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To: Cc: Subject	BEAN, W L SCO OT : (U//LES) Latest	D) (EBI);	FBI) (OGC) (FBI) airborne capability by		(OGC)(FBI)	b7E (OGC)(FBI)
	ification:				ALL INFORMATION HEREIN IS UNCLAS	
ntelligence aken to en	, law enforcement, publ sure this information is	ic safety or protect stored and/or dest	ion officials and individuals with a royed in a manner that precludes u	need to know. Distributio Inauthorized access. Infor	——— may be distributed within the Federal Governme n beyond these entities without FBI authorizatio mation bearing the LES caveat may not be used mation marked LES on a website or an unclassij	n is prohibited. Precautions should b in legal proceedings without first
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аравт		ave support		y want an OTD co	ommitment	I
My pers	spective on this	now is that v	ve want to consider rea	asonable requirer	ments, but OTD should not com	ь5 ь7 е mit to this unless and

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-02-2015 BY C66W46B11 NSICG

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From: Sent: To: Cc: Subject:	(OGC)(FBI)
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TRANSITORY	RECORD
2 quick issues-	
Thanks.	
Associate Genera Chief, Science & FBI Office of the O: BB: E-Mail (U) E-Mail (S)	Technology Policy & Law Unit
Federal Bureau of legally privileged without further re	tatement: This message is transmitted to you by the Office of the General Counsel of the f Investigation. The message, along with any attachments, may be confidential and. If you are not the intended recipient of this message, please destroy it promptly stention or dissemination (unless otherwise required by law). Please notify the sender of arate e-mail or by calling
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Aviation Surveillance Brief Staff for Senate Judiciary Committee June 17, 2015

CIRG

- We're here to address the questions posed in letters from Senators Grassley and Franken, as result of the recent AP article regarding FBI aerial surveillance activity.
- Introductions:

0	Operations Technology: Assistant Director Steve Richardson
0	Aviation Program Manager, Assistant Section Chief
0	Operations Technology Program Manager

Attorney for Operations Technology

Congressional LiaisonCongressional Liaison-Appropriations

• The FBI's aviation program is not secret; specific aircraft and their capabilities are protected for operational security purposes. FBI routinely uses aviation assets in support of predicated investigations targeting specific individuals (and has for over 30 years). The aircraft are not equipped, designed, or used for bulk collection activities or mass surveillance. The FBI uses all tools and equipment, and conducts all investigations, in accordance with the Attorney General Guidelines and the FBI's Domestic Investigations and Operations Guide (DIOG).

0	FBI registers planes covertly to protect the assets and the personnel (similar to
	unmarked police cruiser)
\sim	

• FBI's Aviation Program:

l

- Approvals/Authorities:
 - Requests for FBI surveillance are initiated for active investigations in our Field Offices and approved by GS 15 ASAC.



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- All requests are conducted in full compliance with AG guidelines and the FBI's DIOG.
- DIOG requires all airborne video be recorded and entered into the FBI's ESLUR storage system. Video is retained as evidence associated with a specific case and disposed of in accordance with FBI ELSUR policy. (10 years after case closes-ELSUR destroyed.)
- Physical surveillance is the deliberate observation of persons, places, or events, on either a limited or continuous basis, in areas where there is limited reasonable expectation of privacy.
 - FBI does not engage in routine 'patrols' or other widespread collection from the air
 - Baltimore and Ferguson LE request to fill a capability and capacity gap, also to protect innocent bystanders (FBI mission balances civil liberties, public safety and national security.)
- FBI uses its aircraft as a force multiplier to FBI personnel conducting investigations aircraft provides situational awareness not otherwise apparent from the ground.

Aircraft can advise ground personnel of upcoming traffic jams for investigative personnel conducting surveillance from the ground.
 Aircraft can maintain
 Aircraft are equipped for real time video downlink. This allows image being seen in the aircraft to be viewed by investigators, a tactical team, or in an FBI command post. This is a critical capability when providing situation awareness to those who need it.

• No FBI aircraft are permanently equipped with any cell phone tracking or site simulator equipment.

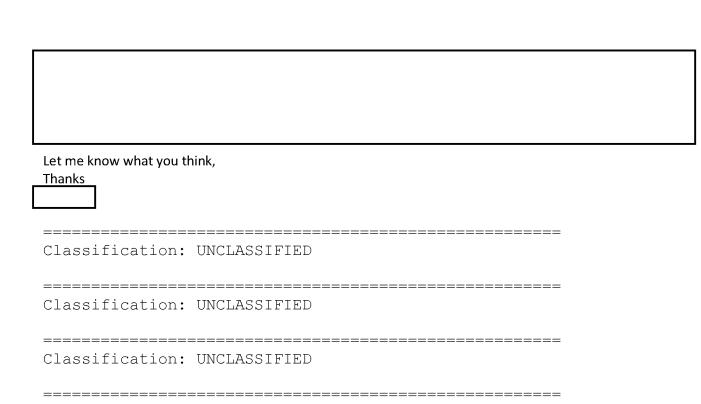
0	Use of this technology on airborne p	latforms is extremely rare
Ο.		
。'	When used, it is with legal authority	

OTD/OGC

JANSAS.

