Counsel National Security Law Branch/CTLU II/LX-1 3S-100 Contact:	b6 b7C					
	Approved By: Thomas Julie F ALL INFORMATION CONTAINED HEPEIN IS UNCLASSIFIED EXCEP	۲					
	Drafted By:						
U)	Case ID #: (\$) 278-HQ-C1229736-VIO (pending)						
(U) ·····	Title: (U) Intelligence Oversight Board b2 (IOB) Matter 2007						
(0)	Synopsis: (\$) It is the opinion of the Office of the General Counsel that the above referenced matter need not be reported to the Intelligence Oversight Board (IOB). Our analysis follows.						
	(U) Derived From : $G-3$ Declassify Θ_{R} : $03/07/2032$	·					
·υ·····	Reference: (¥) 278-HO-C1229736-VIO serial 2211 b1 278-136372 serial 127 b2 (S) - b7E						
	Administrative: (U) This communication contains one or more footnotes. To read the footnotes, download and print the document in Corel WordPerfect.	b2					
(U)		b7E					
	SEGRET						

(Rev. 01-31-2003)



From: General Counsel To: 278-HQ-C1229736-VIO, 03/08/2007 (U) Re: হি

request that the Inspection Division retain a record of the report of a potential IOB matter for three years, together with a copy of this opinion for possible review by the Counsel to the IOB.

NSL VIO-27421

IOB.

b2 b7E

SECRET

To: From: General Counsel (U) 278-HQ-C1229736-VIO, 03/08/2007 Re: (🕱)

LEAD(s):

Set	Lead	1:	(Action)	
		Į	ΑT	

(U) The field should contact the carrier and ask whether the improperly or unintentionally acquired information should be returned or destroyed, with appropriate documentation to the file.

Set Lead 2: (Info)

COUNTERTERRORISM

AT WASHINGTON, DC

NSL VIO-27422

(U) Read and clear.

Set Lead 3: (Action)

INSPECTION

AT WASHINGTON, DC

(U) As provided in the Revised Procedures for the Submission of Reports of Potential Intelligence Oversight Board (IOB) Matters, retain a record of the report of a potential IOB matter for three years for possible review by the Counsel to the IOB, together with a copy of the OGC opinion concerning the basis for the determination that IOB notification is not required.

b2 b7E





THOMAS, JULIE F. (OGC) (FBI)

From: THOMAS, JULIE F. (OGC) (FBI) Sent: Saturday May 05 2007 3:48 PM To: (CD) (FBI) Cc: ICD) (FBI) Subject: RE: NSL to SECRET//NOFORN RECORD xxxxx	b2 b7E b4 b7D	DATE: 03-29-2007 CLASSIFIED BY 65179/dmh/ksr/cak REASON: 1.4 (c) DECLASSIFY ON: 05-29-2032
I have reviewed and it is ok to send.	b6	
Julie F. Thomas DGC, National Security Law Branch Office of the General Counsel Room 7975	b7C	· · · · · · · · · · · · · · · · · · ·
	ŭ f.	L INFORMATION CONTAINED
Original Message	HE	PEIN IS UNCLASSIFIED EXCEPT PER SHOUR OTHERWISE
From: CD) (FBI) Sent: Wednesday, May 02, 2007 1:31 PM To: THOMAS. JULIE F. (OGC) (FBI) Cc: CD) (FBI) Subject: NSL to	b6 b7C b2	
SECRET RECORI	b7E b4 b7D	· · · ·
Attached is a revised version of the	EC for the l	NSL to b2
Please review the current version and advise		
Telephone Fax Secure Fax Internet E-mail: CD-4A, Room 484/	b2 b6 b7C	· · · · · · · · · · · · · · · · · · ·
***************************************	*	
DERIVED FROM: 0-3 FBI Classification Guide G-3, dated DECLASSIFICATION EXEMPTION 1 SECRET	<u>1/97, Foreign Co</u>	unterIntelligence Investigations
DERIVED FROM: MSECRETICES DECLASSIFICATION LAGING ION 1		·. ·

SEGRET

THOMAS, JULIE F. (OGC) (FBI)

From: (CD) (FBI) Sent: vveconescay, may 02, 2007 1:31 PM To: THOMAS, JULIE F. (OGC) (FBI) Cc: (CD) (FBI) Subject: NSL to	b4 b7D b6 b7C
<u>RECORI</u>	b7C b2 b7E
Julie,	
Attached is a revised version of theEC for the NSL to Please review the current version and advise if it is OK to send to	b2 b7E
VSL.wpd (33 KB)	b4 b7D
NSL VIO-27424	
Telephone Fax Secure Fax Internet_F-mail: CD-4A, Room 4847	b2 b6 b7C

DERIVED FROM: G-3 FBI-Glassification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations	
DECLASSIFICATION EXEMPTION P	

SEXARET

THOMAS, JULIE F. (O	GC) (FBI)				
From: Sent: To:	CAPRONI, VALER Friday, April 27, 200 (FBI)	07 11:03 AM	OSEPH (CTD) (FBI); THOM	IAS, JULIE F. (C	b GC) b6
Cc:	FRAHM, CHARLES		(CTD) (FBI);	(*	стр) b7C
Subject:	(FBI) RE: Request				
<u>SECRET</u> RECORD 315n					
Thanks.				,	b6
Original Message	(CTD) (FBI)				b7C
Sent: Friday, April 2 To: CAPRONL VAI Cc: Subject: RE: Request	7, 2007 10:12 AM ERIE E. (OGC) (FBI): BI CTD) (FBI);	LLY_JOSEPH (CTD) (FBI); THO (CTD) (FBI)	MAS. IULIE F. (OGC) (FBI); CTD) (FBI)	CTD) (FBI)
<u>SECRET</u> RECORD 315n		NSL V	IO-27425		
Valerie,					
	ency. We'll also j		rne background for ea date the legal paper wa		
We'll reach out to th	reps to	get this info ASAP.			
	1				b2
Please page	and/o to	get responses to so	me of these questions.	Thanks.	b4 b7D b6
Regards,		• •			b7C
Communications And	Thicis 7 mit	· ·			
Communications Exp	-	• .			
CTD					
Sent: Thursday. Apr To:	ERIE E. (OGC) (FBI) il <u>26. 2</u> 007 5:33 PM	<u>JOSEPH (CTD</u>) (FBI); THOMA (CTD) (FBI)	s, Julie F. (Ogc) (FBI);	(CTD) (FBI)	b6 b7C
	SEXERET	- 5			

