UNCLASSIFIED
NON-RECORD

It would be much appreciated!

I am doing for Julie

UNCLASSIFIED
NON-RECORD

thanks

p.s. you get a couple of stats for this one.

UNCLASSIFIED

NSL VIO-22644

6/21/2007
OGC (INT)

From: OGC (FBI)
Sent: Wednesday, June 29, 2005 9:55 AM
To: OGC (FBI)
Subject: Help

Duplicate 6/29/07 email this file
From: (OGC) (FBI)
Sent: Tuesday, May 17, 2005 10:08 AM
To: (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

thanks.

-----Original Message-----
From: (OGC) (FBI)
Sent: Tuesday, May 17, 2005 10:06 AM
To: (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

See my e-mail to you with attachments.

-----Original Message-----
From: (OGC) (FBI)
Sent: Tuesday, May 17, 2005 9:11 AM
To: (OGC) (FBI)
Subject: FW Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

are you able to pull this document up for me and fax it here? Isn't here, so I don't know who to ask. So if you could help, it would be much appreciated.

I don't know if the document is classified or not, but our classified fax is unclassified is thanks.

-----Original Message-----
From: (FBI)
Sent: Tuesday, May 17, 2005 9:07 AM
To: (OGC) (FBI)
CC: (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Try as always for your assistance

-----Original Message-----
From: (OGC) (FBI)

NSL VIO-22647

6/21/2007
Sent: Tuesday, May 17, 2005 8:40 AM
To: (FBI); (FBI) B6
Subject: RE: Proposal to amend ECPA NSL to get B2

SENSITIVE BUT UNCLASSIFIED NON-RECORD

---Original Message---
From: (FBI) B6
Sent: Tuesday, May 17, 2005 8:37 AM
To: (OGC) (FBI) B2
Subject: RE: Proposal to amend ECPA NSL to get B7E

SENSITIVE BUT UNCLASSIFIED NON-RECORD

terrific . . . nothing is ever simple

---Original Message---
From: (OGC) (FBI) B6
Sent: Tuesday, May 17, 2005 8:26 AM
To: (FBI); (FBI) B7E
Subject: FW: Proposal to amend ECPA NSL to get B2

SENSITIVE BUT UNCLASSIFIED NON-RECORD

So this isn't going to be as quick as we hoped.

---Original Message---
From: THOMAS, JULIE F. (OGC) (FBI) B2
Sent: Monday, May 16, 2005 5:12 PM
To: (OGC) (FBI); OGC) (FBI); B7E
Subject: RE: Proposal to amend ECPA NSL to get B5

SENSITIVE BUT UNCLASSIFIED NON-RECORD

NSL VIO-22648

6/21/2007
-----Original Message-----
From: (OGC) (FBI)
Sent: Monday, May 16, 2005 1:11 PM
To: (OGC) (FBI); (OGC) (FBI);
THOMAS, JULIE F. (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get service

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

6/21/2007
NSL VIO-22649
Original Message

From: [Redacted] (OGC) (FBI)
Sent: Monday, May 16, 2005 12:03 PM
To: [Redacted] (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); [Redacted] (OGC) (FBI)
Cc: [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

---

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

---

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[Redacted]

NSL VIO-22650

6/21/2007
Subject: RE: Proposal to amend ECPA NSL to get

Thanks,

--- Original Message ---
From: (OGC) (FBI)
Sent: Monday, May 16, 2005 10:23 AM
To: (OGC) (FBI) (FBI); THOMAS, JULIE F. (OGC) (FBI) (FBI); (OGC) (FBI) (FBI); (OGC) (FBI)
Cc: (OGC) (FBI) (FBI); (OGC) (FBI)

Thanks,

--- Original Message ---
From: (OGC) (FBI)
Sent: Monday, May 16, 2005 10:23 AM
To: (OGC) (FBI) (FBI); THOMAS, JULIE F. (OGC) (FBI) (FBI); (OGC) (FBI) (FBI); (OGC) (FBI)
Cc: (OGC) (FBI) (FBI); (OGC) (FBI)

