

~~SECRET~~ ORCON NOFORN

DATE: 06-18-2007
CLASSIFIED BY: 65179/DWH/KSP/RW
REASON: 1.4 (c,d)
DECLASSIFY ON: 06-18-2032

RE: OIG PATRIOT ACT REVIEW - May 8, 2006 Request

1). (S//OC, NF) [redacted] waiting for CTD response. 1073946

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2). (S//OC, NF) [redacted] FISA Business Records were requested in the [redacted] in [redacted] separate instances in 2003. However, the 215 authority was never used, apparently due to a lack of timely response from DOJ/OIPR. Instead, the FBI utilized grand jury subpoenas.

3). (S//OC, NF) [redacted]

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4). (S//OC, NF) [redacted] via EC dated 2/11/2003, asked FBIHQ to request a FISA order for library records related to [redacted]. There is no indication whether the [redacted] request was forwarded to OIPR.

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5). (S//OC, NF) [redacted]

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6). (S//OC, NF) [redacted] This case was closed on [redacted] and there was no FISA 215 business record request submitted.

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7). (S//OC, NF) [redacted] More identifying information is needed.

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8). (S//OC, NF) [redacted] waiting for CTD response.

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*9). (S//OC, NF) [redacted] on 1/31/2005 the Section 215 request was presented to DOJ-OIPR. On 12/20/2005, the Section 215 request was withdrawn via an email from the FBIHQ CTD substantive Unit to the OIPR attorney. The reason for the withdrawal was that the investigation had moved forward without the use of this investigative tool.

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*10). (S//OC, NF) [redacted] waiting for CTD response.

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*11). (S//OC, NF) [redacted] Section 215 request was not submitted to OIPR.

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*12). (S//OC, NF) [redacted] - no indication of a 215 request being submitted to OIPR.

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*13). (S//OC, NF) [redacted] This case was closed on [redacted] No FISA 215 request was submitted. A pen register FISA was requested on 04/18/2005, but it was withdrawn on 07/15/2005.

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*14). (S//OC, NF) [redacted] a Section 215 request was submitted to OIPR on 1/27/2005, and subsequently was withdrawn when the FISC ruled that more probable cause was needed.

*15). (S//OC, NF) [redacted] no indication of a Section 215 request being submitted to OIPR..

*16). (S//OC, NF) [redacted] section 215 application forwarded to OIPR on 6/9/2005. The application was subsequently withdrawn on 6/27/2005 because FISA coverage was being discontinued on 7/1/2005.

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*17). (S//OC, NF) [redacted] no indication of a Section 215 request being submitted to OIPR.

*18). (S//OC, NF) [redacted] waiting for CTD response..

*19). (S//OC, NF) [redacted]

NSL

*20). (S//OC, NF) [redacted] no indication of a Section 215 request being submitted to OIPR.

*21). (S//OC, NF) [redacted] waiting for CTD response.

*22). (S//OC, NF) [redacted] waiting for CTD response.

*23). (S//OC, NF) [redacted] waiting for CTD response.

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24). (S//OC, NF) [redacted] no Section 215 request was forwarded to OIPR. Information obtained via NSL.

25). (S//OC, NF) [redacted] a Section 215 request was forwarded to OIPR. on 1/8/2003. There is no information indicating this request has been withdrawn.

26). (S//OC, NF) [redacted] did not located "215" requests and/or declinations.

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However, did find "215" requests and orders for [redacted] which is attached)

27). (S//OC, NF) [redacted] - Section 215 application dated 2/20/2005, withdrawn on 12/7/2005 due to a lack of a timely response from OIPR. Investigation completed and case closed prior to receipt of information.

28). (S//OC, NF) [redacted] - Application date was 8/10/2004. Withdrawn on 1/12/05 due to lack of timeliness. Investigation completed and case closed prior to receipt of information.

29). (S//OC, NF) [redacted]

30). (S//OC, NF) [redacted] no evidence of "215" requests.

31). (S//OC, NF) [redacted] - on 2/19/2005 a Section 215 request was submitted to OIPR. On 3/9/2006 the FISC authorized the Section 215.

32). (S//OC, NF) [redacted] - Section 215 application was presented to OIPR on 7/5/2005. However, on 3/31/2006 the application was withdrawn because an NSL was being utilized to obtain the information.

33). (S//OC, NF) [redacted]

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* FILE NUMBERS PROVIDED BY OIG

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DATE: 06-18-2007
CLASSIFIED BY: 65179/DMH/KSR/RM
REASON: 1.4 (c)
DECLASSIFY ON: 06-18-2032

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[Redacted]

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1. Date the Section 215 application was presented to OIPR: 07/05/2005
2. Date of withdrawal of the Section 215 by the FBI: [Redacted] of OGC advised via e-mail on 03/31/2006 that they intended to withdraw the application.
3. Reasons for the withdrawal of the Section 215: Case agent was advised to use a NSL instead of a business records FISA.

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[Redacted]

The field did not submit a FISA application requesting business records. The field submitted a PR/TT request on 02/08/2005. FBI HQ requested that [Redacted] of OGC withdraw the FISA application on 12/30/2005 via e-mail.

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1. Date the Section 215 application was presented to OIPR: 06/09/05 (The application presented to OIPR on this date was a renewal request for a PR/BR)
2. Date of withdrawal of the Section 215 by the FBI: 06/27/05
3. Reasons for the withdrawal of the Section 215: On 06/27/2005, FBIHQ and DOJ/OIPR determined the latest FISA renewal for PR/TT would not be approved and submitted to the FISC because no new information had been obtained through the use of the PR/TT. FBIHQ advised that the current FISA PR/TT [Redacted] would be left to expire on 07/01/2005.

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1. Date the Section 215 application was presented to OIPR: 02/19/05
2. Date of withdrawal of the Section 215 by the FBI: Application was not withdrawn; FISC signed on 03/09/06
3. Reasons for the withdrawal of the Section 215s: N/A

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A FISA Pen Register/Tap & Trace request was submitted for the subject on approximately 04/03/2005. This request was withdrawn on 08/03/2005, primarily due to the length of time to receive approval. The investigation had moved forward without the use of this investigative tool.

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1. Date the Section 215 application was presented to OIPR: On 01/27/2006 the request for business records went to the FISC.
2. Date of withdrawal of the Section 215 by the FBI: Late January or early February
3. Reasons for the withdrawal of the Section 215s: The judge ruled the application needed more PC in order to get the records.

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1. The date the Section 215 application was presented to OIPR: 01/08/2003
2. The date of the withdrawal of application: No indication the request had ever been withdrawn.
3. Reasons for withdrawal: N/A

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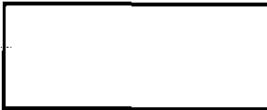


There is no reference to a Section 215 Application for business records.

Pen Register FISA request initiated 01/28/2005, sent to OIPR 06/13/2005, withdrawn by field in September 2005.

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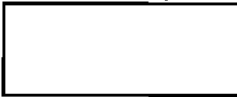


There is no reference to a Section 215 Application for business records.

Pen Register FISA request initiated 04/06/2005, sent to OIPR 08/01/2005, withdrawn by field in September 2005

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There is no reference to a Section 215 Application for business records.

Pen Register FISA request sent to OIPR 05/09/2005, withdrawn by field in September 2005

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For info