We must also consider the DIOG which is being implemented into the new SSA.

I've asked [redacted] for his views on this as well. I am only concerned with one sentence, the last of the second paragraph.

It is not clear to me what is intended here. Is this a piece of the prior sentence relating to...
Can you take a look/give me a sanity check on this? From a CDC...
Thank you.

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of

I am aware of no cases in the 6th Circuit that have used that courts in other circuits have used.

Let me know if I am off base. Thanks.
You are correct. We do not need to go to SAC until the policy is approved which should be in the next few weeks."

SSA
Unit Chief

Please review the CDC's synopsis of how [redacted] is authorized. Any comments? I think he has it wrong at the end of the second paragraph.

Assistant General Counsel
Office of the General Counsel
Federal Bureau of Investigation

Can you take a look/give me a sanity check on this? From a CDC...
Thank you.

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of_____. I am aware of no cases in the 6th Circuit that have used the_____. Courts in other circuits have used.

Let me know if I am off base. Thanks.
I've asked [redacted] for his views on this as well. I am only concerned with one sentence, the last of the second paragraph.

It is not clear to me what is intended here. Is this a piece of the prior sentence relating to [redacted]

---

Assistant General Counsel
Office of the General Counsel
Federal Bureau of Investigation

Can you take a look/give me a sanity check on this? From a CDC...
Thank you.

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of [redacted] I am aware of no cases in the 6th Circuit that have used the [redacted] that courts in other circuits have used.
Let me know if I am off base. Thanks.
Can you take a look/give me a sanity check on this? From a CDC...
Thank you.

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of _________. I am aware of no cases in the 6th Circuit that have used the _________. Courts in other circuits have used.

Let me know if I am off base. Thanks.
From: [Redacted]
Sent: Friday, November 21, 2008 5:37 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: Final Draft

SECRET
RECORD

From: [Redacted]
Sent: Friday, November 21, 2008 5:35 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: Final Draft

SECRET
RECORD

From: [Redacted]
Sent: Friday, November 21, 2008 3:53 PM
To: [Redacted]
From: [Redacted]
Sent: Friday, November 21, 2008 3:16 PM
To: [Redacted]
Cc: [Redacted]

Subject: RE: Final Draft

Sent: Friday, November 21, 2008 2:45 PM
To: [Redacted]
Cc: [Redacted]

Subject: RE: Final Draft

Sent: Friday, November 21, 2008 10:01 AM
Having read the submission, I have a couple of questions and await OTD's technical review.

Otherwise great Thanks.

Assistant General Counsel
Office of General Counsel FBI
Attached is the final draft of the submission. It incorporates the edits that were sent to yesterday (11/19/08) at 10:27 a.m.

Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

Thanks,
From: 
Sent: Friday, November 21, 2008 3:38 PM 
To:  
Cc: 
Subject: RE: Final Draft - 

SECRET
RECORD

Assistant General Counsel
Office of General Counsel FBI

SECRET
RECORD

From: 
Sent: Friday, November 21, 2008 3:16 PM 
To:  
Cc: 
Subject: RE: Final Draft - 

SECRET
RECORD

From: 
Sent: Friday, November 21, 2008 2:52 PM 
To:  
Cc: 
Subject: RE: Final Draft -
Having read the submission, I have a couple of questions and await OTD's technical review. Otherwise great Thanks.

From: [Redacted]
Sent: Thursday, November 20, 2008 7:56 PM
To: [Redacted]
Cc: [Redacted]
Subject: RE: Final Draft

Assistant General Counsel
Office of General Counsel FBI

From: [Redacted]
Sent: Thursday, November 20, 2008 6:28 PM
To: [Redacted]
Cc: [Redacted]
Subject: Final Draft

590
Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

Thanks,
From: Friday, November 21, 2008 10:01 AM
To: 
Cc: 
Subject: RE: Final Draft

thanks.

From: Thursday, November 20, 2008 7:56 PM
To: 
Cc: 
Subject: RE: Final Draft

594
Having read the submission, I have a couple of questions and await OTD's technical review.

Otherwise great Thanks.

Assistant General Counsel
Office of General Counsel FBI

From: ____________________________
Sent: Thursday, November 20, 2008 6:28 PM
To: ______________________________
Cc: ______________________________
Subject: Final Draft

Attached is the final draft of the [redacted] It incorporates the edits that [redacted] sent to [redacted] yesterday (11/19/08) at 10:27 a.m.

Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the [redacted] tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

Thanks,

[Redacted]

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET
Having read the submission, I have a couple of questions and await OTD's technical review:

Otherwise great Thanks.

