

[redacted] (OGC) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Wednesday, May 10, 2006 9:45 AM
To: b6 THOMAS, JULIE F. (OGC) (FBI)
Cc: b7C [redacted] (OGC) (FBI); [redacted] (LS) (FBI); [redacted] (OGC) (FBI)
Subject: RE: Durbin re Libraries

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NON-RECORD

It's a difference of interpretation outside the branch as to [redacted]
[redacted]
law that would hold [redacted]
[redacted]
[redacted] and we ([redacted]) do have a difference of opinion with [redacted] on this.

b5
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b7C

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

From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Wednesday, May 10, 2006 9:38 AM
To: [redacted] (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (LS) (FBI); [redacted] (OGC) (FBI)
Subject: RE: Durbin re Libraries

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OK...lets bake this rather quickly and crystalize our disagreements. If it is within the branch, I'll decide. If we have a difference of interpretation outside the branch, we'll need to take it to Valerie. Can you be ready to brief me this afternoon after I return from the FISC?

Julie

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

From: [redacted] (OGC) (FBI)
Sent: Wednesday, May 10, 2006 7:44 AM
To: THOMAS, JULIE F. (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (LS) (FBI); [redacted] (OGC) (FBI)
Subject: RE: Durbin re Libraries

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Julie [redacted] doesn't necessarily agree [redacted]

[redacted]

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So I think we need to flush this out a bit more. 

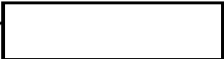
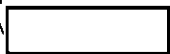
-----Original Message-----

b6
b7C

From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Tuesday, May 09, 2006 4:11 PM
To:  (OGC) (FBI);  (OGC) (FBI);  (OGC) (FBI)
Cc:  (OGC) (FBI);  (LS) (FBI)
Subject: RE: Durbin re Libraries


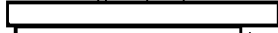
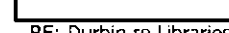

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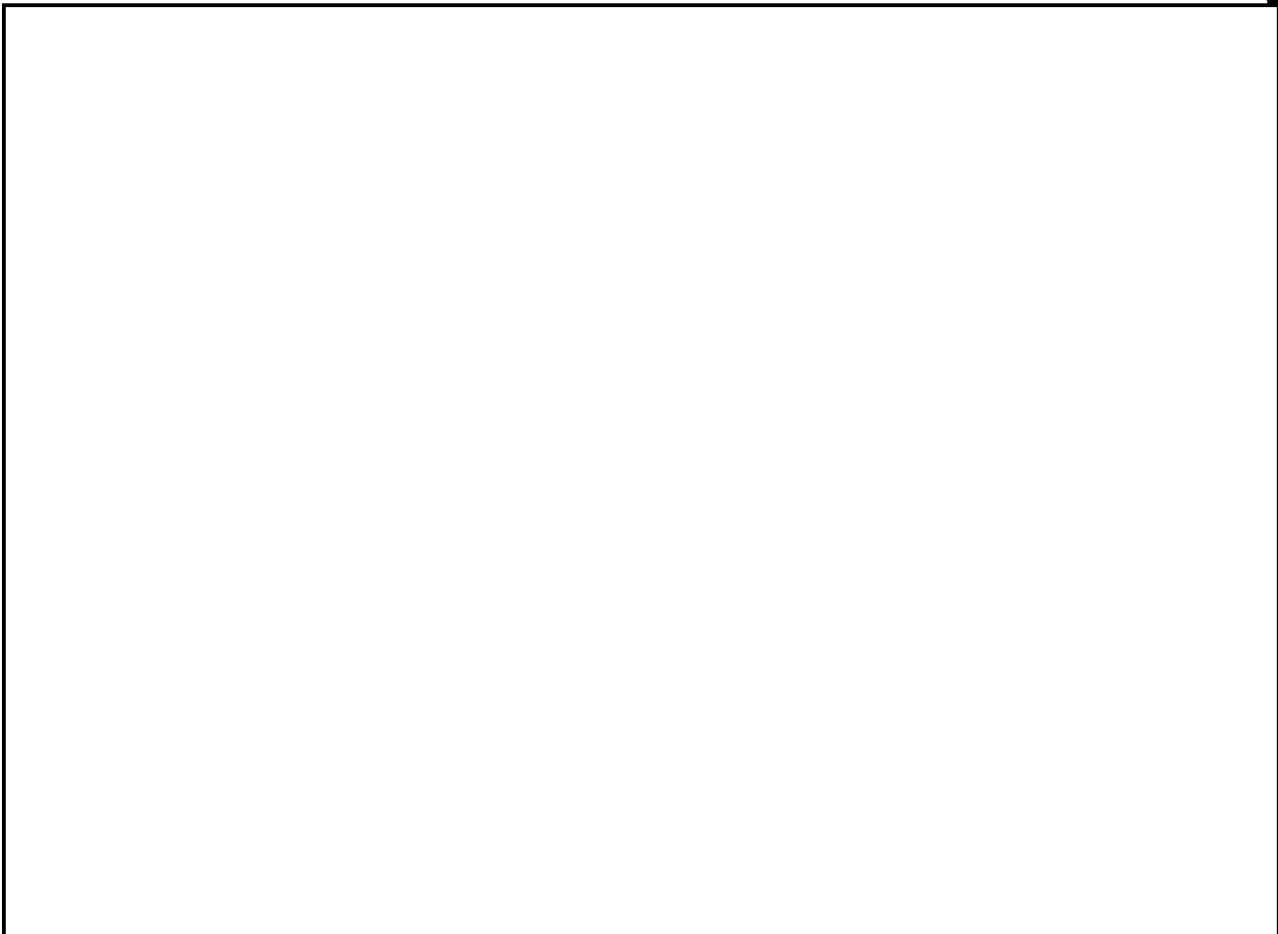
Dear 
Please contact OCA SSA  to forward this information to him.
Julie

