



Federal Bureau of Investigation

Washington, D.C. 20535

April 22, 2011

MS. JENNIFER EFF/LYNCH
STAFF ATTORNEY
ELECTRONIC FRONTIER FOUNDATION
454 SHOTWELL STREET
SAN FRANCISCO, CA 94110

Request No.: 1154593- 000
Subject: COMMUNICATIONS COMPLIANCE WITH
FBI ELECTRONIC SURVEILLANCE FROM
JANUARY 1, 2006

Dear Ms. Lynch:

While processing your Freedom of Information-Privacy Acts (FOIPA) request, the **Criminal Division of the Department of Justice** located FBI information in their records. This material was referred to the FBI for direct response to you.

Enclosed are copies of the referred material. Deletions have been made pursuant to Title 5, United States Code, Section(s) 552/552a as noted below. See the enclosed form for an explanation of these exemptions.

Section 552

- (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)
- (b)(7)(F)
- (b)(8)
- (b)(9)

Section 552a

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

8 pages were reviewed and 4 pages are being released.

You may appeal any denials by writing to the Director, Office of Information Policy, United States Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C., 20530-0001, within sixty days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may easily be identified.

Sincerely yours,

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

Serial Description ~ Unrecorded Serial

Total Deleted Page(s) ~ 4

Page 1 ~ b5, b7E

Page 2 ~ b5, b7E

Page 3 ~ b5, b7E

Page 6 ~ Duplicate

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X for this Page X
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b5
b6
b7C
b7E

[Redacted]

(FBI)

A

From: [Redacted]

Sent: Tuesday, September 28, 2010 1:46 PM

To: [Redacted] (CRM); [Redacted] (CRM); [Redacted] (SMO); [Redacted] (DEA-US); [Redacted] (OLP) (SMO); [Redacted] (SMO); [Redacted] (SMO); [Redacted] (OLP) (SMO)

Subject: RE: [Redacted]

All,

Following our conversation yesterday, I spoke with OTD regarding private networks and the "access [Redacted] Based on that discussion, I provide the following for consideration...

[Redacted] according to OTD, [Redacted]

[Redacted] Obstacles to effecting surveillance include: [Redacted]

[Redacted]

I'm passing this on as background – again, for further consideration/discussion.

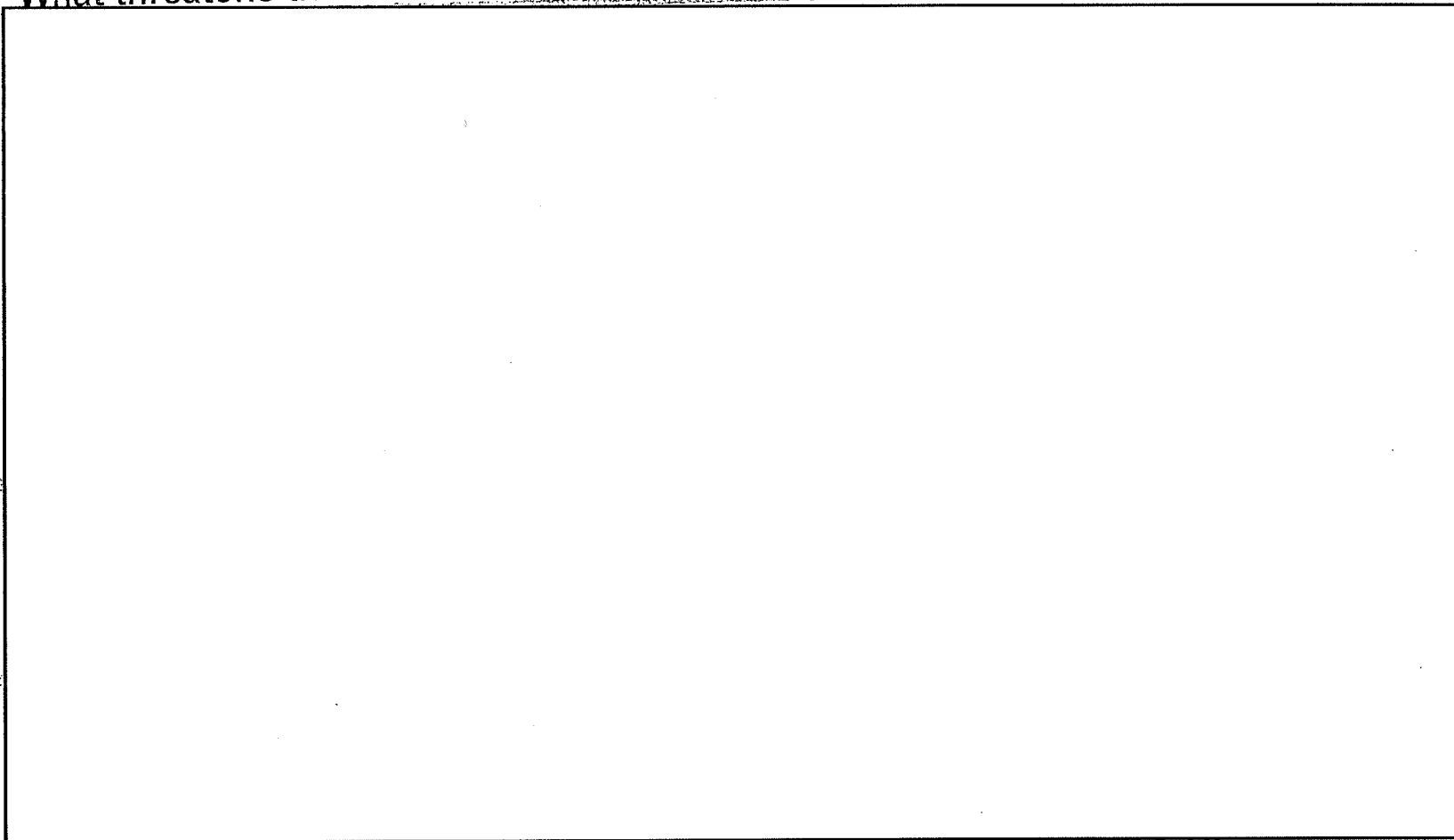
NR (CRM)

