ALL INFORMATION CONTAINED

	(RMD)(FBI)	HEREIN IS UNCLASSIFIED  DATE 02-23-2012 BY 65179 DMH/ST	
From: Sent: To: Cc: Subject:	OGC) (FBI) Thursday, July 22, 2010 11:2 SIEGEL, STEVEN N. (OGC) OGC) (I	8 AM (FBI); MILLER, KAREN D (OGC) (FBI)	b6 −1 b7c −1
UNCLASSIFIED NON-RECORD			
Steve,			
	Attached are med are from my second one.	n concerning NSLs for the first time yesterday ny edits/comments. The "blue" comments are	from my first b5 -1
Assistant General Policy and Trainin National Security Office of the General	ng Unit Law Branch, JEH		b6 −1 b7C −1



NSLs Outside of the System v9 ...

UNCLASSIFIED

10	Page(s) withheld entirely at this lost statements, where indicated, exp		more of the following
<u>_X</u> _	Deletions were made pursuant to material available for release to y		below with no segregable
	Section 552	<u>s</u> .	ection 552a
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	ACLU-NSL-161 through A	CLU-NSL-170	

# ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE OF 73 2012 BY 55170 DWG (STOUNT

	(RMD)(FBI)	DATE U2-23-2012 BY 65179 DM	
From: Sent: To: Cc: Subject:	(OGC) (FBI)  Monday, August 02, 2010 2:36 PM MILLER, KAREN D (OGC) (FBI); N SIEGEL, STEVEN N. (OGC) (FBI) (OGC)(FBI) RE: Questions for the Record	ICNALLY, RICHARD (OGC) (FBI) (OGC) (FBI)	b6 −1 b7C −1
UNCLASSIFIED NON-RECORD			
Rick,			
	propose we send to Valerie. Comment the edits before you send it.)	s? Do you want to send it to her? (If you s	end it, be
Questions for the Record (6).d			
Assistant General ( National Security I Office of the Gene	Law Branch, JEH		.b6 -1 .b7C -1
To: Cc: Mono	Questions for the Record	(FBI) C) (FBI):	b6 -1 b7C -1
I believe Vale and tell her they are Karen Davis Miller OGC/NSLB	rie Caproni is going to have to sign off on t due by COB tomorrow.	these. Either you or Rick will need to get these	to her today b6 -1 b7C -1
Section Chief Policy, Training, Liti & Oversight	gation		b6 -1 b7C -1

From: Sent: To: Cc:	(OGC) (FBI) Saturday, July 31, 2010 8:33 AM MILLER, KAREN D (OGC) (FBI) SIEGEL, STEVEN N. (OGC) (FBI (OGC) (FBI)	.b6 -1 .b7C -1
Subject: UNCLASSI NON-RECO		·
I have revi	iewed your edits and incorporated all of them into the document. I made t	no additional changes.
I need to c	heck with about the date online NSL training began. I will insert tent to you.	the date and thereafter send
	General Counsel I Training Unit, JEH GC	b6 -1 b7C -1
From: Sent: To: Cc: Subject:	MILLER, KAREN D (OGC) (FBI) Friday July 30 2010 4:39 PM OGC) (FBI) SIEGEL, STEVEN N. (OGC) (FBI) RE: Questions for the Record	b6 -1 b7C -
UNCLASS NON-REC	ORD	
-	uestions for the Record (3).doc >>	
Karen Dav OGC/NSLE Section Ch Policy, Tra & Overs	B nief ining, Litigation	.b6 -1 .b7C -1
From: Sent: To: Cc: Subject: Importance	(OGC) (FBI) Friday, July 30, 2010 3:37 PM MILLER, KAREN D (OGC) (FBI) SIEGEL, STEVEN N. (OGC) (FBI) Questions for the Record High	b6 −1 b7C −1
UNCLASS NON-REC	ORD ORD	
Karen,		