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

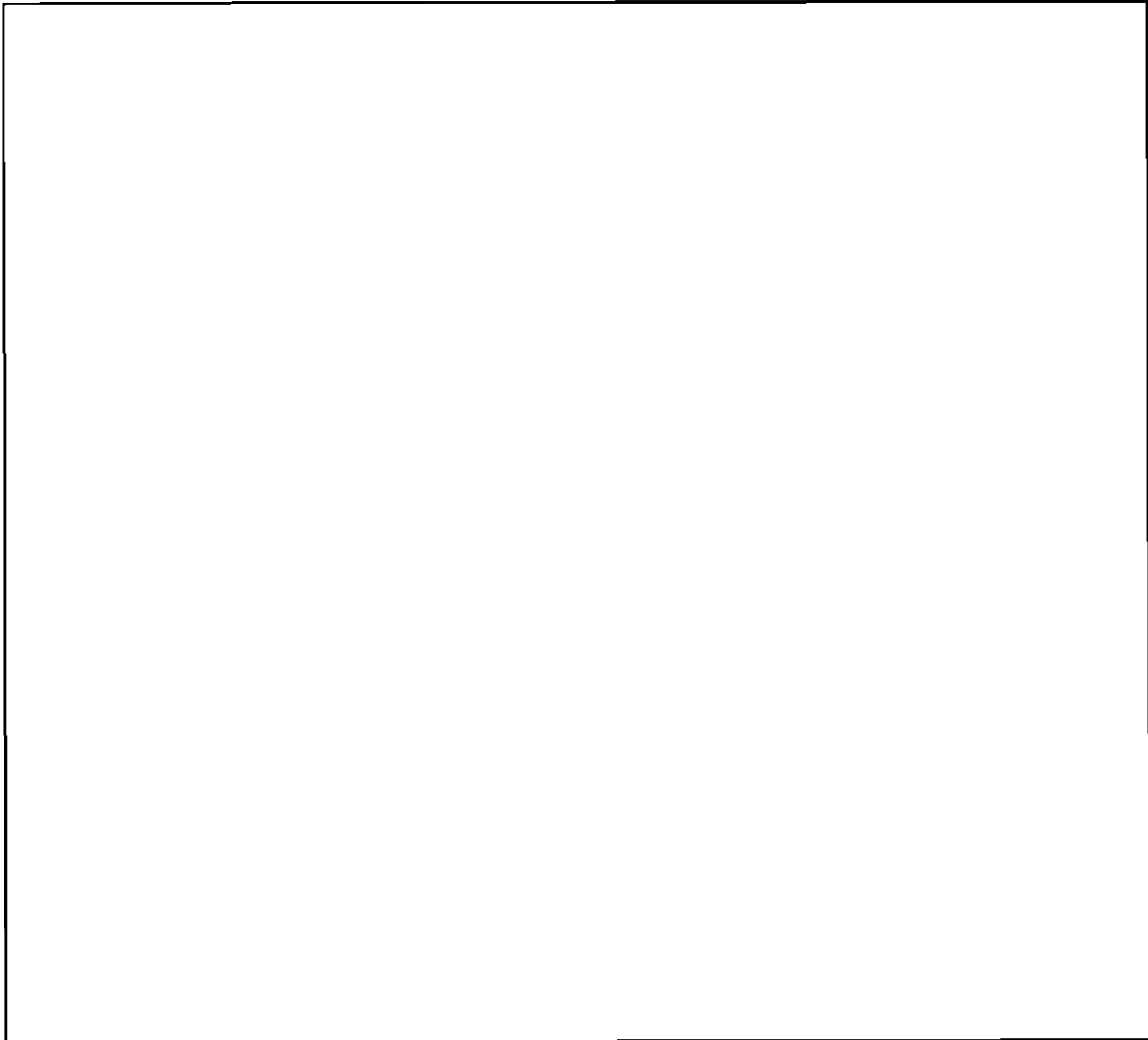
b6
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From:  (OGC) (FBI)
Sent: Tuesday, May 09, 2006 1:00 PM
To:  (OGC) (FBI)
Cc:  (OGC) (FBI);  (LS) (FBI); THOMAS, JULIE F. (OGC) (FBI)
Subject: RE: Durbin re Libraries

