

[Redacted]

From: [Redacted]
Sent: Monday, May 15, 2006 1:02 PM
To: [Redacted]
Cc: [Redacted]
Subject: FW: IOB matters

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b7C

[Redacted]

Please forward any documents to [Redacted] SRRU, 1B224. His unit is responsible for tracking documents turnover to OIG and GAO.

Thanks

[Redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-19-2007 BY 65179/DMH/KSR/TW

-----Original Message-----

From: [Redacted] [mailto:[Redacted]]
Sent: Monday, May 15, 2006 12:01 PM
To: [Redacted]
Cc: [Redacted] Thomas, Julie F.; [Redacted]
Subject: RE: IOB matters

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b7C

Hi, [Redacted] You may recall that in March, we had an exchange of emails concerning some talking points on NSL matters that were used in a Hill briefing by Ms. Caproni. As noted below, you referenced briefings by Ms. Caproni on some NSL matters in Nov. 2005 that were at the "Secret" level.

In connection with our ongoing NSL/215 review, I came across an email sent on the FBI's unclassified email system from you on 12/8/2005 to an OGC attorney [Redacted] attaching what you referred to as "some NSLB talkers on NSLs that were prepared for GC Caproni's use in hill briefings."

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May I ask that you double-check to see if the attachment to this email was unclassified and, if so, to please forward me a copy, simultaneously providing a copy to [Redacted] in INSD? If it was classified, please let me know the classification level and I will check to see if we have received a copy in response to our various document requests.

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Thanks very much.

[Redacted]

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-----Original Message-----

From: [Redacted] [mailto:[Redacted]]
Sent: Thursday, March 02, 2006 12:01 PM
To: [Redacted] (OIG); Julie Thomas [Redacted]
Cc: [Redacted]
Subject: RE: IOB matters

b6
b7C

I identified two classified briefings on the IOB issue as follows:

1. On 1/24/2005, V Caproni briefed SSCI staff in response to the Wash Post story. This briefing was at the "Secret" level.
2. On 1/25/2005, V Caproni briefed staff from House and Senate Intel Committees and House and Senate Judiciary Committees concerning IOB violations and responded to material contained in the Wash Post story. All staff assembled for a single briefing. Some of the SSCI staff attended both briefings (1/24 and 1/25) - the 1/25 briefing was more comprehensive. This briefing was at the "Secret" level.

I found no record of the FBI briefing Members of Congress on the IOB issue. Congressional briefings are not transcribed.

Somewhat related were a series of briefings that V Caproni provided in 11/2005 concerning National Security Letters. These briefings were also provided in response to a story that ran in the Wash Post. We did 3 briefings (all at the "Secret" level) on 11/8, 11/9, and 11/10. The same Committees above were represented by staff; however, the 11/10 briefing included two House members. As noted above, briefings are not transcribed.

Bottom line - I found no unclassified briefings on IOB matters.

Hope this info is helpful.

[redacted]
FBI Office of Congressional Affairs
[redacted]

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-----Original Message-----

From: [redacted] [mailto:[redacted]]
Sent: Thursday, March 02, 2006 9:59 AM
To: [redacted]
Cc: [redacted] Thomas, Julie F.
Subject: IOB matters

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b7C

[redacted] To confirm our conversation, I understand you will try to track down the various venues in which FBI officials briefed the Hill (Members or staff, intelligence, judiciary or other committees) on the IOB matters that were first publicized in the Wash Post article last Oct 24, 2005. You said you would defer to OGC (Julie Thomas) as far as the briefing materials used - and hopefully Julie will have a chance during her busy day at the NAC to check her email/blackberry.

As I mentioned, it will be helpful to us in finalizing this portion of our semi-annual Patriot Act report to see what has previously been disclosed in unclassified briefings on this topic.