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	7	ť,		2	1	ť,	2	ŝ	F	2		з	5		7	2	2		Ŷ		2	5	

SECRET	
RECORD	<u>315n</u>

	Original Message From: CTD) (FBI) Sent: Wednesday, April 04, 2007 12:37 PM To: BILLY, JOSEPH (CTD) (FBI) Cc: FRAHM, CHARLES E (CTD (FBI) Subject: FW: Request	CAPRONI, VALERIE E. (OGC) (FBI)	b6 b7C
	<u>SECRET</u> RECORD 315n		
	Mr. Billy,		
С	Pursuant to the copy of the email I received file advises that since from CAU. Each exigent letter was followed up requesting entity (field office or CT operational the	e had E: by a <u>n NSL or a subpoena</u> f	kigent Letters rom the
. (S	Regards,		
	Communications Analysis Unit	.b2	
	Communications Exploitation Section CTD	b6 b7C	
	Original Message From: CTD) (CON) Sent: Weanesaay, Abril 04, 2007 12:24 PM To: TD) (FBI) Cc: CTD) (OGA) Subject: Request	· · ·	b6 b7C
	UNCLASSIFIED NON-RECORD		b2
	i checked my system as per your request.	Below are my findings:	b4 b7
		as received exigent letter	s. All of these

4

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SEXAFT

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SECIPET

The breakdown of these letters associated with the month of each request are as follows:

b2 At the present time does not have any outstanding cases which would require b4 legal documentation. b7D b6 CTD / FBIHQ b7C Communications Analysis Unit (CAU) UNCLASSIFIED NS 27427 DERIVED FRQM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations **DECLASSIFICATION EXEMPTION 1** SECRET DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign Counterintelligence Investigations DECLASSIFICATION EXEMPTION SECRET DERIVED FROM: G-3 FBJ Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations DECLASSIFICATION EXEMPTION 1 SECRET DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign Counterintelligence Investigations DECLASSIFICATION EXEMPTION 1

THOMAS, JULIE F. ((OGC)) (FBI))
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From: Sent: To: Cc: Subject:	CAPRONI, VALERIE E Thursday April 26 200 (FBI): FRAHM, CHARLES E. RE: Request)7 5:33 PM CTD) (FBI); BILLY, JC (CTD) (FBI)	OSEPH (CTD) (FBI); THOMAS	S, JULIE F. (OGC)	b6 .b70
SECRET- RECORD 315n				• •	
Sorry for the delay in g	<u>retting back to you, but I need</u>	some more detail on	this. Of the		_b2 b5
To: BILLY, J	(CTD) (FBI) sday, April 04, 2007 12:37 PM JOSEPH (CTD) (FBI) , CHARLES E (CTD (FBI);	(CTD) (F ðil)Sta b r	I∭1:27746268E E. (OGC) (FBI)	b6 b7C	
exigent letter w		L or a subpoena f	he email below from had Exigent Letters f rom the requesting entity	rom CAU. Each	b1]b2]b6]b70
כ CT operational <i>Regards,</i>		gent letters was fo			
Communications Communications CTD	S Analysis Unit S Exploitation Section		b2 b6 b7C		
Orioinal Mess From: Sent: Wedness To: Cc: Subject: Requess	(СТD) <u>day, April 0</u> 4, 2007 12:24 РМ (СТD) (FBI)	b6 b7C b2			
<u>UNCL</u> ASSIFIE NON-RECOR		SEC 8	RET .		

I checked my system as per your request. Below are my findings:

From has received exigent letters. All of these letters are accounted for and have the appropriate documentation attached (NSL or Subpoena).

The breakdown of these letters associated with the month of each request are as follows:

b2 b4 b7D At the present time bees not have any outstanding cases which would require legal b6 documentation. b7C CTD / FBIHQ Communications Analysis Unit (CAU) NSL VIO-27429 ASSIFIED DERIVED FROM: G-3 FBI Chassification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations DECLASSIFICATION EXEMPTION 1 SECRET DERIVED FROM: G-3 FBI Classification Guide 6-3, dated 1/97, Foreign CounterIntelligence Investigations **DECLASSIFICATION EXEMPTION 1** SECRET

SECRET



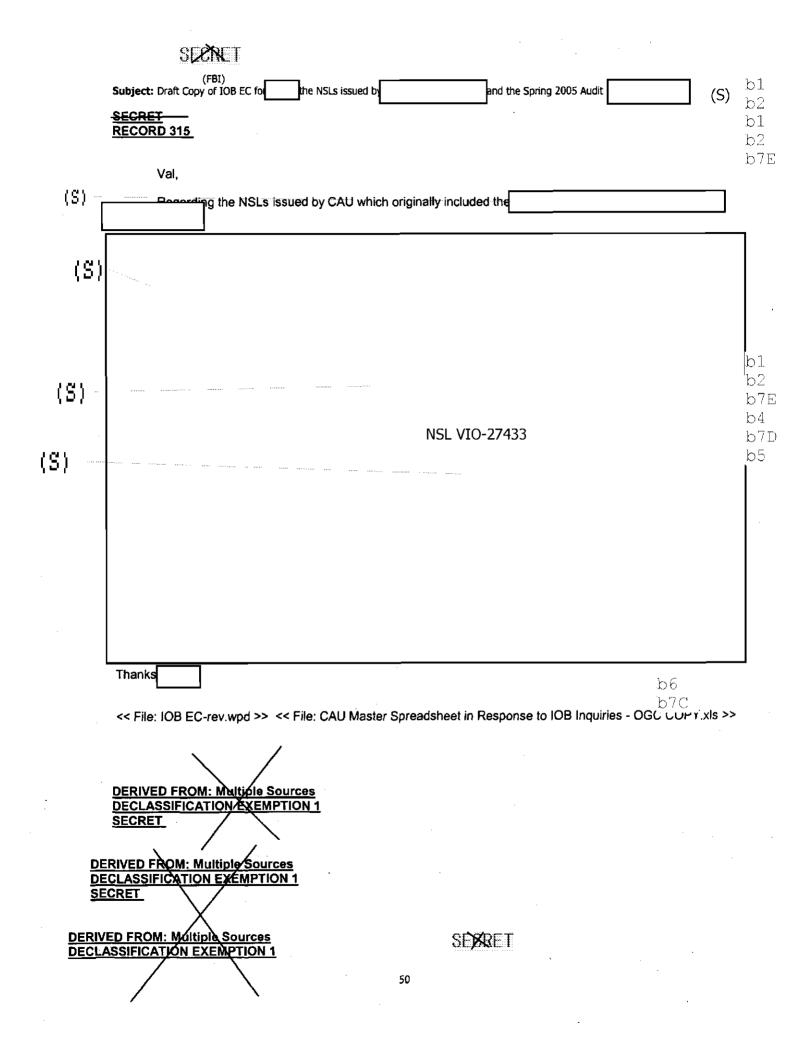
THOMAS, JULIE F. (OGC) (FBI)