Assistant General Counsel
Office of General Counsel FBI

Attached is the final draft of the [redacted]. It incorporates the edits that [redacted] sent to [redacted].

598
Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

Thanks,

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET

SECRET
This e-mail is being sent to all CDCs and ADCs,

A recent decision in the District Court for W.D. Pa. regarding the legal authority required to obtain historical cellular telephone location information has received widespread press coverage. Several CDC's have contacted us with questions. Because of the possibility that magistrate judges in your divisions may rely on this opinion, OGC provides the following guidance.
Please note that OGC continues to recommend that agents obtain...

If you have any questions regarding the above, please let me know. AGC STLU, and AGC ILU, are also available to address any questions you may have.

Section Chief
Science and Technology Law Office
Office of the General Counsel

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

UNCLASSIFIED
To follow up on your email from yesterday, I have attached a draft email re: historical cellular telephone location information and [ ]. I prepared the email for [ ] to send to all CDCs and ADCs. As far as I know, it has not gone out yet and please do not share it with anyone until after [ ] sends it out. It will also ultimately be uploaded to the STLU website.

Let me know if you have additional questions.

**************************************************************
This e-mail is being sent to all CDCs and ADCs.

A recent decision from a District Court in the W.D. Pa. has received widespread press coverage. In the expectation that magistrate judges in your divisions may rely on this opinion, OGC provides the following guidance.
Please note that OGC continues to recommend that agents obtain...
I am no expert on the policy, yet I understood that only

No, this does not reconcile with the research I have done.

will be in tomorrow and she may have more information on the issue.
Does this reconcile with what you have researched/worked on?

This information, below, is a significant change if it is correct as this ruling dictates that

Could you check on this or point me in the right direction and I will check for us??

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

I work with I just wanted to let you know that the US attorneys office is stating that

Thanks
Thanks. Looking forward to seeing your presentation. October is filling up but November is open for me.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you the newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.
Subject: RE:

UNCLASSIFIED
NON-RECORD

Did you ever finish this project? I would really like to see your slides.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From: [Redacted]
Sent: Thursday, August 21, 2008 3:13 PM
To: [Redacted]
Subject: [Redacted]

UNCLASSIFIED
NON-RECORD

... just wanted to send you a quick email ref our conversation last night. I will send you via burnail a copy of our presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we figure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving [Redacted]...
Thanks. That's what I thought. Might be a miscommunication. Let's see what [insert name] says tomorrow and then we can figure out who/how to communicate this with the field and USAO.

No, this does not reconcile with the research I have done on [insert name] will be in tomorrow and she may have more information on the issue.

Does this reconcile with what you have researched/worked on?
I work with... I just wanted to let you know that the US attorneys office is stating that...

Thanks

SAI
Thanks. Looking forward to seeing your presentation. October is filling up but November is open for me.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you the newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

Did you ever finish this project? I would really like to see your slides.

Assistant General Counsel
Science and Technology Law Unit
Just wanted to send you a quick email re: our conversation last night. I will send you via burn a copy of our presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we figure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Atty office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving...
No, this does not reconcile with the research I have done on ___.

___ will be in tomorrow and she may have more information on the issue.

Does this reconcile with what you have researched/worked on?

---

From:  
Sent:  Wednesday, October 15, 2008 2:37 PM  
To:  
Subject:  

UNCLASSIFIED  
NON-RECORD

Does this reconcile with what you have researched/worked on?

---

From:  
Sent:  Wednesday, October 15, 2008 1:31 PM  
To:  
Subject:  

UNCLASSIFIED  
NON-RECORD
This information, below, is a significant change if it is correct as this ruling dictates that

Could you check on this or point me in the right direction and I will check for us??

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From:               
Sent:   Wednesday, October 15, 2008 9:13 AM  
To:      
Cc:      
Subject: RE: 

UNCLASSIFIED
NON-RECORD

I work with __________________ I just wanted to let you know that the US attorneys office is stating that

b3  
b5  
b6  
b7C  
b7E

Thanks

SA

From:               
Sent:   Tuesday, October 14, 2008 2:10 PM  
To:      
Subject: FWD: 

UNCLASSIFIED
NON-RECORD

From:               
Sent:   Tuesday, September 30, 2008 1:49 PM  
To:      
Subject: RE: 

617
Thanks. Looking forward to seeing your presentation. October is filling up but November is open for me.

Assistant General Counsel  
Science and Technology Law Unit  
Office of the General Counsel  
Federal Bureau of Investigation

---

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you our newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

---

Did you ever finish this project? I would really like to see your slides.