Thanks very much for your assistance,

[redacted]

Oversight & Review Division
Office of the Inspector General
U.S. Department of Justice
950 Pennsylvania Ave. N.W., Room 4264
Washington, DC 20530
tel. [redacted]
fax. [redacted]

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[Redacted]

From: [Redacted]
Sent: Monday, May 15, 2006 3:46 PM
To: [Redacted]
Cc: [Redacted] Thomas, Julie F.; [Redacted]
Subject: RE: IOB matters
Attachments: FW: IOB matters

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FW: IOB matters

[Redacted] - I received your fax and have identified a document with the same file name as that reflected on the email transmission to [Redacted]. Per [Redacted] email (attached) I will get this document to [Redacted] for appropriate action. On its face, the document, prepared by OGC NSLB, is not classified; it focuses on the statutory authority for NSLs and the process for issuing them.

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[Redacted]

FBI Office of Congressional Affairs

[Redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-19-2007 BY 65179/DMH/KSP/RM

-----Original Message-----

From: [Redacted] [mailto:[Redacted]]
Sent: Monday, May 15, 2006 3:07 PM
To: [Redacted]
Cc: [Redacted] Thomas, Julie F. [Redacted]
Subject: RE: IOB matters

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[Redacted] - You should have the e-mail via fax now. Let me know if you do not have it as yet.

-----Original Message-----

From: [Redacted] [mailto:[Redacted]]
Sent: Monday, May 15, 2006 2:25 PM
To: [Redacted]
Cc: [Redacted] Julie.Thomas [Redacted]
Subject: RE: IOB matters

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Just checked the fax machine and didn't see anything - let me know when you send it over to [Redacted]. Thanks,

[Redacted]

FBI Office of Congressional Affairs

[Redacted]

-----Original Message-----

From: [Redacted] [mailto:[Redacted]]
Sent: Monday, May 15, 2006 12:20 PM
To: [Redacted]
Cc: [Redacted] Thomas, Julie F.; [Redacted]
Subject: RE: IOB matters

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I do not have it electronically but can fax it to you. I do not have the attachment to it with the hard copy of the email (which is why I was asking you about the attachment).

What fax no. shall I send it to?

[Redacted]

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-----Original Message-----

From: [redacted] [mailto:[redacted]]
Sent: Monday, May 15, 2006 12:13 PM
To: [redacted]
Cc: [redacted] Julie.Thomas [redacted]
Subject: RE: IOB matters

[redacted] - I just checked my intranet (FBI unclass) "sent items / outbox" and don't see an email to [redacted] on 12/8/2005. Do you have a copy of the email and/or the attachment?

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[redacted]
FBI Office of Congressional Affairs
[redacted]

-----Original Message-----

From: [redacted] [mailto:[redacted]]
Sent: Monday, May 15, 2006 12:01 PM
To: Beers, [redacted]
Cc: [redacted] Thomas, Julie F.; [redacted]
Subject: RE: IOB matters

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[redacted]

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-----Original Message-----

From: [redacted]
[mailto:[redacted]]
Sent: Thursday, March 02, 2006 12:01 PM
To: [redacted] Julie Thomas [redacted]
Cc: [redacted]
Subject: RE: IOB matters

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NSL VIO-13076

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[Redacted]

FBI Office of Congressional Affairs

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-----Original Message-----

From: [Redacted] (mailto:[Redacted])
Sent: Thursday, March 02, 2006 9:59 AM
To: [Redacted]
Cc: [Redacted] Thomas, Julie F.
Subject: IOB matters

b6
b7C

[Redacted] - To confirm our conversation, I understand you will try to track down the various venues in which FBI officials briefed the Hill (Members or staff, intelligence, judiciary or other committees) on the IOB matters that were first publicized in the Wash Post article last Oct 24, 2005. You said you would defer to OGC (Julie Thomas) as far as the briefing materials used - and hopefully Julie will have a chance during her busy day at the NAC to check her email/blackberry.

As I mentioned, it will be helpful to us in finalizing this portion of our semi-annual Patriot Act report to see what has previously been disclosed in unclassified briefings on this topic.