VC NSL VIO-27430 From: FRAHM, CHARLES E (CTD (FBI) Sent: Monday, March 26, 2007 11:10 AM To: HULON, WILLE T. (DO) (FBI); CAPRONI, VALERIE E. (OGC) (FBI) Subject: FX: NSL review UNCLASSIFIED NON-RECORD Willie, Joe said you were looking for an up-date. Please see below. In Sent: Monday, March 26, 2007 9:55 AM Sent: CEF Original Message FCID) (FBI) From: CID) (FBI) Sent: Monday, March 26, 2007 9:55 AM Sent: Monday, March 26, 2007 9:55 AM Sin: B-6 To: FRAHM, CHARLES E (CTD (FBI) Sent: Monday, March 26, 2007 9:55 AM Sin: B-7C UNCLASSIFIED B-7C Single: Monday, March 26, 2007 9:55 AM Sir, B-7C UNCLASSIFIED B-7C Sir, B-7C Intersection of the section of the section of the results tomorrow. The following is what I have so far:	om: nt: : :: bject:		CAPRONI, N Monday, Ma FRAHM, CH BILLY, JOSI (CTD) (FBI); RE: NSL rev	rch 26, 200 ARLES E EPH (CTD THOMAS	07 11:25 AN (CTD (FBI);) (FBI); CUN	/ HULON, WIL /MINGS, AR1	LIE T. (DO) (FI THUR M (CTD)	BI) (FBI); HARF	RINGTON, T. J.	
"Of the remaining "Of the remaining VC Original Message Prom: FRAHM, CHARLES E (CTD (FBI)) Sent: Monday, March 26, 2007 11:10 AM To: HULON, WILLET (LO) (FBI); CARRONI, VALERIE E. (OGC) (FBI) Subject: RW: NSL review UNCLASSIFIED D7C NON-RECORD D7C Willie,					•					
VC NSL VIO-27430 From: FRAHM, CHARLES E (CTD (FBI) Sent: Monday, March 26, 2007 JL:10 AM To: HULON, WILLET. (DO) (FBI); CAPRONI, VALERIE E. (OGC) (FBI) Subject: BILLY, JOSEPH (CTD) (FBI); CUMMINGS, ARTHUR M (CTD) (FBI); HARRINGTON, T. J. (CTD) (FBI) b6 Cc: Subject: W: NSL. review UNCLASSIFIED D6 NON-RECORD S showing some interesting results, but CEF CTD) (FBI) Original Message CTD) (FBI) From: CTD) (FBI) Sold you were looking for an up-date. Please see below. Is showing some interesting results, but CEF	, ,	writes:	•							
VC NSL VIO-27430 From: FRAHM, CHARLES E (CTD (FBI) Sent: Monday, March 26, 2007 11:10 AM To: HULON, WILLE T. (DO) (FBI); CAPRONI, VALERIE E. (OGC) (FBI) Subject: FW: NSL review UNCLASSIFIED NON-RECORD Willie, Joe said you were looking for an up-date. Please see below. Joe said you were looking for an up-date. Please see below. Sent: Monday, March 26, 2007 9:55 AM To: PRAHM, CHARLES E (CTD (FBI) Sent: Monday, March 26, 2007 9:55 AM To: PRAHM, CHARLES E (CTD (FBI) Silbject: E: NSL review	"Of the rem	aining								— 1.0
Original Message NSL VIO-27430 From: Monday, March 26, 2007 11:10 AM Sent: Monday, March 26, 2007 11:10 AM Cc: BILLY, JOSEPH (CTD) (FBI); CUMMINGS, ARTHUR M (CTD) (FBI); HARRINGTON, T. J. (CTD) (FBI) b6 Cc: BILLY, JOSEPH (CTD) (FBI); CUMMINGS, ARTHUR M (CTD) (FBI); HARRINGTON, T. J. (CTD) (FBI) b7C Wuller, Willie, b7C Voc said you were looking for an up-date. Please see below. is showing some interesting results, but b CEF CEF TCD) (FBI) b7C										b2 b5
Willie, b6 NON-RECORD b7C Willie, b7C UNCLASSIFIED b7C Willie, b7C Set: Monday, March 26, 2007 11:10 AM To: HULON, WILLIE T. (DO) (FBI); CAPRONI, VALERIE E. (OGC) (FBI) b6 Subject: PW: NSL review b7C UNCLASSIFIED b7C NON-RECORD b7C Willie, showing some interesting results, but b Setter view by COB Tuesday. showing some interesting results, but b CEF CTD) (FBI) b6 To: FRAHM, CHARLES E (CTD (FBI) b6 Sent: Monday, March 26, 2007 9:SS AM b6 To: FRAHM, CHARLES E (CTD (FBI) b7 Subject: RE: NSL review b7 TWICLASSIFIED b7 c Sir, b7 c I will have all my data finished today and will provide the results tomorrow. The following is what I have so far: b7	VC .									
From: FRAHM, CHARLESE (CTD (FBI) Sent: Monday, March 26, 2007 11:10 AM To: HULON, WILLET. (DO) (FBI); CAPRONI, VALERIE E. (OGC) (FBI) b6 Cc: BILLY, JOSEPH (CTD) (FBI); CUMMINGS, ARTHUR M (CTD) (FBI); HARRINGTON, T. J. (CTD) (FBI) b7C UNCLASSIFIED b7C NON-RECORD b7C Willie, s showing some interesting results, but b CEF s showing some interesting results, but b CEF CTD) (FBI) b7C To: FRAHM, CHARLES E (CTD (FBI) b6 Sent: Monday, March 26, 2007 9:55 AM b6 To: FRAHM, CHARLES E (CTD (FBI) b7C Subject: RE: INSL review b7C UNCLASSIFIED b7C b6 To: FRAHM, CHARLES E (CTD (FBI) b7C Subject: RE: INSL review b7C UNCLASSIFIED b7C b7C Sir, Juil have all my data finished today and will provide the results tomorrow. The following is what I have so far: b7						NSL VIO	-27430			
Joe said you were looking for an up-date. Please see below. we will have a better view by COB Tuesday. CEF Original Message From:CTD) (FBI) b6 Sent: Monday, March 26, 2007 9:55 AM b6 To: FRAHM, CHARLES E (CTD (FBI) b7 C Subject: RE: NSL review <u>UNCLASSIFIED</u> NON-RECORD Sir, I will have all my data finished today and will provide the results tomorrow. The following is what I have so far:b1	From: Sent: To: Cc: Subject: UNCLASSI	FRAHM, CHARI Monday, March HULON, WILLI BILLY, JOSEPH FW: NSL review	n 26, 2007 11:1 E T. (DO) (FBI) I (CTD) (FBI); C	0 AM ; CAPRONI, V	/ALERIE E. (OC RTHUR M (CTI	GC) (FBI) D) (FBI); HARRIN	IGTON, T. J. (CTD)	(FBI)		
we will have a better view by COB Tuesday. CEF Original Message From:(CTD) (FBI) Sent: Monday, March 26, 2007 9:55 AM b6 To: FRAHM, CHARLES E (CTD (FBI) b7 C Subject: RE: NSL review UNCLASSIFIED NON-RECORD Sir, I will have all my data finished today and will provide the results tomorrow. The following is what I have so far: b2		ou were lool	king for an u	o-date. Ple	ease see be	low.	is showin	g some inte	resting results, bi	b2 Jt ^{b71}
Original Message CTD) (FBI) b6 Sent: Monday, March 26, 2007 9:55 AM b7C To: FRAHM, CHARLES E (CTD (FBI) b7C Subject: RE: NSL review b7C UNCLASSIFIED NON-RECORD Sir, b7C I will have all my data finished today and will provide the results tomorrow. The following is what I have so far: b7						·		-	-	
UNCLASSIFIED NON-RECORD Sir, I will have all my data finished today and will provide the results tomorrow. The following is what I have so far:b.	Original M From: Sent: To:	Monday, March FRAHM, CHARI	26, 2007 9:55 ES E (CTD (FB)	AM)	, ,					
I will have all my data finished today and will provide the results tomorrow. The following is what I have so far: b				• _						
	Sir,									
b	l will have a	ll my data fin	ished today	and will pro	ovide the re:	sults tomorrov	v. The following	g is what I ha	ave so far:	b2
										b5