Assistant General Counsel  
Science and Technology Law Unit  
Office of the General Counsel  
Federal Bureau of Investigation

---

From:  
Sent: Tuesday, September 30, 2008 9:25 AM  
To:  
Subject:  RE: 

UNCLASSIFIED  
NON-RECORD

From:  
Sent: Thursday, August 21, 2008 3:13 PM  
To:  
Subject:  

UNCLASSIFIED  
NON-RECORD
just wanted to send you a quick email ref our conversation last night. I will send you via bmail a copy of our
presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self
explanatory, but others need explanation). As soon as we figure out how to marry those two up, I will send it out. I am
looking into conducting training for the US Dist Ct and the US Atty's office sometime in October. I will let you know if we
get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues
involving

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED
Thanks for taking the time to look into this. I re-read the e-mail from our US Attorney and just so I am not putting words in her mouth she stated:

Just wanted to pass this along as a trend that at least our US Attorneys office seems to be heading toward.

Thanks again

I will have to send this up to OGC for additional information. I haven’t heard this from any other source. Thanks.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
I work with [ ] I just wanted to let you know that the US attorneys office is stating that

Thanks:

SA

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the data(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

Did you ever finish this project? I would really like to see your slides.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

I just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we figure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Atty's office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving
UNCLASSIFIED NON-RECORD

Does this reconcile with what you have researched/worked on?

UNCLASSIFIED NON-RECORD

This information, below, is a significant change if it is correct as this ruling dictates that

Could you check on this or point me in the right direction and I will check for us??

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

UNCLASSIFIED NON-RECORD

I work with [redacted] I just wanted to let you know that the US attorneys office is stating that
Thanks

SA

From: [Redacted]
Sent: Tuesday, October 14, 2008 2:09 PM
To: [Redacted]
Subject: [Redacted]

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From: [Redacted]
Sent: Tuesday, September 30, 2008 1:49 PM
To: [Redacted]
Subject: [Redacted]

UNCLASSIFIED
NON-RECORD

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

625
Did you ever finish this project? I would really like to see your slides.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

Just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we figure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

Done. Take a look and let me know..

SSA
Unit Chief

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
I have a bunch of stuff. Would it help if I gave you access to the LEGAL folder I have??

SSA

Unit Chief

Thank you. Very helpful.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation.

Does this help?

SSA

Unit Chief
I have argued to

to better address this
Is anybody working on language to incorporate the...

Thank you for any assistance you can provide I would be gladly appreciated.

I've asked to look into this matter too.

P.S. it was nice speaking to you. I was at ERF the week of 9/10-13/07, but told me you were away.
From: I I
Sent: Wednesday, October 03, 2007 6:32 AM
To:
Cc:
Subject: 

SENSITIVE BUT UNCLASSIFIED 
NON-RECORD

Thanks for the information regarding

Please review and let me know if there are any issues that I can address before it goes to Thank you for your assistance.

SA

http://

http:///docs/Legal/ legal march2007.ppt

Hope all is well. Please click on the link and go to Slide #31 of this Science and Technology Law Unit PowerPoint. It should have the language you need.

Regards,
Attached is the original court ruling from Feb 19, 2008. Wednesday's court ruling, which upheld the ruling in February, was only 3 pages.

ABC News

Cops Need Warrant for Cellphone Location Data, Judge Rules

Ruling Deals Blow to Investigators
By RYAN SINGEL
Sept. 12, 2008—

The government cannot force your cellphone provider to turn over stored records about your location without proving to a judge there is probable cause you have violated the law, a federal district court ruled Wednesday.

The ruling from Judge Terrence McVerry of the Western Pennsylvania U.S. District Court deals a blow to investigators who have been getting cellphone location data on in the past simply by proving to a judge that the information would be relevant to an investigation. That's the same standard used to force a telephone company to reveal the name and address of a subscriber.
McVerry upheld a February decision written by five magistrate judges, who found that the government's request for historic cellphone location data for a person required a stricter standard. Little is known about how often investigators ask for such data, since the hearings are one-sided and the decisions are almost never published so as not to tip off the targets.

However, the ruling does not hold force across the country, and as the government's objection to the ruling noted, other judges have disagreed with the logic of protecting this data as if it were very sensitive. The original decision (.pdf) found that "location information so broadly sought is extraordinarily personal and potentially sensitive; and that the ex parte nature of the proceedings, the comparatively low cost to the Government of the information requested, and the undetectable nature of a [cellular service provider]'s electronic transfer of such information, render these requests particularly vulnerable to abuse."