Thanks,
Subject: RE: Proposal to amend ECPA NSL to get

Importance: High

I note that the NSL Letter's criminal law administrative subpoena counterpart in ECPA, Section 2703(c)(2), is broader than 2709 in that the criminal version was expanded to include methods of payment. Since both provisions were amended by the USA Patriot Act (USPA) (Section 2703 by USPA Section 210, and Section 2709(b) by USPA 505)

the order requirements of section 2518(1)(b) to indicate "the nature and type of wire or electronic communications services"

NSL VIO-22652
STLU will draft such a statute to have it standing on the shelf.
thanks

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

From: OGC
(FBI)

Sent: Wednesday, May 04, 2005 5:02 PM

To: OGC (FBI); THOMAS, JULIE F. (OGC) (FBI);

Subject: proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have to respond to an EC from about issuing an amended form ECPA NSL in certain circumstances.

"Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (Section 201 of the Electronic Communications and Privacy Act of 1986, as amended), you are hereby directed to provide to the Federal Bureau of Investigation (FBI) the names, addresses, lengths of service, and electronic communication transactional records of the person or entity to whom the following telephone number was registered on [insert date]."

NSL VIO-22654
In fact, apart from the opening paragraph of 2709, wherein it states that "wire or electronic communication service provider shall comply with a request for subscriber information and toll billing records, or electronic communication transactional records," neither of the paragraphs under (b) "required certification" even deal with transactional records. The statute clearly is inadfluently drafted.

Please give me your thoughts.

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

6/21/2007

NSL VIO-22655
From: (OGC) (FBI)  
Sent: Tuesday, May 17, 2005 9:11 AM  
To: (OGC) (FBI)  
Subject: FW Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

Are you able to pull this document up for me and fax it here? Isn't here, so I don't know who to ask. So if you could help, it would be much appreciated.

I don't know if the document is classified or not, but our classified fax is [isn't here, so I don't know who to ask. So if you could help, it would be much appreciated.]

Thx as always for your assist.

-----Original Message-----
From: (FBI)  
Sent: Tuesday, May 17, 2005 9:07 AM  
To: (OGC) (FBI)  
Subject: RE Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

Thx

-----Original Message-----
From: (OGC) (FBI)  
Sent: Tuesday, May 17, 2005 9:07 AM  
To: (FBI)  
Subject: RE Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

-----Original Message-----
From: (FBI)  
Sent: Tuesday, May 17, 2005 8:40 AM  
To: (FBI)  
Subject: RE Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

-----Original Message-----
From: (FBI)  
Sent: Tuesday, May 17, 2005 8:37 AM  
To: (OGC) (FBI)  
Subject: RE Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE: 05-16-2007 BY 65179 DMB/TAM/KSR/JD  
NSL VIO-22657
terrific . . . nothing is ever simple

-----Original Message-----
From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Monday, May 16, 2005 5:11 PM
To: THOMAS, JULIE F. (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

------Original Message------
From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Monday, May 16, 2005 1:11 PM
To: THOMAS, JULIE F. (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Monday, May 16, 2005 8:26 AM
To: THOMAS, JULIE F. (OGC) (FBI)
Subject: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

6/21/2007
---Original Message---
From: OGC (FBI)
Sent: Monday, May 16, 2005 12:03 PM
To: OGC (FBI) THOMAS J. (OGC) (FBI)
Cc: OGC (FBI) THOMAS J. (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

NSL VIO-22659

6/21/2007
Original Message

From: (OGC) (FBI)
Sent: Monday, May 15, 2005 10:23 AM
To: (OGC) (FBI)
Cc: (OGC) (FBI); THOMAS, JULIE E. (OGC) (FBI); (OGC) (FBI); (OGC) (FBI)
Subject: RE: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks,

NSL VIO-22660

6/21/2007


**Original Message**

From: (OGC) (FBI)
Sent: Monday, May 16, 2005 9:28 AM
To: (OGC) (FBI)
Cc: (OGC) (FBI); THOMAS, JULIE E. (OGC) (FBI);

Subject: RE: Proposal to amend ECPA NSL to get

Importance: High

---

I note that the NSL Letter's criminal law administrative subpoena counterpart in ECPA, Section 2703(c)(2), is broader than 2709 in that the criminal version was expanded to include methods of payment. Since both provisions were amended by the USA Patriot Act (USPA) (Section 2703 by USPA Section 210, and Section 2709(b) BY USPA 505).
the order requirements of section 2518(1)(b) to indicate "the nature and type of wire or electronic communications services"!