response. Recall that Steve asked that you forward them (after you approve them). The QFRs ca (FD).	ame from
(1'D).	
We gave you an option on answer #2.	
Assistant General Counsel Policy and Training Unit	¹b6 −1
National Security Law Branch, JEH	.b7c -
Office of the General Counsel, FBI	
<< File: Questions for the Record (3).doc >>	
From: SIEGEL, STEVEN N. (OGC) (FBI)	
Sent: Wednesday, July 28, 2010 9:39 AM  To: (OSC) (FBI)	b6 -1
Cc: (OGC) (FBI); MILLER, KAREN D (OGC) (FBI); (OGC) (FBI)	b7C -1
Subject: FW: Questions for the Record Importance: High	
<u>UNCLASSIFIED</u>	•
NON-RECORD	Ъ6 −1
	b7C -1
Can you take this for action? I am certain that we have answered these questions a hundred times over,	and house against
for an assist. Deadline is August 3. I am out July 31 and August 2, so Karen Miller should appro	ove, if these are
not done by tomorrow afternoon.	b6 -1
Thanks.	b7C -1
Ober 12	
Steve	•
Steven N. Siegel	
Deputy General Counsel National Security Law Branch	
Office of the General Counsel	
	b6 -1
From: (FD) (FBI)	b7c −1
Sent: Wednesday, July 28, 2010 9:35 AM	
Cc: (FD) (FBI) (FD) (FBI) (FD) (FBI)	
(FD) (FBI); (FD)(FBI)  Subject: Questions for the Record	b6 -1
Importance: High	b7C -1
UNCLASSIFIED	
NON-RECORD	
Hey guys,	

The Director testified on April 15th in front of the Senate Appropriations Committee (Commerce, Justice, Science and Related Agencies Subcommittee) on the FY 2011 Budget. As a result of the hearing, several Congressional Members have submitted Questions for the Record. Pasted below are the NSL questions that were submitted. All answers have to be approved by the OGC/OIC ADs. Can you answer and have these approved by COB August 3rd (next Tuesday)?

I	ha	nks	3	
Γ			,	1
1				

b6 -1 b7C -1

#### **National Security Letters**

National Security Letters (NSL's) are useful counter-terrorism tools that allow the FBI to conduct searches without getting court orders, and allow agents to analyze telephone, computer and bank records without warrants.

The PATRIOT Act made NSLs easier to obtain, but also requires the Inspector General (IG) to monitor the use of NSLs and report back to Congress.

The IG released two reports on NSLs which found significant intelligence violations. The IG estimates over 6,000 NSL violations from 2004-2006. That's 8% of all NSLs issued. Violations include:

- 11 "blanket NSLs" without proper approval in 2006
- unauthorized collection of over 4,000 billing records and phone numbers

This subcommittee recognized a problem with NSL management, and provided \$10 million in FY 2010 to establish the Office of Integrity and Compliance for oversight of NSLs.

#### Questions:

- 1. What are you doing to improve NSL training for FBI employees?
- 2. Will you make NSL training mandatory for all employees involved with NSLs?
- 3. Do you agree with the IG's recommendation that the Office of Integrity and Compliance needs more staff to carry out its oversight role?
- 4. Do you have the right computer systems to improve the way you issue and track NSLs?

Section 552	<u>s</u>	ection 552a
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	(RMD)(FBI)	DATE OF CO AGES OF GOAL, B. M. C.	
Frank	OCCVERN		b6 -1
From:	OGC)(FBI) <u>Wednesday October 06</u> , 2010 3:22 PM		ъ7с -1
To:	(OGC) (FBI)	(OGC) (FBI); MILLER, KAREN D	·
	(OGC) (FBI)	(000) (100)	
		ting Official to Issue National Security Letters	
INC. ACCIDED			
UNCLASSIFIED NON-RECORD			
NON-RECORD			
this is sitting with Steve.			
KM - do you mind checking w	vith Steve to see if he's had an opportu	nity to review?	
From: MILLER, KAREN	LD (OGC) (FBI)		b6 -:
	ber 24, 2010 2:59 PM		b7C
To:	LOGC) (FBI) (OGC)(FBI)		
	N N. (OGC) (FBI) I Delegation of an Acting Official to Issue Natio	anal Security Letters	
	belogation of an incoming official to study must	and security perceis	
UNCLASSIFIED			
NON-RECORD			
FYI - this policy needs to be	cleared by Valerie Caproni before goin	a to CPO. Steve should review it first	
The point, include to be	siddied by valence duplom belone gent	g to or o. Otoro director territor.	
Steve, please review.			
<u>.</u>			
	•		
NSL Signature			
Authority (CPN 0			
Karen Davis Miller			
OGC/NSLB		9ď	-1
Section Chief			C -1
Policy, Training, Litigation			
& Oversight			
	•		
From:	(OSG) (FRY)		
	(OGC) (FBI) cotember 22, 2010 1:14 PM	ď	6 -1
To:	(OGC)(FBI)	ď	7C -1
Cc: MILLER, KAREN Subject: RE: CPO 0227N	N D (OGC) (FBI)	and Care W. L. W.	
RE. CPG 022/N	N Delegation of an Acting Official to Issue Nati	onal Security Letters	
<u>UNCLASSIFIED</u>			
NON-RECORD			
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		b <sup>*</sup>	7C -1

Here are my suggested changes to the Corporate Policy Notice 0227N (Delegation of an Acting Official to Issue National Security Letters).