The government appealed, arguing the records only reveal a phone's location when it is actually used and that there's no constitutional right to have these stored records protected.

"Wireless carriers regularly generate and retain the records at issue, and because these records provide only a very general indication of a user's whereabouts at certain time in the past, the requested cell-site records do not implicate a Fourth Amendment privacy interest," the government wrote (.pdf).

But the friend-of-the-court brief (.pdf) from the Electronic Frontier Foundation and the Center for Democracy and Technology and others disagree — arguing that law enforcement wants the data to pinpoint where a person was or is and that the data will only get more precise in the future.

"Law enforcement uses the fact that the suspect's phone contacted the cell tower nearest his home to infer he is home, nearest the narcotic's kingpin's house to infer that they are together, nearest the drop off point to argue that he was present when the contraband was delivered," the groups wrote. "One can also imagine that the government can ask for all the numbers that made calls through the tower nearest a political rally to infer that those callers attended the rally."

The distinction matters since generally speaking police officers don't need a warrant to plant a tracking device on a car, unless that vehicle goes onto private property. Tracking someone onto private property requires a warrant. As for what the police need to prove to a judge in order to turn your cellphone into a tracking device — that's a question that federal judges remain split on, despite the Justice Department's own recommendation that investigators get warrants based on probable cause.

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UNCLASSIFIED

UNCLASSIFIED
Done. Take a look and let me know.

SSA

Unit Chief

Definitely as I've lost access to and never had access to

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

I have a bunch of stuff. Would it help if I gave you access to the LEGAL folder I have??

SSA

Unit Chief
Thanks, very helpful.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

Does this help

SSA
Unit Chief

I have argued that the current
to better address this
Is anybody working on language to incorporate the

Thank you for any assistance you can provide me would be gladly appreciated.

I've asked [redacted] to look into this matter too.

P.S. It was nice speaking to you. I was at ERF the week of 9/10-13/07, but [redacted] told me you were away.
Thanks for the information regarding

Please review and let me know if there are any issues that I can address before it goes to O Thank you for your assistance.

SA

-----Original Message-----
From: [Redacted]
Sent: Tuesday, October 02, 2007 10:48 AM
To: [Redacted]
Subject: [Redacted] SENSITIVE BUT UNCLASSIFIED NON-RECORD

http://[Redacted]/docs/Legal [Redacted] legal march2007.ppt

Hope all is well. Please click on the link and go to Slide #31 of this Science and Technology Law Unit PowerPoint.
It should have the language you need.

Regards,

[Redacted]
SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Does this help

SSA
Unit Chief

I have argued to [redacted] that the current [redacted]
Is anybody working on language to incorporate the...
Thank you for any assistance you can provide me; it would be gladly appreciated.

I've asked [REDACTED] to look into this matter too.

P.S. [REDACTED] it was nice speaking to you. I was at ERF the week of 9/10-13/07, but [REDACTED] told me you were away.
http://docs/Legal legal march2007.ppt

Hope all is well. Please click on the link and go to Slide #31 of this Science and Technology Law Unit PowerPoint. It should have the language you need.

Regards,
Before I address the question from the e-mail I have a couple of comments on the EC. First, I'm not sure it is a good idea to put all of the discussion on...:...:N...:::o::.:w:..:t~o~th:.:::e~e::.:;m:.::a::::.i1:.:..:...:I..:.h:.:::a~ve::::n~'~e:::.e::.en:..:a::::.n.:2y~th.:.:.in:.:.Jg~a::::dd:::.:r.:::e::::.i.:.::::i.:.::;._I

Now to the e-mail. I haven't seen anything addressing this particular issue. Here is how I would analyze it.

Assistant General Counsel
Science and Technology Law Unit

Any thoughts on the second question asked in this email?
Attached is a draft monthly training EC to advise personnel on the law surrounding the use of technology. Could you or one of your unit members review it to make sure I'm not saying anything incorrect.

<< File: Mar08.wpd >>
From:  
Sent:  
To:  
Subject:  

**SENSITIVE BUT UNCLASSIFIED**
*NON-RECORD*

Any thoughts on the second question asked in this email?

From:  
Sent:  
To:  
Subject:  

**SENSITIVE BUT UNCLASSIFIED**
*NON-RECORD*

Attached is a draft monthly training EC to advise personnel on the law surrounding the use of technology. Could you or one of your unit members review it to make sure I'm not saying anything incorrect.