SECTRET

SEXRET	-		<u>\</u>	
	b5		-	9
Thanks,	-	1		
Unit Chief CONUS II/ITOS I STU) Internal Secure)				b2 b6 b7C
Original Message From: FRAHM, CHARLES E (CTD (FBI) Sent: Monday, March 26, 2007 9:57 AM To: CTD) (FBI) Cc: CTD) (FBI) Subject: NSL review	(CTD) (FBI); BILLY, JOSEPH (CTD) (FBI)		
UNCLASSIFIED NON-RECORD	NSL VI	0-27431		b6 b7C
Mr. , Billy was looking for a status up-date be complete sooner?	on the NSL review.	know the due date is C	OB Wednesday.	Can it
	· ·	· .		
			• • • •	· .

	SEC	RET		DATE: 08-30-2007 CLASSIFIED BY 651	79/dmh/ksr/cak	
	THOMAS, JULIE F. (OGC <u>) (</u> FBI)		REASON: 1.4 (c) DECLASSIFY ON: 08	+30-2032	_
•	From: Sent: To: Cc: (S) Subject: (S)	(CTD) (FBI) (CTD) (FBI) (CTD) (FBI) CAPRONI, VALERIE E. (OGC) (CTD) (FBI) RE: Draft Copy of IOB EC fo Spring 2005 Audi	M GC) (FBI) (CTD (FBI); (FBI); THOMAS, JI	ULIE F. (OGC) (FBI) ied by CAU fo	BILLY, JOSEPH	b6 b7C b2 b7E b1
	SEGRET RECORD 315			ALL INFORMATION CON HEREIN IS UNCLASSIF WHERE SHOWN OTHERUI	IED EXCEPT	b6 b7C b1 b2 b7E b4 b7D b5
(S) (S)	···· ········· ········ ··············		NSL VIO-27	2432		
(S)						
(S)	From: Sent: Monday, Mar Cc: CAPRONI, VA (FBI)	OGC) (FBI) Tch 05, 2007 9:46 AM (CTD) (FBI) ALERIE E. (OGC) (FBI); THOMAS, JULIE F. py of IOB EC for the NSLs issued by	(OGC) (FBI)	and the Spring 2005 Audit	<u>стр)</u>	b6 b7C b1 b2 b7E b5
	To: BILLY, JOSEF	(CTD) (FBI) arch 03, 2007 9:05 PM PH (CTD) (FBI); FRAHM, CHA <u>BLES E (CTD</u> IOMAS_JULIE F. (O <u>GC) (FBI)</u> (CTD) (FBI);(C	(/FBI)- (OGC) (TD) (FBI); 49	(IR) (FBI); CAPRONI, VALERI (FBI) (CTD) (FBI	·	b6 b7C b6 b7C



