



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

April 1, 2011

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

Subject: COMMUNICATIONS COMPLIANCE WITH FBI
ELECTRONIC SURVEILLANCE FROM JANUARY 1, 2006

FOIPA No. 1154593- 000

Dear Ms. Lynch:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Table with 3 columns: Section 552, Section 552a, and Section 552a. It lists various exemption codes such as (b)(1), (b)(7)(A), (d)(5), etc., with checkboxes indicating their application.

289 pages were reviewed and 161 pages are being released.

- Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:
- referred to the OGA for review and direct response to you.
- referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) 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 Number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown,

when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Hardy", with a stylized flourish at the end.

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

Enclosures

This is an interim release. More documents will be mailed to you once they are processed.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy. for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

Serial Description ~ Unrecorded Serial

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X Deleted Page(s) X
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X for this Page X
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DiClemente, Anthony P.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 02-11-2011 BY 65179/DMH/BAW/STP/bls

From: [redacted]
Sent: Friday, April 16, 2010 3:02 PM
To: DiClemente, Anthony P.; Sabol, Sherry E.; [redacted]

b6
b7C

Subject: RE: Cable roaming agreements
Thx. That's what I thought.

From: DiClemente, Anthony P.
Sent: Friday, April 16, 2010 2:59 PM
To: [redacted] Sabol, Sherry E.; [redacted]
Subject: Re: Cable roaming agreements

b2
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Anthony DiClemente
Chief, Data Acquisition/Intercept Section
Operational Technology Division
Federal Bureau of Investigation
[redacted] Office
[redacted] Mobile

From: [redacted]
To: Sabol, Sherry E.; DiClemente, Anthony P.; [redacted]
Sent: Fri Apr 16 14:12:43 2010
Subject: FW: Cable roaming agreements

b2
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b7C
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What does this mean for Going Dark? [redacted]

From: [redacted]
Sent: Friday, April 16, 2010 9:40 AM
To: [redacted] (OLP) (SMO); [redacted] (CRM); [redacted] (SMO); [redacted] (ATF); [redacted] (ATF); [redacted] (SMO); DiClemente, Anthony P.; [redacted] (CRM); [redacted] (CRM); [redacted] (CRM); [redacted] (USACAN); [redacted] (DEA-US); [redacted] (NSD) (SMO); [redacted] (DEA-US); [redacted] (SMO); [redacted] (DEA-US); [redacted] (ODAG) (SMO); [redacted] (USMS); [redacted] (CRM); [redacted] (DEA-US); [redacted] (USAEO); Sabol, Sherry E.; [redacted] (SMO); [redacted] (CRM); [redacted] (SMO); [redacted] (SMO); [redacted] (JMD); [redacted] (SMO); [redacted] (OLP) (SMO); [redacted] (ATF)

b6
b7C

Subject: Cable roaming agreements

All,
Below is an interesting piece of news from Communication Daily:

New York area Comcast, Time Warner Cable and Cablevision broadband subscribers will be able to use each company's public Wi-Fi service when traveling, the companies said. "Cable

providers interconnecting Wi-Fi services so customers can roam freely across networks is an extremely meaningful and transformative development," said John Bickham, Cablevision president of cable and communications. "This agreement - the first of its kind and, we believe, the first of many — combines the reach and the value of our respective WiFi deployments and delivers fast and free wireless Internet access that stretches across the market, at a time when consumer demand for mobile data is exploding."

Thanks

b6
b7C

EFF/Lynch-2

4/19/2010

[Redacted] (OTD) (FBI)

From: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Sent: Friday, September 10, 2010 4:23 PM
To: [Redacted] (OTD) (FBI)
Subject: RE: Update--Due COB 9/8/10

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DATE 02-11-2011 BY 65179/DMH/BAW/STP/bls

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NON-RECORD

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Thx.

Anthony P. DiClemente
Chief, Data Acquisition / Intercept Section
Operational Technology Division

[Redacted]

From: [Redacted] (OTD) (FBI)
Sent: Thursday, September 09, 2010 1:27 PM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Subject: RE: Update--Due COB 9/8/10

UNCLASSIFIED
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Here are the meetings

November 30, 2009 [Redacted]
[Redacted]

May 18, 2010 [Redacted]
[Redacted]

September 08, 2010 [Redacted]
[Redacted]

From: [Redacted] (OTD) (FBI)
Sent: Wednesday, September 08, 2010 5:35 PM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Cc: [Redacted] (OTD) (CON)
Subject: RE: Update--Due COB 9/8/10

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[Redacted]

[Redacted]

EFF/Lynch-3

[Redacted]

[Redacted]

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b7E

From: [Redacted] (OTD) (CON)
Sent: Wednesday, September 08, 2010 7:58 AM
To: [Redacted] (OTD) (FBI)
Cc: [Redacted] (OTD) (FBI)
Subject: Update—Due COB 9/8/10
Importance: High

UNCLASSIFIED
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UC [Redacted]

Please provide a status update on this measurable result for SC DiClemente. Deadline COB today 9/8/10.

[Redacted]

Thanks,

[Redacted]

DAIS Executive Administrative Assistant
Operational Technology Division

[Redacted]

UNCLASSIFIED

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UNCLASSIFIED

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (CON)
Sent: Monday, September 28, 2009 9:51 AM
To: [redacted] (OTD) (FBI); DICLEMANTE, ANTHONY P. (OTD) (FBI); [redacted]
[redacted] (OTD) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (OTD) (CON); [redacted]
Subject: (OTD) (FBI); [redacted] (OTD) (FBI)
RE: Summary of 9/24/09 Conference Call [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 02-11-2011 BY 65179/DMH/BAW/STP/bls

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FYI - No data was received over the weekend.

[redacted]
Data Intercept Technology Unit
[redacted] work
[redacted] cell

From: [redacted] (OTD) (FBI)
Sent: Friday, September 25, 2009 4:19 PM
To: DICLEMANTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OTD) (FBI); [redacted] (OTD) (CON); [redacted] (OTD) (CON)
Subject: Summary of 9/24/09 Conference Call [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] and myself held a conference call [redacted]
[redacted]
[redacted]
[redacted]
[redacted]

b2
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[redacted] If there is any significant development during the weekend, they will contact me on my blackberry and I will forward to you.

EFF/Lynch-14

[redacted]

[REDACTED] (OTD) (FBI)

From: DICLEMENTE, ANTHONY P. (OTD) (FBI) b2
Sent: Thursday, September 24, 2009 12:22 PM b6
To: [REDACTED] (OTD) (FBI) b7C
Subject: RE: [REDACTED] solution - Update 09-24 b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Absolutely.

Anthony P. DiClemente
Chief, Data Acquisition / Intercept Section
Operational Technology Division

From: [REDACTED] (OTD) (FBI)
Sent: Thursday, September 24, 2009 12:19 PM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Subject: RE: [REDACTED] solution - Update 09-24

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I think we're good. I see on the schedule they have nothing for the weekend. They'll need to explain that also.

From: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Sent: Thursday, September 24, 2009 12:17 PM
To: [REDACTED] (OTD) (FBI)
Cc: [REDACTED] (OTD) (FBI)
Subject: RE: [REDACTED] solution - Update 09-24

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[REDACTED]
Let me know if you would like me to participate in the call.

Anthony P. DiClemente
Chief, Data Acquisition / Intercept Section
Operational Technology Division

From: [REDACTED] (OTD) (FBI)
Sent: Thursday, September 24, 2009 11:44 AM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Cc: [REDACTED] (OTD) (FBI)
Subject: FW: [REDACTED] solution - Update 09-24

EFF/Lynch-15

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Tony,

See below:

[redacted] So the conversation [redacted] is having with them today is definitely timely.

[redacted]
S/L Chief Advisor
Data Network Collection

W [redacted]
C [redacted]

b2
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b7E

From: [redacted] (OTD) (CON)
Sent: Thursday, September 24, 2009 11:24 AM
To: [redacted] (OTD) (CON); [redacted] (OTD) (FBI)
Cc: [redacted] (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (OTD)
(FBI); [redacted] (OTD) (CON); [redacted] (OTD) (FBI)
Subject: [redacted] solution - Update 09-24

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Update for 09-24-09/ 11:00am -

[redacted]

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Updates to follow. See previous background of issue below.

[redacted]
Data Intercept Technology Unit

[redacted] work
cell

From: [redacted] (OTD) (CON)
Sent: Monday, September 21, 2009 2:29 PM
To: [redacted] (OTD) (CON); [redacted] (OTD) (FBI)
Cc: [redacted] (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (OTD) (FBI)
Subject: [redacted] solution - Update

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

b2
b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

EFF/Lynch-17

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, January 30, 2009 3:28 PM
To: [redacted] (OGC) (FBI)
Subject: RE: [redacted]

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~~SECRET//NOFORN~~
RECORD 415

[redacted] The list their Senior VP and General Counsel as
[redacted] I'm not sure who the SC is calling but we might want
to pass this info on.

From: [redacted] (OGC) (FBI)
Sent: Friday, January 30, 2009 3:01 PM
To: [redacted] (OTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

Okay - it sounds from the e-mail you sent me on ASKCALEA that they are using [redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, January 30, 2009 3:00 PM
To: [redacted] (OGC) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

[redacted] Maybe that will tell us something.

From: [redacted] (OGC) (FBI)
Sent: Friday, January 30, 2009 2:34 PM
To: [redacted] (OTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

I don't know - but they are saying they are. Unless they come up with something better than this lame [redacted] they may be trying to hide the fact that they really don't have one in place - or don't know how to use it - or it doesn't work. That's part of why I wanted NSLB to ask them point blank whether do and what standard they are following.

Part of that was to scope out CALEA compliance, but another reason was to give NSLB/DOJ ammo for their motion - they can say that these guys are just refusing to do the intercept, when it should be quite simple since they maintain that they are CALEA compliant.

EFF/Lynch-25

From: [redacted] (OTD) (FBI)
Sent: Friday, January 30, 2009 2:31 PM
To: [redacted] (OGC) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

This is bizarre. Do you think they really have a CALEA solution?

From: [redacted] (OGC) (FBI)
Sent: Friday, January 30, 2009 2:28 PM
To: [redacted] (OTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

I forgot to mention that [redacted] said that the reason that [redacted] said it wouldn't provision the order has something to do with [redacted] and that was unduly burdensome (or something like that) - we apparently told them [redacted] but they didn't budge. I did not quite understand the 2 second issue, but maybe I'll know more once I talk to [redacted] (SC).

From: [redacted] (OTD) (FBI)
Sent: Friday, January 30, 2009 2:17 PM
To: [redacted] (OGC) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

I have been ignoring the fact that no one seems to understand CALEA let alone safe harbor. And have been concentrating on getting to the right people to coordinate an effort. I think you are in the right place now. Thanks

From: [redacted] (OGC) (FBI)
Sent: Friday, January 30, 2009 2:12 PM
To: [redacted] (OTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

I'm on a conference call right now, but I spoke to [redacted] a little while ago - I gave her a quick and dirty on CALEA, safe harbor, FCC enforcement and better explained some of [redacted] comments. From what I understand [redacted] is just refusing to do the intercept AT ALL, so as far as I know right now, they are not really saying it has to do with whether they are or not CALEA compliant. [redacted] SC is supposedly going to call [redacted] one more time to see if he can get them to do the intercept - I told her to see if he could get anything out of them as to whether they have a CALEA solution in place [redacted] She said that she and her SC would reach out to me/us before they doing anything with DOJ in terms of filing a motion if they are planning raise CALEA.

BTW, it seems like [redacted] and those in this chain may be misunderstanding the terms "safe harbor" but we can address that later....

From: [redacted] (OTD) (FBI)
Sent: Friday, January 30, 2009 1:45 PM
To: [redacted] (OGC) (FBI)
Subject: FW: [redacted]

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~~SECRET//NOFORN~~
RECORD 415

Here is another email trail. Could [redacted] be afraid to let us in to get this thing going because when we do we will find out they have no CALEA solution? Is that plausible?

From: [redacted] (OTD) (CON)
Sent: Friday, January 30, 2009 12:49 PM
To: [redacted] (OTD) (FBI)
Subject: FW: [redacted]

~~SECRET//NOFORN~~
RECORD 415

From: [redacted] (OTD) (CON)
Sent: Friday, January 30, 2009 10:49 AM
To: [redacted] (OTD) (CON)
Subject: FW: [redacted]

~~SECRET//NOFORN~~
RECORD 415

[redacted]
Data Intercept Technology Unit
[redacted] work
[redacted] cell

From: [redacted] (PX) (FBI)
Sent: Friday, January 30, 2009 10:29 AM
To: [redacted] (OTD) (CON)
Subject: FW: [redacted]

~~SECRET//NOFORN~~
RECORD 415

Wednesday 1/28/2009 11:05 PST

[redacted]
Telecommunications Specialist, Phoenix Division
[redacted] desk
[redacted] mobile
[redacted]

EFF/Lynch-27

From: [redacted] (PX) (FBI)
Sent: Friday, January 30, 2009 8:26 AM
To: [redacted] (PX) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

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Wednesday.

From: [redacted] (PX) (FBI)
Sent: Friday, January 30, 2009 8:13 AM
To: [redacted] (PX) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

What day?

[redacted]
Telecommunications Specialist, Phoenix Division
[redacted] desk
[redacted] mobile
[redacted]

From: [redacted] (PX) (FBI)
Sent: Thursday, January 29, 2009 2:49 PM
To: [redacted] (PX) (FBI)
Subject: FW: [redacted]

~~SECRET//NOFORN~~
RECORD 415

Here you go!

From: [redacted] (PX) (FBI)
Sent: Thursday, January 29, 2009 2:45 PM
To: [redacted] (PX) (FBI)
Subject: FW: [redacted]

~~SECRET//NOFORN~~
RECORD 415

From: [redacted] (PX) (FBI)
Sent: Wednesday, January 28, 2009 3:14 PM
To: [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

EFF/Lynch-28

Warrant was served to [redacted] at 11:05 PST, by SA [redacted]

From: [redacted] (CTD) (FBI)
Sent: Wednesday, January 28, 2009 9:27 AM
To: [redacted] (PX) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (PX) (FBI); [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

In order to claim safe harbor, aren't they required to provide us the data on their own, obviating the need for us to install our own equipment?

From: [redacted] (PX) (FBI)
Sent: Wednesday, January 28, 2009 11:18 AM
To: [redacted] (CTD) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (PX) (FBI); [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

I just verified with ERF that [redacted] has not complied with the request. According to ERF [redacted] they are claiming "safe harbor" relative to the FBI installing our own equipment on [redacted] property.

From: [redacted] (CTD) (FBI)
Sent: Wednesday, January 28, 2009 8:42 AM
To: [redacted] (PX) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (PX) (FBI); [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

The I guess the next step is to call, and then notify FCC and/or file a contempt motion. I think that part of the problem is that the time they have to comply provides some wiggle room, and they are taking advantage of that. [redacted] also said they were claiming safe harbor, but I don't see how that helps them in the end [redacted]

From: [redacted] (PX) (FBI)
Sent: Wednesday, January 28, 2009 10:36 AM
To: [redacted] (CTD) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (PX) (FBI); [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 415

Two things first, they already have the EA comfort letter which was served last week, so compliance and data flow should already be moving if the technical capability exist. Second, the orders went out yesterday, so [redacted] should be serving the today at the latest. I guess I'm confused as to why we are allowing [redacted] to ignore an EA signed by the AG and then again allowing them more time to comply with a court order. If [redacted] they are CALEA compliant [redacted] then ERF should be able to get the data [redacted]

b2
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b7E

From: [redacted] (CTD) (FBI)
Sent: Wednesday, January 28, 2009 8:16 AM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (PX) (FBI)
Cc: [redacted] (PX) (FBI); [redacted] (CTD) (FBI)
Subject: [redacted]

~~SECRET//NOFORN~~
~~RECORD 415~~

All,
I just spoke to [redacted] regarding [redacted] non-compliance with the EA. Apparently, [redacted] has said they are CALEA compliant. [redacted] According to [redacted] they have had ample time to get up to speed [redacted]

[redacted]

Let me know how you want to proceed.
Thanks,

SSA [redacted]
CTD/ITOS 1/Team 1
[redacted] Office
[redacted] Blackberry
[redacted] Secure
LX1, 4S-104

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20340128~~
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~~DECLASSIFY ON: 20340128~~

EFF/Lynch-30

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EFF/Lynch-31

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DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, December 09, 2009 1:51 PM
To: [redacted] (OTD) (FBI)
Subject: FW: Going Dark
Attachments: [redacted] (OTD) (FBI).vcf

UNCLASSIFIED
NON-RECORD

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[redacted]

Is this sufficient?

[redacted]

SSA [redacted]
Unit Chief
Data Intercept Technology Unit
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Wednesday, December 09, 2009 1:34 PM
To: [redacted] (OTD) (FBI)
Subject: RE: Going Dark

~~UNCLASSIFIED~~
~~NON-RECORD~~

Secret
NOFORN

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Case :1

[redacted]

informed that the (DITU) solution could provide this data and DITU would be able to install their equipment as long as DITU was allowed access to the network. At that time [redacted] said they would have to speak with their legal for guidance and would be in touch. On the return call they stated that the only collection they could provide was [redacted] which would required additional paperwork for the [redacted] data and that the option of the DITU putting equipment in the [redacted] network was in fact not an option at all. At this point legal discussions took place between [redacted] and FBIHQ, and on 06/01/2009 [redacted] implemented their own solution and the data was then obtained. As a result, 26 days of pertinent data was not received.

Case 2:

This case was a FISA that was signed on [redacted] and served on the provider [redacted]. The provider had a CALEA solution but it did not work. The DITU offered to install it's collection equipment to effect the collection. The [redacted] legal department would not allow the FBI to install equipment on their premise. Before the legal issues were resolved, [redacted] was able to get their CALEA collection solution working. As a result, the FBI lost 60 days of collection data.

Case 3.

This was a criminal case that was instituted in 2008. The provider, [redacted] was server a PRTT and had a CALEA solution in place. Their solution did not provide [redacted] information that was requested in the order. After two months of not being able to resolve the issue [redacted] finally allowed the DITU to install their equipment to

effect the collection. As a result two months of collection data was lost.

SSA [redacted]
OTD/DITU
Desk [redacted]
Blackberry [redacted]
STU [redacted]
Help Desk [redacted]

b2
b6
b7C



[redacted]
(OTD) (FBI).vcf (...)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, December 09, 2009 11:07 AM
To: [redacted] (OTD) (FBI)
Subject: FW: Going Dark

UNCLASSIFIED
NON-RECORD

b2
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SSA [redacted]
Unit Chief
Data Intercept Technology Unit
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Wednesday, December 09, 2009 11:06 AM
To: [redacted] (OTD) (FBI)
Subject: Going Dark

UNCLASSIFIED
NON-RECORD

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The Director's Office is preparing a presentation on Going Dark to DOJ next Weds. The DO has asked for examples on the following:

"provide details on instances in which providers resisted FBI going on the premises to monitor or put-in-place technology for intercepts, the number of days/weeks of lost collections, the outcome"

Can you provide me some examples today?

Thanks,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

EFF/Lynch-34

UNCLASSIFIED

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EFF/Lynch-35

[redacted] (OTD) (FBI)

From: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Sent: Monday, May 04, 2009 11:50 AM
To: [redacted] (OTD) (FBI); SABOL, SHERRY E. (OGC) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OTD) (FBI)
Subject: RE: CALEA Enforcement - [redacted] Orders not being fully implemented

Sherry,
Given the time that has lapsed and the current inability of [redacted] to implement a functional collection capability, I would like to know specifically what [redacted] is doing to address the current deficiency. To advise us to wait until "mid-june" at this point is insufficient.

The FBI needs to press [redacted] into identifying specifically what actions they are taking to ensure they will have a functional collection capability by "mid-june".

From: [redacted] (OTD) (FBI)
Sent: Monday, May 04, 2009 12:25 PM
To: SABOL, SHERRY E. (OGC) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OTD) (FBI)
Subject: RE: CALEA Enforcement - [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

Yes we are aware that they have told us for some time that a [redacted] solution is forthcoming. [redacted] So we were aware that they have been working towards a solution. However we have been working with them since early november and have had continued contact with them since that time. [redacted]

[redacted] Should we let yet another carrier get by without any substantial penalty for not having a capability it seems to only make the penalty for a provider not having a capability laughable. So based on the below I guess we will stand by until June and see what they come up with.

[redacted]
w [redacted]
c [redacted]

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Thursday, April 30, 2009 3:49 PM
To: [redacted] (OTD) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: FW: CALEA Enforcement - [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

Thoughts on this? [redacted] are you aware of this solution [redacted]

EFF/Lynch-36

From: [redacted] (OGC) (FBI)
Sent: Thursday, April 30, 2009 3:27 PM
To: SABOL, SHERRY E. (OGC) (FBI)

Subject: FW: CALEA Enforcement [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

DOJ has a promise from [redacted] counsel that a solution will be fashioned no later than mid-June. I'll make sure that DOJ checks in three weeks on their progress.

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b7C
b7E

[redacted]
HQ: [redacted]
LX: [redacted]
Pgr: [redacted]

From: [redacted] (OGC) (OGA)
Sent: Tuesday, April 28, 2009 6:23 PM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (OGA)
Subject: RE: CALEA Enforcement [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

After discussing with [redacted] outside counsel today, he called back to report that they have a working solution [redacted] which should close the collection gap. They estimate that process may be completed as early as the end of May, probably no later than mid-June.

From: [redacted] (OGC) (FBI)
Sent: Tuesday, April 21, 2009 6:26 PM
To: [redacted] (OGC) (OGA); [redacted] (OGC) (OGA)
Subject: RE: CALEA Enforcement [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

I'll confirm with OTD.

[redacted]
HQ: [redacted]
LX: [redacted]
Pgr: [redacted]

From: [redacted] (OGC) (OGA)
Sent: Tuesday, April 21, 2009 1:16 PM
To: [redacted] (OGC) (OGA); [redacted] (OGC) (FBI)
Subject: RE: CALEA Enforcement [redacted] Orders not being fully implemented

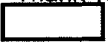
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RECORD CALEA

We met with them fairly recently [redacted] joined us for the meeting) and I don't believe the issue came up. It's hard to tell from the information provided below, but just to be clear about what the scope of the problem is, it looks like the issue is with [redacted] right?