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[Redacted]

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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va [Redacted] 22135
Tel: 703.632 [Redacted]
Fax 703.632 [Redacted]
pager 888.524 [Redacted]

SCIENCE & TECHNOLOGY LAW UNIT

OFFICE OF THE GENERAL COUNSEL

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

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From: [Redacted] (OGC) (FBI)
Sent: Tuesday, May 09, 2006 11:45 AM
To: [Redacted] (OGC) (FBI)
Cc: [Redacted] (OGC) (FBI)
Subject: FW: Durbin re Libraries

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[redacted] can you explain to me the difference in the way the library provides internet service in order for it to be considered an electronic communications service provider versus just an entity that allows its customers to use its computers for access to the internet. Per Valerie Caproni, we need this ASAP. Thanks much!

b6
b7C

-----Original Message-----
From: THOMAS, JULIE F. (OGC) (FBI)
Sent: Monday, May 08, 2006 4:24 PM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: FW: Durbin re Libraries

UNCLASSIFIED
NON-RECORD

Please start to draft a response which we will then run through STLU.

Julie

-----Original Message-----
From: CAPRONI, VALERIE E. (OGC) (FBI)
Sent: Monday, May 08, 2006 3:44 PM
To: THOMAS, JULIE F. (OGC) (FBI)
Cc: LAMMERT, ELAINE N. (OGC) (FBI); KALISCH, ELENI P. (OCA) (FBI)
Subject: FW: Durbin re Libraries

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The question Durbin asked is whether the National Security letter amendment in fact means that we cannot serve an NSL on a library unless it is an ISP, as opposed to merely being an entity that provides a computer through which individuals access the internet. Can someone draft a response that NSLB and STLU are both happy with? [redacted]

b5

[redacted]
[redacted] Per Eleni's email, we'd like this ASAP.

-----Original Message-----
From: KALISCH, ELENI P. (OCA) (FBI)
Sent: Monday, May 08, 2006 3:14 PM
To: CAPRONI, VALERIE E. (OGC) (FBI)
Cc: [redacted] (DO) (FBI); [redacted] (OCA) (FBI); [redacted] (DO) (FBI)
Subject: Durbin re Libraries

b6
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Valerie:

As you recall [redacted]
[redacted]
[redacted] would like to get this information back [redacted] in letter form rather than wait [redacted]
[redacted]

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Please let me know who is handling this matter in OGC and I will have SSA [redacted] from my office get with them for the necessary information to prepare a response.

Thanks,

Eleni

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[Redacted] OGC) (FBI)

From: [Redacted] OGC) (FBI)
Sent: Wednesday, June 07, 2006 11:16 AM
To: [Redacted] OCA) (FBI)
Cc: CAPRONI, VALERIE E. (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); [Redacted] OGC) (FBI)
Subject: REVISED NSLB QFR Responses - Dir's SJC Hrg (2 May 06)

b6
b7C ~~SECRET~~
NON-RECORD NSIG

[Redacted]

In response to your e-mail yesterday afternoon, we revised our NSLB responses (attached).

Specifically, we revised our responses to **Nos. 82a and 109a**. All other responses remain unchanged. The document is now classified **SECRET** and has been portion-marked accordingly.