STRET FEDERAL BUREAU OF INVESTIGATION

	Precedence: ROUTINE	Date:	02/23/2007
	To: Inspection General Counsel	Attn: IIS, Room 1 Attn: NSLB, Room	
	From: Counterterrorism CXS/CAU/Room 4512 Contact: UC		
(ប)	Approved By: Billy Joseph Jr Frahm Charles E Drafted By:	REASON: 1.4	BY 65179/dmh/ksr/cak DO
(0) ***	Case ID #: (SX 278-нQ-С1229736-V		
(U) ·····.	Title: (U) INTELLIGENCE OVERSIGH		R
	Synopsis: (S) To report possible (U) Derived From : Declassify On:		ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERUISE
(U)	Details: (S) CAU issued N 5/12/2006, on 7757200 calling records associated with exigent circumstances for reques Headquarters International Terro personnel. These requests invol terrorist threat matters and maj U.S. or it's allies was imminent Electronic Communication (EC) to legal standards with proper case outdated form of the NSL was use disclosure paragraphs.	telephone numbers ts from FBI field rism Operations Se ved such urgent si or case support wh . However, CAU di document that the justification. A	office agents and $b7D$ ection (ITOS) tuations as here a threat to the d not issue an NSL met appropriate Additionally, an
(S)		06 and	personnel and FBI
(S) -			· · · · · · · · · · · · · · · · · · ·
ſ			b2 b1 [~] TE
l	· · · · · · · · · · · · · · · · · · ·	SPERET	b1 b4 b7D

(U) · · · · .	To: Inspection From: Counterterrorism	b1
	Re: (X) 278-HQ-C1229736-VIO, 02/23/2007	b2
(S)	However, CAU did	b7E
	not issue an Electronic Communication (EC) to document that the NSL	
	met appropriate legal standards with proper case justification.	
	Furthermore, an outdated form of the NSL was used that did not contain the proper non-disclosure paragraphs.	
	(X) Additionally. on 10/20/2006, CAU issued NSL to	
	NSL to NSL to for target numbers	
763	recovered from the	b1
(S)		b2
		b4
	. CAU inadvertently did not issue an	b7D
	EC to document that these NSLs met appropriate legal standards with	
	proper case justification.	
	proper cabe juberried ten.	
(U) ···	numbers found in each NSL documente@sabgve27435	

To: Inspection From: Counterterrorism Re: (%) 278-HQ-C1229736-VIO, 02/23/2007

LEAD(s):

 (Π)

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

NSL VIO-27436



SECKET

(U) To: Inspection From: Counterterrorism Re: X 278-HQ-C1229736-VIO, 02/23/2007

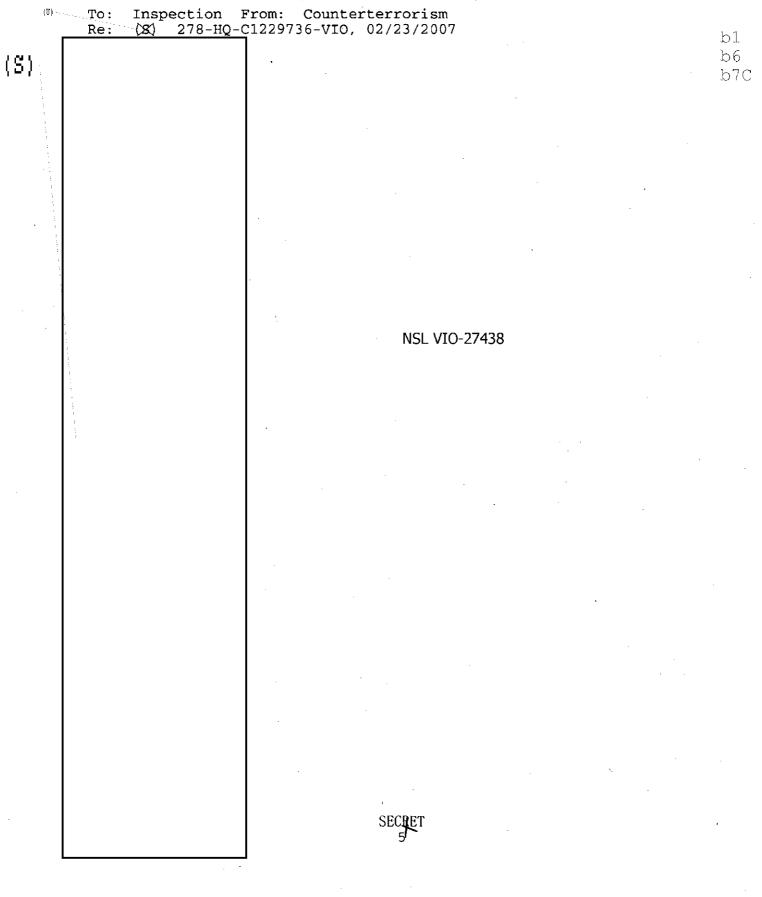
ATTACHMENT

NSL dated

(S)	
	NSL VIO-27437
	b4
	b4 b7D b1 b6 b7C
	SISCRET 4

• .