<< File: NSL Signature Authority (CPN 0227N) - Delegation of an Acting Official (draft 9-22-10).htm >>	
Assistant General Counsel National Security Law Branch, JEH Office of the General Counsel, FBI	.b6 -1 .b7C -1
From: (OGC)(FBI)  Sent: Tuesday, September 21, 2010 4:51 PM  To: (OGC) (FBI)  Cc: MILLER, KAREN D (OGC) (FBI)  Subject: FW: 227N - "Acting policy on NSLs)  Importance: High	b6 -1 b7C -1
UNCLASSIFIED NON-RECORD	
- can you please review this? I will attach a background email as to why we are reviewing this policy again << Message: RE: Policies ready for renewal or update >> . Even though we thought we'd wait for DIOG revision to be finalized to address this policy, it is expring 10/8 and needs updating. Hopefully you can get to it this week before you go on vaca. Let me know if it doesn't look like you can tackle it in time. Thanks,	'b6 −1 'b7C −1
From: MILLER, KAREN D (OGC) (FBI)  Sent: Tuesday. Sentember 21, 2010 4:28 PM  To: (OGC)(FBI)  Subject: 227N - "Acting policy on NSLs)  Importance: High	b6 -1 b7C -
UNCLASSIFIED NON-RECORD	b6 -1
attached to this email is the link to 227N (Acting policy on NSLs); the proposed DIOG section on NSLs (which discusses Acting NSLs); my proposed section on how I thought the DIOG should be (it was not adopted but reading it will show ways in which we can consolidate 0227N); and an email that Valerie Caproni that needs to be incorporated into 227N.	Ъ7C −1 ∥
Link to 227N	b7E -
227N expires 10/8/10 so we need to update it ASAP.	
I think you could probably assign to any of the attomeys.	
Below not adopted	b7E -1
<< File: NSL section of DIOG in Word NSL Acting edits.doc >>	
Below, actually proposed section.	
<< File: draft DIOG NSLS.doc >>	
Valerie Caproni's email	

From: Sent: To:	CAPRONI, VALERIE E. (OGC) (FBI) Thursday, January 21, 2010 7:21 PM FBI_SAC's				
Cc:	FBI_ALL CDCs; MILLER, KAREN D (OGC) (FBI); CUM DANIEL L. (CD) (FBI)	MINGS, ARTHUR M.	. (DO) (FBI); MCJUNKIN, J	AMES W. (CTD) (FBI); CLC	YD,
Subject:	Acting Authority to Sign NSLs				
All,					
					F
					ļ
			•		
			•		
			1		
Thanks.			b6 -1		
Val			b7C -1		
Karen Davis OGC/NSLB Section Chie Policy, Train & Oversio	ef . ning, Litigation				
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		b7c -1 b7E -1 2/9/2012

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(RMD)(FBI)	<b>.</b> 1
From: SIEGEL, STEVEN N. (OGC) (FBI) Sent: Thursday October 07, 2010 1:51 PM To: OGC) (FBI) Cc: MILLER, KAREN D (OGC) (FBI Subject: RE: CPO 0227N Delegation of an Acting Official to Issue National Security Letter	b6 -1 b7c -1
UNCLASSIFIED NON-RECORD	
	b6 -1 b7C -
Is this now in the correct form (i.e. is it now a Directive), or do we need to change the form?  NSL Signature Authority (CPN 0  Thanks.  Steve	
Steven N. Siegel Deputy General Counsel National Security Law Branch Office of the General Counsel	b6 -1 b7C -1
From: OGC) (FBI) Sent: Thursday, October 07, 2010 1:43 PM To: SIEGEL, STEVEN N. (OGC) (FBI) Cc: MILLER, KAREN D (OGC) (FBI); OGC)(FBI) Subject: RE: CPO 0227N Delegation of an Acting Official to Issue National Security Letters	b6 -1 b7C -1
UNCLASSIFIED NON-RECORD	
Here is the final, which includes the tweaks you made, and which is now "cleaned up."  << File: NSL Signature Authority (CPN 0227N) - Delegation of an Acting Official (draft 10-7-10) (	3).doc >>
Assistant General Counsel National Security Law Branch, JEH Office of the General Counsel, FBI	Ъ6 −1 .b7C ~1
From: SIEGEL, STEVEN N. (OGC) (FBI)  Sent: Thursday, October 07, 2010 11:22 AM  To: (OGC) (FBI)  Cc: MILLER, KAREN D (OGC) (FBI); (OGC)(FBI)  ACLU-NSL-185	b6 −1 .b7C −1