Thanks very much for your assistance,

[Redacted]

Oversight & Review Division
Office of the Inspector General
U.S. Department of Justice
950 Pennsylvania Ave. N.W., Room 4264
Washington, DC 20530
tel. [Redacted]
fax. [Redacted]

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[Redacted] (INSD) (FBI)

From: [Redacted] (OCA) (FBI)
Sent: Thursday, December 08, 2005 12:20 PM
To: [Redacted] (OGC) (FBI)
Cc: [Redacted] (OCA) (FBI)
Subject: RE: Patriot Act Stuff

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**UNCLASSIFIED
NON-RECORD**

[Redacted] please also feel free to reach out to [Redacted] in our office. He has just returned from his detail to Senate Judiciary where is was one of the primary drafters of the reauthorization bill - he is a tremendous wealth of knowledge and willing to help out!!

[Redacted]
Office of Congressional Affairs
[Redacted]

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DATE 06-19-2007 BY 65179/DMH/KSR/RW

-----Original Message-----

From: [Redacted] (OGC) (FBI)
Sent: Thursday, December 08, 2005 12:10 PM
To: [Redacted] (OCA) (FBI)
Subject: RE: Patriot Act Stuff

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**UNCLASSIFIED
NON-RECORD**

[Redacted] Thanks for your help. I am sure I will have some questions after I digest all of this. [Redacted]

-----Original Message-----

From: [Redacted] (OCA) (FBI)
Sent: Thursday, December 08, 2005 10:13 AM
To: [Redacted] (OGC) (FBI)
Subject: Patriot Act Stuff

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**UNCLASSIFIED
NON-RECORD**

The attached "grid" document lists each of the sunset provisions and contains a brief description of the tool. The provisions are color-coded - green = no opposition and red = controversial provision. As noted in today's WashPost article, the two "red" provisions noted on the grid (Roving FISA Wiretap and Business Records) remain controversial and will be subject to additional sunsets - most likely an additional four years. I've also attached a document "sunset survey" that I compiled based on [Redacted] survey of the field for examples of uses of the Patriot Act provisions. You'll find on the OCA intranet site an additional document called "DOJ 2005 PatAct Sunset Report" that may contain additional examples of uses of particular tools. All the the examples in the attached document and the documents on the intranet are appropriate for public discussion.

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The other provision that is likely to be subject to sunset is the "Lone Wolf" FISA provision that was included in last year's Intelligence Reform and Terrorism Prevention Act. (Section 6001) Lone Wolf authority was also scheduled to expire this year and will likely be extended for four years.

A couple of Patriot Act provisions that are not scheduled to sunset have become controversial and are addressed in the reauthorization bill - most notable are the provisions concerning FBI use of National Security Letters (NSLs). Some of our NSL authority was modified in Sec. 505 of the original Patriot Act, but the modifications in the

NSL VIO-13078

2/14/2006 7:13 PM
7:13 PM

MAY-15-2006 15:54

US DOJ OIG OO&R

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11/23/03

→ reauthorization bill react primarily to the concern that this is secret, unfettered authority. I've attached some NSLB talkers on NSLs that were prepared for GC Caproni's use in hill briefings.

Please reach out if you think of anything else that would be helpful.



Office of Congressional Affairs



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<< File: sunset provisions grid.wpd >> << File: sunset-survey - clean.wpd >> << File: Mixed Messages From Hill On Patriot Act Talks.doc >> << File: FBI GC's Talking Points on NSLs.v2.wpd >>

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NSL VIO-13079



U.S. Department of Justice
Office of the Inspector General
Oversight & Review Division
1425 New York Avenue, NW
Suite 13100
Washington, DC 20005

Fax: []

Telephone: []

TO: []

Office of Congressional Affairs, FBI

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b7C

FAX: []

FROM: []

PHONE NUMBER: []

E-MAIL: []

MESSAGE: Per request.

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DATE 06-19-2007 BY 65179/DHM/KSR/RM

NUMBER OF PAGES (not including header sheet): 2

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