EFF/Lynch-37

From: [redacted] (OGC) (OGA)

Thank you.



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b7E

<< File: Problems with  mplementation.doc >>

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[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI) b5
Sent: Thursday, April 30, 2009 4:47 PM b6
To: SABOL, SHERRY E. (OGC) (FBI); [redacted] (OTD) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI) b7C
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI) b7E
Subject: RE: CALEA Enforcement - [redacted] Orders not being fully implemented

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RECORD CALEA

Sherry,

I put this together with DITU's input to answer your question regarding [redacted] earlier email and I think it answers your question posed to [redacted]

[redacted]

[redacted]

[redacted]

Furthermore, we are getting data on [redacted] targets that we have collected data on, it appears that we have gotten all the the target data, but it is difficult to tell with certainty because [redacted] devices that we have not received data [redacted] As of today, it appears we are not collecting data on [redacted] reported data usage.

It is interesting that [redacted] counsel is telling DOJ that they should have a solution by end of May to mid-June. This is the last of a series of idol promises. We have already been promised end of March, mid-April, and end of April.

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Thursday, April 30, 2009 3:49 PM
To: [redacted] (OTD) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: FW: CALEA Enforcement - [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

Thoughts on this? [redacted]

From: [redacted] (OGC) (FBI)
Sent: Thursday, April 30, 2009 3:27 PM
To: SABOL, SHERRY E. (OGC) (FBI)
Subject: FW: CALEA Enforcement - [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

DOJ has a promise from [redacted] counsel that a solution will be fashioned no later than mid-June. I'll make sure that DOJ checks in three weeks on their progress.

[redacted]
HQ: [redacted]
LX: [redacted]
Pgr: [redacted]

From: [redacted] (OGC) (OGA)
Sent: Tuesday, April 28, 2009 6:23 PM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (OGA)
Subject: RE: CALEA Enforcement - [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

After discussing with [redacted] outside counsel today, he called back to report that they have a working solution [redacted] which should close the collection gap. They estimate that process may be completed as early as [redacted]

From: [redacted] (OGC) (FBI)
Sent: Tuesday, April 21, 2009 6:26 PM
To: [redacted] (OGC) (OGA); [redacted] (OGC) (OGA)
Subject: RE: CALEA Enforcement - [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

I'll confirm with OTD.

[redacted]
HQ: [redacted]
LX: [redacted]
Pgr: [redacted]

From: [redacted] (OGC) (OGA)
Sent: Tuesday, April 21, 2009 1:16 PM
To: [redacted] (OGC) (OGA); [redacted] (OGC) (FBI)
Subject: RE: CALEA Enforcement - [redacted] Orders not being fully implemented

~~SECRET~~
RECORD CALEA

We met with them fairly recently ([redacted] joined us for the meeting) and I don't believe the issue came up. It's hard to tell from the information provided below, but just to be clear about what the scope of the problem is, it looks like the issue is with [redacted] right?

From: [redacted] (OGC) (OGA)
Sent: Monday, April 20, 2009 9:49 PM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (OGA)
Subject: RE: CALEA Enforcement - [redacted] Orders not being fully implemented

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RECORD CALEA

[redacted] - please let me know if this has come up in any of your discussions with [redacted] counsel.

[redacted] - happy to discuss tomorrow.

From: [redacted] (OGC) (FBI)
Sent: Monday, April 20, 2009 3:24 PM
To: [redacted] (OGC) (OGA); [redacted] (OGC) (OGA)
Subject: FW: CALEA Enforcement - [redacted] Orders not being fully implemented

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RECORD CALEA

The attached document is a list of FISA orders for [redacted] that apparently they have not been able to fully implement. It is apparently a persistent problem. Our own attempts to assist have resulted in only partial coverage. Pursuant to CALEA legislation, they are supposed to maintain a means of executing these orders which they apparently cannot do. We are going to need to come up with a plan to address this shortcoming including some type of court action. Take a look at the list, we can talk about it tomorrow.

[redacted]
HQ: [redacted]
LX: [redacted]
Pgr: [redacted]

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Monday, April 13, 2009 11:47 AM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (OGC) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); THOMAS, MARCUS C. (OTD) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (OTD) (FBI); [redacted] (CTD) (FBI); [redacted] (CTD) (FBI); [redacted] (CD) (FBI); [redacted] (CD) (FBI); [redacted] (CD) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: CALEA Enforcement - [redacted] Orders not being fully implemented

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RECORD CALEA

[redacted]
DITU has compiled a list of FISA dockets with orders for [redacted] that the FBI has been unable to fully implement. All of these targets are using [redacted] for which [redacted] does not have a functioning CALEA solution. OTD has been working with the company, but OTD's solution will only capture a portion of the data to which we are entitled, depending on what browser the target is using.

[redacted]

[Redacted]

Please let me know how NSLB and NSB would like to proceed regarding FBI attempts to implement these [Redacted] orders.

Thank you.
Sherry.

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<< File: Problems with [Redacted] mplementation.doc >>

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[Redacted] (OTD) (FBI)

From: THOMAS, MARCUS C. (OTD) (FBI)
Sent: Thursday, June 24, 2010 3:16 PM
To: [Redacted] (OGC) (FBI); [Redacted] (DO)(OGA); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Dft [Redacted] Roundtable on Going Dark

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RECORD 415

[Redacted]

[Redacted]

Marcus C. Thomas
Assistant Director
Operational Technology Division

[Redacted]

From: [Redacted] (OGC) (FBI)
Sent: Thursday, June 24, 2010 2:25 PM
To: [Redacted] (DO)(OGA); THOMAS, MARCUS C. (OTD) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); PAGLINO, MARYBETH (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Dft [Redacted] Roundtable on Going Dark

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RECORD 415

[Redacted]

Thanks.

From: [Redacted] (DO)(OGA)
Sent: Thursday, June 24, 2010 2:24 PM
To: [Redacted] (OGC) (FBI); THOMAS, MARCUS C. (OTD) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Dft [Redacted] Roundtable on Going Dark

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RECORD 415

EFF/Lynch-44

[Redacted]

[Redacted] Thanks.

From: [Redacted] (OGC) (FBI)
Sent: Thursday, June 24, 2010 2:18 PM
To: [Redacted] (DO)(OGA); THOMAS, MARCUS C. (OTD) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Dft [Redacted] Roundtable on Going Dark

~~SECRET//NOFORN~~
RECORD 415

[Redacted]

From: [Redacted] (DO)(OGA)
Sent: Thursday, June 24, 2010 2:05 PM
To: THOMAS, MARCUS C. (OTD) (FBI); [Redacted] (OGC) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Dft [Redacted] Roundtable on Going Dark

~~SECRET//NOFORN~~
RECORD 415

[Redacted]

Thanks.

[Redacted]

<< File: Going Dark TPs 062410.doc >>

From: THOMAS, MARCUS C. (OTD) (FBI)
Sent: Thursday, June 24, 2010 11:15 AM
To: [Redacted] (OGC) (FBI); [Redacted] (DO)(OGA); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Dft [Redacted] Roundtable on Going Dark

[Redacted]

[Redacted]

Marcus

Marcus C. Thomas
Assistant Director
Operational Technology Division

[Redacted]

b2
b5
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b7D
b7E

From: [Redacted] (OGC) (FBI)
Sent: Thursday, June 24, 2010 10:46 AM
To: [Redacted] (DO)(OGA); THOMAS, MARCUS C. (OTD) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Df [Redacted] Roundtable on Going Dark

[Redacted]

From: [Redacted] (DO)(OGA)
Sent: Tuesday, June 22, 2010 5:32 PM
To: THOMAS, MARCUS C. (OTD) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI); [Redacted] (DO) (FBI)
Cc: [Redacted] (DO) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); CAPRONI, VALERIE E. (OGC) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CTD) (FBI); [Redacted] (CD)(FBI); [Redacted] (DI)(FBI); [Redacted] (OGC) (FBI)
Subject: RE: Df [Redacted] Roundtable on Going Dark

[Redacted]

[Redacted]

SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350622
SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350622
SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350622
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SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350622
SECRET//NOFORN

[Redacted] (OTD) (FBI)

From: [Redacted] (OGC) (FBI)
Sent: Wednesday, September 15, 2010 10:57 AM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (DO)(OGA); [Redacted] (OTD) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)
Cc: [Redacted] (OGC) (FBI)
Subject: [Redacted] (DO) (FBI); THOMAS, MARCUS C. (OTD) (FBI)
RE: [Redacted]

~~SECRET//NOFORN~~
~~RECORD GD~~

(U) I have a few questions about these discussions of our capabilities:

[Large redacted area with three 'X' marks on the left side]

b2
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From: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Sent: Tuesday, September 07, 2010 8:42 AM
To: [Redacted] (DO)(OGA); [Redacted] (OTD) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)
Cc: [Redacted] (DO) (FBI); THOMAS, MARCUS C. (OTD) (FBI)
Subject: RE: [Redacted]

UNCLASSIFIED
NON-RECORD

b2
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b7C

Pls see the attached initial response.

Anthony P. DiClemente
Chief, Data Acquisition / Intercept Section
Operational Technology Division

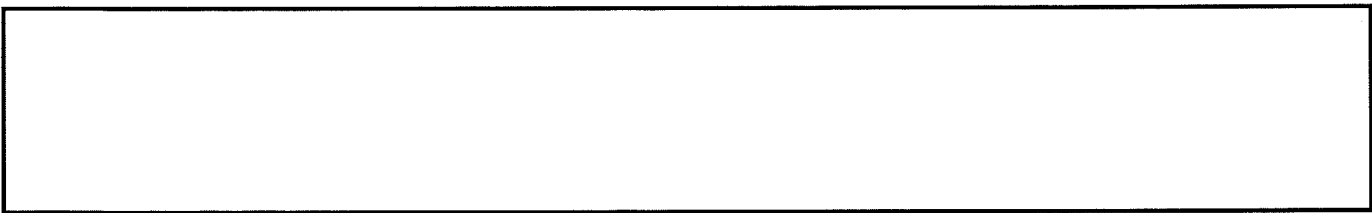
[Redacted signature block]

b6
b7C

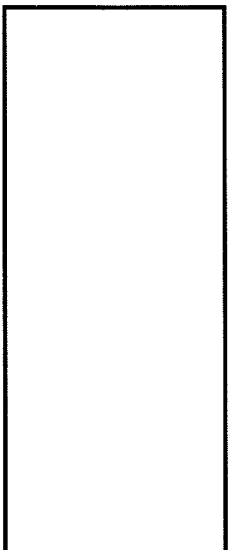
From: [Redacted] (DO)(OGA)
Sent: Wednesday, September 01, 2010 2:51 PM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI); [Redacted] (OTD) (FBI); SABOL, SHERRY E. (OGC) (FBI); [Redacted]

Cc: (OGC) (FBI) [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: [redacted] (DO) (FBI); THOMAS, MARCUS C. (OTD) (FBI)

UNCLASSIFIED
NON-RECORD



It would be good to have these answers by our GD standing meeting next Tuesday. Thanks.



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UNCLASSIFIED

UNCLASSIFIED

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign Counterintelligence Investigations~~
~~DECLASSIFY ON: 20350915~~
~~SECRET//NOFORN~~

GOING DARK

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Preservation of Lawful Intercepts: Challenges and Potential Solutions

June 11, 2010

Going Dark

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EFF/Lynch-67

Introduction To The "Going Dark" Issue

"Going Dark" refers to the government's increasing inability to access, collect, and intercept real-time and stored communications information to which it is lawfully-authorized due to the following factors:

- The dramatic increase in the volume of communications and the number of communications service providers**
- Rapidly-changing services and technologies that precludes the government's ability to access information**
- Under-funded, under-resourced and uncoordinated electronic surveillance efforts across local, state and federal agencies nationwide**
- Legal authorities and mandates that have not kept pace with changing technology**

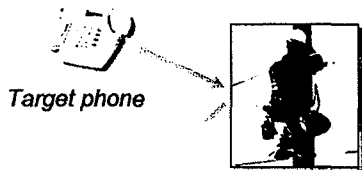
Conducting lawful intercept in the past was straightforward...

Conducting lawful intercept today is highly complex and becoming more and more difficult

Where we've been...

...Convergence...

...Today...



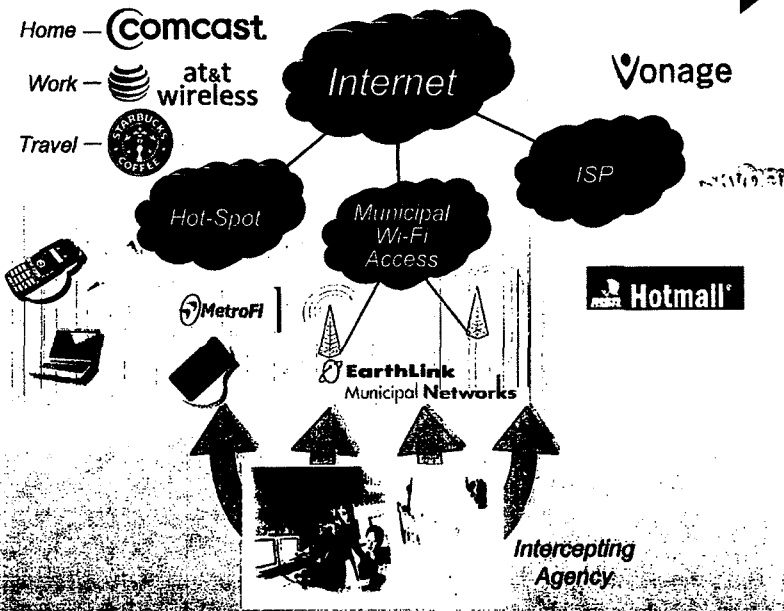
Target phone



Intercepting Agency



Single camera



Single target
Single point of interception
Interceptive

Multiple targets
Multiple providers
Multiple interception points
Multiple interception agencies

Multiple providers
Multiple interception points
Multiple interception agencies

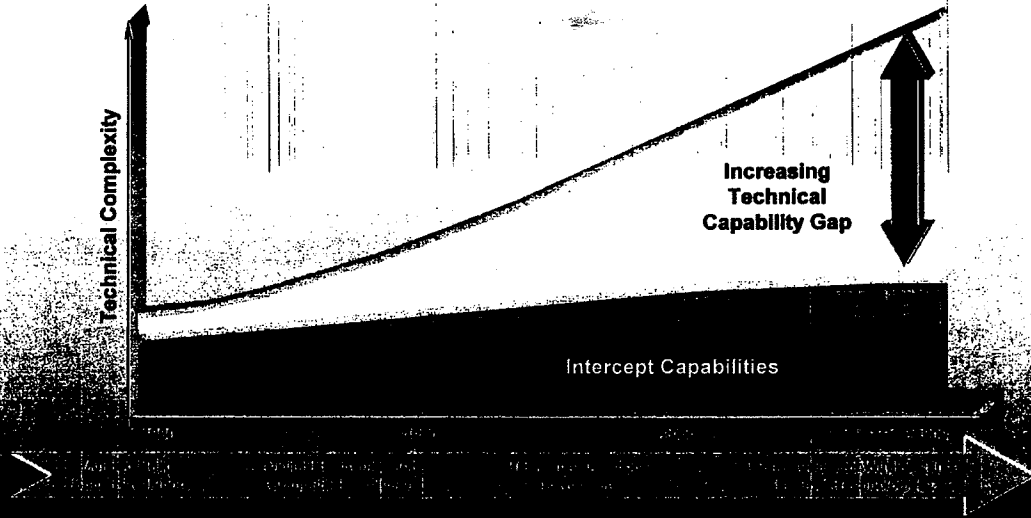
"Going Dark"

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Lawful Intercept Capabilities Are Eroding By The Day, Creating A "Lawful Intercept Capability Gap." All Law Enforcement Agencies Are On The Road To "Going Dark"

Impediments to LI capabilities are rising with communications "convergence" and the increased variety and complexity of advanced services and technologies (e.g., Voice over Internet Protocol (VoIP) and broadband Internet services). LI costs continue to grow. State/local LEAs are being shut out (e.g., data intercepts); and the FBI is barely keeping its head above water, as all LEAs are on the road to "Going Dark"

These circumstances have created an increasingly evident "LI Capability Gap"



"Going Dark"

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3

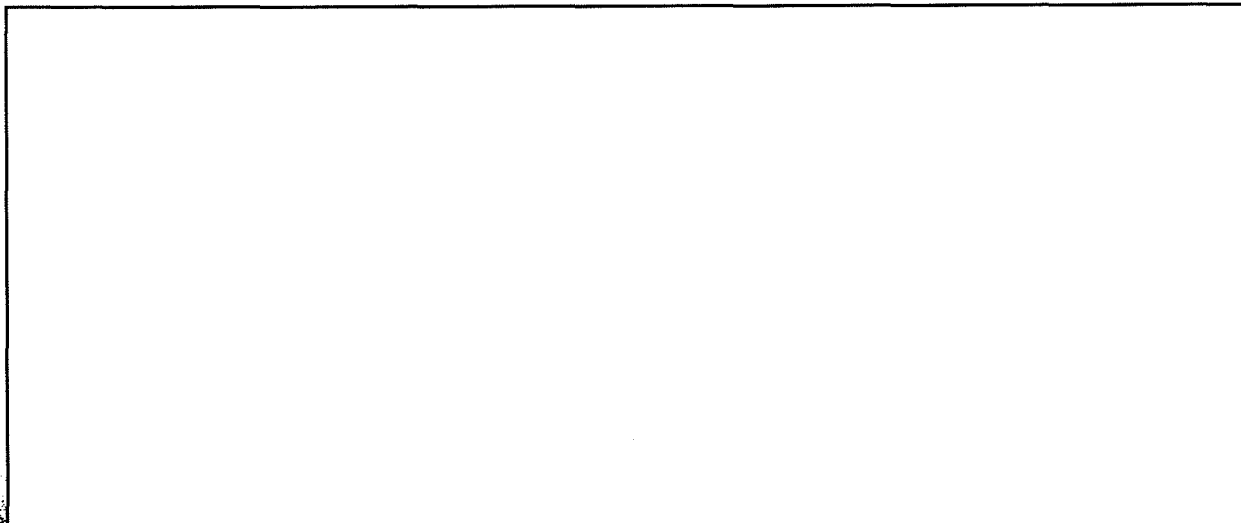
EFF/Lynch-70

The Intercept Capability Gap For Law Enforcement Agencies

- Current and emerging communications technologies and services prevent most LEAs from pursuing real-time data intercepts
- LEAs often lack an understanding of the services offered by new and emerging service providers, and industry often lacks an understanding of the needs of LEAs. This prevents the development of timely, cost-effective solutions
- The lack of efficient information sharing mechanisms often results in duplication of efforts among LEAs
- The fragmented, uncoordinated demands placed on providers by different LEAs results in isolated, non-standardized requests, duplicative efforts, missed opportunities to use existing solutions, and unnecessary expenses

It Is The Golden Age Of Communications Opportunities But Not The Golden Age Of Lawful Intercept Capabilities

Challenges and constraints faced by Law Enforcement



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Preservation of Lawful Intercepts: Challenges and Potential Solutions



“Going Dark”

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EFF/Lynch-78

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

Serial Description ~ Unrecorded Serial

Total Deleted Page(s) ~ 21

Page 2 ~ Duplicate	EFF/Lynch - 86
Page 3 ~ Duplicate	- 87
Page 4 ~ Duplicate	- 88
Page 5 ~ Duplicate	- 89
Page 17 ~ Duplicate	- 91
Page 21 ~ Duplicate	- 92
Page 30 ~ b2, b7E	- 98
Page 33 ~ b2, b7E	- 101
Page 36 ~ Duplicate	- 104
Page 50 ~ Duplicate	- 111
Page 53 ~ b2, b7E	- 114
Page 56 ~ Duplicate	- 117
Page 60 ~ Duplicate	- 119
Page 69 ~ Duplicate	- 124
Page 71 ~ Duplicate	- 126
Page 72 ~ Duplicate	- 127
Page 73 ~ Duplicate	- 128
Page 80 ~ b2, b7E	- 135
Page 103 ~ b2, b7E	- 143
Page 104 ~ b2, b6, b7C, b7E	- 144
Page 105 ~ b2, b7E	- 145

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X for this Page X
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Legislative and Policy Challenge On Premises Interception/Monitoring



Issue:

- [Redacted]
- [Redacted]

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- Recent examples

[Redacted]

Outside the Scope

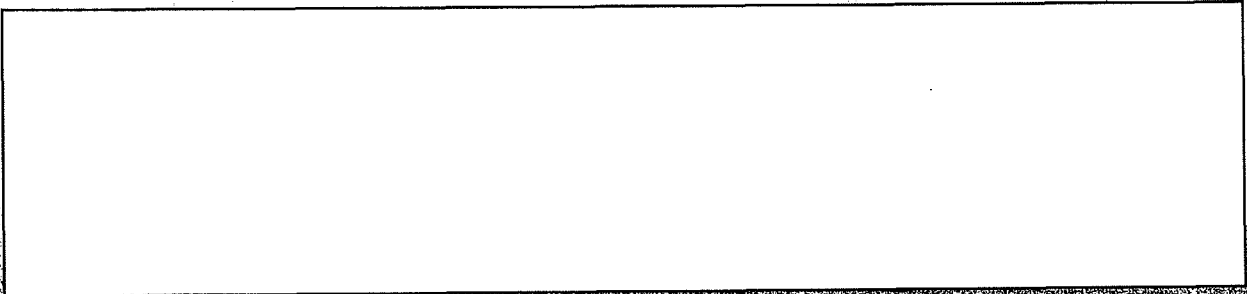


Legislative and Policy Challenge CALEA Safe Harbor



Issue:

- Carriers using industry standards are granted “safe harbor” under CALEA
- Industry standards bodies are industry-controlled, often to the detriment of law enforcement
- “Safe harbor” for deficient industry standards affords unwarranted protection
- Process of challenging standards before the FCC is burdensome and lengthy
- Recent examples