STLU will draft such a statute to have it standing on the shelf.

---Original Message-----
From: (OGC) (FBI)
Sent: Thursday, May 05, 2005 5:24 PM
To: (OGC) (FBI)
Cc: (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); (OGC) (FBI)
Subject: FW Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

thank:

---Original Message-----

NSL VIO-22662
From: OGC (FBI)  
Sent: Wednesday, May 04, 2005 5:02 PM  
To: OGC (FBI): THOMAS, JULIE F.  
OGC (FBI): OGC (FBI)  
Subject: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have to respond to an EC from about issuing an amended form ECPA NSL in certain circumstances.

"Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (Section 201 of the Electronic Communications and Privacy Act of 1986, as amended), you are hereby directed to provide to the Federal Bureau of Investigation (FBI) the names, addresses, lengths of service, and electronic communication transactional records of the person or entity to whom the following telephone number was registered on [insert date]."

"In fact, apart from the opening paragraph of 2709, wherein it states that "wire or electronic communication service provider shall comply with a request for subscriber information and toll billing records, or electronic communication transactional records," neither of the paragraphs under (b) "required certification" even deal with transactional records. The

NSL VIO-22663
statute clearly is inartfully drafted. Please give me your thoughts.

SENsitive but unClassified

SENsitive but unClassified

SENsitive but unClassified

SENsitive but unClassified

SENsitive but unClassified

SENsitive but unClassified

SENsitive but unClassified

SENsitive but unClassified

SENsitive but unClassified

NSL V10-22664

6/21/2007
SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

NSL VIO-22665

6/21/2007
FYI continues to use the standard OGC forms—we haven't modified them for any provider.

CDC
Thank you.

If you have any other questions or concerns, please feel free to call me at...
UNCLASSIFIED
NON-RECORD

If you have any other questions, please let me know.

UNCLASSIFIED
NON-RECORD
Just wanted to follow up on the email I sent you earlier (see below) to see if you had a chance to review it. Thanks -

UNCLASSIFIED
NON-RECORD
Attached is a legal compliance handbook that I wanted to pass this along to you for your information.

Items in parenthesis describe what is included under the specific requests.
Ignore the fact that I hit "send" before I realized that I had dragged a letter across the screen.

---Original Message---
From: GGC) (INT) (FBI)
Sent: Wednesday, February 15, 2006 8:26 AM
To: (FBI)
Subject: RE: Revising standard NSL forms used

UNCLASSIFIED
NON-RECORD

FYI continues to use the standard OGC forms—we haven’t modified them for any provider.

---Original Message---
From: (FBI)
Sent: Wednesday, February 15, 2006 8:24 PM
To: (FBI)
Cc: (FBI)
Subject: RE: Revising standard NSL forms used

UNCLASSIFIED
NON-RECORD
If you have any other questions or concerns, please feel free to call me at _______.

---Original Message---
From: 
Sent: Wednesday, February 08, 2006 5:57 PM
To: 
Cc: 
Subject: RE:  

---Original Message---
From: (OGC) (FBI)
Sent: Wednesday, February 08, 2006 3:42 PM
To: 
Cc: 
Subject: FW: 

UNCLASSIFIED
NON-RECORD

UNCLASSIFIED
NON-RECORD
If you have any other questions, please let me know.
---Original Message---

From: (FBI)
Sent: Wednesday, February 06, 2006 11:00 AM
To: (OGC) (FBI)
Cc: (FBI)
Subject: FW

UNCLASSIFIED
NON-RECORD

Just wanted to follow up on the email I sent you earlier (see below) to see if you had a chance to review it. Thanks -

---Original Message---

From: (FBI)
Sent: Friday, January 07, 2006 09:43 AM
To: (OGC) (FBI)
Cc: (CTD) (FBI)
Subject: FW

UNCLASSIFIED
NON-RECORD


Hi

Attached is a legal compliance handbook that I wanted to pass this along to you for your information.
Items in parenthesis describe what is included under the specific requests.