SEXRET



SEXRET

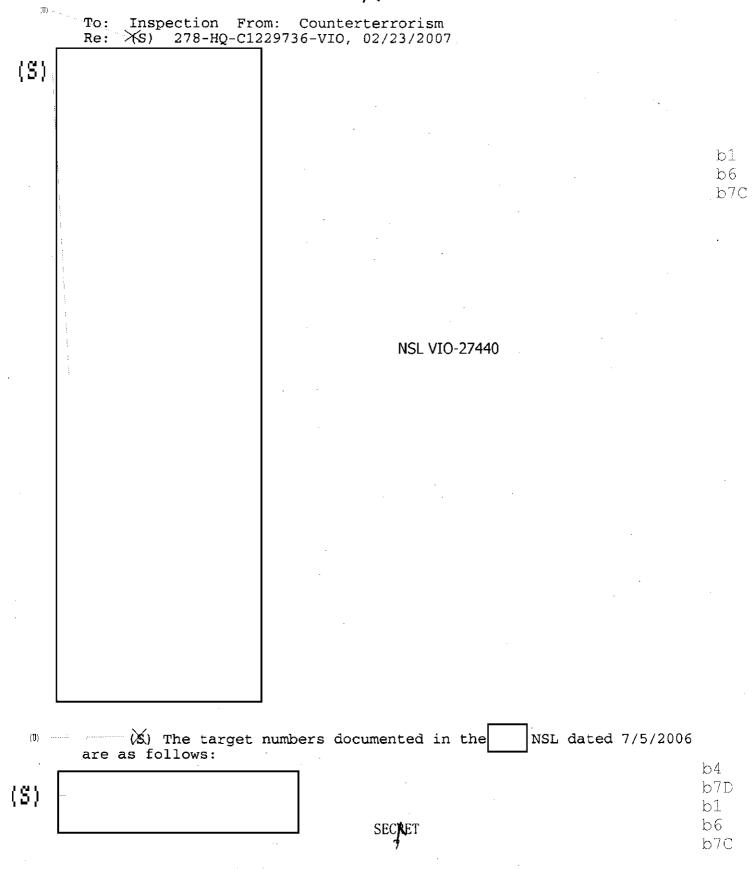
(S)