Outside the Scope

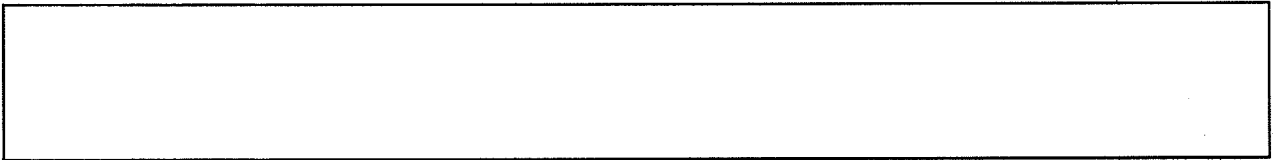


Legislative and Policy Challenge Delivery of Data



Issue:

- Carriers often fail to deliver data in a secure, reliable and time-efficient manner
- Carriers utilize methods that do not ensure the intercepted communications are received at the law enforcement collection facility
- Delivery mechanisms that are cost-prohibitive for law enforcement and cannot be established in time-efficient manner
- Recent examples



Outside the Scope



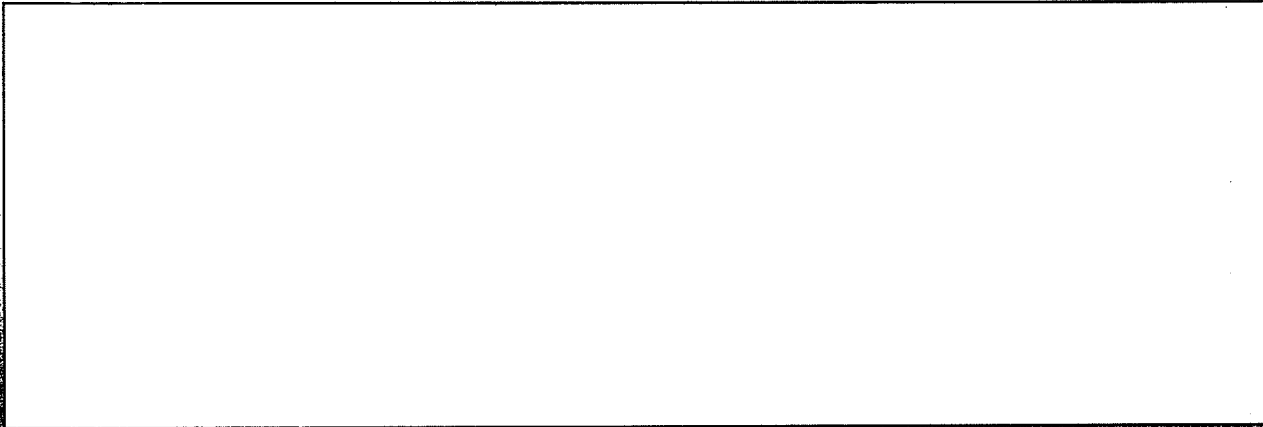
Legislative and Policy Challenge Enforcement



Issue:

- Non-compliance with CALEA for emerging service occurs often
- CALEA's current enforcement provisions present insurmountable hurdles that make even the threat of enforcement non-credible
- CALEA places the government in a "Catch-22" position
- Recent examples

Outside the Scope





Legislative and Policy Challenge Encryption

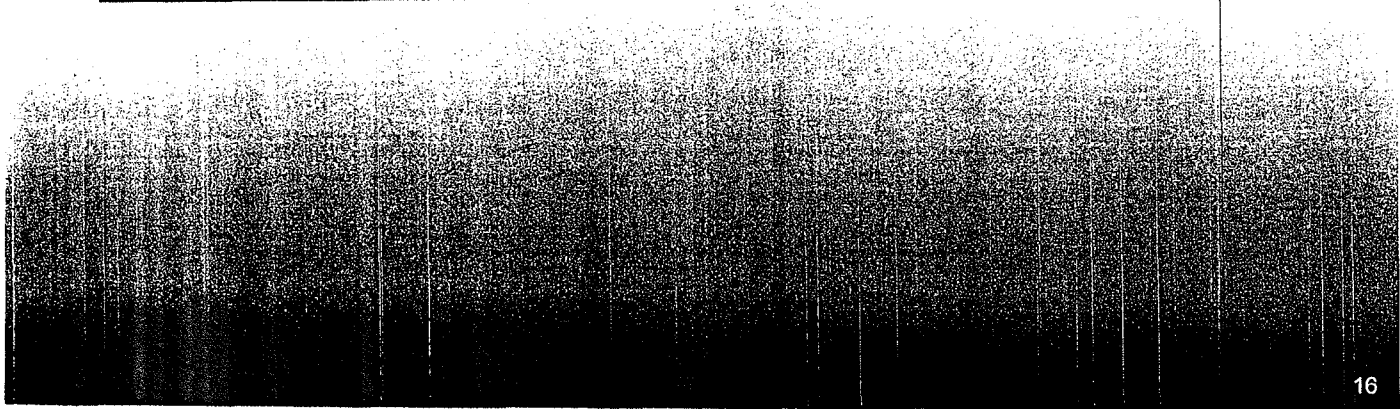


Issue:

- Many modern communication services and devices use encryption as a means to protect subscriber communications and data
 - Data “in transit,” such as VoIP and e-mail communications
 - Data “at rest,” such as the data stored on a hard drive or USB device



Outside the Scope



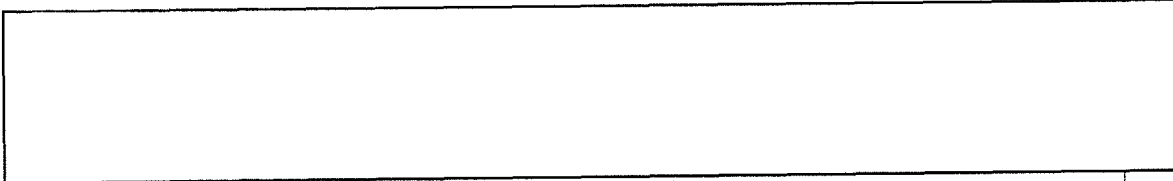


Legislative and Policy Challenge Data Retention

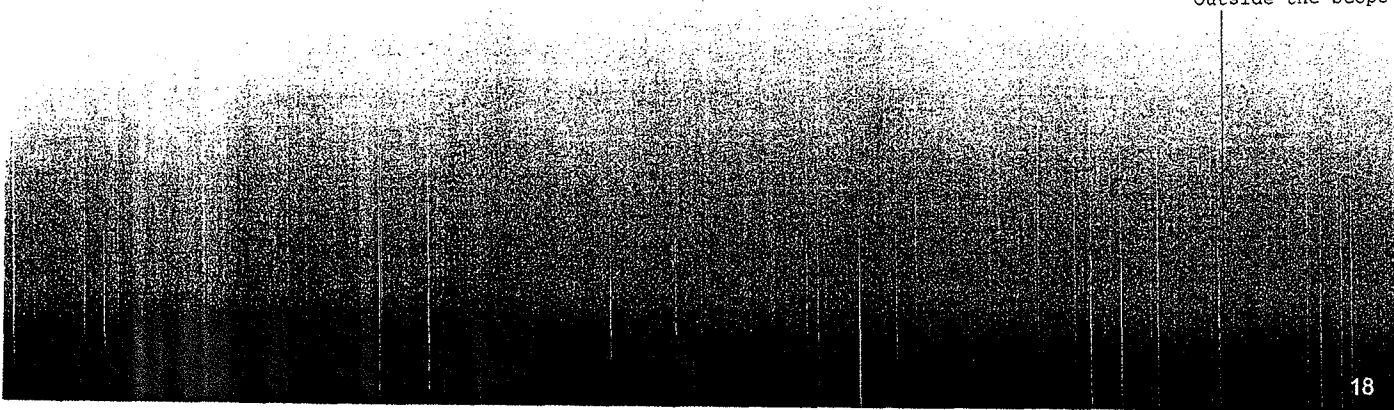


Issue:

- Many modern communications services no longer utilize or store in a standardized manner detailed service and billing records, eliminating previously easily acquired subscriber records



Outside the Scope



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Preservation of Lawful Intercepts: Challenges and Potential Solutions

January 2010



"Going Dark"

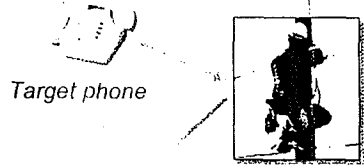
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EFF/Lynch-103

Conducting lawful intercept in the past was straightforward...

Conducting lawful intercept today is highly complex and becoming more and more difficult

Where we've been... ...Convergence... ...Today... →



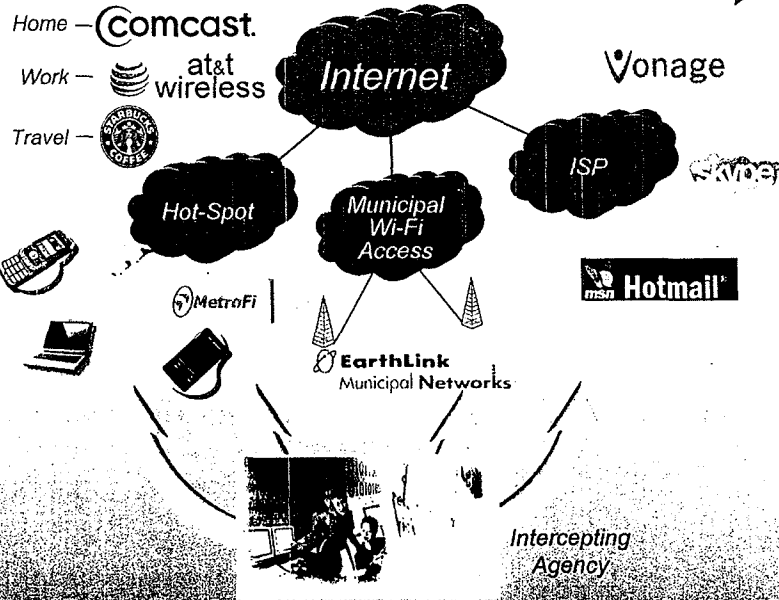
Target phone



Single carrier



Intercepting Agency



- ▶ Single carrier
- ▶ Simple access and interception
- ▶ Inexpensive

- ▶ Peer-to-Peer
- ▶ Service Provider Evolution
- ▶ Third Party Service Providers
- ▶ Cloud-based Services

- ▶ Air-to-Ground Services
- ▶ Encryption
- ▶ Anonymous Services
- ▶ Mobile Volunteering



"Going Dark"

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The Intercept Capability Gap for State and Local Law Enforcement Agencies

- Current and emerging communications technologies and services prevent most LEAs from pursuing real-time data intercepts.
- LEAs often lack an understanding of the services offered by emerging service providers, and industry often lacks an understanding of the needs of LEAs. This prevents the development of timely, cost-effective solutions.
- The lack of efficient information sharing mechanisms often results in duplication of efforts among LEAs
- The fragmented, uncoordinated demands placed on providers by different LEAs results in isolated, non-standardized requests, duplicative efforts, missed opportunities to use existing solutions, and unnecessary expense



"Going Dark"

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5

EFF/Lynch-106

Legislative and Policy Challenge

Scope of CALEA

Issue:

- CALEA requires “telecommunications carriers” to develop and deploy intercept solutions in their networks to ensure that lawfully-authorized electronic surveillance could be performed
- Since CALEA’s enactment in 1994, communications services have evolved beyond the traditional telecommunications platforms that existed at the time of passage
- A growing number of providers and emerging services that offer alternatives to traditional telephony may no longer meet CALEA’s definition of a “telecommunications carrier”
 - P2P Services [redacted] and Third Party Applications [redacted]
- Even those providers that are covered by CALEA frequently introduce new services before they have developed techniques for assisting the government in conducting intercepts

b2
b7E



“Going Dark”

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9

EFF/Lynch-107

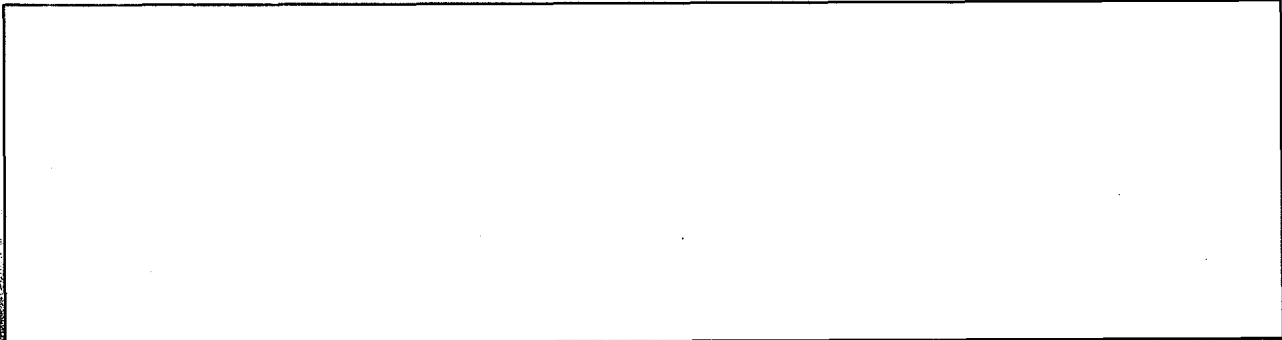
Legislative and Policy Challenge On Premises Interception/Monitoring

Issue:

- 

b2
b7E

- Recent examples



Outside the Scope



"Going Dark"

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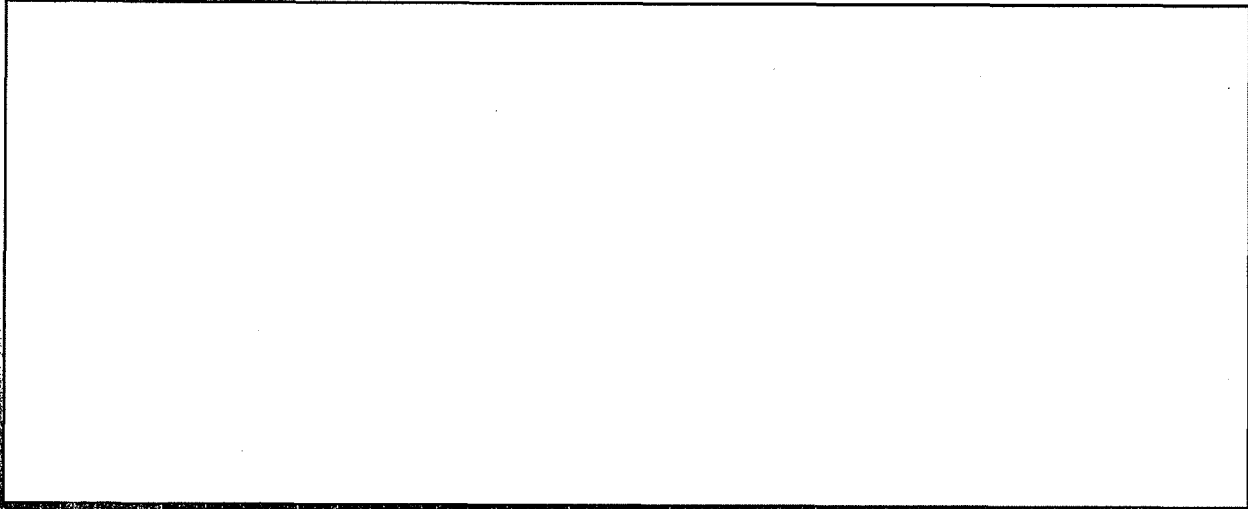
11

EFF/Lynch-108

Legislative and Policy Challenge CALEA Safe Harbor

Issue:

- Carriers using industry standards are granted "safe harbor" under CALEA
- Industry standards bodies are industry-controlled, often to the detriment of law enforcement
- "Safe harbor" for deficient industry standards affords unwarranted protection
- Process of challenging standards before the FCC is burdensome and lengthy
- Recent examples



"Going Dark"

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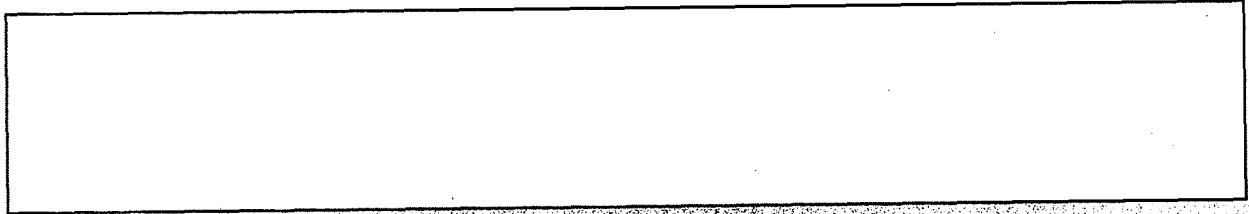
Outside the Scope

EFF/Lynch-109

Legislative and Policy Challenge Delivery of Data

Issue:

- Carriers often fail to deliver data in a secure, reliable and time-efficient manner
- Carriers utilize methods that do not ensure the intercepted communications are received at the law enforcement collection facility
- Delivery mechanisms that are cost-prohibitive for law enforcement and cannot be established in time-efficient manner
- Recent examples



Outside the Scope



"Going Dark"

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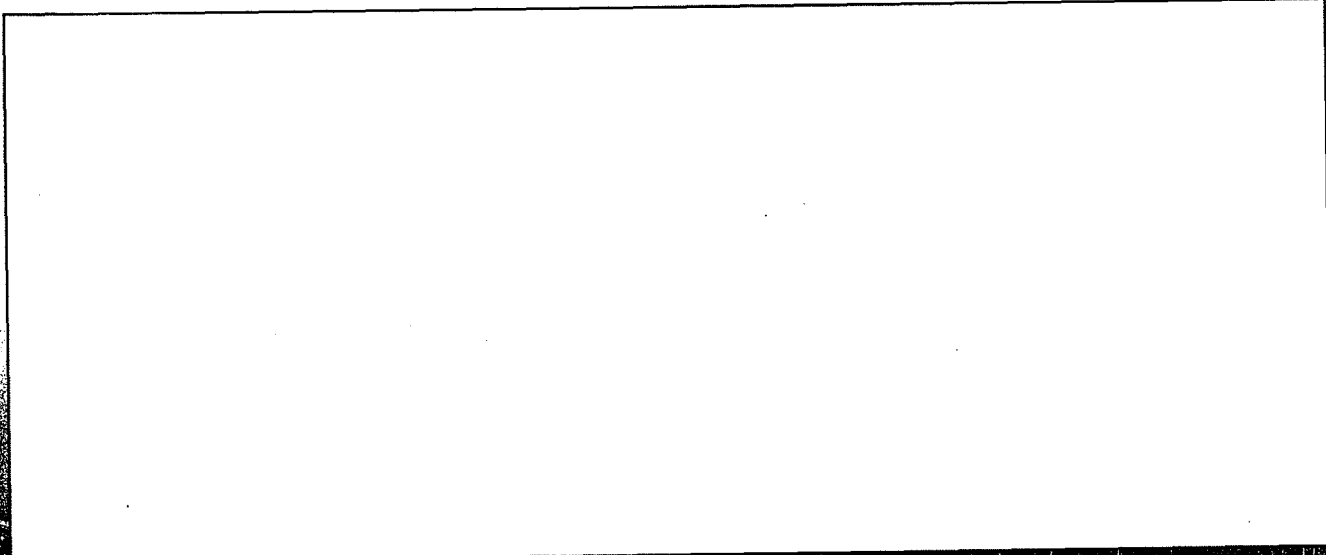
13

EFF/Lynch-110

Legislative and Policy Challenge Enforcement

Issue:

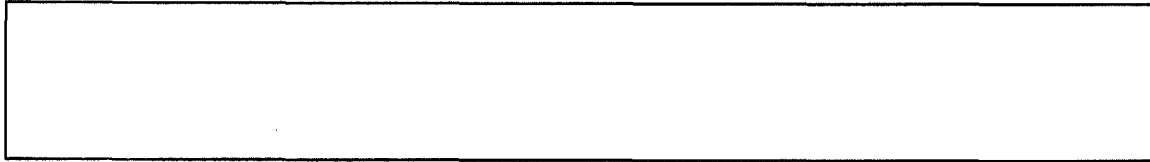
- Non-compliance with CALEA for emerging service occurs often
- CALEA's current enforcement provisions present insurmountable hurdles that make even the threat of enforcement non-credible
- CALEA places the government in a "Catch-22" position
- Recent examples



Legislative and Policy Challenge Encryption

Issue:

- Many modern communication services and devices use encryption as a means to protect subscriber communications and data
 - Data "in transit," such as VoIP and e-mail communications
 - Data "at rest," such as the data stored on a hard drive or USB device



Outside the Scope



"Going Dark"

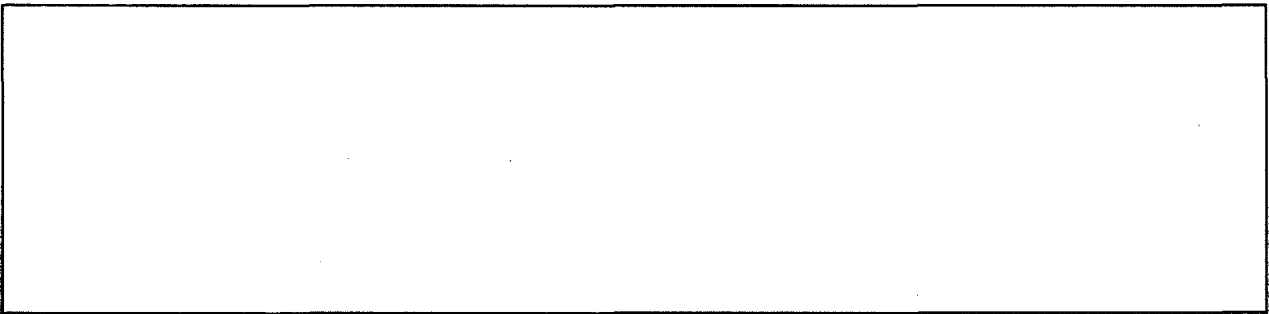
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16

Legislative and Policy Challenge Data Retention

Issue:

•The migration of traditional telephony (e.g., land-line and cellular telephone service) to flat-rate nationwide calling services, and away from toll-based services, together with the migration of users to Internet-based telephony (as well as other communications options), has substantially eroded the availability of non-content transactional communications records through which investigative agencies have traditionally identified offenders and their victims.