S/A

Counterterrorism Division

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED
I have to follow up. I was hoping it might be a done deal, but obviously it's not.

If you have any other questions or concerns, please feel free to call me at NSL VIO-22676.
If you have any other questions, please let me know.
Just wanted to follow up on the email I sent you earlier (see below) to see if you had a chance to review it. Thanks.

---Original Message---
From: [FBI]
Sent: Wednesday, February 16, 2006 11:00 AM
To: [OGC] (FBI)
Cc: [FBI]
Subject: FW: [FBI] (FBI)

UNCLASSIFIED
NON-RECORD

---Original Message---
From: [FBI]
Sent: Friday, January 27, 2006 9:43 AM
To: [OGC] (FBI)
Cc: [FBI] (FBI)
Subject: FW: [FBI] (FBI)

UNCLASSIFIED
NON-RECORD
Attached is a legal compliance handbook that I wanted to pass along to you for your information.

Items in parenthesis describe what is included under the specific requests.
In case you don't have the latest attachment, here it is.

--- Original Message ---
From: (OGC) (FBI)  
Sent: Tuesday, June 20, 2006 12:06 PM  
To: (OGC) (FBI)  
Subject: NSL 7

Hi,  
Hope all is going well. I have a little question  

($)  
Thank you.

--- Original Message ---
From: (FBI)  
Sent: Tuesday, June 20, 2006 12:06 PM  
To: (OGC) (FBI)  
Subject: NSL 7

Hi,  
Hope all is going well. I have a little question  

($)  
Thank you.
From: OGC (INT)
Sent: Monday, November 21, 2005 8:55 AM
To: FBI
Subject: RE: NSL payment issue

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

--- Original Message ---
From: OGC (FBI)
Sent: Monday, November 21, 2005 8:48 AM
To: FBI
Subject: RE: NSL payment issue

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

--- Original Message ---
From: OGC (FBI)
Sent: Monday, November 21, 2005 8:29 AM
To: FBI
Subject: RE: NSL payment issue

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

--- Original Message ---
From: OGC (FBI)
Sent: Monday, November 21, 2005 8:18 AM
To: FBI
Subject: RE: NSL payment issue

--- Original Message ---
From: OGC (FBI)
Sent: Monday, November 21, 2005 8:18 AM
To: FBI
Subject: RE: NSL payment issue

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE 07-16-2007 BY 55179 DMI/TAM/KSR/DB

NSL VIO-22681
FYI - We have CTD and CD approval, and will be getting Cyber approval. So this is rolling.

OK -- that is CT and CD. Let's get the policy drafted.

I concur.

The email below is self-explanatory. Long story short
----Original Message-----
From: (OGC) (FBI)
Sent: Thursday, November 17, 2005 5:10 PM
To: Caproni, Valerie E. (OGC) (FBI)
Cc: FBI_ALL_CDCs
Subject: NSL payment issue

P.s. I have copied all CDCs on this because I promised them in an email today that finally, after years of having their cries go unheard (including by me), I was going to do something about this.
FYI - We have CTD and CD approval, and will be getting Cyber approval. So this is rolling.

OK — that is CT and CD. Let’s get the policy drafted.
I concur.

The email below is self-explanatory. Long story short...

P.s. I have copied all CDCs on this because I promised them in an email today that finally, after years of having their cries go unheard (including by me), I was going to do something about this.
Subject: FW: NSLs

Please help me again.

thanks.

6/21/2007
From: (OGC) (FBI)  
Sent: Wednesday, March 14, 2007 12:40 PM  
To: (OGC) (FBI)  
Subject: RE: Phone number for person  

I need to run this by Julie.

-----Original Message-----
From: (OGC) (FBI)  
Sent: Wednesday, March 14, 2007 11:16 AM  
To: (OGC) (FBI)  
Subject: RE: Phone number for person  

Let me know what Julie says.

Thanks.

-----Original Message-----
From: (OGC) (FBI)  
Sent: Wednesday, March 14, 2007 11:39 AM  
To: (OGC) (FBI)  
Subject: FW: Phone number for person  

I need to run this by Julie.
Subject: RE: Phone number for person

Thanks.

