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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 08-15-2005
CLASSIFIED BY 65179 DMH/KJ/05-cv-0845
REASON: 1.4 (c,d)
DECLASSIFY ON: 08-15-2030

(Rev. 01-31-2003)

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FEDERAL BUREAU OF INVESTIGATION

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Precedence: ROUTINE

Date: 03/19/2004

To: General Counsel

Attn:

[Redacted]

ILU

Rm. 7326

From:

[Redacted]

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Squad #1

Contact:

[Redacted]

[Redacted]

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Approved By:

[Redacted]

b7C

Drafted By:

[Redacted]

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Case ID #: (U) 66F-HQ-C1364260 (Pending)
(U) 66F-HQ-C1384970 (Pending)

34
8167

Title: USA PATRIOT ACT
SUNSET PROVISIONS

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Synopsis: (U) The [Redacted] is providing examples of utilization of USA Patriot Act provisions.

~~(SECRET) Derived From : Multiple Sources
See Classification Authority Reference
Section.
Declassify On: X1~~

Classification Authority Reference: ~~(S)~~-(U)

Details: (U) Reference FBIHQ (ILU,OGC) EC to All Field Offices dated 02/27/2004.

(U) The referenced EC requested that each field office provide statistics, examples or anecdotes, or a brief narrative summarizing the benefits which the office has received from the use of specified sunset provisions of the USA Patriot Act.

(U) Accordingly, the two appropriate [Redacted] squads dealing with FCI/DT/IT and Cybercrime were contacted and the following information was provided:

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[Redacted]

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To: General Counsel From: [Redacted]
Re: (U) 66F-HQ-C1364260, 03/19/2004

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(U) The FCI/DT/IT squad had one example each of its utilization of the Information Sharing provision and the Changes to the Primary Purpose Standard for FISA. The following are the examples provided, along with a comment regarding the New Standard for Business Records under FISA:

(U) I. Information Sharing

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~~(S)~~ [Redacted] (S)

~~(S)~~ [Redacted] (S)

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~~(S)~~ [Redacted] (S)

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~~(S)~~ [Redacted] (S)

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~~(S)~~ [Redacted] (S)

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~~(S)~~ [Redacted] (S)

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To: General Counsel From:
Re: (U) 66F-HQ-C1364260, 03/19/2004

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(U) II. Primary Purpose Clause

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To: General Counsel From: [redacted]
Re: (U) 66F-HQ-C1364260, 03/19/2004

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[redacted]

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(U) III. Commentary relating to the New Standard for
Business Records under FISA

(U)

[redacted]

[redacted]

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/19/2004

To: General Counsel

ATTN: AGC [redacted]
Investigative Law Unit

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From: [redacted]

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Sqd 2

Contact: CDC [redacted]

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Approved By: [redacted] *FK*

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Drafted By: [redacted]

Case ID #: 66F-HQ-C1364260-35 (Pending)

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Title: USA PATRIOT ACT
SUNSET PROVISIONS

Synopsis: To provide Investigative Law Unit with examples of usage of certain sunsetted provisions of the USA Patriot Act by the [redacted]

Details: Per the request contained in the OGC, ILU EC dated 2/27/2004, captioned as above, the following is a synopsis of instances where certain provisions of the USA Patriot Act, subject to being sunsetted on 12/31/2005, have been utilized by [redacted]

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Nationwide Search Warrants for E-mail and Associated Records - Section 220 of the Act enabled courts with jurisdiction over an investigation to issue a search warrant with nationwide jurisdiction to compel the production of information held by a service provider, such as unopened e-mail. Previously, the search warrant had to be issued by a court in the district where the service provider was located. See 18 U.S.C. § 2703.

305C [redacted] 42731 Nationwide search warrant for AOL.

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On April 3, 2003, an FBI agent from [redacted] had signed onto America Online (AOL) in an undercover capacity. The agent had entered the AOL chat room [redacted] and encountered an individual using the AOL screen name [redacted]. [redacted] indicated that he was running a list management program in the chat room and advised that anyone wishing to join the list should type the words "list me." The Buffalo agent typed "list me" and shortly thereafter received an electronic mail (e-mail) message from [redacted]. Embedded in the e-mail were nine images that depicted children engaged in sexual activity. The minors observed in these specific images had been previously identified through the FBI's Child Victim Identification Program. The agent subsequently initiated contact with [redacted] who then sent three additional e-mails to the agent. Two of the e-mails had an attached file that was a video clip of child pornography. The remaining e-mail again contained embedded images of child pornography.

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