Outside the Scope



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Preservation of Lawful Intercepts: Challenges and Potential Solutions



"Going Dark"

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EFF/Lynch-116

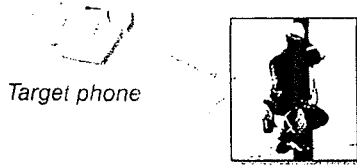
Conducting lawful intercept in the past was straightforward...

Conducting lawful intercept today is highly complex and becoming more and more difficult

Where we've been...

...Convergence...

...Today...



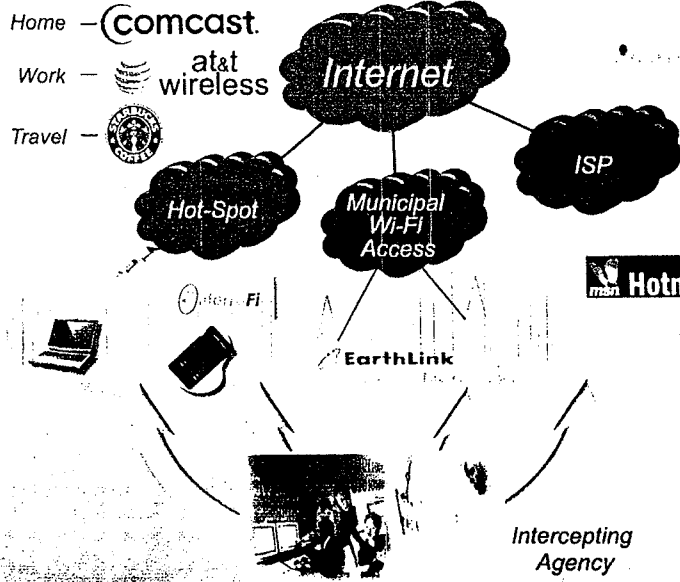
Target phone



Intercepting Agency



Single carrier



- ▶ Single carrier
- ▶ Simple access and interception
- ▶ Inexpensive

- ▶ Peer-to-Peer
- ▶ Service Provider Evolution
- ▶ Third Party Service Providers
- ▶ Open Source Software

- ▶ Air-to-Ground Services
- ▶ Encryption
- ▶ Anonymous Services



"Going Dark"

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Legislative and Policy Challenge

Scope of CALEA

Issue:

- CALEA requires “telecommunications carriers” to develop and deploy intercept solutions in their networks to ensure that lawfully-authorized electronic surveillance could be performed
- Since CALEA’s enactment in 1994, communications services have evolved beyond the traditional telecommunications platforms that existed at the time of passage
- A growing number of providers and emerging services that offer alternatives to traditional telephony may no longer meet CALEA’s definition of a “telecommunications carrier”
 - P2P Services [redacted] and Third Party Applications [redacted]
- Even those providers that are covered by CALEA frequently introduce new services before they have developed techniques for assisting the government in conducting intercepts

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“Going Dark”

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9

EFF/Lynch-120

Legislative and Policy Challenge On Premises Interception/Monitoring

Issue:

-

-

- Recent examples:

b2
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Outside the Scope



"Going Dark"

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11

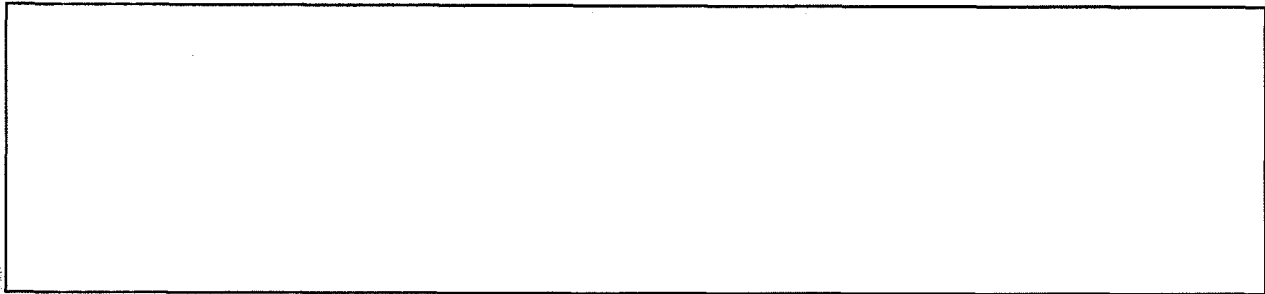
EFF/Lynch-121

Legislative and Policy Challenge CALEA Safe Harbor

Issue:

- Carriers using industry standards are granted "safe harbor" under CALEA
- Industry standards bodies are industry-controlled, often to the detriment of law enforcement
- "Safe harbor" for deficient industry standards affords unwarranted protection
- Process of challenging standards before the FCC is burdensome and lengthy
- Recent examples: [redacted] lack of time stamp capability; [redacted] is not afforded safe harbor despite having a solution that meets law enforcement's needs

b2
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Outside the Scope



"Going Dark"

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12

EFF/Lynch-122

Legislative and Policy Challenge Delivery of Data

Issue:

- Carriers often fail to deliver data in a secure, reliable and time-efficient manner
- Carriers utilize methods that do not ensure the intercepted communications are received at the law enforcement collection facility
- Delivery mechanisms that are cost-prohibitive for law enforcement and cannot be established in time-efficient manner
- Recent examples: [REDACTED]

[REDACTED]

[REDACTED]

b2
b7E

Outside the Scope



"Going Dark"

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13

EFF/Lynch-123

Legislative and Policy Challenge Enforcement

Issue:

- Non-compliance with CALEA for emerging service occurs often
- CALEA's current enforcement provisions present insurmountable hurdles that make even the threat of enforcement non-credible
- CALEA places the government in a "Catch-22" position
- Recent examples: [redacted] down for months [redacted]

b2
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[redacted]

[redacted]





GOING DARK

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What is Going Dark?

- There is a growing gap between the government's authority under Title 18 or FISA to conduct electronic surveillance of communications by terrorists, foreign agents and criminal enterprises, and its actual ability to intercept those communications. This is placing our national security and public safety at risk. We call this Going Dark.
- As a result of the Going Dark problem, we face an increasing challenge to our ability to conduct surveillance of communications on popular internet-based services or devices that are commonly used by threat actors, including:
 - Peer-to-peer communications services;
 - Social networking sites; and
 - Smart phones.

Why are we Going Dark?

- We are Going Dark as a result of several factors, including:
 - The dramatic increase in:
 - the volume of communications;
 - the types of communications services that are offered; and
 - the number of communications service providers;
 - Rapidly-changing communications technology and services;
 - Globalization in the communications business;
 - Legal mandates that have not kept pace with changing technology.

What are some examples of Going Dark?

• [REDACTED]

[REDACTED] increasingly we are encountering [REDACTED]
[REDACTED] communicating through the use of services and technologies that are difficult for us to intercept.

b2
b7E

- Child Pornography and Exploitation

In Operation Achilles, we broke up an international online child porn and exploitation ring in 2008 that used anonymizers and encryption services to conceal their activities.

- [Redacted]
- Together with our foreign partners, we:
 - Arrested/convicted 14 defendants in the U.S., two in the U.K., and two in Germany; and
 - Identified over 12 victims of molestation, and seized 400,000 images and 1,200 videos.

b2
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b7E

- [Redacted]

[Redacted] we investigated [Redacted] that used a [Redacted] in a conspiracy to transport cocaine [Redacted]

- [Redacted] they are difficult to intercept.
- [Redacted]
- Eventually, we obtained an indictment [Redacted] but the absence of an ELSUR solution in this particular case created delays and prevented the interception of pertinent communications.

b2
b7E

[Redacted]

Outside the Scope

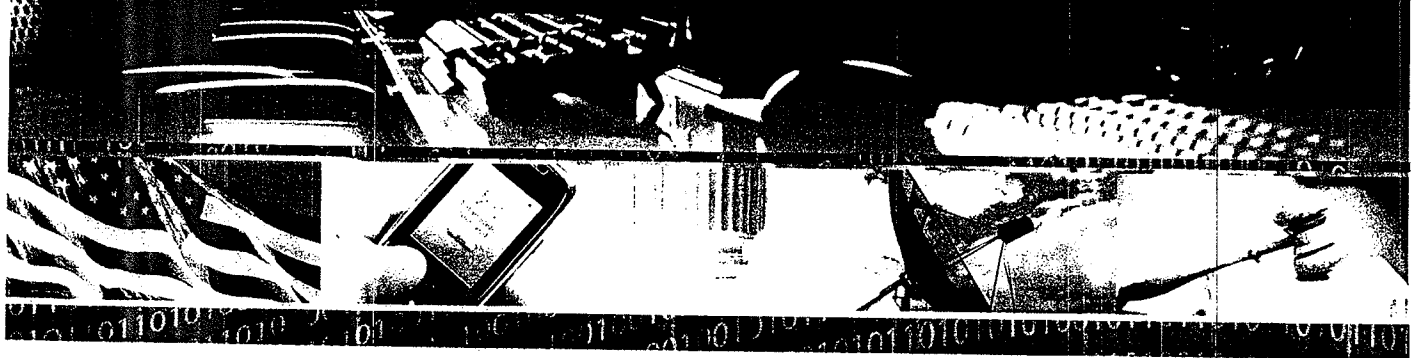
U.S. Department of Justice
Federal Bureau of Investigation
Science & Technology Branch



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Preservation of Lawful Intercepts: Challenges and Potential Solutions



6th National Community Prosecution Conference:
The 21st Century Prosecutor

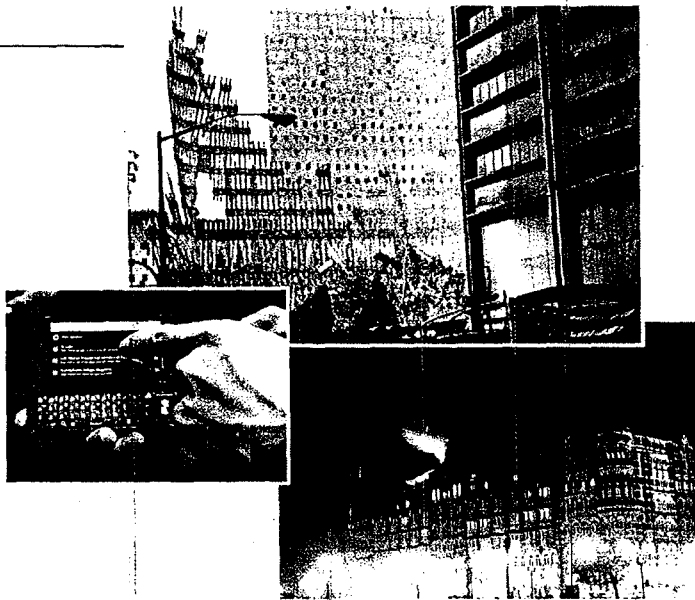
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EFF/Lynch-131

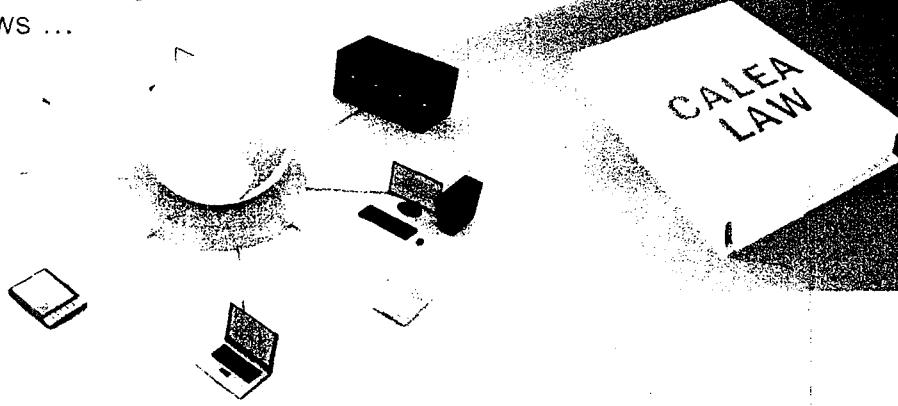
The Threat

- Terrorists, foreign agents, and dangerous criminal enterprises **must communicate** to organize their plots and carry out their acts
- They increasingly communicate using advanced communications technologies



The Problem

- Increasingly, **advanced communications technologies** and **outdated legislative provisions** are negatively impacting governmental electronic surveillance (ELSUR) technical capabilities and are undercutting enforcement of U.S. ELSUR laws ...

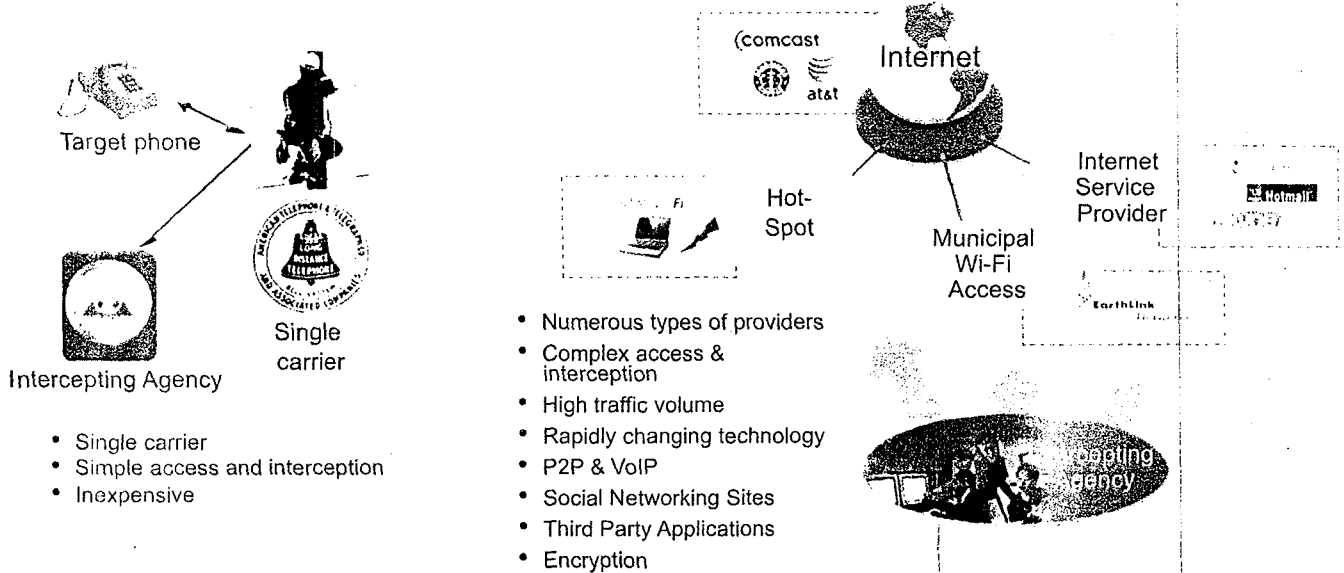


... leading to an ever-widening **ELSUR Gap** that puts our national security at risk, as governmental ELSUR capabilities **"Go Dark"**

The Problem

Conducting ELSUR in the past was straightforward...
With advanced communications, conducting ELSUR today is highly complex and difficult

Where we've been...



The Problem

Advanced Communications Technologies... are often used in criminal cases

- Child Exploitation & Pornography

- Targets use [redacted] to conceal activities in the U.S.
- Arrests are often predicated on Law Enforcement Agencies (LEAs) being able to identify a source within the organization

b2
b7E

- Criminal Enterprises, Gangs, Drug Trafficking Organizations

- Use the same services as terrorists and foreign agents
- Smart phones, [redacted] social networking, [redacted] etc.

The Problem

Outdated legislative provisions

- A number of advanced communications technologies fall outside of CALEA, impeding the implementation of ELSUR court orders
 - Peer-to-Peer (P2P) Communications
 - [REDACTED]
 - Social Networking Sites
 - [REDACTED]
- CALEA-covered telecommunications carriers lack incentives to comply
 - Covered Providers often fail to maintain proper ELSUR solutions
- Compliance procedures in CALEA are complex and inflexible, often resulting in intercept solutions that are deficient for LEAs
- Enforcement requirements in CALEA create insurmountable hurdles that render [REDACTED]

b2
b7E

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FBI Efforts to Preserve Electronic Surveillance (ELSUR) Capabilities

August 24, 2009

EFF/Lynch-138



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

Targets communicate via technology that we can't attack

High cost for LE development of LI capabilities driven by rapidly changing technology

[Redacted]

Lack of influence over industry due to outdated statutory language

We don't have the authority to implement an intercept

[Redacted]

Targets communicate from mobile and/or secure platforms

[Redacted]

Volume of data is increasing rapidly

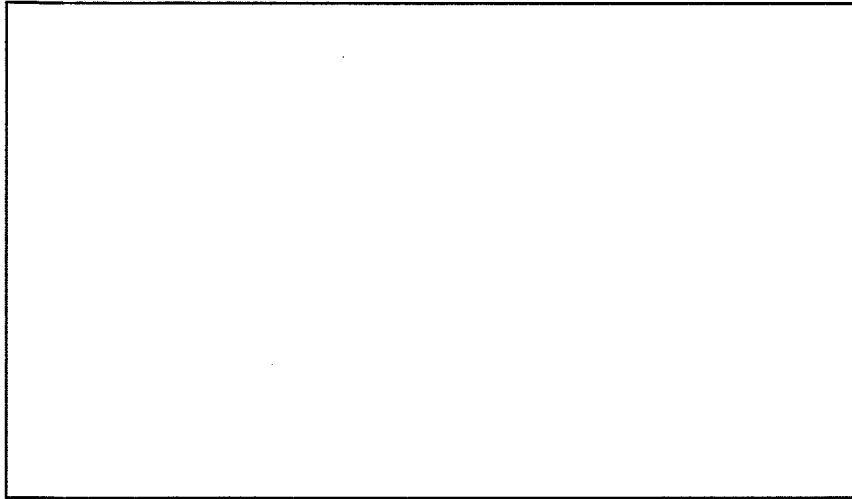
[Redacted]

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

b2
b7E



The FBI has experienced the impact of the widening gaps



b2
b7E



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

Competing interests of the Intelligence Community and Law Enforcement

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

b2
b7E

Outside the Scope

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

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INTELLIGENCE NOTE
Cyber Intelligence Section, Technology Cyber Intelligence Unit
26 August 2010

Subject: (U//FOUO) Going Dark: Evolution in Mobile Technology & Potential Collection Issues

Summary: (U//FOUO) The wireless communications industry is evolving at a rate in which new services and technologies are introduced into the marketplace faster than law enforcement (LE) can develop lawful technical intercept solutions. As these advanced networks become operational, LE will face multiple collection-related issues.

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(U//FOUO) What is Going Dark?

(U//FOUO) Going Dark is the loss of a technical capability to collect intelligence during lawfully authorized intercepts. As new technologies are introduced to the marketplace, new features could threaten to diminish law enforcement's abilities to effectively implement intercepts.

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Pen Register Trap Trace Data

[Redacted]

Sent: Friday, April 30, 2010 11:49 AM b6
To: [Redacted] b7C
Cc: [Redacted] (CRM)
Importance: High

A pen trap and trace order [Redacted]

b3

To date, we have not yet received any of this information as requested.
What would be the best way for you to provide the required information so that you will be in compliance with the court order?

v/r,
[Redacted]

Special Agent b2
FBI b6
11700 Beltsville Drive, Suite 200 b7C
Calverton, MD 20705
W: [Redacted]
F: [Redacted]

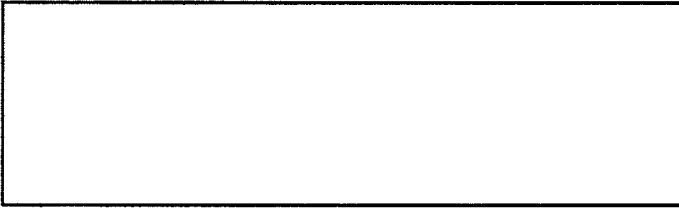
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Outside the Scope

From: [redacted] (CyD) (FBI)
Sent: Friday, July 30, 2010 6:55 PM
To: [redacted] (CyD) (FBI); [redacted] (CyD)(FBI)
Subject: RE: Going Dark Working Group

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD



One other issue I've been made aware of is [redacted]



b2
b5
b7E

From: [redacted] (CyD) (FBI)
Sent: Thursday, July 29, 2010 9:08 AM
To: [redacted] (CyD)(FBI); [redacted] (CyD) (FBI)
Subject: FW: Going Dark Working Group

b6
b7C

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Can you all address [redacted]

b2
b5
b7E

From: [redacted] (DI)(FBI)
Sent: Wednesday, July 28, 2010 4:29 PM
To: [redacted] (CYD)(FBI); [redacted] (CyD) (FBI); [redacted] (CyD) (FBI);
[redacted] (CYD) (FBI); [redacted] (DI)(FBI); [redacted] (CyD)(FBI);
[redacted] (CyD) (FBI)
Cc: [redacted] (CyD) (FBI); [redacted] (CyD)(FBI)
Subject: Going Dark Working Group

b2
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b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

The Going Dark Working Group (GDWG) continues to ask for examples from Cyber investigations where investigators have had problems with [redacted]

[Redacted]

The OGC reps who participate in the GDWF are specifically interested in [Redacted]

[Redacted]

b2
b5
b7E

One of the GDWG members vaguely remembers [Redacted]

[Redacted] Does this sound familiar? If so, please let me know if you have additional information about the investigation that may help us develop a good Cyber example.

Thanks,
David

David A. Ford
Section Chief
Cyber Intelligence Section
Patriots Plaza - 4th Floor
Direct: [Redacted]
Mobile: [Redacted]
STC: [Redacted]
Fax: [Redacted]

b2

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION
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ON 02-17-2011

Outside the Scope

From: [redacted] (CTD) (FBI)
Sent: Wednesday, June 03, 2009 3:53 PM
To: [redacted] (WF) (FBI); [redacted] (SU) (FBI); [redacted] (SU) (FBI)
Cc: [redacted] (CTD) (FBI); [redacted] (CTD)(OGA); [redacted] (CTD) (FBI); [redacted] (OGC) (FBI)
Subject: RE: [redacted]

b2
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RECORD 415

Not sure who is the source, but it may be. I wouldn't be surprised to find that it is all a ruse to cover the fact that they are not CALEA compliant!