---Original Message---
From: [REDACTED] (OGC) (FBI)
Sent: Wednesday, March 14, 2007 10:14 AM
To: [REDACTED] (OGC) (FBI)
Subject: RE: Phone number for person

Here's the contact information. Note that [REDACTED] is one of the named individuals. I've put a call into the liaison folks to see if there is someone else we should be talking to.

<< OLE Object: Picture (Metafile)>>
Original Message

From: I fOGG (FBI)  
Sent: Monday, March 12, 2007 9:25 AM  
To: OGC (FBI)  
Subject: FW: Phone number for person  

SENSITIVE BUT UNCLASSIFIED  
NON-RECORD

Hope you had fun on Friday!

---Original Message---

From: I fOGG (FBI)  
Sent: Monday, March 12, 2007 7:58 AM  
To: OGC (FBI)  
Subject: Phone number for person  

SENSITIVE BUT UNCLASSIFIED  
NON-RECORD

Hi

The name and number of the person I called me is The SA who indicated that

Thanks for your help with this.

---Original Message---

From:  
Sent:  
To:  
Subject:  

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

NSL VIO-22692
Q from one of our JTTF stalwarts is listed below.

Supervisory Special Agent
Chief Division Counsel
Field Division

Direct
Fax
Cell

NSL VIO-22693
Any ideas?

Supervisory Special Agent
Chief Division Counsel
Field Division
  - Direct
  - Fax
  - Cell

Thanks

---Original Message---
From: [REDACTED] (FBI)
Sent: Friday, March 24, 2006 10:29 AM
To: [REDACTED] (FBI); [REDACTED] (FBI); [REDACTED] (FBI)
Subject: FW: NSL toll billing records

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

---Original Message---
From: [REDACTED] (FBI)
Sent: Friday, March 24, 2006 8:27 AM
To: [REDACTED] (FBI); [REDACTED] (FBI); [REDACTED] (FBI)
Cc: [REDACTED] (FBI); THOMAS, JULIE F. (OGC) (FBI)
Subject: NSL toll billing records

SENSITIVE BUT UNCLASSIFIED
NON-RECORD
I have a few comments. Take them for what they are worth. I know you are the expert in this area, so these are the thoughts of someone with a very simplistic approach! :)

First, I think your legal analysis is terrific and is

Second, I have some questions
I know I must be missing something here, so I apologize for the simplicity of my approach.

-----Original Message-----
From: CAPRONI, VALERIE E. (OGC) (FBI) | LAMMERT, ELAINE N. (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI) |
Sent: Monday, November 27, 2006 5:13 PM | Cc: (OGC) (FBI) | Subject: UNCLASSIFIED NON-RECORD GC,

Attached for your review as a MS Word document is a draft letter discussed last Tuesday. The theme of the draft tracks the interpretive findings.

Please advise your direction.

<< File: 2709 letter-200611271705.doc >>

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Associate General Counsel - Unit Chief

NSL VIO-22696
Yes, this tells me that you have a good relationship with him. But since you will be gone, maybe could attend.

Note also that we filed joint comments with DHS and DOJ before the FCC about "telephone toll service" and "billing records." Can forward the relevant excerpts from that brief.

Finally, I will be on foreign travel and not returning until late Nov 17th.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Associate General Counsel - Unit Chief
I talked to [Redacted] about various issues. But for the immediate time, he'd like to meet with the FBI for a few hours to discuss these matters. We proposed either Thursday, November 16 or Friday, November 17, at 10 am (Place TBD).

Can I find out who is interested in attending and when you are available?
PS I know ILU has an interest in this as well, so for future reference, please copy on these emails. Thanks.