B

UNCLASSIFIED // FOUO



What threatens the LE & IC ability to intercept targets' communication?

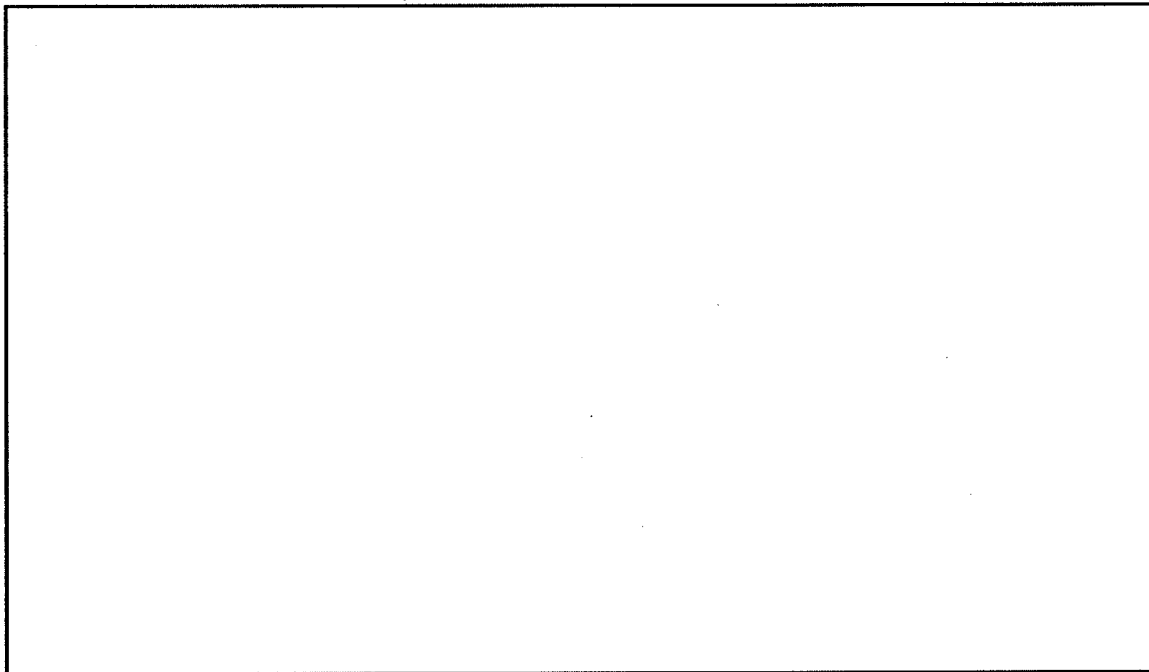


The risk of not addressing these threats is a loss of evidence and intelligence

b5
b7E

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The FBI has experienced the impact of the widening gaps



b7E

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What threatens Law Enforcement and the Intelligence Community's ability to intercept targets' communication?



1. Competing interests of the Intelligence Community and Law Enforcement

2. Uncoordinated efforts between LE and IC, as well as within LE

3.

Lack of coordination leads to duplication of effort, fractured industry liaison and competing entities, increasing the risk of lost capabilities