From: [redacted] (WF) (FBI)
Sent: Wednesday, June 03, 2009 1:21 PM
To: [redacted] (CTD) (FBI); [redacted] (SU) (FBI); [redacted] (SU) (FBI)
Cc: [redacted] (CTD) (FBI); [redacted] (CTD)(OGA); [redacted] (CTD) (FBI); [redacted] (OGC) (FBI)
Subject: RE: [redacted]

b2
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RECORD 415

Wow. That's all I can say, wow. Not that it will help much, but would you like me to reach out to [redacted] legal counsel? Or is this subpoena nonsense coming from her?

[redacted]
Investigative Operations Analyst
Northern VA RA Squad A-2
[redacted] Desk
[redacted] Blackberry
[redacted]

From: [redacted] (CTD) (FBI)
Sent: Wednesday, June 03, 2009 9:28 AM
To: [redacted] (SU) (FBI); [redacted] (SU) (FBI)
Cc: [redacted] (CTD) (FBI); [redacted] (CTD)(OGA); [redacted] (CTD) (FBI); [redacted] (OGC)

b6
b7C

Subject:

(FBI) [redacted] (WF) (FBI)

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RECORD 415

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All,

I just got a call from [redacted] at DITU. He advised that they are still working on [redacted] [redacted] claims they need a subpoena to set that up (per DITU that is not true). DITU is reaching out to them again today, and [redacted] will call me back with the results. My feeling is that if they still aren't compliant by today, we should go ahead with a motion to comply and/or for contempt because this is ludicrous (legal term). We need to make them comply, and more importantly, make it clear to all providers that failure to comply has consequences. Are we mice or men?

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~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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EFF/Lynch-169

[Redacted]

From: [Redacted] (CTD)(FBI)
Sent: Wednesday, September 22, 2010 3:25 PM
To: HQ-DIV13-CONUS 5
Subject: FW: New Information: NSL / V&P (from [Redacted] Presentation 09.17)

b6
b7C
Outside the Scope

Attachments: [Redacted]
SFFISA.SEPTEMBER.2010.pptx; faq.update

~~SECRET//NOFORN~~
RECORD 415

Here are the PowerPoint slides from the presentation (if you're interested); I have the full copy of the briefing book from Friday if you see there's something else you need.

[Redacted]



Outside the Scope

SFFISA.SEPTEMBER.faq.update (25 KB)
.2010.pptx (20...

[Redacted] mentioned that although [Redacted] are not responding to NSLs, other companies (i.e. [Redacted]) are still honoring and producing decent results.

[Redacted]
Staff Operations Specialist
Counterterrorism Division
ITOS I / CONUS V / Team 2

b2
b6
b7C
b7E

Internal: [Redacted]
Office [Redacted]

From: [Redacted] (CTD)(FBI)
Sent: Tuesday, September 21, 2010 1:09 PM
To: HQ-DIV13-CONUS 5
Subject: New Information: NSL / V&P (from [Redacted] Presentation 09.17)

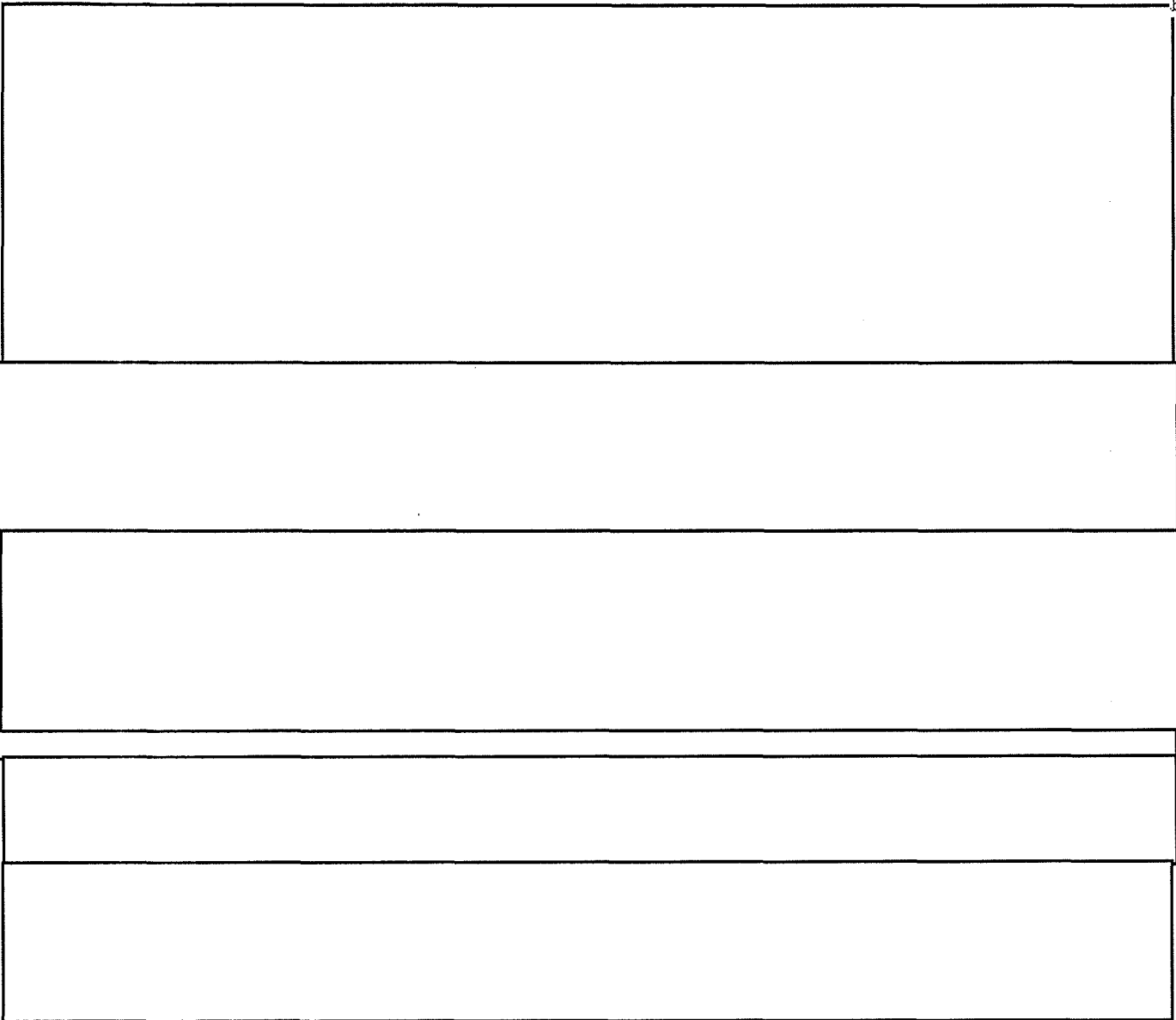
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Good afternoon!!

Here is some of the information from the Friday presentation by SIOA [Redacted] (San Francisco Division) regarding obtaining information from Internet Service Providers and social networking sites. I will send out an electronic copy of the powerpoint slides as soon as I receive one!

EFF/Lynch-170



Let me know if you would like more information about the presentation or clarification of anything I've included here. (I'll keep you posted if I hear of any more NSL updates!)

[Redacted]

[Redacted]

Staff Operations Specialist
Counterterrorism Division
ITOS I / CONUS V / Team 2

[Redacted]

Internal [Redacted]
Office [Redacted]

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~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~

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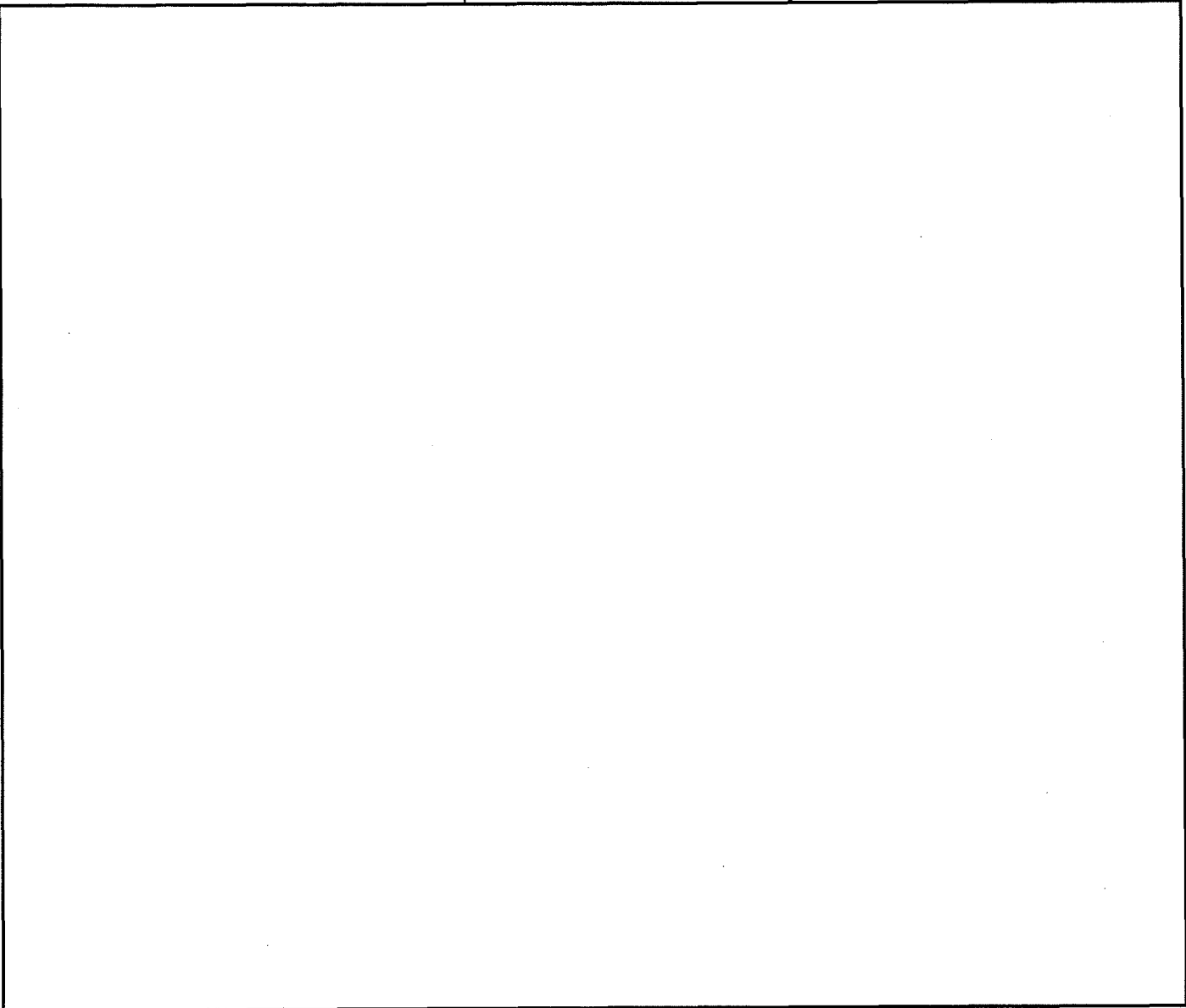
EFF/Lynch-172

[Redacted]
From: [Redacted] (CTD)(FBI)
Sent: Tuesday, September 21, 2010 1:09 PM
To: HQ-DIV13-CONUS 5
Subject: New Information: NSL / V&P (from [Redacted] Presentation 09.17)

~~SECRET//NOFORN~~
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Good afternoon!!

Here is some of the information from the Friday presentation by SIOA [Redacted] (San Francisco Division) regarding obtaining information from Internet Service Providers and social networking sites. I will send out an electronic copy of the powerpoint slides as soon as I receive one!



Let me know if you would like more information about the presentation or clarification of anything I've included here. (I'll keep you posted if I hear of any more NSL updates!)

[Redacted]

[Redacted]

Staff Operations Specialist
Counterterrorism Division
ITOS I / CONUS V / Team 2
LX-1, 4s-112
Internal [Redacted]
Office: [Redacted]

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EFF/Lynch-181

[Redacted]
From: [Redacted] (CTD)(FBI)
Sent: Wednesday, September 22, 2010 3:08 PM
To: [Redacted] (SF) (FBI)
Subject: RE: Questions Regarding LX-1 09/17 Presentation

~~SECRET~~
RECORD 415

b2
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b7C

Thanks, [Redacted]

Have a wonderful rest of the week,

[Redacted]
Staff Operations Specialist
Counterterrorism Division
ITOS I / CONUS V / Team 2
LX-1, 4s-112
Internal: [Redacted]
Office [Redacted]

From: [Redacted] (SF) (FBI)
Sent: Wednesday, September 22, 2010 2:24 PM
To: [Redacted] (CTD)(FBI)
Subject: RE: Questions Regarding LX-1 09/17 Presentation

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[Redacted]
Yes, everyone else stills honors and produces decent results in response to NSLs.

[Redacted]
SFFISA.SEPTEMBER.2010.pptx >> << File: faq.update >>

Outside the Scope

This is not everything, as you can tell by the table of contents, but it is the lion's portion.

SIOA [Redacted]
Supervisor, Squad IS-6
San Francisco Division/San Jose RA
[Redacted] (office)
[Redacted] (STE)
[Redacted] (Blackberry)

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b7C

EFF/Lynch-182

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From: [redacted] (CTD)(FBI)
Sent: Tuesday, September 21, 2010 9:01 AM
To: [redacted] (SF) (FBI)
Subject: Questions Regarding LX-1 09/17 Presentation

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[redacted]

Thank you for all your help during your very informative presentation on Friday at LX-1! As I did not arrive in time to obtain a briefing book, I was wondering if you could send me the powerpoint slides or any additional information you handed out at the auditorium.

I forgot to ask before [redacted]

[redacted]

I truly appreciate your help and clarification!

Have a wonderful rest of the week,

[redacted]

Staff Operations Specialist
Counterterrorism Division
ITOS I / CONUS V / Team 2
LX-1, 4s-112
Internal: [redacted]
Office: [redacted]

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Preservation of Lawful Intercepts: Challenges and Potential Solutions

**National District Attorneys Association
April 2010**

"Going Dark"

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Preservation of Lawful Intercepts: Challenges and Potential Solutions

December 2008

EFF/Lynch-90



The Intercept Capability Gap for State and Local Law Enforcement Agencies



- The increasing complexity of communications technologies and services prevents most LEAs from pursuing real-time data intercepts
- LEAs often lack an understanding of the services offered by emerging service providers. This prevents them from developing timely, cost-effective solutions
- Industry often lacks an understanding of the needs of LEAs
- The fragmented, uncoordinated demands placed on providers by different LEAs results in isolated, non-standardized requests, duplicative efforts, missed opportunities to use existing solutions, and unnecessary expense



Legislative and Policy Challenge Scope of CALEA



Issue:

- CALEA requires “telecommunications carriers” to develop and deploy intercept solutions in their networks to ensure that lawfully-authorized electronic surveillance could be performed
- Since CALEA’s enactment in 1994, communications services have evolved beyond the traditional telecommunications platforms that existed at the time of passage
- A growing number of providers and emerging services that offer alternatives to traditional telephony may no longer meet CALEA’s definition of a “telecommunications carrier”
 - P2P Services [redacted] and Third Party Applications [redacted]
- Even those providers that are covered by CALEA frequently introduce new services before they have developed techniques for assisting the government in conducting intercepts

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~~SECRET~~

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Tuesday, May 27, 2008 8:01 PM
To: CAPRONI, VALERIE E. (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI);
[redacted] (OGC) (FBI)

Subject: ~~SECRET~~
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Valerie,

I am seeking clarification from OTD [redacted]

[redacted]

Also, I was mistaken [redacted]

[redacted]

[redacted]

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b7E

(S)

Sherry E. Sabol
Section Chief
Science and Technology Law Office
Office of the General Counsel
HQ: [redacted]
Chantilly: [redacted]
bb [redacted]

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~~SECRET~~

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Wednesday, May 28, 2008 11:54 AM
To: CAPRONI, VALERIE E. (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)

Subject: RE: [redacted]
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RECORD OTD

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REASON: 1.4 (d)
DECLASSIFY ON: 01-12-2036

I believe it does not speak to that issue.

[redacted] - I confirmed that what I have was inartfully drafted - [redacted]
[redacted]

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Sherry E. Sabol
Section Chief
Science and Technology Law Office
Office of the General Counsel
HQ [redacted]
Chantilly [redacted]
bb [redacted]
*PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI
WITHOUT PRIOR OGC APPROVAL*

From: CAPRONI, VALERIE E. (OGC) (FBI)
Sent: Wednesday, May 28, 2008 10:28 AM
To: SABOL, SHERRY E. (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: [redacted]

~~SECRET~~
RECORD OTD

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On the last piece: [redacted]
[redacted]

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Tuesday, May 27, 2008 8:01 PM
To: CAPRONI, VALERIE E. (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: [redacted]

~~SECRET~~
RECORD OTD

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Valerie,

I am seeking clarification from OTD [redacted]

EFF/Lynch-185

~~SECRET~~

[Redacted]

Also, I was mistaken - [Redacted]

[Redacted]

[Redacted]

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(S)

Sherry E. Sabol
Section Chief
Science and Technology Law Office
Office of the General Counsel
HQ [Redacted]
Chantilly [Redacted]
bb [Redacted]

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

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DECLASSIFY ON: 20330527
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~~**DERIVED FROM: Multiple Sources**
DECLASSIFY ON: 20330527
SECRET~~

~~**DERIVED FROM: Multiple Sources**
DECLASSIFY ON: 20330527
SECRET~~

EFF/Lynch-186

~~SECRET~~

(S) [redacted] FW MEETING [redacted] txt

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Thursday, June 19, 2008 8:51 AM
To: CAPRONI, VALERIE E. (OGC) (FBI); [redacted] (OGC) (FBI);
[redacted] (OGC) (FBI); [redacted] (OGC) (FBI)

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(S) Subject: FW: MEETING [redacted]

~~SECRET~~
RECORD 315

Forwarded FYI from [redacted]

Per discussions with [redacted]
[redacted]

Sherry E. Sabol
Section Chief
Science and Technology Law Office
Office of the General Counsel

HQ: [redacted]
Chantilly: [redacted]
bb: [redacted]

b2

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

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

From: [redacted] (BL) (FBI)
Sent: Thursday, June 19, 2008 6:38 AM
To: [redacted] (LO) (FBI); [redacted] (OTD) (FBI); SABOL, SHERRY
E. (OGC) (FBI)
Cc: [redacted] (OIO) (FBI); [redacted] (BL)(FBI); [redacted]
(BL) (FBI)
Subject: MEETING [redacted]

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~~SECRET~~
RECORD 315

colleagues,

on 06/19/08. [redacted]

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[redacted] and Sherry: Please let me know if you are aware of and can support this
proposed date change. With your confirmation, we will make lodging arrangements and
document Country Clearance (already verbally approved), and formalize this response
with an EC.

Let me know.

[redacted]

~~SECRET~~

~~SECRET~~

(S)

FW MEETING [redacted] txt
~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20330619~~
~~SECRET~~

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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20330619~~
~~SECRET~~

~~SECRET~~

From: CAPRONI, VALERIE E. (OGC) (FBI)
Sent: Monday, June 23, 2008 3:54 PM
To: SABOL, SHERRY E. (OGC) (FBI); [redacted] (OGC) (FBI);
[redacted] (OGC) (FBI); [redacted] (OGC) (FBI);
[redacted] (OGC) (FBI)

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Subject: RE: [redacted]
~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

Yes -- we met with [redacted] and others about a year ago. [redacted]

[redacted]

Can you call [redacted] to discuss, please?

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Monday, June 23, 2008 2:19 PM
To: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI);
[redacted] (OGC) (FBI)
Cc: CAPRONI, VALERIE E. (OGC) (FBI)
Subject: FW: [redacted]

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~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

I am not familiar with the discussion regarding [redacted]

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, June 23, 2008 11:35 AM
To: [redacted] (DL) (FBI)
Cc: [redacted] (DL) (FBI); [redacted] (BL) (FBI); SABOL, SHERRY E. (OGC) (FBI);
[redacted] (OTD) (FBI)
Subject: RE: [redacted]

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~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

(FOUO) Sorry [redacted] but [redacted] was acting at my advice, and I'm in turn abiding by DOJ direction. [redacted]

[redacted]

Please see your US Attorney's Office International Coordinator for the MLAT procedure and format.

I regret the impact this has on your case.

[redacted]

From: [redacted] (DL) (FBI)
Sent: Monday, June 23, 2008 10:42 AM
To: [redacted] (BL) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (DL) (FBI)
Subject: [redacted]

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~~UNCLASSIFIED~~
~~NON-RECORD~~

Sorry to bother you,

However, I have an investigation [redacted]

[redacted]

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[redacted]

[redacted]

Thank you for your time and assistance.

[redacted]
Dallas

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[redacted] (desk)
[redacted] (cell)

~~UNCLASSIFIED~~

~~SENSITIVE BUT UNCLASSIFIED~~

~~SENSITIVE BUT UNCLASSIFIED~~

~~SENSITIVE BUT UNCLASSIFIED~~

EFF/Lynch-190

DECLASSIFIED BY 65179/DMH/BAW/STP/bls
ON 01-12-2011

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Tuesday, July 29, 2008 9:53 AM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI) [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI)
Subject: Special Project

b6
b7C

Attachments: [redacted]

~~SECRET//NOFORN~~
~~RECORD DIAS,268-HQ~~

Tony [redacted]

Following discussions with [redacted]

[redacted]

[redacted]

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Question: [redacted]

[redacted]

Thanx.