Please let us and me know if NSLB is planning any meetings with

Thanks,
Original Message:

From: OGC (FBI)
Sent: Monday, July 11, 2005 3:39 PM
To: OGC (FBI)
Cc: OGC (FBI)
Subject: FW: Electronic Records Production

UNCLASSIFIED
NON-RECORD

6/21/2007

NSL VIO-22701
As many of you know —
Can I get feedback from anyone in which there is a problem similar to what is set forth below. We are having a problem with two respects.
We are going to meet with them but wanted to know if anyone knows of any, please respond back. There's no need to respond if you are unaware of any similar issues.

thanks

-----Original Message-----
From: [Name] (FBI)
Sent: Friday, July 01, 2005 8:15 AM
To: KELLEY, PATRICK W. (OGC) (FBI); [Name] (OGC) (FBI); [Name] (OGC) (FBI); [Name] (OGC) (FBI)
Cc: Caproni, Valerie E. (OGC) (FBI); [Name] (OGC) (FBI)
Subject: RE: Electronic Records Production

UNCLASSIFIED
NON-RECORD

FYI: there is apparently one other issue involving don't know if anything has been resolved regarding that issue yet. Here is the "cut and paste" from that e-mail for those who were not copied originally:

-----Original Message-----
From: KELLEY, PATRICK W. (OGC) (FBI)
Sent: Thursday, June 30, 2005 6:17 PM
To: [Name] (OGC) (FBI); [Name] (OGC) (FBI)
Cc: [Name] (FBI); [Name] (OGC) (FBI); Caproni, Valerie E. (OGC) (FBI)
Subject: RE: Electronic Records Production

UNCLASSIFIED
NON-RECORD

Before we set this up, I'd like to know is this an only issue. Please check with OTD. I'm sure the GC will consider meeting with their GC but she will need some background along this line.

NSL VIO-22704

6/21/2007
We have had those POCs.

anyone ever deal with

thanks.

6/21/2007
SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[Redacted] has a major issue that [Redacted] has requested that I contact HQ about [Redacted] knows some of the background, so I am copying her as the NSLB Point of Contact

so I have copied [Redacted] Finally [Redacted] said that there is somebody in [Redacted] unit who is a point of contact regarding [Redacted] issues, so I am copying [Redacted] as well because even though [Redacted] deals with

NSL VIO-22706
We would appreciate any assistance that HQ can render. Thanks!

P.S. for ___________ only

UNCLASSIFIED

NSL VIO-22707

6/21/2007
As many of you know —
Can I get feedback from anyone in which there is a problem similar to what is set forth below. We are having a problem with _______ in two respects.
We are going to meet with them but wanted to know if anyone knows of any, please respond back. There's no need to respond if you are unaware of any similar issues.

thanks

----Original Message-----
From: KELLEY, PATRICK W. (OGC) (FBI)  
Sent: Friday, July 01, 2005 8:15 AM  
To: KELLEY, PATRICK W. (OGC) (FBI);  
OGC) (FBI); Caproni, Valerie E. (OGC) (FBI);  
Subject: RE: Electronic Records Production  
UNCLASSIFIED  
NON-RECORD

FYI—there is apparently one other issue involving I don't know if anything has been resolved regarding that issue yet. Here is the "cut and paste" from that e-mail for those who were not copied originally:

--- Original Message ---
From: KELLEY, PATRICK W. (OGC) (FBI)  
Sent: Thursday, June 30, 2005 6:17 PM  
To:  
Cc:  
Subject: RE: Electronic Records Production  
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Before we set this up, I'd like to know if this is only issue. Please check

NSL VIO-22711
with OTD. I'm sure the GC will consider meeting with their GC but she will need some background along this line.

-----Original Message-----
From: OGC (FBI)
Sent: Wednesday, June 29, 2005 6:47 PM
To: OGC (FBI);
Cc: OGC (FBI);
(FBI); KELLEY, PATRICK W. (OGC) (FBI)
Subject: RE: Electronic Records Production

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We have had

have those POCs.

(S)

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Associate General Counsel - Unit Chief

Tel: 
Fax:

-----Original Message-----
From: OGC (FBI)
Sent: Wednesday, June 29, 2005 2:00 PM
To: OGC (FBI)
Cc: OGC (FBI)
(FBI)
Subject: RE: Electronic Records Production

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NON-RECORD

anyone ever deal with

thanks

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

6/21/2007

NSL VIO-22712
From: Senf
To: OGC (FBI); OGC (FBI)
Cc: OGC (FBI)
Subject: Electronic Records Production

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has a main issue that has requested that I contact HQ about knows some of the background, so I am copying her as the NSLB Point of Contact, so I have copied Finally said that there is somebody in Unit who is a point of contact regarding issues, so I am copying as well because even though deals with

We would appreciate any assistance that HQ can render. Thanks!