Su		

RE; CPO 0227N -- Delegation of an Acting Official to Issue National Security Letters

## UNCLASSIFIED NON-RECORD

Two minor edits in the attached. Can you clean it up and I will send it on?  << File: NSL Signature Authority (CPN 0227N) - Delegation of an Acting Official (draft 10-7-10).doc >> Steven N. Siegel	
Deputy General Counsel National Security Law Branch Office of the General Counsel	b6 -1 b7C -
From: Sent: Thursday, October 07, 2010 10:39 AM To: SIEGEL, STEVEN N. (OGC) (FBI) Cc: MILLER, KAREN D (OGC) (FBI) Subject: FW: CPO 0227N Delegation of an Acting Official to Issue National Security Letters Importance: High  UNCLASSIFIED NON-RECORD	.b6 -1 b7c -
Here is the revised CPO 0227N. It is in Word format so you can edit it  When you are done with this, I think you need to send it to GC Caproni for review/approval. I note	b5 b7E
current policy's Effective End Date is 2010-10-08 (tomorrow). << File: NSL Signature Authority (CPN 0227N) - Delegation of an Acting Official (draft 10-7-10). Assistant General Counsel National Security Law Branch, JEH Office of the General Counsel, FBI	b6 -1 b7c -1
From: Sent: Wednesday, October 06, 2010 3:52 PM To: SIEGEL, STEVEN N. (OGC) (FBI); MILLER, KAREN D (OGC) (FBI); (FBI) (FBI) (OGC) (FBI) (OGC) (FBI) Subject: RE: CPO 0227N Delegation of an Acting Official to Issue National Security Letters UNCLASSIFIED NON-RECORD	CHARD (OGC) b6 -1 b7C -1
"Tou-shay".  do you mind adding Steve's recommendation and sending it back to him?	b6 −1 b7C −1

	OVEREL CONTRACTO (CONTRACTO)	
From: Sent:	WARDSCOV (Propertie 1911) CAN DM	b6 -1
To:	DGC)(FBI); MILLER, KAREN D (OGC) (FBI); (OGC) (FBI); MCNALLY, RICHARD (OGC)	b7C -1
	(FBI) (OGC) (FBI) (OGC) (FBI)	
Subject:	RE: CPO 0227N Delegation of an Acting Official to Issue National Security Letters	
UNCLASSIFI NON-RECOR		
I thought you Official to Iss	were going to add some additional information. << Message: RE: CPO 0227N Delegation of an Acting ue National Security Letters >>	
Steven N. Sie	egel	
Deputy Gene		
	urity Law Branch	b6 -1
Office of the	General Counsel	b7c -1
From:	(OGC)(FBI)	b6 -1
Sent: To:	Wednesday, October 06, 2010 3-26 PM MILLER, KAREN D (OGC) (FBI); MCNALLY, RICHARD (OGC)  (OGC) (FBI); SIEGEL, STEVEN N. (OGC) (FBI); MCNALLY, RICHARD (OGC)	ъ7С -
10.	(FBI) OGC) (FBI) (OGC) (FBI)	
Subject:	FW: CPO 0227N Delegation of an Acting Official to Issue National Security Letters	
UNCLASSIF NON-RECO		
<< Message With our DG	e: FW: CPO 0227N - Delegation of an Acting Official to Issue National Security Letters >> C.	
From:	MILLER, KAREN D (OGC) (FBI)	b6 -1
Sent:	E 1	b7C -1
To:	(OGC)(FBI); OGC) (FBI); (OGC) (FBI)	
Cc: Subject:	MCNALLY, RICHARD (OGC) (FBI); SIEGEL, STEVEN N. (OGC) (FBI) DGC) (FBI)  RE: CPO 0227N Delegation of an Acting Official to Issue National Security Letters	
UNCLASSIF NON-RECO	FIED	
	ve with this? Have we re-written it as a Directive? Has Valerie seen it yet? We are bumping up against an ate. Can we get it extended for 30 days until Directive is approved?	
Karen Davis	Miller	
OGC/NSLB		
Section Chie		b6 -1 b7C -1
Policy, Train & Oversig	ing, Litigation	,570 1
a Oversig		
		b6 -1
From:	OGC)(FBI)	b7C -1
Sent:	Tuesday, September 28, 2010 3:43 PM	
To:	MILLER, KAREN D (OGC) (FBI) (OGC) (FBI)	
Cc: Subject:	MCNALLY, RICHARD (OGC) (FBI); SIEGEL, STEVEN N. (OGC) (FBI); EW: CPO 0227N Delegation of an Acting Official to Issue National Security Letters.	