[redacted]

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFY ON: 20330616
SECRET//NOFORN~~

EFF/Lynch-191

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(S)

~~(S)~~ This document describes [redacted]

[redacted]

(S)

~~(S)~~ [redacted]

(S)

[redacted]

(S)

[redacted]

[redacted]

(S)

[redacted]

~~SECRET~~

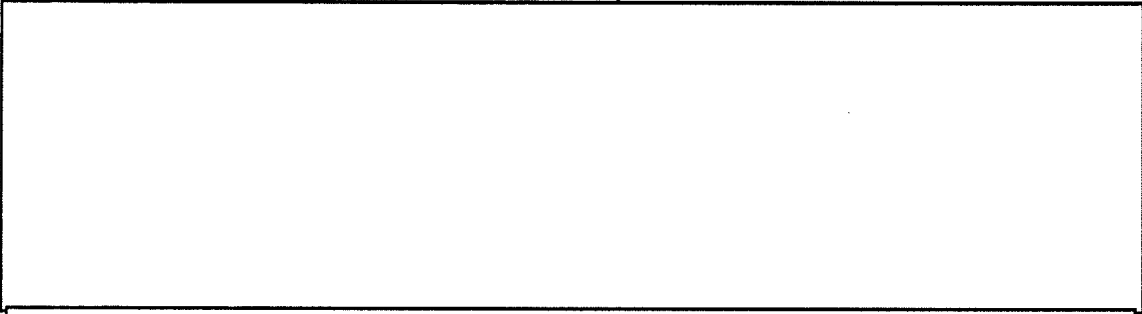
(S)

~~SECRET~~

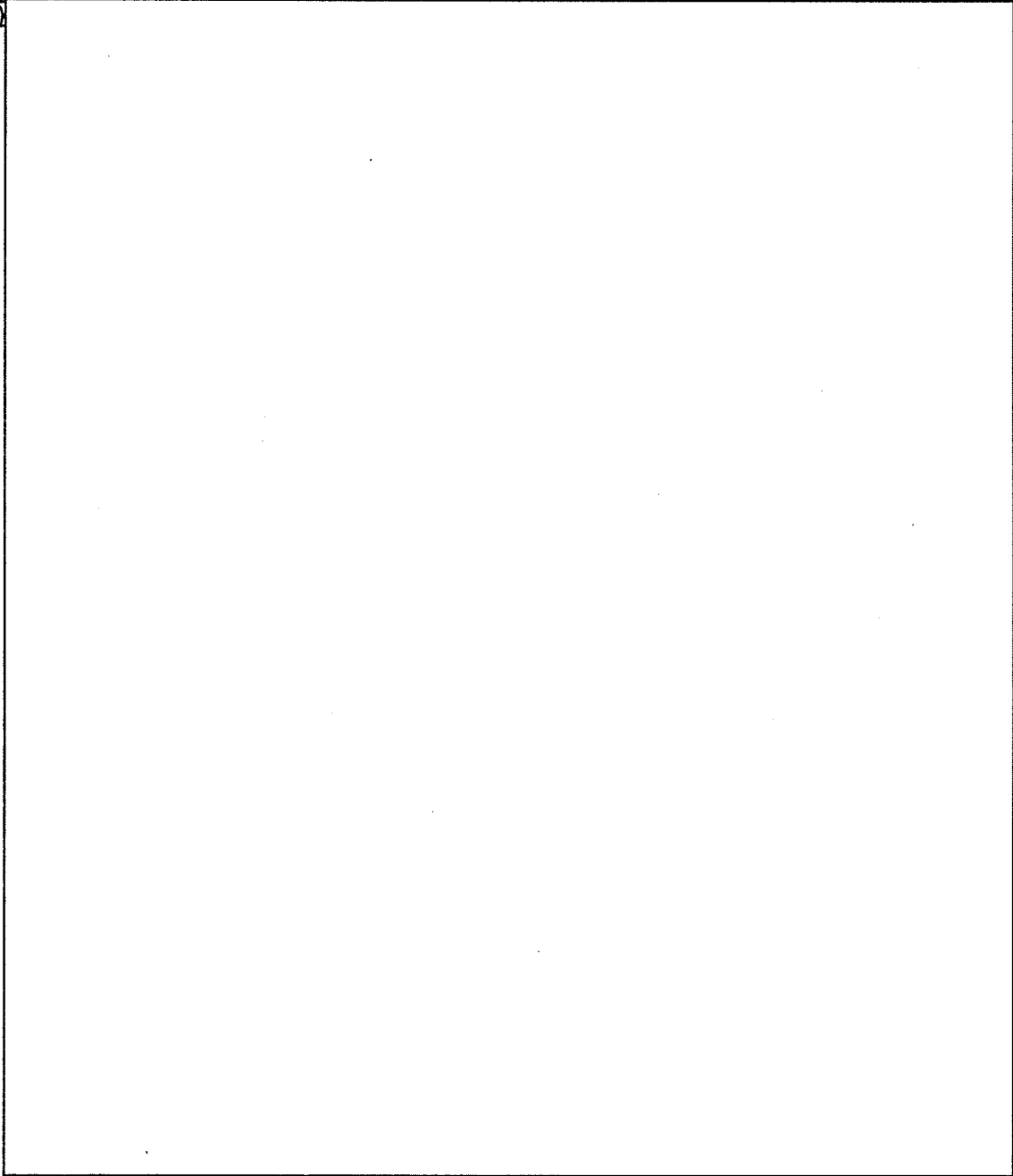
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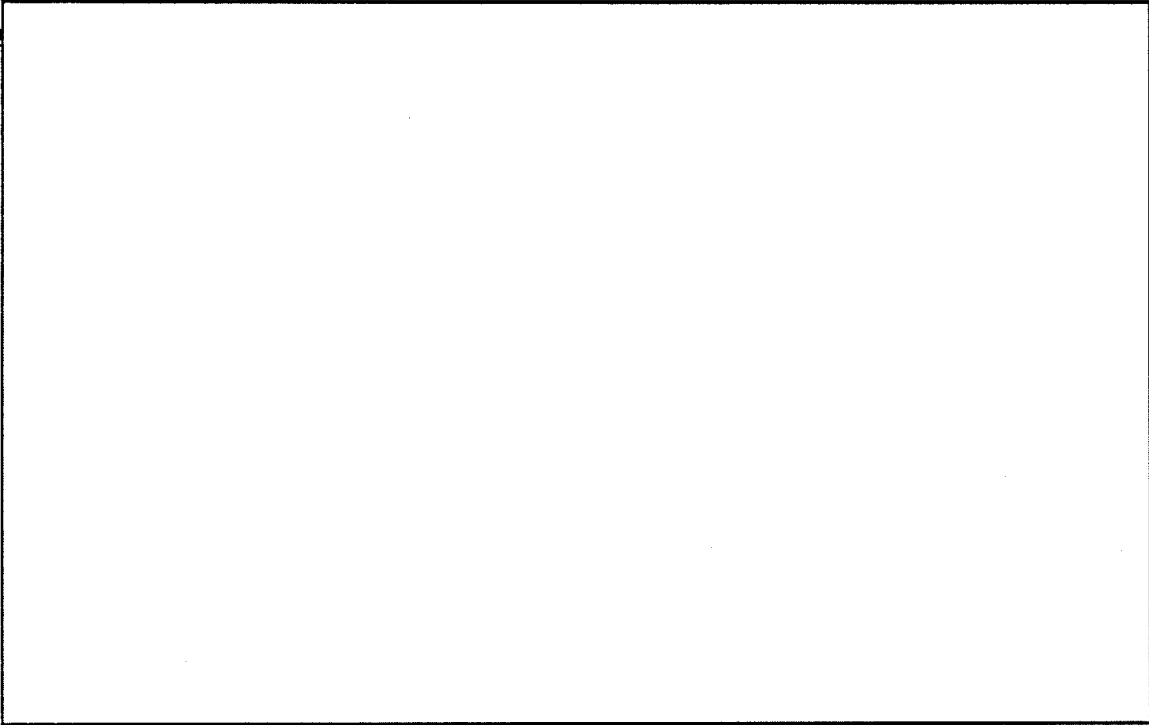
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EFF/Lynch-193

~~SECRET~~

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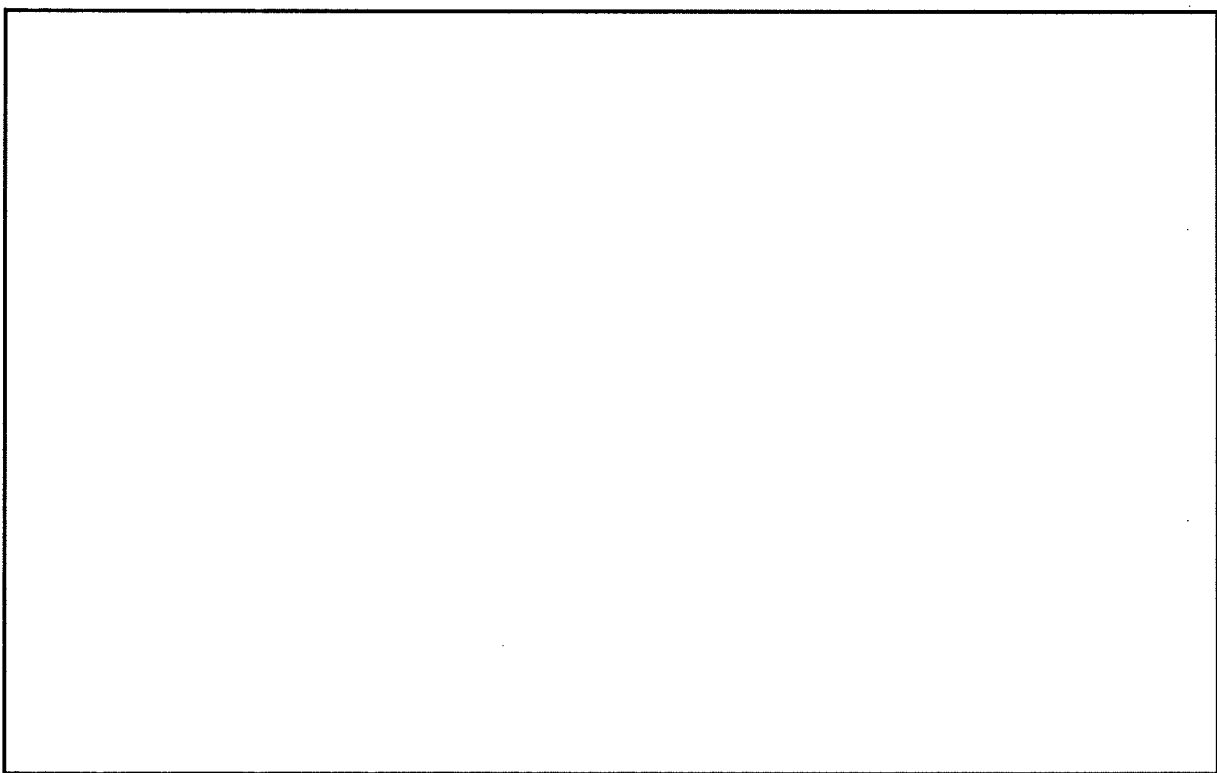
Sample Monitor Output

EFF/Lynch-194

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~~SECRET~~

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EFF/Lynch-195

~~SECRET~~

From: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Sent: Monday, August 04, 2008 12:13 PM
To: SABOL, SHERRY E. (OGC) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI)
Subject: RE: Special Project
~~SECRET//NOFORN~~
~~RECORD DIAS, 268-HQ~~

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Sherry,

[redacted]

Anthony P. DiClemente
Chief, Data Acquisition / Intercept Section
Operational Technology Division

[redacted]

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Tuesday, July 29, 2008 9:53 AM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI)
Subject: Special Project

~~SECRET//NOFORN~~
~~RECORD DIAS, 268-HQ~~

Tony [redacted]

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Following discussions with [redacted]

[redacted]

[redacted]

[redacted]

Thanx.

EFF/Lynch-196

<< File

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~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign Counterintelligence Investigations~~

~~DECLASSIFY ON: 20330616~~

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~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign Counterintelligence Investigations~~

~~DECLASSIFY ON: 20330616~~

~~SECRET//NOFORN~~

EFF/Lynch-197

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Wednesday, October 29, 2008 2:51 PM
To: [redacted] (OGC) (FBI)
Subject: FW: Special Project
~~SECRET//NOFORN~~
~~RECORD DIAS,268-HQ~~

[redacted]

This appears to be the last communication I have [redacted]
[redacted]

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Sherry E. Sabol
Section Chief
Science and Technology Law Office
Office of the General Counsel

HQ: [redacted]
Chantilly: [redacted]
bbj [redacted]

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

From: DICLEMENTE, ANTHONY P. (OTD) (FBI)
Sent: Monday, August 04, 2008 12:13 PM
To: SABOL, SHERRY E. (OGC) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI)
Subject: RE: Special Project

~~SECRET//NOFORN~~
~~RECORD DIAS,268-HQ~~

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Sherry,
[redacted]

Anthony P. DiClemente
Chief, Data Acquisition / Intercept Section
Operational Technology Division

[redacted]

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Tuesday, July 29, 2008 9:53 AM
To: DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI)
Cc: [redacted] (OGC) (FBI)
Subject: Special Project

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~~SECRET//NOFORN~~

EFF/Lynch-198

~~RECORD DIAS.268-HQ~~

Tony

Following discussions with

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Thanx.

<< File >>

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DECLASSIFY ON: 20330616
SECRET//NOFORN

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20330616
SECRET//NOFORN

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20330616
SECRET//NOFORN

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c,d)
DECLASSIFY ON: 01-12-2036

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Wednesday, October 29, 2008 3:13 PM
To: [redacted] (OGC) (FBI); CAPRONI, VALERIE E. (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: RE: [redacted]

~~SECRET~~
RECORD FISA

[redacted] and I have discussed this and [redacted] was here last week [redacted]

[redacted]

(S) Per [redacted]

[redacted]

(S) [redacted] advised tha [redacted]

(S) [redacted] I mentioned to [redacted]

(S) [redacted] spoke with Tony DiClemente about this today - I believe OTD will reach out to [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

[redacted]

Sherry E. Sabol
Section Chief

EFF/Lynch-200

~~SECRET~~

Science and Technology Law Office
Office of the General Counsel

HQ: [redacted]
Chantilly: [redacted]
bb: [redacted]

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

From: [redacted] (OGC) (FBI)
Sent: Wednesday, October 29, 2008 1:07 PM
To: [redacted] (OGC) (FBI); CAPRONI, VALERIE E. (OGC) (FBI)
Cc: SABOL, SHERRY E. (OGC) (FBI)
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

We scheduled and then cancelled this brief. Valerie, you had asked a question of Sherry but she had not received a copy of the memo. May I suggest that we try to schedule a meeting for resolution of this matter the week after next?

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[redacted]

[redacted]

DGC, National Security Law Branch
Office of the General Counsel
Room [redacted]

[redacted]

From: [redacted] (OGC) (FBI)
Sent: Tuesday, October 28, 2008 1:55 PM
To: CAPRONI, VALERIE E. (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] I am getting dinged on this on a regular basis.

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My understanding this is still on hold.

[redacted]

Assistant General Counsel
National Security Law Branch
Office of General Counsel FBI

[redacted]

Voice
Pager
Secure Fax
Fax

From: [redacted] (OTD) (FBI)

EFF/Lynch-201

Sent: Tuesday, October 28, 2008 12:43 PM
To: [redacted] (NH) (FBI)
Cc: [redacted] (NH) (FBI); [redacted] (OTD) (FBI); [redacted] (OGC) (FBI)
Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted] I've copied AGC [redacted] herein as I know he has some knowledge of the issue.

From: [redacted] (NH) (FBI)
Sent: Tuesday, October 21, 2008 9:00 AM
To: [redacted] (OTD) (FBI)
Cc: [redacted] (NH) (FBI)
Subject: [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]
[redacted]
[redacted]
New Haven
[redacted]

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~~DERIVED FROM: Multiple Sources~~
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~~SECRET~~

EFF/Lynch-202

From: [redacted] (OGC) (OGA) b5
Sent: Tuesday, November 24, 2009 10:17 PM b6
To: [redacted] (OGC) (FBI) b7C
Subject: [redacted]

DECLASSIFIED BY 65179/DMH/BAW/STP/bls
ON 01-12-2011

~~SECRET//NOFORN~~
RECORD.xx

I have been having trouble with my FBI net so sorry for the late response.

Thanks -- this is helpful. For what it is worth -- I think this went very well. [redacted] and [redacted] always do such a great job and the Court really responds to both of them. I really like getting them before the judges -- I think it is very good for the FBI because of the goodwill they always engender. Please pass along my thanks to them for always being so accomodating for the FISC meetings.

b6
b7C

Thanks -- [redacted]

From: [redacted] (OGC) (FBI)
Sent: Friday, November 13, 2009 6:16 AM
To: [redacted] (OGC) (OGA)
Subject: [redacted]

~~SECRET//NOFORN~~
RECORD.xx

This is what caused a bit of a stir.

[redacted]

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[redacted]
Deputy General Counsel
National Security Law Branch
Office of the General Counsel
[redacted]

From: [redacted]
Sent: Tuesday, November 10, 2009 6:28 PM
To: SABOL, SHERRY E. (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (OGA)
Subject: [redacted]

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I might have missed you for the day.. [redacted]
[redacted] Will you forward to [redacted] and have him coordinate with [redacted] and [redacted] -- I am really hobbled not having access to my e-mail on FBI Net.

As I have discussed with [redacted] and [redacted]
[redacted]

EFF/Lynch-203

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

I know [Redacted] is out of the country so [Redacted] and I are working on scheduling a SVTC for a prep session on Monday. I would propose early afternoon, say noon or 1:00....

From: [Redacted]
Sent: Tuesday, November 10, 2009 6:01 PM
To: 'SABOL, SHERRY E. (OGC) (FBI)'; [Redacted] (OGC) (OGA)
Cc: [Redacted] (FBI); [Redacted]
Subject: [Redacted]

Sherry-my fbinet email is not working. will you call me at [Redacted]

From: SABOL, SHERRY E. (OGC) (FBI); [Redacted]
Sent: Tuesday, November 10, 2009 5:15 PM
To: [Redacted] (OGC) (OGA)
Cc: [Redacted] (OGC) (OGA); [Redacted] (FBI); [Redacted]
Subject: [Redacted]

~~SECRET//NOFORN~~
~~RECORD FISC~~

[Redacted]

From: [Redacted] (OGC) (OGA)
Sent: Tuesday, November 10, 2009 5:10 PM
To: SABOL, SHERRY E. (OGC) (FBI)
Cc: [Redacted] (OGC) (OGA); [Redacted] (OGC) (FBI); [Redacted]
Subject: [Redacted]

~~SECRET//NOFORN~~
~~RECORD FISC~~

Sherry,

[Redacted]

EFF/Lynch-204

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Thanks again,

[Redacted]

[Redacted]

National Security Division, Office of Intelligence
United States Department of Justice

[Redacted] (office)
[Redacted] (pager)

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Tuesday, November 10, 2009 3:44 PM
To: [Redacted] (OGC) (OGA)
Cc: [Redacted] (OGC) (OGA); [Redacted] (OGC) (FBI)
Subject: [Redacted]

~~SECRET//NOFORN~~
RECORD FISC

[Redacted] Please see the attached emails.

[Redacted]

Sherry,

<< File: [Redacted]

From: [Redacted] (OGC) (OGA)
Sent: Tuesday, November 10, 2009 3:16 PM
To: SABOL, SHERRY E. (OGC) (FBI)
Subject: [Redacted]

~~SECRET//NOFORN~~
RECORD FISC

Hi Sherry,

Hope all is well. [Redacted]
[Redacted] (I am on emergency duty this week and
just wanted to make sure I planned accordingly.)

Thanks so much,

[Redacted]

[Redacted]

National Security Division, Office of Intelligence
United States Department of Justice

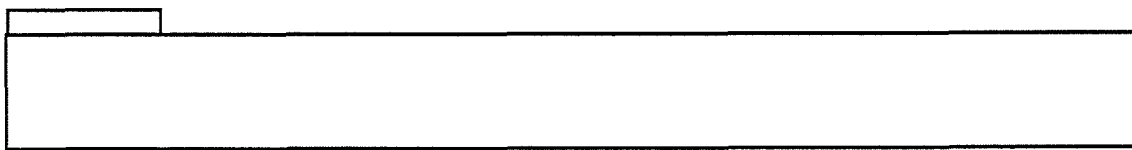
[Redacted] (office)
[Redacted] (pager)

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Friday, October 30, 2009 2:50 PM
To: [Redacted] (OGC) (OGA); [Redacted] (OGC) (OGA)
Cc: [Redacted] (OGC) (FBI)
Subject: [Redacted]

~~SECRET//NOFORN~~

EFF/Lynch-205

RECORD FISC



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Thanks. Sherry.

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DECLASSIFY ON: 20341113
SECRET//NOFORN~~

EFF/Lynch-206

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Monday, November 30, 2009 10:58 AM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

To: [Redacted]

Cc: CAPRONI, VALERIE E. (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)

Subject: FW: [Redacted]

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c,d)
DECLASSIFY ON: 01-12-2036

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Importance: High

(S) ~~SECRET//REL TO USA~~
RECORD [Redacted]

All -please see the attached proposed agenda and list of attendees [Redacted] which I just received.

(S) [Redacted]

Please advise how the Department would like to proceed.

Thank you.

Sherry.

Sherry,

I have included below a proposed agenda and list of attendees. The agenda is based on previous discussions that we have had regarding this issue. You can add/delete/change/refine those points as you see fit. I am going to forward this information to [Redacted] so he can make the final arrangements for our visit by hopefully COB today?

Agenda:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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(S) [Redacted]

(S) [Redacted]

(S) [Redacted]

(S) [Redacted]

[Redacted]

[Redacted]

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Attendees:

FBI:

[Redacted]

Anthony DiClemente, Section Chief, Data Acquisition/ Intercept Section
Sherry Sabol, Section Chief, Science and Technology Law Office

b6
b7C

[Redacted] Chief Advisor, Data Network Collection
[Redacted] Supervisor, Data Intercept Technology Unit

(S) [Redacted]

b1
b6
b7C
b7D

(S) [Redacted]

DOJ:
????

(S) [Redacted]

(S) Itinerary: [Redacted]

(S) [Redacted]

(S) [Redacted]

b1
b7D

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20340622

(S) ~~SECRET/REL TO USA~~ [Redacted]

b1
b7D

~~SECRET~~ EFF/Lynch-208

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

Serial Description ~ Unrecorded Serial

Total Deleted Page(s) ~ 36

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~~SECRET~~

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SECRET~~

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Investigations~~

~~DECLASSIFICATION EXEMPTION 1
SECRET~~

EFF/Lynch-211

~~SECRET~~

From: [redacted] (CyD) (FBI)
Sent: Friday, November 12, 2010 11:10 AM
To: [redacted] (DO) (FBI)
Cc: [redacted] (CyD)(FBI)
Subject: Upcoming Director's Meetings
Importance: High

b6
b7C

~~SECRET//NOFORN~~

[redacted]

Listed below are the response I received regarding talking points for the Director.

b6
b7C

I hope this helps. Let me know if you need any additional information.