P.S. for only

NSL V10-22713

6/21/2007
have the people who need this information fill out the form that I've attached, and let's see where we can go with this.

Julie, you are new to this email chain.

The same problem exists on the criminal side.
Soooooooooooooooooooooooooooooooooooooooooo, Good Luck!

So we can’t do anything about this problem?

So we can’t do anything about this problem?
-----Original Message-----
From: (FBI)
Sent: Thursday, June 09, 2005 11:57 AM
To: (OGC) (FBI)
Cc: (FBI) (OGC) (FBI)
Subject: RE: Toll Records

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks for the quick response - I'll wait to hear from...

-----Original Message-----
From: (OGC) (FBI)
Sent: Thursday, June 09, 2005 8:53 AM
To: (FBI); OGC (FBI)
Cc: (FBI) (OGC) (FBI)
Subject: RE: Toll Records

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I need to defer to on this one. I am not familiar with this situation, and I am not familiar enough with...

-----Original Message-----
From: (FBI)
Sent: Thursday, June 09, 2005 8:35 AM
To: (FBI);
Cc: (FBI); (FBI);
Subject: FW: Toll Records

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI

6/21/2007
We had heard rumblings of this type thing from other Divisions but had not run into it prior. To my knowledge, the law has not changed.

Below is FYI. In short, one of the TFAs on SSA squad is

Thanks,
Yes, this doesn't surprise me. I have this type of package at home with
my cell phone. It's a toll-free number that makes a lot of money for the
company that runs it. Since it's a toll-free number, it doesn't need to keep
toll records.

Thus, the extra monthly expense of keeping billing records and all of the
other related overhead involved with that type of record keeping is
eliminated. I have three suggestions on how to get around this.

If you have any questions, just call.

SSA
CTD/CXS/CAU
LY 11S 47M

NSL VIO-22719

6/21/2007
Thanks!

---Original Message----
From: [Redacted] (FBI)
Sent: Wednesday, June 08, 2005 4:23 PM
To: [Redacted] (FBI); [Redacted] (CTD)
Subject: FW ___ Toll Records

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

You guys hearing this same thing?? Apparently affects the entire

---Original Message----
From: [Redacted] (OGA)
Sent: Wednesday, June 08, 2005 3:54 PM
To: [Redacted] (FBI)
Subject: Toll Records

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NSL VIO-22721

6/21/2007
I note that the NSL Letter's criminal law administrative subpoena counterpart in ECPA, Section 2703(c)(2), is broader than 2709 in that the criminal version was expanded to include methods of payment. Since both provisions were amended by the USA Patriot Act (USPA) (Section 2703 by USPA Section 210, and Section 2709(b) BY USPA 505), a traditional statutory interpretation of parallel provisions would support the inference that Congress intended the limitation on 2709 to be purposeful.
of Section 211 of the USA Patriot Act which prohibits the provider’s disclosure of a subscriber’s video programming under 2709.

upon the order requirements of section 2518(1)(b) to indicate “the nature and type of wire or electronic communications services”

STLU will draft such a statute to have it standing on the shelf.

PS

---Original Message-----
From: (OGC) (FBI)  
Sent: Thursday, May 03, 2007 3:24 PM  
To: (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); (FBI)  
Cc: (OGC) (FBI)  
Subject: FW Proposal to amend ECPA NSL to get

SENSESITIVE BUT UNCLASSIFIED NON-RECORD

thanks

NSL VIO-22723

6/21/2007
-----Original Message-----
From: [OGC] (FBI)  
Sent: Wednesday, May 04, 2005 5:02 PM  
To: (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); [OGC] ITD  
Subject: Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

I have to respond to an EC from [OGC] (FBI) about issuing an amended form ECPA NSL in certain circumstances.

"Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (Section 201 of the Electronic Communications and Privacy Act of 1986, as amended), you are hereby directed to provide to the Federal Bureau of Investigation (FBI) the names, addresses, lengths of service, and electronic communication transactional records for the person or entity to whom the following telephone number was registered on [insert date]."

In fact, apart from the opening paragraph of 2709, wherein it states that "wire or electronic communication service provider shall comply with a request for subscriber information and toll billing records, or electronic communication transactional records," neither of the paragraphs under (b) "required certification" even deal with transactional records. The statute clearly is inartfully drafted.