## UNCLASSIFIED NON-RECORD

hope this helps with our rewrite of 227N  Karen/Rich/Steve FYI, if we want to write a policy that doesn't expire, we should write it as a directive instead	b6 −1 b7C −1 of
as a notice	
From: (DO) (FBI) Sent: Tuesday. Sentember 28, 2010 2:31 PM To: (OGC)(FBI) Subject: RE: CPO 0227N Delegation of an Acting Official to Issue National Security Letters	.b6 -1 .b7C -1
UNCLASSIFIED NON-RECORD	
Yes, when you reqrite this policy write it as a directive instead of as a notice. Directives do not expire. All policy is periodically reviewed to determine if it needs to be updated. Directives are reviewed every 3 years - they do not expire, but CPO will inquire with the author about whether or not the policy needs to be updated.	
	b6 -1
Corporate Policy Office Policy Manager	.b7C −1
From:	bб −1 b7С −1
UNCLASSIFIED	
NON-RECORD	b6 -1 b7C -1
we are in the process of making recommendations regarding the renewal of the above policy. Can you tell me-commendations regarding the renewal of the above policy. Can you tell me-commendate we make a policy that has no expiration date? If not, what is the longest we can have it effective prior to its expiration? Thanks very much for your guidance	can ,
Chief, Policy and Training Unit National Security Law Branch	b6 -1 b7C -1
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material available for rele	suant to the exemptions indicated ase to you.	below with no segre
Section 552	<u>s</u>	ection 552a
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ACLU-NSL-189 through ACLU-NSL-193 are duplicates of ACLU-NSL-180 through ACLU-NSL-184

	(RMD)(FBI)	HERETY IS UNCLASSIFIED DATE 02223-2012 BY 65139 DEMOSTS/803	b6 -1 b7C -1
From: Sent: To: Subject:	(OGC)(FBI) Tuesday, September 14, 2010 5:45 PM MILLER, KAREN D (OGC) (FBI) RE: Policies ready for renewal or update		
UNCLASSIFIED NON-RECORD			
UNCLASSIFIED NON-RECORD			
	et a tickler to remind ourselves about 227N? I can't pull 121N - should I conf	for more information	b6 −1 b7C −1
Sent: Tuesday, Sept To: LAMMERT, EL Cc:	EN D (OGC) (FBI) tember 14, 2010 2:27 PM AINE N. (OGC) (FBI); SIEGEL STEVEN N. (OGC) (FBI) DO) (FBI) COGC) (FBI) COGC) (FBI) COGC) (FBI) COGC) (FBI)		ъ6 −1 ь7С −1
UNCLASSIFIED NON-RECORD	•		b6 ~1
227N will need to be review  Karen Davis Miller	ved/updated but may have to wait until the DIOG is finalized. We will have	to look at 121N b/d has left.	b7C -1
OGC/NSLB Section Chief Policy, Training, Litigation & Oversight			b6 -1 b7C -1
			b6 −1
Sent: Tuesday, Sep To: SIEGEL STE Cc:	AINE N. (OGC) (FBI) tember 14, 2010 2:24 PM <u>(FN N. LOGC)</u> (FBI); MILLER, KAREN D (OGC) (FBI); (OGC) (FBI) <u>(DO)</u> (FBI) ready for renewal or update  ACLU-NSL-19	<del>)4</del>	b7¢ −1

## UNCLASSIFIED NON-RECORD

ACLU-NSL-195

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4		b5 -1 b6 -1 b7c -1
5		
7		
		b6 -1 b7c -1
and Elaine,		
	t of polices that are about to "expire" or are	ready for update.
Can you advise whether	these policies need rewrites or should be rene	wed for another year, 6 months

Also, we can do minor changes (updating minor issues without collaboration) or we can do major rewrites which require going through the collaborative and approval processes.

Let me know what you need.

b6 -1 b7C -1

Thanks,

Corporate Policy Office

ACLU-NSL-196

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ACLU-NSL-197

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<u>ACLU-NSL-198 through ACLU-NSL-206 are duplicates of ACLU-NSL-137 through ACLU-NSL-145</u>

Section 552	Se	ection 552a
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