To: Inspection From: Counterterrorism Re: 278-HQ-C1229736-VIO, 02/23/2007

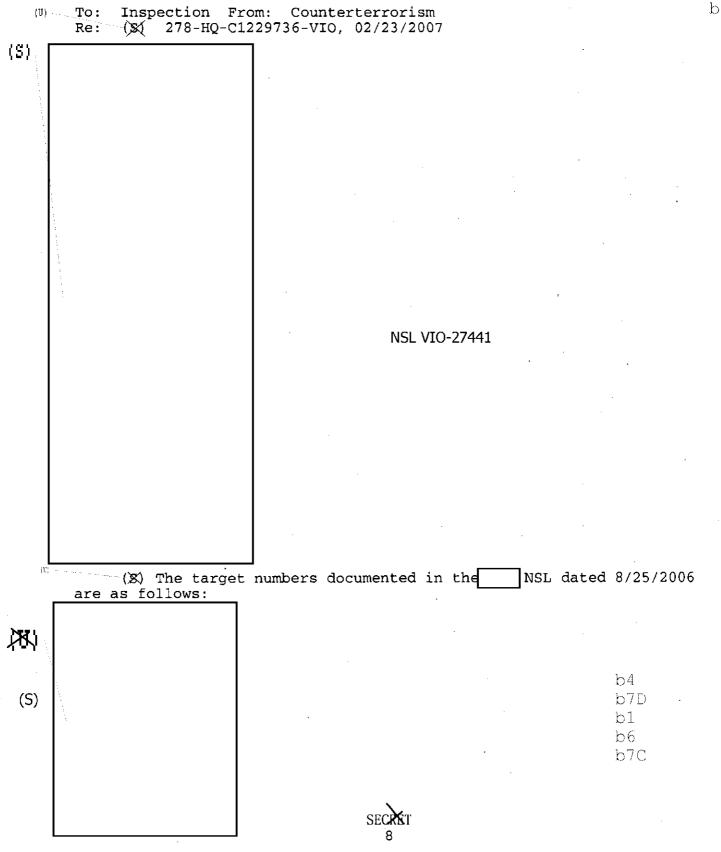
b1 b6 b7C

NSL VIO-27439

STACRET



SPCRET



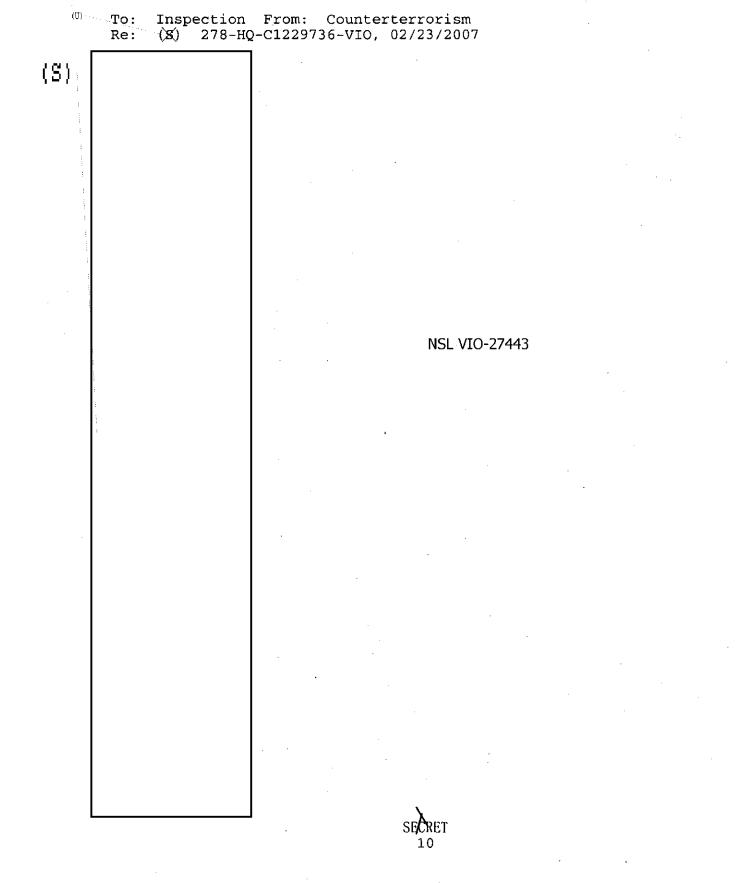
SECRET

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	NSL VIO-27442	
		·
	SECKET	

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S**Ø**SRET



SECRET

(S);	
	NSL VIO-27444

SEGRET

To: Inspection From: Counterterrorism Re: (X) 278-H0-C1229736-VIO. 02/23/2007 (S) NSL VIO-27445			
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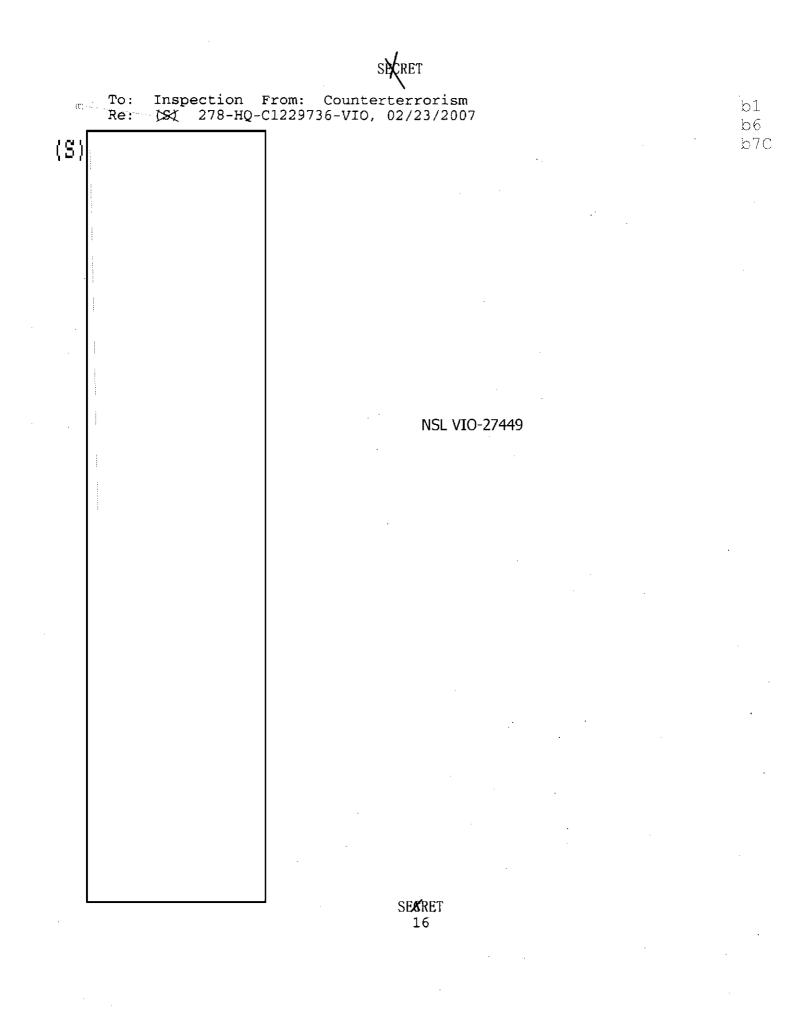
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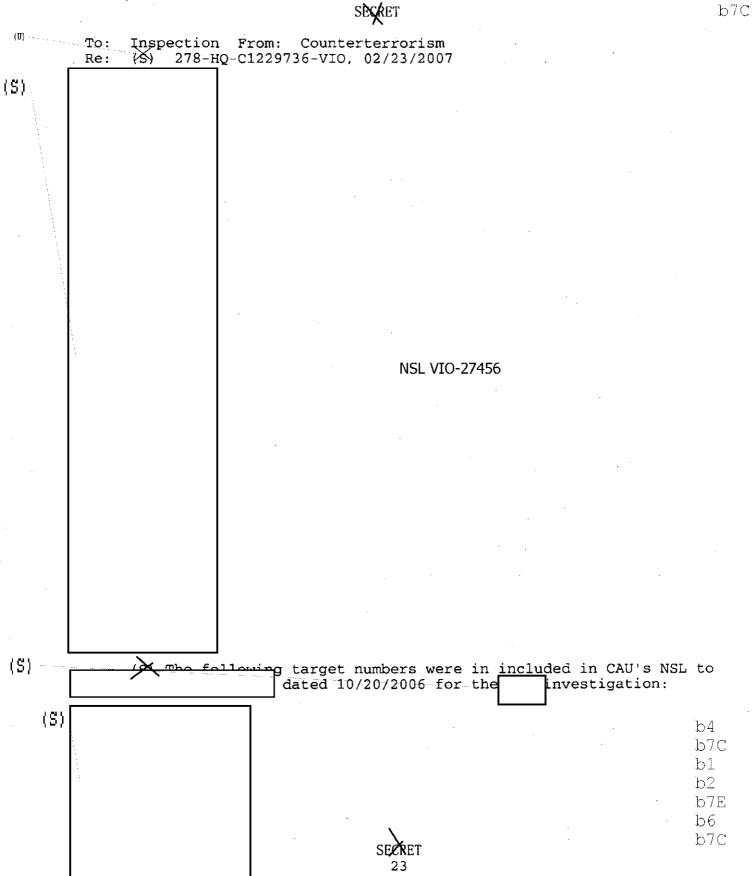
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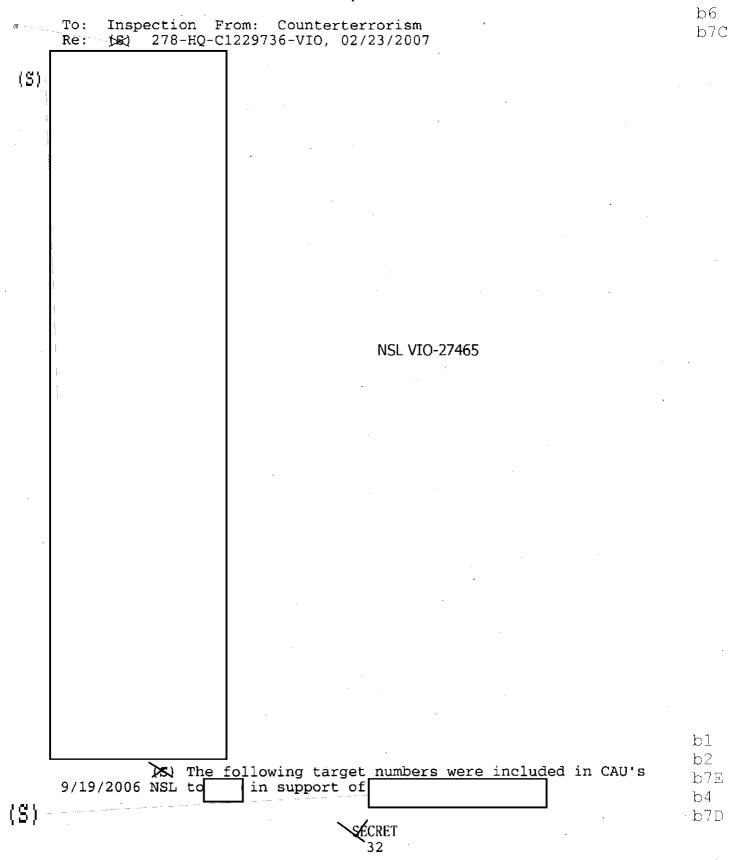
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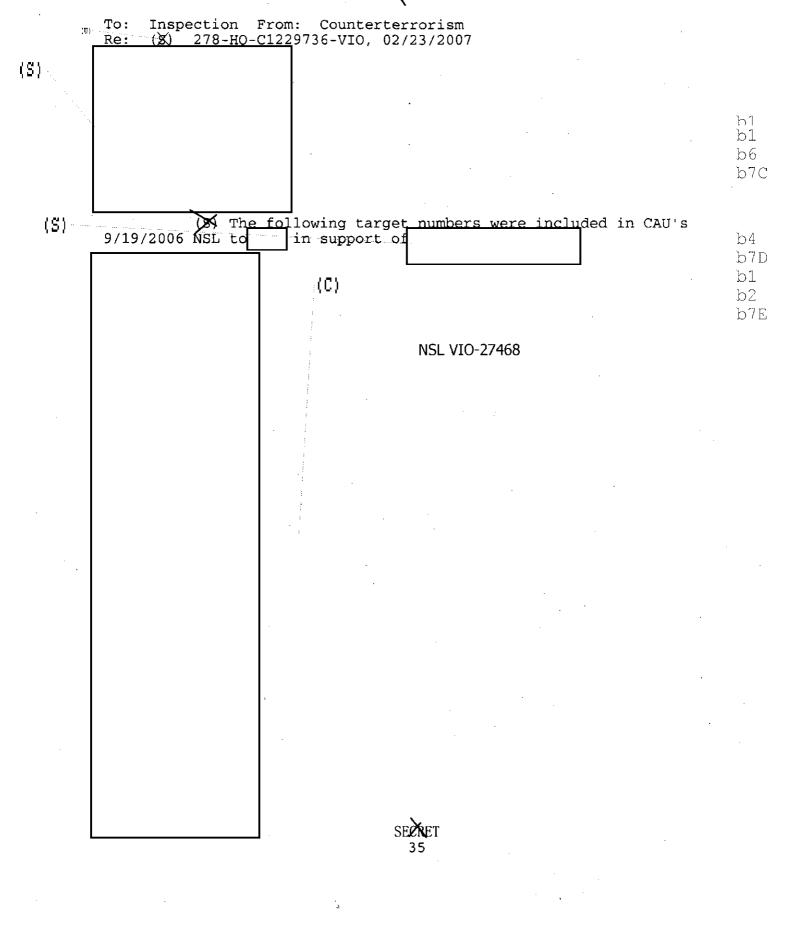