[Redacted]



QFRs (Dir's SJC
Testim, 2 May ...

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

b6
b7C **From:** [Redacted] OCA) (FBI)
Sent: Wednesday, June 07, 2006 10:12 AM
To: THOMAS, JULIE F. (OGC) (FBI); [Redacted] OGC) (FBI)
CAPRONI, VALERIE E. (OGC) (FBI); [Redacted] OGC) (FBI)
Subject: RE: NSLB QFR Responses - Dir's SJC Hrg (2 May 06)

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OLA sends FISA QFR responses to OIPR for review automatically, but you are certainly welcome to note the need for that coordination in the response. You are also encouraged to coordinate as you prepare the responses - that will smooth and speed the review process.

[Redacted]

b6
b7C
b2 Office of Congressional Affairs
JEH Building Room 7252
(Send mail to Room 7240)
202-324-[Redacted]

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

b6
b7C **From:** THOMAS, JULIE F. (OGC) (FBI)
Sent: Wednesday, June 07, 2006 10:07 AM
To: [Redacted] OCA) (FBI); [Redacted] OGC) (FBI)
Cc: CAPRONI, VALERIE E. (OGC) (FBI); [Redacted] OGC) (FBI)

Subject: RE: NSLB QFR Responses - Dir's SJC Hrg (2 May 06)

UNCLASSIFIED
NON-RECORD

Please note that when we provide the classified FISA numbers we must note that this response needs coordination with OIPR through DOJ OLA.

Thanks,
Julie

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

From: [redacted] (OCA) (FBI)
Sent: Tuesday, June 06, 2006 5:48 PM
To: [redacted] (OGC) (FBI)
Cc: CAPRONI, VALERIE E. (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: RE: NSLB QFR Responses - Dir's SJC Hrg (2 May 06)

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b7C

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NON-RECORD

[redacted]

Thanks.

I note that in a couple of instances we say the information the Committee is requesting is classified and cannot, therefore, be provided in this forum.

WE CAN ALWAYS PROVIDE CLASSIFIED INFORMATION IN RESPONSE TO QFRs, so we **DO** need to add that content.

Could you please go over these responses, and any future responses you provide, and make sure they do not exclude classified information? All you need to do is mark the paragraphs appropriately - we will ensure the content is handled properly.

Thanks.

[redacted]

b6
b7C
b2

Office of Congressional Affairs
JEH Building Room 7252
(Send mail to Room 7240)
202-324-[redacted]

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

From: [redacted] (OGC) (FBI)
Sent: Tuesday, June 06, 2006 5:28 PM
To: [redacted] (OCA) (FBI)
Cc: CAPRONI, VALERIE E. (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: NSLB QFR Responses - Dir's SJC Hrg (2 May 06)

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NON-RECORD

[Redacted]

Per our office conference this afternoon, attached you'll find **NSLB's QFR responses-- minus the response to No. 131.**

GC Caproni has approved the attached responses. She continues to work on the response to No. 131. I now understand that, if we provide that remaining response to you by middle of next week, we should still be in good shape.

b6
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Sincere thanks for your help in this regard.

[Redacted]

OGC / NSLB / NSLPTU
(202) 324 [Redacted]

<< File: QFRs (Dir's SJC Testim, 2 May 06).wpd >>

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[redacted] OGC) (FBI)

From: [redacted] (OCA) (FBI)
Sent: Tuesday, June 06, 2006 5:48 PM
To: [redacted] OGC) (FBI)
Cc: CAPRONI, VALERIE E. (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); [redacted]
[redacted] (OGC) (FBI)
Subject: RE: NSLB QFR Responses - Dir's SJC Hrg (2 May 06)

b6 UNCLASSIFIED
b7C NON-RECORD

[redacted]

Thanks.

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Thanks.

[redacted]

b6 Office of Congressional Affairs
b7C JEH Building Room 7252
b2 (Send mail to Room 7240)
202-324-[redacted]

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

From: [redacted] (OGC) (FBI)
Sent: Tuesday, June 06, 2006 5:28 PM
To: [redacted] (OCA) (FBI)
Cc: CAPRONI, VALERIE E. (OGC) (FBI); THOMAS, JULIE F. (OGC) (FBI); [redacted] (OGC) (FBI)
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[redacted]

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[Redacted]

OGC / NSLB / NSLPTU
(202) 324 [Redacted]

b6
b7C
b2

<< File: QFRs (Dir's SJC Testim, 2 May 06).wpd >>

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