VR/

[redacted]

[redacted] has been very supportive of criminal investigations in the following ways:

[redacted]

b2
b5
b7E

[redacted] (Final Revised version sent on 11/12/2010, at 6pm appears below):



20101111.Director's Meeting wi...

[redacted]



Issues for Director visit.wpd ...

~~SECRET//NOFORN~~

EFF/Lynch-212



b2
b3
b5
b7E

Director Mueller's Talking Points Request for [REDACTED]
FBIHQ/Cyber/SOIS/HOU Input

Topic: Relative to the effective and efficient cooperation and assistance received from

[REDACTED]

Issue 1:

[REDACTED]

- [REDACTED]
- [REDACTED]

Issue 2:

[REDACTED]

- [REDACTED]
- [REDACTED]

Issue 3:

[REDACTED]

- [REDACTED]
- [REDACTED]

Issue 4:

[REDACTED]

- [REDACTED]

Information approved by:
Information provided by:
Dated:
BY:

Approver must be at the DAD level or higher.
MPA [redacted] Cyber/SOIS/HOU
November 12, 2010
SSA [redacted] Cyber/SOIS/HOU

b6
b7c

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-12-2011 BY 65179/DMH/BAW/STP/bls

EFF/Lynch-214

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

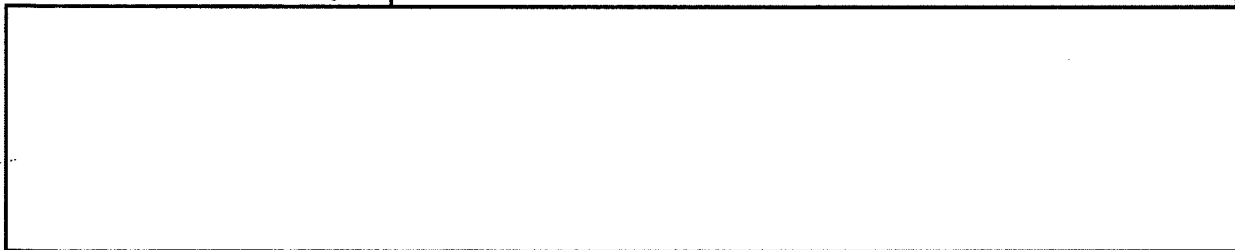
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET/NOFORN~~

b1
b2
b5
b7E

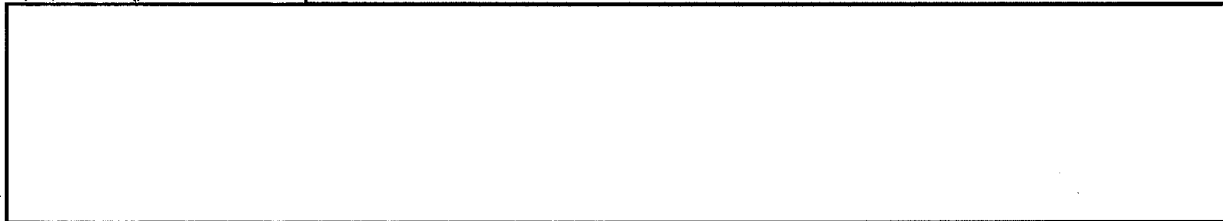


(S) San Francisco is assigned

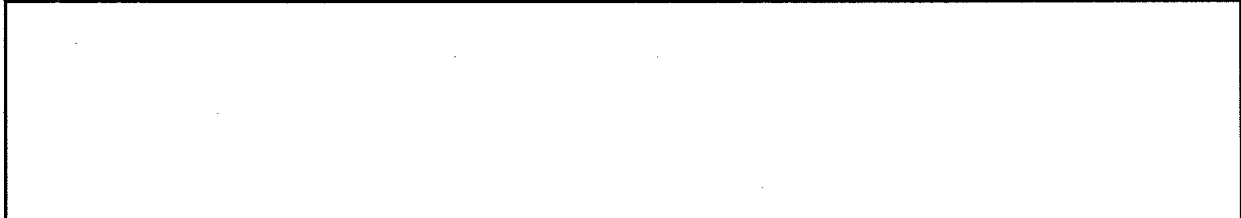


(S)

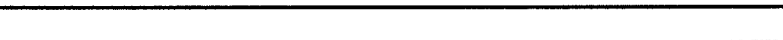
(U) A major obstacle is



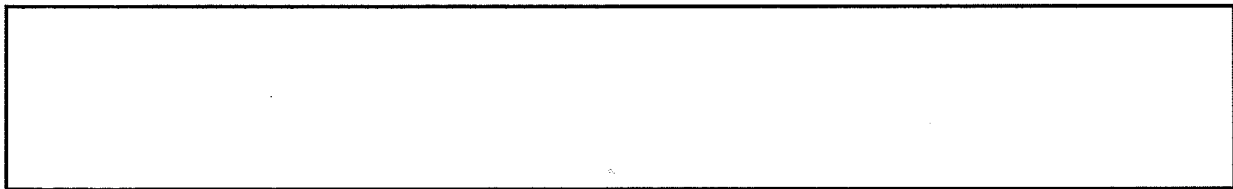
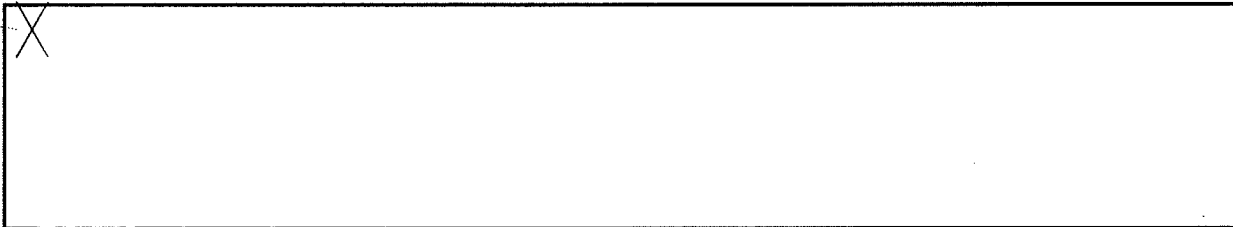
(U) At one time in the recent past,



(U) [redacted] may have an issue with



(U)



~~SECRET/NOFORN~~

EFF/Lynch-215

[Redacted]

(U)

[Redacted]

(U) From the operational side, San Francisco has heard from other field offices that the

[Redacted]

(U)

[Redacted]

(U) San Francisco Cyber Agents have worked with

[Redacted]

[Redacted]

(U)

[Redacted]

From: [redacted] (CyD) (FBI)
Sent: Monday, November 15, 2010 10:09 AM
To: [redacted] (DO)(FBI); [redacted] (DO)(FBI)
Cc: HQ-DIV16-EXECUTIVE-STAFF; [redacted] (CyD)(FBI); [redacted] (CyD)(FBI);
[redacted] (CyD) (FBI); [redacted] (CyD) (FBI); [redacted] (CyD) (FBI);
[redacted] (CyD) (FBI)
Subject: FW: Upcoming Director's Meetings
Importance: High

b6
b7C

For All:

Here is the CyD response for the Director's Office from last week. I attached the most recent version of the [redacted] document provided by [redacted]. Everything else remained unchanged.

b2
b5
b6
b7C

VR/
[redacted]

SSA [redacted]
Cyber Division, Executive Staff
[redacted]

From: [redacted] (CyD) (FBI)
Sent: Friday, November 12, 2010 11:10 AM
To: [redacted] (DO) (FBI)
Cc: [redacted] (CyD)(FBI)
Subject: Upcoming Director's Meetings
Importance: High

b6
b7C

~~SECRET//NOFORN~~

[redacted]

Listed below are the response I received regarding talking points for the Director.

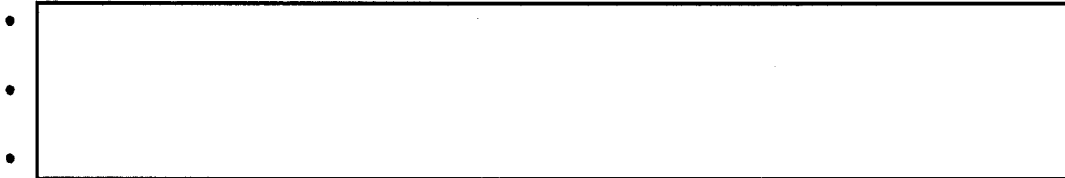
I hope this helps. Let me know if you need any additional information.

VR/
[redacted]

b2
b5
b6
b7C
b7E

Microsoft has been very supportive of criminal investigations in the following ways:

[redacted]



b2
b5
b7E

[Redacted] Final Revised version sent on 11/12/2010, at 6pm appears below):



20101111.Director's Meeting wl...



Issues for Director visit.wpd ...

~~SECRET//NOFORN~~

EFF/Lynch-218

~~SECRET~~

~~SECRET~~//ORCON,NOFORN
RECORD 220A

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted] (NY) (FBI)
Sent: Friday, May 28, 2010 12:41 PM
To: [redacted] (NY) (FBI)
Cc: [redacted] (NY) (FBI)
Subject: RE: Review of [redacted]

b2
b6
b7C
b7E

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

~~SECRET~~//ORCON,NOFORN
RECORD 220A

We'll do.

Thanks

[redacted]

[redacted]

*Supervisory Foreign Language Program Coordinator
ID-22, Unit 4, Chelsea Building, New York*

b2
b6
b7C

[redacted]
(fax)
(STE)

[redacted]
(Cell)
[redacted]

From: [redacted] (NY) (FBI)
Sent: Friday, May 28, 2010 12:35 PM
To: [redacted] (NY) (FBI)
Cc: [redacted] (NY) (FBI)
Subject: Review of [redacted]
Importance: High

~~SECRET~~//ORCON,NOFORN
RECORD 220A

b1
b2
b6
b7C
b7E

[redacted]

Re: [redacted]

As we discussed today, please remind [redacted]

[redacted]

(S)

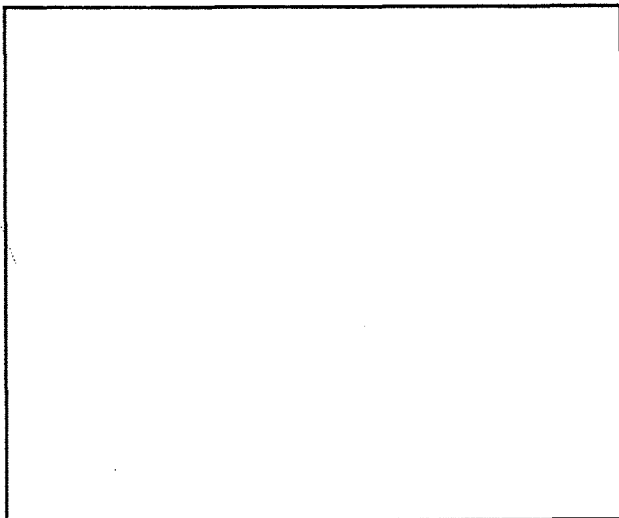
(S)

EFF/Lynch-219

~~SECRET~~

~~SECRET~~

(S)



b1
b6
b7C

Best,

SA
FBI New York
Desk
Cell:

b2
b6
b7C

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EFF/Lynch-220

~~SECRET~~

~~SECRET~~

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 1:51 PM
To: [redacted] (OGC) (OGA)
Subject: FW: [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

b2
b6
b7C
b7E

Attachments: ib-cyd-20061219-ufouo.pdf

~~SECRET//NOFORN~~
RECORD 220C

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

From: [redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 10:30 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 220C



[redacted] Is there any information you might be able to pass along to [redacted] Thanks.



ib-cyd-20061219-uf
ouo.pdf (76 ...)

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:21 AM
To: [redacted] (DI)(FBI)
Subject: FW: [redacted]
Importance: High

~~SECRET//NOFORN~~
RECORD 220C

[redacted] have you seen anything on this? Thanks [redacted]

From: [redacted] (MM) (FBI)
Sent: Friday, January 08, 2010 10:00 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (MM) (FBI)
Subject: [redacted]
Importance: High

~~SECRET//NOFORN~~

EFF/Lynch-221

~~SECRET~~

RECORD 220C

[Redacted]

(S)

[Redacted]

b1
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b7C
b7E

SA [Redacted]

Miami Division

Squad T-6

Desk [Redacted]

Cell: [Redacted]

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SECRET//NOFORN

~~SECRET~~

ALL INFORMATION CONTAINED
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From: [redacted] (CD) (FBI)
 Sent: Friday, January 08, 2010 12:21 PM
 To: [redacted] (TP) (FBI); [redacted] (CD) (FBI);
 [redacted] (BS) (FBI); [redacted] (CD) (FBI);
 [redacted] (CD) (FBI); [redacted] (CD) (FBI); [redacted] (CD)
 (FBI); [redacted] (CD) (FBI); [redacted] (CD) (FBI);
 [redacted] (CD) (FBI); [redacted] (CD) (FBI);
 [redacted] (PX) (FBI); [redacted] (DI) (CON); [redacted] (DI) (FBI);
 [redacted] (CTD) (FBI)

Cc: [redacted] (CTD) (FBI)
 Subject: SECRET//NOFORN
RECORD 220C

FW: [redacted]

DATE: 01-12-2011
 CLASSIFIED BY 65179/DMH/BAW/STP/bls
 REASON: 1.4 (c)
 DECLASSIFY ON: 01-12-2036

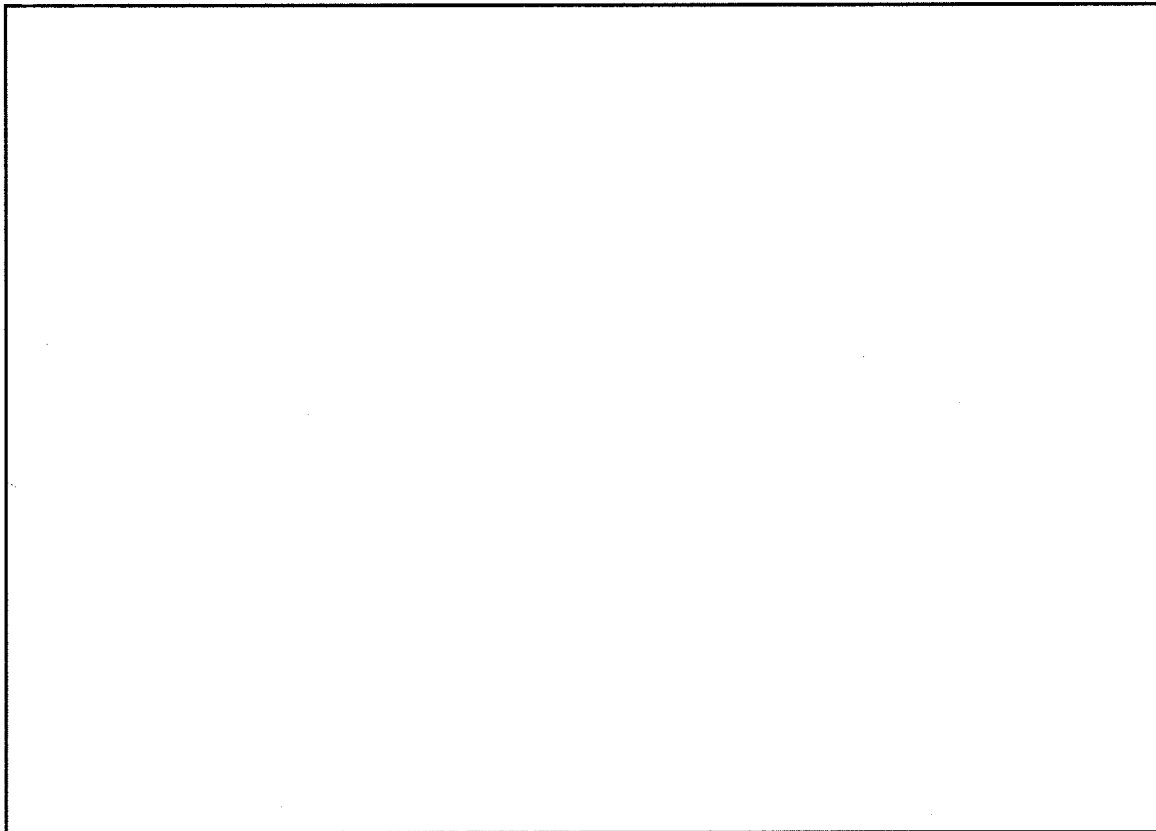
b2
b6
b7C
b7E

FYI on Please contact before forwarding. Thanks -

From: [redacted] (CTD) (FBI)
 Sent: Friday, January 08, 2010 11:12 AM
 To: [redacted] (DI) (FBI); [redacted] (CD) (FBI)
 Subject: RE: [redacted]

b2
b6
b7C
b7E

SECRET//NOFORN
RECORD 220C



b1
b2
b5
b7E

(S)

(S)



I know that wasn't the answer you had hoped for, but I hope it helps none-the-less. Let me know if you have any more questions, or need anything else,

Cheers,



IA

ECAU



"If a man does not know to which port he is sailing, no wind is favorable."

b1
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b7E

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DECLASSIFICATION EXEMPTION 1
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SECRET//NOFORN~~

EFF/Lynch-226

~~SECRET~~

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EFF/Lynch-227

~~SECRET~~

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DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

b2
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b7C
b7E

[Redacted]

Thanks for the email, good to hear from you again. That is an interesting question, and a tough one to answer, but here goes. I speak for the CTD side, because that is what I am most familiar with, but this all applies to CI as well:

[Large Redacted Area]

I know that wasn't the answer you had hoped for, but I hope it helps none-the-less. Let me know if you have any more questions, or need anything else,

Cheers,

[Redacted]

IA

FCAU

[Redacted]

"If a man does not know to which port he is sailing, no wind is favorable."

From: [Redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 10:30 AM
To: [Redacted] (CD) (FBI)
Cc: [Redacted] (CTD) (FBI)
Subject: RE: Skype

EFF/Lynch-228

~~SECRET~~

~~SECRET~~

~~SECRET//NOFORN~~
~~RECORD 220C~~

[Redacted]

b2
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b7E

[Redacted] Is there any information you might be able to pass along to [Redacted] Thanks.

<< File: ib-cyd-20061219-ufouo.pdf >>

From: [Redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:21 AM
To: [Redacted] (DI)(FBI)
Subject: FW: [Redacted]
Importance: High

b2
b6
b7C
b7E

~~SECRET//NOFORN~~
~~RECORD 220C~~

[Redacted] have you seen anything on this? Thanks! [Redacted]

From: [Redacted] (MM) (FBI)
Sent: Friday, January 08, 2010 10:00 AM
To: [Redacted] (CD) (FBI)
Cc: [Redacted] (MM) (FBI)
Subject: [Redacted]
Importance: High

~~SECRET//NOFORN~~
~~RECORD 220C~~

[Redacted]

[Redacted]

b1
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b5
b6
b7C
b7E

(S)

SA [Redacted]
Miami Division
Squad T-6
Desk [Redacted]
Cell: [Redacted]

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EFF/Lynch-229

~~SECRET~~

~~SECRET~~

~~SECRET//NOFORN~~

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SECRET//NOFORN~~

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Investigations
DECLASSIFICATION EXEMPTION 1
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SECRET//NOFORN~~

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Investigations
DECLASSIFICATION EXEMPTION 1
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Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

EFF/Lynch-230

~~SECRET~~

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 11:55 AM
To: [redacted] (MM) (FBI); [redacted] (MM) (FBI)
Subject: FW: [redacted]

b2
b6
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~~SECRET//NOFORN~~
RECORD 220C

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

From: [redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 11:17 AM
To: [redacted] (CTD) (FBI); [redacted] (CD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 220C

b2
b6
b7C
b7E

Great!

Good to hear from you as well [redacted] Thanks for the detailed response - much appreciated!

Take care,
[redacted]

From: [redacted] (CTD) (FBI)
Sent: Friday, January 08, 2010 11:12 AM
To: [redacted] (DI)(FBI); [redacted] (CD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 220C

[redacted]

Thanks for the email, good to hear from you again. That is an interesting question, and a tough one to answer, but here goes. I speak for the CTD side, because that is what I am most familiar with, but this all applies to CI as well:

b1
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[Large redacted area]

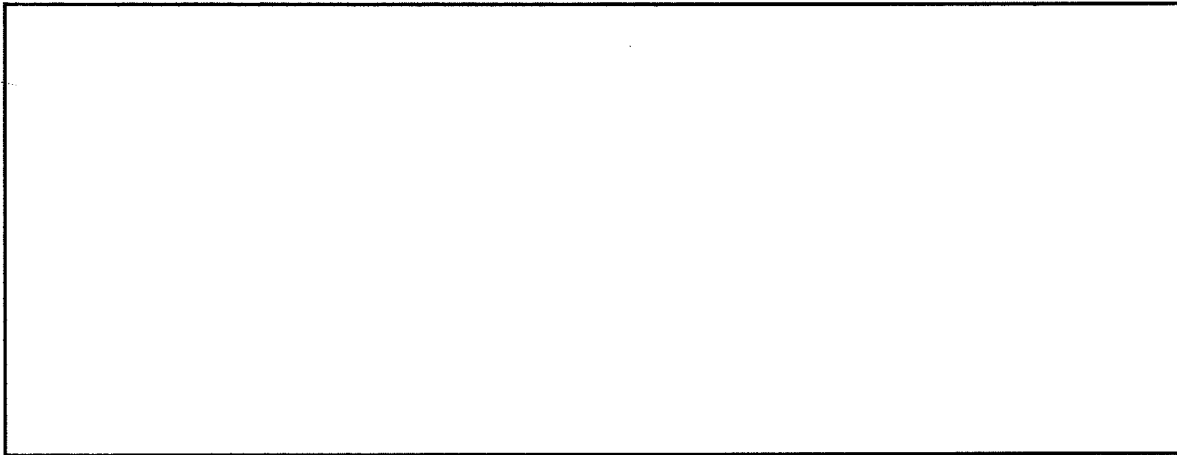
(S)

~~SECRET~~

EFF/Lynch-231

~~SECRET~~

(S)



b1
b2
b5
b6
b7C
b7E

I know that wasn't the answer you had hoped for, but I hope it helps none-the-less. Let me know if you have any more questions, or need anything else,

Cheers,

[Redacted]

IA [Redacted]

ECAU

[Redacted]

"If a man does not know to which port he is sailing, no wind is favorable."