---

Mar08.wpd
Sorry for the delay in responding, I was unexpectedly out of the office for a couple of weeks for family reasons.

As noted in the attached emails, I may be able to provide any update on this issue.

Privileged Deliberative Document - Not for Disclosure Outside the FBI Without Prior OIC Approval
Sorry to keep bothering you. The guys at referred me to you.
Thanks, those are all good (hopefully useful) links.

I hope your meeting went well, sorry for the delay in getting back to you. As to your questions:

http://legal.cfm
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

----Original Message----
From: 
Sent: Thursday, August 23, 2007 10:31 AM
To: 
Cc: 
Subject: RE: Legal Guidance

UNCLASSIFIED
NON-RECORD

According to

---Original Message---
From: 
Sent: Thursday, August 23, 2007 9:06 AM
To: 
Cc: 
Subject: RE: Legal Guidance

743
Sorry, not me.

Assistant General Counsel
Science and Technology Law Unit

Do any of you have any thoughts on the below or prior experience with these issues, in absence?

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel

Thank you!

Running into more meetings... will take a look later this afternoon and hope to get back to you soon, hopefully by tomorrow morning.
I sent the below message to [redacted] for some legal assistance, but got her "out of office" reply. Would you have time to address these questions?

Thanks,

I am working with our USA office here in the [redacted] to formulate court order language the Magistrates can live with when we intend [redacted]. We have a meeting tomorrow morning to further discuss some of the hurdles, and the AUSA with whom I am working has asked me to solicit your input on these questions:
Your input is appreciated.
Sorry --- Too many.

Original Message

From: [Redacted]
Sent: Wednesday, January 11, 2006 1:02 PM
To: [Redacted]
Cc: [Redacted]
Subject: [Redacted]

UNCLASSIFIED
NON-RECORD

Once again the

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

Assistant General Counsel
Science & Technology Law Unit
UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED
From: 
Sent: Thursday, January 05, 2006 10:30 AM
To: FBI ALL CDCs: FBI ALL EO
Cc: 
Subject: 

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Attached is a revised sample (attached below) 

Recall that that
SENSITIVE BUT UNCLASSIFIED
NON-RECORD

In brief,
The latest decision on compelling disclosure

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

From: [Redacted]
Sent: Thursday, September 01, 2005 9:36 AM
To: FBI_ALL CDCs
Subject:[Redacted]

There is a rapidly growing trend among magistrate judges throughout the nation
SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED
The latest decision on compelling disclosure

---Original Message---
From: 
Sent: Thursday, September 01, 2005 9:36 AM
To: FBI_ALL CDCs
Subject: 

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There is a rapidly growing trend among magistrate judges throughout the nation.
From: [Redacted]
Sent: Wednesday, October 26, 2005 2:46 PM
To: FBI_ALL CDCs
Cc: HQ_DIV09_STLU
Subject: [Redacted]
Attachments: 

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Here's the [Redacted] opinion  

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

From: [Redacted]
Sent: Wednesday, October 26, 2005 1:30 PM
To: FBI_ALL CDCs
Cc: HQ_DIV09_STLU
Subject: RE [Redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

To Update you on the status of current litigation on the authority to [Redacted]
Please keep us apprised of developments in your district.

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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va 22135

Ocipient Message——

From:
Sent: Thursday, September 01, 2005 9:36 AM
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Assistant General Counsel
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Engineering Research Facility
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SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

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Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

FYI—Attached is the discussed below.

Attached for those who haven't already seen it is what is being described as a "first of its kind" decision recently issued by
As you will see from the attached memo, the issue is under debate—there is no precedent holding.
Because the law is unclear, current policy is conservative and requires

In your discussion of whether you can

FW: Slightly revised
I meant to include you on this discussion thread. I'm Acting UC while [redacted] is on AL, and I have sign-off authority for this EC. I hope to get this out of STLU today.

just two comments:

What a thorough EC and well drafted legal analysis.
I hope these comments are helpful. Thanks for the advance copy and opportunity to comment. Let me know what you think.

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

From:
Sent: Tuesday, August 02, 2005 1:59 PM
To: 
Cc: 
Subject: Slightly revised EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

As I discussed in my last email, here is the same EC revised slightly at the front end and the back end.

Thanks,

SENSITIVE BUT UNCLASSIFIED
No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) = 4
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Page 220 ~ b3, b5, b7E
Page 224 ~ b3, b5, b6, b7C, b7E