Please give me your thoughts.

---- End of Original Message ----

6/21/2007
From: [OGC] (INT)
Sent: Monday, May 16, 2005 8:12 AM
To: [OGC] (FBI)
Cc: [OGC] (FBI); THOMAS, JULIE F. (OGC) (FBI)
Subject: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I send you this email about a proposal by

If I don’t hear from you by then, NSLB intends to give it our approval.

Thanks.

-----Original Message-----
From: [OGC] (FBI)
Sent: Thursday, May 05, 2005 5:24 PM
To: [OGC] (FBI)
Cc: [OGC] (FBI); THOMAS, JULIE F. (OGC) (FBI)
Subject: FW: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

thanks

-----Original Message-----
From: [OGC] (FBI)
Sent: Wednesday, May 04, 2005 5:02 PM
To: [OGC] (FBI)
Cc: [OGC] (FBI); THOMAS, JULIE F. (OGC) (FBI)
Subject: Proposal to amend ECPA NSL to get

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have to respond to an EC from about issuing an amended form ECPA NSL in certain circumstances.

"Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United

NSL VIO-22726

6/21/2007
States Code (U.S.C.), Section 2709 (Section 201 of the Electronic Communications and Privacy Act of 1986, as amended), you are hereby directed to provide to the Federal Bureau of Investigation (FBI) the names, addresses, lengths of service, and electronic communication transactional records of the person or entity to whom the following telephone number was registered on [insert date].

In fact, apart from the opening paragraph of 2709, wherein it states that "wire or electronic communication service provider shall comply with a request for subscriber information and toll billing records, or electronic communication transactional records," neither of the paragraphs under (b) "required certification" even deal with transactional records. The statute clearly is inartfully drafted.

Please give me your thoughts.

NSL VIA-22727
From: (OGC) (FBI)  
Sent: Thursday, May 05, 2005 5:24 PM  
To: (OGC) (FBI)  
Cc: (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); (OGC) (FBI)  
Subject: FW: Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

Thinks 

---- Original Message ----

From: (OGC) (FBI)  
Sent: Wednesday, May 04, 2005 5:02 PM  
To: (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI)  
Subject: Proposal to amend ECPA NSL to get SENSITIVE BUT UNCLASSIFIED NON-RECORD

I have to respond to an EC from about issuing an amended form ECPA NSL in certain circumstances

"Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2703 (Section 201 of the Electronic Communications and Privacy Act of 1986, as amended), you are hereby directed to provide to the Federal Bureau of Investigation (FBI) the names, addresses, lengths of service, and electronic communication transactional records of the person or entity to whom the following telephone number was registered on [insert date]."

In fact, apart from the opening paragraph of 2703, wherein it states that "wire or electronic communication service provider shall comply with a request for subscriber information and toll billing records, or electronic communication transactional records," neither of the paragraphs under (b) "required certification" even deal with transactional records. The statute clearly is inartfully drafted.

NSL VIO-22728

6/21/2007
Please give me your thoughts.

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6/21/2007

NSL VIO-22729
How do you propose we address this issue, which you are probably more capable of addressing as far as the legal
terminology and what we can require under 2703 than I am.

What is interesting is that this position is only taken by some carriers, but to my knowledge no other carriers.
From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Wednesday, September 06, 2006 11:52 AM
To: (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI)
Subject: RE: NSL enforcement issue

UNCLASSIFIED
Julie

-----Original Message-----
From: OGC (FBI)
Sent: Tuesday, September 05, 2006 6:05 PM
To: THOMAS, JULIE F. (OGC) (FBI)
Subject: RE: NSL enforcement issue

UNCLASSIFIED
NON-RECORD

Why not do a 215 order?

Julie

-----Original Message-----
From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Tuesday, September 05, 2006 3:11 PM
To: OGC (FBI)
Subject: RE: NSL enforcement issue

UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: OGC (FBI)
Sent: Friday, September 01, 2006 8:06 AM
To: OGC (FBI)
Cc: THOMAS, JULIE F. (OGC) (FBI)
Subject: NSL enforcement issue

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