From: [Redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 10:30 AM
To: [Redacted] (CD) (FBI)
Cc: [Redacted] (CTD) (FBI)
Subject: RE: [Redacted]

~~SECRET~~//NOFORN
RECORD 220C



[Redacted] - Is there any information you might be able to pass along to [Redacted] Thanks.

<< File: ib-cyd-20061219-ufouo.pdf >>

From: [Redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:21 AM
To: [Redacted] (DI)(FBI)
Subject: [Redacted]
Importance: High

~~SECRET~~//NOFORN

EFF/Lynch-232

~~SECRET~~

~~SECRET~~

RECORD 220C

have you seen anything on this? Thanks!

b1
b2
b5
b6
b7C
b7E

From: [redacted] (MM) (FBI)
Sent: Friday, January 08, 2010 10:00 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (MM) (FBI)
Subject: [redacted]
Importance: High

~~SECRET//NOFORN~~
RECORD 220C

[Large redacted box]

(S)

SA [redacted]
Miami Division
Squad T-6
Desk [redacted]
Cell: [redacted]

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET//NOFORN~~

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~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET//NOFORN~~

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~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET//NOFORN~~

EFF/Lynch-233

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Investigations
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SECRET//NOFORN~~

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Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

EFF/Lynch-234

~~SECRET~~

~~SECRET~~

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 11:55 AM
To: [redacted] (DI)(FBI); [redacted] (CTD) (FBI)
Subject: RE: [redacted]
SECRET//NOFORN
RECORD 220C

b2
b6
b7C
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Wow -- Thanks [redacted]

From: [redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 11:17 AM
To: [redacted] (CTD) (FBI); [redacted] (CD) (FBI)
Subject: RE: [redacted]

SECRET//NOFORN
RECORD 220C

b2
b6
b7C
b7E

Great!

Good to hear from you as well [redacted] Thanks for the detailed response - much appreciated!

Take care,
[redacted]

From: [redacted] (CTD) (FBI)
Sent: Friday, January 08, 2010 11:12 AM
To: [redacted] (DI)(FBI); [redacted] (CD) (FBI)
Subject: RE: [redacted]

SECRET//NOFORN
RECORD 220C

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[redacted]
Thanks for the email, good to hear from you again. That is an interesting question, and a tough one to answer, but here goes. I speak for the CTD side, because that is what I am most familiar with, but this all applies to CI as well:

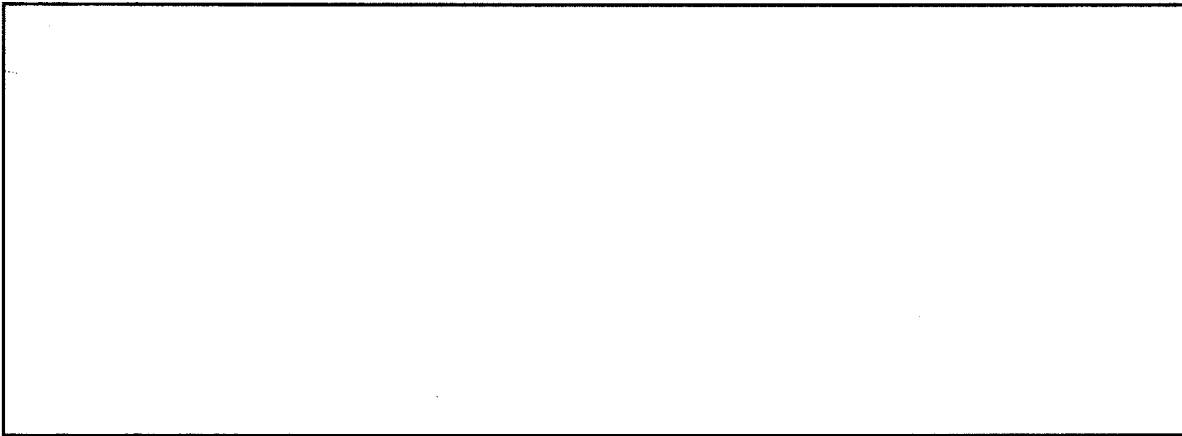
[Large redacted area]

(S)

EFF/Lynch-235

~~SECRET~~

(S)



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I know that wasn't the answer you had hoped for, but I hope it helps none-the-less. Let me know if you have any more questions, or need anything else,

Cheers,

[Redacted]

IA [Redacted]

ECAU

[Redacted]

"If a man does not know to which port he is sailing, no wind is favorable."

From: [Redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 10:30 AM
To: [Redacted] (CD) (FBI)
Cc: [Redacted] (CTD) (FBI)
Subject: RE: [Redacted]

~~SECRET~~//NOFORN
RECORD 220C

b2
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[Redacted] Is there any information you might be able to pass along to [Redacted] Thanks.

<< File: ib-cyd-20061219-ufouo.pdf >>

From: [Redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:21 AM
To: [Redacted] (DI)(FBI)
Subject: FW: [Redacted]
Importance: High

b2
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~~SECRET~~//NOFORN

EFF/Lynch-236

~~SECRET~~

RECORD 220C

have you seen anything on this? Thanks

b6
b7C

From: (MM) (FBI)
Sent: Friday, January 08, 2010 10:00 AM
To: (CD) (FBI)
Cc: (MM) (FBI)
Subject:
Importance: High

~~SECRET//NOFORN~~
RECORD 220C

(S)

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b7E

SA
Miami Division
Squad T-6
Desk
Cell

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DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

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SECRET//NOFORN~~

EFF/Lynch-237

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Investigations
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Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

EFF/Lynch-238

~~SECRET~~

~~SECRET~~

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:33 AM
To: [redacted] (MM) (FBI); [redacted] (MM) (FBI)
Subject: FW: [redacted]

b2
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b7E

Attachments: ib-cyd-20061219-ufouo.pdf

~~SECRET//NOFORN~~
RECORD 220C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE


From: [redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 10:30 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 220C

b2
b6
b7C
b7E

[redacted]

[redacted] Is there any information you might be able to pass along to [redacted] Thanks.


ib-cyd-20061219-ufouo.pdf (76 ...)

~~RECORD 220C~~

[redacted]

[redacted]

(S)

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b7C
b7E

SA [redacted]
Miami Division
Squad T-6
Desk [redacted]
Cell: [redacted]

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
EFF/Lynch-239

~~SECRET~~

~~SECRET~~

Investigations/
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN

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Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN

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Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN

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Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN

EFF/Lynch-240

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~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:32 AM
To: [redacted] (DI)(FBI)
Subject: RE: [redacted]
~~SECRET//NOFORN~~
RECORD 220C

b2
b6
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DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAU/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

Thanks!!

From: [redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 10:30 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (CTD) (FBI)
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD 220C

b2
b6
b7C
b7E

[redacted]

[redacted] Is there any information you might be able to pass along to [redacted] Thanks.

<< File: ib-cyd-20061219-ufouo.pdf >>

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:21 AM
To: [redacted] (DI)(FBI)
Subject: FW: [redacted]
Importance: High

b2
b6
b7C
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~~SECRET//NOFORN~~
RECORD 220C

[redacted] have you seen anything on this? Thanks [redacted]

From: [redacted] (MM) (FBI)
Sent: Friday, January 08, 2010 10:00 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (MM) (FBI)
Subject: [redacted]
Importance: High

b2
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~~SECRET//NOFORN~~
RECORD 220C

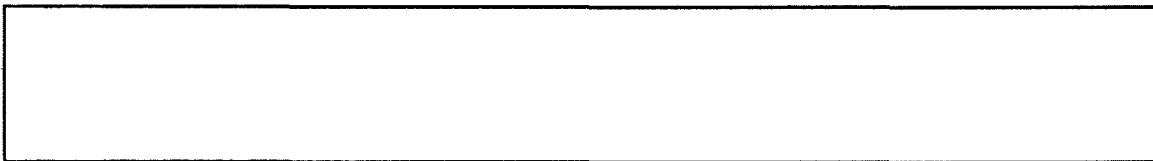
[redacted]

[redacted]




~~SECRET~~

EFF/Lynch-243

(S)



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SA 
Miami Division
Squad T-6
Desk 
Cell: 

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Investigations
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SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

EFF/Lynch-244

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted] (DI)(FBI)
Sent: Friday, January 08, 2010 10:30 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (CTD) (FBI)
Subject: RE: [redacted]

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-12-2036

Attachments: ib-cyd-20061219-ufouo.pdf

~~SECRET//NOFORN~~
RECORD 220C

b2
b6
b7C
b7E

[redacted]

Is there any information you might be able to pass along to thanks.



ib-cyd-20061219-ufouo.pdf (76 ...)

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:21 AM
To: [redacted] (DI)(FBI)
Subject: FW: [redacted]
Importance: High

b2
b6
b7C
b7E

~~SECRET//NOFORN~~
RECORD 220C

have you seen anything on this? Thanks!

From: [redacted] (MM) (FBI)
Sent: Friday, January 08, 2010 10:00 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (MM) (FBI)
Subject: [redacted]
Importance: High

~~SECRET//NOFORN~~
RECORD 220C

b1
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b7C
b7E

[redacted]

(S)

EFF/Lynch-245

~~SECRET~~

~~SECRET~~

SA [redacted]
Miami Division
Squad T-6
Desk [redacted]
Cell: [redacted]

b2
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b7C

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Investigations
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SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

EFF/Lynch-246

~~SECRET~~

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted] (CD) (FBI)
Sent: Friday, January 08, 2010 10:21 AM
To: [redacted] (DI) (FBI)
Subject: FW: [redacted]

DATE: 01-12-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls b2
REASON: 1.4 (c) b6
DECLASSIFY ON: 01-12-2036 b7C
b7E

Importance: High
~~SECRET//NOFORN~~
RECORD 220C

have you seen anything on this? Thanks!

From: [redacted] (MM) (FBI)
Sent: Friday, January 08, 2010 10:00 AM
To: [redacted] (CD) (FBI)
Cc: [redacted] (MM) (FBI)
Subject: [redacted]
Importance: High

~~SECRET//NOFORN~~
RECORD 220C

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b7C
b7E

{S}

[Large redacted block]

SA [redacted]
Miami Division
Squad T-6
Desk [redacted]
Cell: [redacted]

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFICATION EXEMPTION 1
SECRET//NOFORN~~

EFF/Lynch-249

~~SECRET~~

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted] NY) (FBI)
Sent: Thursday, March 06, 2008 7:59 AM
To: [redacted] (CD)(FBI)
Subject: RE: Verification

DATE: 01-13-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-13-2036

Follow Up Flag: Follow up
Flag Status: Green

~~SECRET~~
RECORD NY 200J

b2
b6
b7C

Very nice job on this. Lets hope they follow through.

Thanks,

[redacted]
NYO CD-12

[redacted] Desk
[redacted] Secure
[redacted] Cell

From: [redacted] (NY) (FBI)
Sent: Wednesday, March 05, 2008 3:11 PM
To: [redacted] (NY) (FBI); [redacted] (NY) (FBI); [redacted] (NY) (FBI)
Subject: Verification

~~SECRET~~
RECORD NY 200J

[redacted]

I spoke with [redacted] and she advised the following:

[Large redacted area]

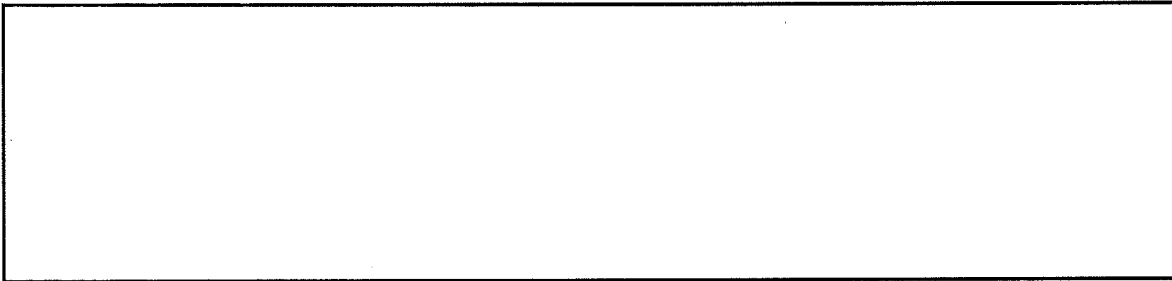
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(S)

EFF/Lynch-271

~~SECRET~~

(S)



b1
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b7C
b7E



SA [redacted]
Squad CD-12
New York Office



STE III: [redacted]
Cell: [redacted]

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFY ON: 20330305
SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence
Investigations
DECLASSIFY ON: 20330305
SECRET~~

EFF/Lynch-272

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted] (NY) (FBI)
Sent: Wednesday, March 05, 2008 3:51 PM
To: [redacted] (CD)(FBI); [redacted] (NY) (FBI); [redacted]
Subject: RE: Verification

Follow Up Flag: Follow up
Flag Status: Purple

DATE: 01-13-2011
CLASSIFIED BY 65179/DMH/BAW/STP/bls
REASON: 1.4 (c)
DECLASSIFY ON: 01-13-2036

~~SECRET~~
RECORD NY 200J

Hi everyone,

I will pass this along [redacted]
Thank you for your prompt response.

b2
b6
b7C
b7E

[redacted]

[redacted]

FLPS
FIG 13, Unit 3
NYO - Chelsea

[redacted]

From: [redacted] (NY) (FBI)
Sent: Wednesday, March 05, 2008 3:11 PM
To: [redacted] (NY) (FBI); [redacted] (NY) (FBI); [redacted] (NY) (FBI)
Subject: Verification

~~SECRET~~
RECORD NY 200J

[redacted]

I spoke with [redacted] and she advised the following:

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b7C
b7E

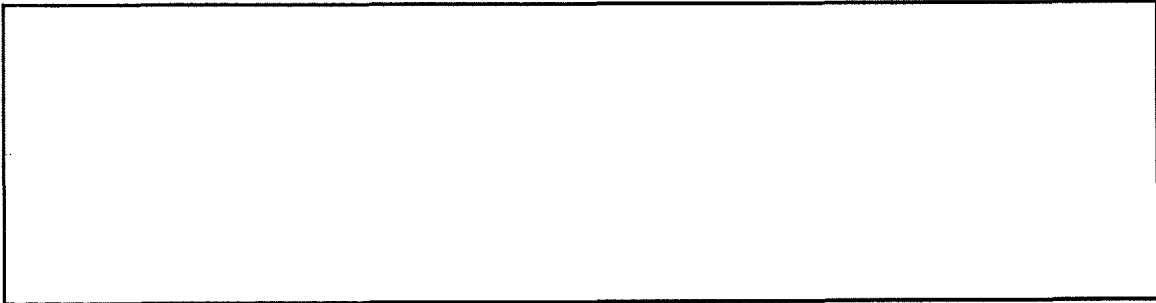
[Large redacted area]

(S)

~~SECRET~~

EFF/Lynch-273

(S)



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b7C
b7E

[Redacted]

SA [Redacted]

Squad CD-12
New York Office

[Redacted]

STE III: [Redacted]

Cell: [Redacted]

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~

~~DECLASSIFY ON: 20330305~~

~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~

~~DECLASSIFY ON: 20330305~~

~~SECRET~~

EFF/Lynch-274

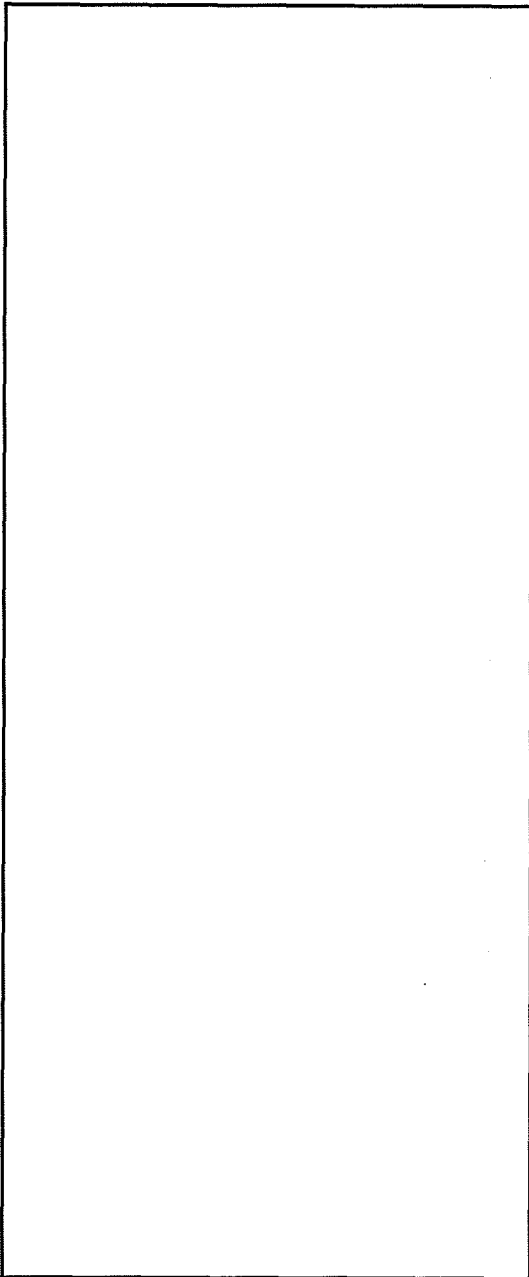
~~SECRET/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 05/04/2009

To: Counterintelligence	Attn:
Counterintelligence	Attn:
Counterintelligence	Attn:
Counterintelligence	Attn:
Counterintelligence	Attn:
Albany	Attn:
Atlanta	Attn:
Baltimore	Attn:
Boston	Attn:
Chicago	Attn:
Cleveland	Attn:
Denver	Attn:
Detroit	Attn:
Houston	Attn:
Indianapolis	Attn:
Jacksonville	Attn:
Los Angeles	Attn:
Miami	Attn:



b6
b7c

~~SECRET/NOFORN~~

EFF/Lynch-275

To: Counterintelligence From: Counterintelligence
Re: (S) [redacted] 05/04/2009

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~~(S)~~ (U)

Derived From : FBI NSISCG 20080301
Declassify On: 05/04/2034

(S) [redacted]

Reference: (S)
(S)
(S)

[redacted]

Details: (S)

[redacted]

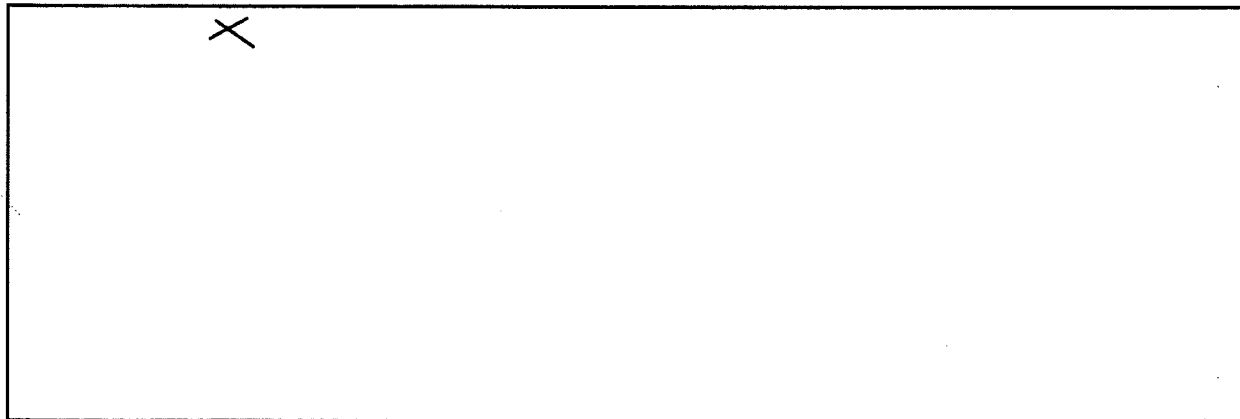
[redacted]

(U) [redacted] provider of international telecommunications services providing voice over internet services utilizing VOIP, a recent technology that allows voice conversations to be transmitted over a data network using an Internet address, or Internet Protocol (IP), instead of the traditional phone lines. [redacted]

[redacted]

~~SECRET/NOFORN~~

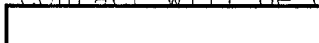
To: Coun [redacted] om: Counterintelligence
Re: (S) [redacted] 05/04/2009



(S)

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b7C
b7E

Should there be any questions regarding this matter, the point of contact will be CD-3C Cyber/Telecom Unit, SSA [redacted]



~~SECRET/NOFORN~~

To: Counterintelligence From: Counterintelligence
Re: (S) [redacted] 05/04/2009

b1
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b7C
b7E

LEAD(s) :

Set Lead 1: (Action)

BALTIMORE

AT BALTIMORE, MARYLAND

(S) [redacted]

[redacted]

Set Lead 2: (Action)

SAN ANTONIO

AT AUSTIN, TEXAS

(S) [redacted]

[redacted]

Set Lead 3: (Action)

WASHINGTON FIELD

AT WASHINGTON, D.C.

To: Counterintelligence From: Counterintelligence
Re: (S) [redacted] 05/04/2009

(S) [redacted]

Set Lead 4: (Action)

ALL RECEIVING OFFICES

(S) [redacted]

Set Lead 5: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) ~~(S)~~ For information of CD-3A, CD-3C, CD-3D, CD-3E, and CD-4B. Read and clear.

Set Lead 6: (Action)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(S) [redacted]

~~SECRET/NOFORN~~

To: Counterintelligence From: Counterintelligence
Re: (S) [redacted] 05/04/2009

b1
b2
b7E

Set Lead 7: (Action)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(S) [redacted]

[redacted]

◆◆

~~SECRET/NOFORN~~