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From: [redacted] (CTD) (FBI)
Sent: Monday, July 03, 2006 9:12 AM
To: [redacted] (OGC)(FBI)
Subject: FW: Overcollection of Records RELATED TO ISSUED NSLs

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~~RECORD~~ [redacted]

[redacted]

NSL embedded below for review per your request.

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[redacted]

Supervisory Special Agent
CTD/ITOS I/CONUS II

[redacted]

[redacted] Desk)
[redacted] Pager)

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-----Original Message-----
From: [redacted] (OGA)
Sent: Monday, July 03, 2006 8:55 AM
To: [redacted] (CTD) (FBI)
Cc: [redacted] (CTD) (FBI); [redacted] (FBI); [redacted] (FBI)
Subject: RE: Overcollection of Records RELATED TO ISSUED NSLs

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~~RECORD~~ [redacted]

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[redacted]

I am attaching the NSL that I submitted [redacted] and ended up getting an overcollection of information. I asked for records from [redacted] through the present and got records that were available from the date of inception through the "present." I had written two ECs that included information that was listed in the "overcollection." I already charged one of them out, because when I submitted a new NSL for all available records from the date of inception through the present some of the data had changed. I removed any data that was not included with the NEW results. Regarding the second EC I wrote using information from the "overcollection" - if the data is the same can I keep my original EC in ACS or should I charge it out? Right now it appears that times that some of the e-mails were sent may vary, based on it being reported [redacted]

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[redacted] I didn't know if this second serial should be charged out since it was dated prior to the NEW results being received. Or if it can stand as it is.

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[redacted]

DATE: 06-08-2007
CLASSIFIED BY: 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 06-08-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-17759

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14.NSL (42 KB)

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

From: [redacted] (CTD) (FBI)
Sent: Friday, June 30, 2006 5:33 PM
To: [redacted] (OGA)
Cc: [redacted] (FBI); [redacted] (CTD) (FBI); [redacted]
(OGC)(FBI)
Subject: RE: Overcollection of Records RELATED TO ISSUED NSLs

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~~RECORD~~ [redacted]

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[redacted]

One more necessary evil, but it could be of benefit.

NSLB would like to get copies of the NSLs you've issued that resulted in the Provider sending more than what was requested. We would like to check the specific language to see if there is anything in the body that would cover the extra material they gave. If not, as in the past "over collections," they will need to be reported as "potential IOBs" even if you've issued a new NSL for that info.

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[redacted] here have no way of know which ones resulted in the Provider errors. If you could attach all the related ones to a reply e-mail with some background explanation related to each we will review them. Let's hope that the boiler plate language covers you regardless of your specific listed time frames, but [redacted] is a you know what. Any questions, let me know. Thanks.

[redacted]

Supervisory Special Agent
CTD/ITOS I/CONUS II

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[redacted] (Desk)
[redacted] (Pager)

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

From: [redacted] (OGA)
Sent: Friday, June 23, 2006 9:00 AM
To: [redacted] (CTD) (FBI); [redacted] (CTD) (FBI)
Cc: [redacted] (FBI)
Subject: Overcollection of Records

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~~RECORD~~ [redacted]

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NSL VIO-17760

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I just wanted to inform you about an overcollection of records [redacted]
[redacted] I am working on getting the situation corrected at this time. There were a couple of instances within the past few months and even though I didn't ask for these records I need to report it to the IOB.

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The first instance [redacted] provided records [redacted] I did not realize that it was a big deal to use the "extra" records. [redacted] No NSLs were issued off the "extra" records. [redacted] Our CDC brought up the "overcollection" issue since it has been in the news. [redacted] I am not supposed to use these records [redacted] I submitted another NSL to ask for the records again.

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The problem I am running into now - is the records are not exactly the same - since [redacted] I will charge out the EC and resubmit another without [redacted] so I can be in compliance with not "overcollecting." [redacted] was not referenced in any other ECs associated with my case. However, it did pop up in another [redacted] No references were made to my case based upon [redacted] in any other case investigations.

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The second serial I wrote has to do with [redacted] I got the same results from the second NSL results, [redacted] are off by 8 hours - which probably has to do with how [redacted] captures it - whether it is GMT or PST. I asked San Francisco to check with [redacted] on the times - so I will know if the times reported in my original EC are correct. If they are not, I can charge out that EC and fix the times. If you think I should charge it anyways, since I wasn't supposed to have those records at that time - I can do that and resubmit another EC with the same information, but dated later. By the way, with the new NSL results there is also one more [redacted] that showed up [redacted]

One of the phone companies gave me subscriber results I did not request, so that will be reported to the IOB. I wanted subscriber information for the phone number they provided, they just gave it to me for the wrong time period.

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Also - it appears that I got "extra" records [redacted]
[redacted]

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[redacted]
[redacted] I have been working with [redacted] and the
[redacted] tech guys to get this resolved. Our CDC thinks these records
should be sequestered - so it is up to [redacted] to do this. I will let you know
when it is done. [redacted]
[redacted]

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I will most likely report to the IOB that [redacted] gave me transactional
records I did not request. At the time I got them our CDC thought it would be
good enough for [redacted] to document that [redacted] willingly provided the
records - and that was the end of it. [redacted]

[redacted] Now we are re-visiting this, I am going to double check
with our CDC and make sure these records need to be sequestered.

I am keeping my fingers crossed that there are no more after this.... If you
have any questions, and I have thoroughly confused you let me know. I will
provide you with a copy of the EC regarding the IOB violations when it is
done.

[redacted]

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~~DERIVED FROM: 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
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Investigations
DECLASSIFICATION EXEMPTION 1
SECRET~~

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From: [redacted] (CTD) (FBI)
Sent: Friday, June 30, 2006 3:43 PM
To: [redacted] (OGC) (OGA)
Cc: [redacted] (OGA) [redacted] (OGC)(FBI);
[redacted] (OGC) (FBI)

Subject: FW: Overcollection of Records

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~~RECORD~~ [redacted] b1

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b1 [redacted] has advised that after the provider was served the court orders [redacted] they inadvertently provided [redacted] pre-dated the court authorization period. Correct me if I'm wrong, but we will probably want to let the FISC know about the Provider error. We should be able to issue an NSL to legally collect that data if necessary.

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b2 [redacted]
Supervisory Special Agent
CTD/ITOS I/CONUS II
[redacted] (Desk)
[redacted] (Agent)

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(S) b7E
-----Original Message-----
From: [redacted] (OGA)
Sent: Friday, June 23, 2006 9:00 AM
To: [redacted] (CTD) (FBI) [redacted] (CTD) (FBI)
Cc: [redacted] (FBI)
Subject: Overcollection of Records

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~~RECORD~~ [redacted] b1

b6
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Hi [redacted]
I just wanted to inform you about an overcollection of records [redacted]
I am working on getting the situation corrected at this time. Appears that I got "extra" records [redacted]
[redacted]
[redacted] I have been working with [redacted] to get this resolved. Our CDC thinks these records should be sequestered - so it is up to [redacted] to do this. I will let you know when it is done.

b6
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[redacted]
DATE: 06-08-2007
CLASSIFIED BY: 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 06-08-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-17763

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~~DERIVED FROM: 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 1
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