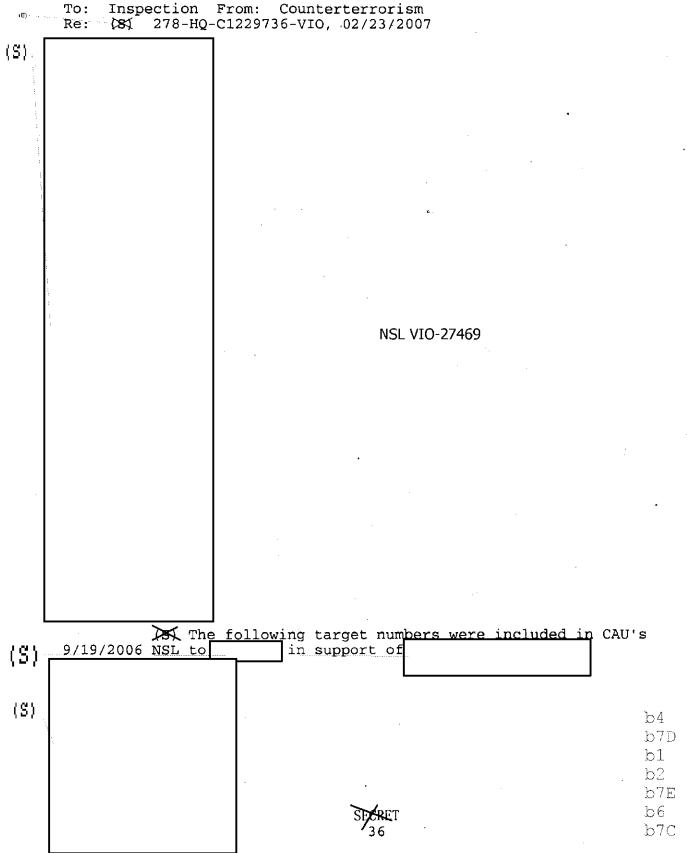
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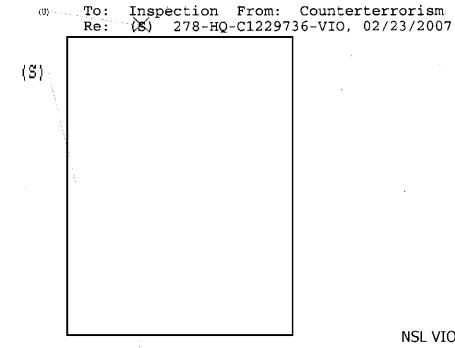




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