

[Redacted] (RMD)(FBI)

b6 -1
b7C -1

From: MILLER, KAREN D (OGC) (FBI)
Sent: Monday, May 10, 2010 1:45 PM
To: [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI)
Subject: FW: OIG Review of the USA Patriot Act Authorities - National Security Letters

~~SECRET~~
RECORD 3190-HQ-1487637

Karen Davis Miller
OGC/NSLB
Section Chief
Policy, Training, Litigation
& Oversight

b6 -1
b7C -1

[Redacted]

b6 -1,2
b6 -1,2

From: [Redacted] (INSD) (FBI)
Sent: Monday, May 10, 2010 11:38 AM
To: [Redacted] (DO) (FBI); SIEGEL, STEVEN N. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted] (CTD) (FBI); [Redacted] (CYD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (OGC) (FBI); [Redacted] (DI) (FBI); [Redacted] (CO) (CON); [Redacted] (CD) (FBI); [Redacted] (DO) (FBI); BEERS, ELIZABETH RAE (OCA) (FBI); [Redacted] (OGC) (FBI)
Cc: EVANS, DAVID C. (INSD) (FBI); [Redacted] (INSD) (FBI); INGBER, LAURA R (INSD) (FBI); [Redacted] (INSD) (FBI); [Redacted] (OGC) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); MCJUNKIN, JAMES W (CTD)(FBI); REINHOLD, TRACY A. (DI) (FBI); CLOYD, DANIEL L. (CD) (FBI); SNOW, GORDON (CYD)(FBI); WILL, CANDICE M. (OPR) (FBI); [Redacted] (INSD) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); MILLER, KAREN D (OGC) (FBI)
Subject: OIG Review of the USA Patriot Act Authorities - National Security Letters

~~SECRET~~
RECORD 3190-HQ-1487637

Good afternoon everyone,

b5 -1

I'm sending this e-mail out so everyone could start compiling all responsive documents for the [Redacted] [Redacted] This will be the last part on the January 14, 2010 request.

Thanks to everyone so far that sent responsive documents.

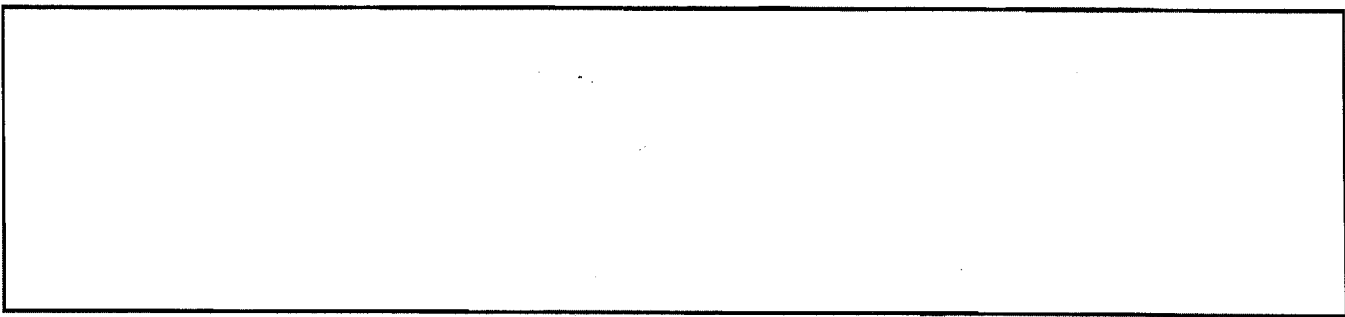
b5 -1

We will now work with [Redacted]

The updated information is as follows:

[Redacted]

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2007NSLs.xls



2008NSLs.xls



2009NSLs.xls

Do not contact the field for this aspect. INSD is drafting an EC to the field for the responsive information.

Please have all responsive documents/information to me by June 2, 2010.

Thank you and if you have any questions, please don't hesitate to contact me.

[Redacted]

*Inspection Division
Special Request Response Unit (SRRU)*

Room [Redacted]

[Redacted]

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b7C -1

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20350510
SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20350510
SECRET~~

FEDERAL BUREAU OF INVESTIGATION
FOIA/PA DELETED PAGE INFORMATION SHEET

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

X Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552

Section 552a

- (b)(1)
- (b)(2)
- (b)(3) _____
- _____
- _____
- (b)(4)
- (b)(5)
- (b)(6)

- (b)(7)(A)
- (b)(7)(B)
- (b)(7)(C)
- (b)(7)(D)
- (b)(7)(E)-1
- (b)(7)(F)
- (b)(8)
- (b)(9)

- (d)(5)
- (j)(2)
- (k)(1)
- (k)(2)
- (k)(3)
- (k)(4)
- (k)(5)
- (k)(6)
- (k)(7)

_____ Page(s) was/were not considered for release as it (is) /they (are) (a) duplicate(s) of (an)other released page(s).

_____ Page(s) withheld for the following reason(s):

The following number(s) is (are) to be used for reference regarding these pages:

ACLU-NSL-151 and ACLU-NSL-152

XXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X for this page X
XXXXXXXXXXXXXXXXXXXXX

[Redacted] (RMD)(FBI)

b6 -1
b7C -1

From: [Redacted] (OGC) (FBI)
Sent: Friday, June 11, 2010 11:55 AM
To: MILLER, KAREN D (OGC) (FBI)
Cc: [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI)
Subject: RE: Leahy letter

UNCLASSIFIED
NON-RECORD

Two small tweaks:

[Large Redacted Block]

b5 -1

[Redacted]

[Redacted]

Assistant General Counsel
Policy and Training Unit
National Security Law Branch
Office of the General Counsel, FBI

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b7C -1

[Redacted]

From: MILLER, KAREN D (OGC) (FBI)
Sent: Friday, June 11, 2010 11:41 AM
To: [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI)
Subject: Leahy letter
Importance: High

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NON-RECORD

b6 -1
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Looking at the QFRs, DIOG and discussing with [Redacted]
[Redacted] Tell me what you think of the following language:

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- Information to the Committee on implementation of nationwide changes to FBI procedures for seeking NSL nondisclosure orders.

Response:

b5 -1

Karen Davis Miller
OGC/NSLB
Section Chief
Policy, Training, Litigation
& Oversight

b6 -1
b7C -1

UNCLASSIFIED

UNCLASSIFIED

[Redacted]

(RMD)(FBI)

b6 -1
b7C -1

From: [Redacted] (OGC)(FBI)
Sent: Friday, June 11, 2010 11:55 AM
To: [Redacted] (OGC) (FBI); MILLER, KAREN D (OGC) (FBI); [Redacted] (OGC) (FBI)
Subject: RE: Leahy letter

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I agree.

Also, in the original draft it stated:

- Information to the Committee on implementation of nationwide changes to FBI procedures for seeking NSL nondisclosure orders.

Status: [Redacted]

[Redacted]

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[Redacted]

[Redacted]

[Redacted]

b6 -1
b7C -1

Assistant General Counsel
National Security Law Policy and Training Unit
JEH, Room [Redacted]
Phone: [Redacted]
BB: [Redacted]

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

From: [Redacted] (OGC) (FBI)
Sent: Friday, June 11, 2010 11:48 AM
To: MILLER, KAREN D (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Leahy letter

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b7C -1

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I think this is good.

There is one extra period at the end.

From: MILLER, KAREN D (OGC) (FBI)
Sent: Friday, June 11, 2010 11:41 AM
To: [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI)
Subject: Leahy letter
Importance: High

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[Redacted]

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b6 -1
b7C -1

- Information to the Committee on implementation of nationwide changes to FBI procedures for seeking NSL nondisclosure orders.

Response:

[Redacted]

[Redacted]

b5 -1

Karen Davis Miller
OGC/NSLB
Section Chief
Policy, Training, Litigation
& Oversight

[Redacted]

b6 -1
b7C -1

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UNCLASSIFIED

[Redacted]

(RMD)(FBI)

b6 -1
b7C -1

From: MILLER, KAREN D (OGC) (FBI)
Sent: Friday, June 11, 2010 4:37 PM
To: SIEGEL, STEVEN N. (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)
Subject: Leahy responses

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This is the final version of the document that I sent over. Thanks for everyone's help.



Leahy USA Patriot
Act Requests...

Karen Davis Miller
OGC/NSLB
Section Chief
Policy, Training, Litigation
& Oversight

[Redacted]

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b7C -1

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Response to Senator Leahy's USA PATRIOT ACT
Requests of March 17, 2010

- Increased public reporting on use of NSLs.

Response: [Redacted]

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- Information to the Committee on implementation of nationwide changes to FBI procedures for seeking NSL nondisclosure orders.

Response: [Redacted]

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- Information to the Committee on when and how the FBI will implement procedures for collection, use and storage of information obtained in response to NSLs.

Response: [Redacted]

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- FBI Policy for retaining internally a statement of specific facts showing that the information sought through NSLs is relevant to an authorized investigation.

Response: [Redacted]

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¹ An NSL request for a full credit report is not available in counterintelligence investigations unless there is an international terrorism nexus. 15 U.S.C. § 1681v(a) ("a consumer reporting agency shall furnish a consumer report of a consumer and all other information in a consumer's file to a government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism when presented with a written certification by such government agency that such information is necessary for the agency's conduct or such investigation, activity or analysis.").

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[Redacted]

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- FBI policy for notification of NSL recipients who challenge nondisclosure order when compliance with the order is no longer required.

Response:

[Redacted]

b5 -1

- Policy guidance providing that the government will not rely on the conclusive presumption in section 215 nondisclosure orders and will present the FISC with a complete statement of facts sufficient to show relevance of the order to an authorized investigation.

Response:

[Redacted]

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- Policy guidance providing that certifications accompanying applications for section 215 nondisclosure order must include an appropriately thorough statement of facts that sets forth the need for nondisclosure.

Response:

[Redacted]

b5 -1

06/11/2010 – FBI OGC NSLB/DGC Siegel

ACLU-NSL-159