b7E

From: Sent: To:	(OTD) (FBI) <th>b6 b7C b7E</th>	b6 b7C b7E
Cc: Subject:	OTD) (FBI) (OTD) (FBI) (OTD) (FBI) FW: Airborne UNCLASSIFIED//DES	
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Federal Government (and i know. Distribution beyond and/or destroyed in a man	NSTEVE: The information marked (U/DES) in this document is the property of FBI and may be distributed within the is contractors). US intelligence, law enforcement, public safety or protection officials and individuals with a need to these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored ner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings orization from the originating agency. Recipients are prohibited from subsequently posting the information marked assified network.	
FYI. I expect these	requests to go up as field offices and CID learn of the airborne option.	
From: Sent: Thursday, Act To: Subject: RE: Airbo	OTD) (FBI) ril 24, 2014 10:23 AM OTD) (FBI) ril UNCLASSIFIED	
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Yes, thanks.		b 3
From: Sent: Thursday, Art To Subject: RE: Airbo	(OTD) (FBI) ril 24. 2014 9:35 AM (OTD) (FBI) rne UNCLASSIFIED	b5 b6 b7C b7E
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Sent: Monday March 1, 2014 3:11 PM To: (OTD) (FBI) Subject: Alrborne proof of concept UNCLASSIFIED (FBI) Classification: UNCLASSIFIED (FBI) To follow-up on our meeting from a few weeks ago, were you able to develop a proof of concept test and timeline for would like to make sure this moves forward and we can implement a test scenario for them in the near future. Thanks, SSA Technical Programs Section Deparational Technology Division Desk) Cell) Classification: UNCLASSIFIED (FBI) C	progress?			ttom of my inbox so I	apologize if you have ar	nswered the below. Do w	e have any forward
To follow-up on our meeting from a few weeks ago, were you able to develop a proof of concept test and timeline for the would like to make sure this moves forward and we can implement a test scenario for them in the near future. Thanks, SSA Technical Programs Section Operational Technology Division Desk) Cell) Classification: UNCLASSIFIED	Sent: Monday. Ma To: Cc: Subject: Airborne	rch 17, 2014 3:: (OTD) (F (OTD)(FBI); proof of c	.1 PM BI) OTC oncept UNCLASSIFIE				b 7C
Technical Programs Section Operational Technology Division Desk) Cell) Classification: UNCLASSIFIED/DEC	To follow-up on ou	r meeting from	a few weeks ago, were y				to
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without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling	b6 b7С
From: OTD) (FBI) Sent: Wednesday, June 17, 2015 3:01 PM To: DO)(FBI): YACONE, IAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI) PT (FRI) Cc: OTD) (FBI); (OTD) (FBI); (O	
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TRANSITORY RECORD	
It appears that AD Richardson is available, but we will need OGC.	
From DO)(FBI) Sent: Wednesday, June 17, 2015 10:30 AM To: YACONE, JAMES F (IR) (FBI); DTD) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI); (ER)(CON) OGC)(FBI); SABOL, SHERRY F. (OGC) (FBI) (TR) (FBI) Cc: OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); DO) (FBI) Subject: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED Importance: High	
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TRANSITORY RECORD	b 6
All	ь7C
The Committee is available on Monday July 6^{th} , either morning or afternoon.	
Are briefers available on this date?	
Please advise. Thank you.	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-02-2015 BY C66W46B11 NSICG

From:	(OTD) (FBI) 0=FBI/OU=FIRST</th <th>b5 b6</th>	b5 b6
Sent:	ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN= Tuesday, June 30, 2015 1:38:43 PM	ь7с
To: Cc:	(OGC)(FBI); OTD) (FBI) OTD) (FBI)	b7E
Subject:	FW: UPDATED: New Request for FBI Aviation Briefing to House Judiciary	
Attachments:	Committee UNCLASSIFIED Letter 2.pdf: (06-30-2015)	
/ ktdoriiirontor	25 10/	
Classificatio	on: UNCLASSIFIED	
TRANSITORY RE	:=====================================	
	ur review and tweaking, here's the response document to the June 5 letter from sentatives. It's similar to the June 3 House letter and corresponding FBI response I suggest this latest response be added to that existing	
CC: (FBI):	(DO) (FBI) 29. 2015 12:38 PM (IR) (FBI) OGC)(FBI) OTD) (FBI) (OTD) (FBI) (OTD) (FBI); OGC)(FBI); YACONE, JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI);	ь6 ь7с ь7 е
BURRELL JAMES (O	TD)(FBI); (ER)(CON); SABOL, SHERRY E. (OGC) (FBI); (DO) (FBI)	
Subject: RE: UPDATUNCLASSIFIED	TED: New Request for FBI Aviation Briefing to House Judiciary Committee	
Classificatio	on: UNCLASSIFIED	
TRANSITORY RE	CORD	
concerning the Aviat	additional letter sent from the House of Representatives with specific questions tion program, although it is focused solely on the use of airborne cell simulator natories to this letter will be invited to the July 6 th briefing as well and a copy is	
SSA Office of Congressio	nal Affairs	

From: DO) (FBI) Sent: Monday. June 22, 2015 2:37 PM To: (IR) (FBI) (DO)(FBI); OTD) (FBI); Cc: (OTD) (FBI) (OTD) (FBI); (OTD) (FBI); (FBI) (OGC)(FBI); HQ_DIV18_ESU_DATA_CALLS (OTD) (FBI); (OGC)(FBI); YACONE, JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL. JAMES (OTD)(FBI (ER)(CON); SABOL, SHERRY E. (OGC) (FBI); DO) (FBI)
Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED
Classification: UNCLASSIFIED
TRANSITORY RECORD
Hello - House Judiciary Committee staff briefing on the aviation program and cell site simulators will now be on July 6^{th} at 1:00 pm. Please let me know if that presents any problems. Thanks.
SSA Office of Congressional Affairs
From (DO) (FBI) Sent: Thursday, June 18, 2015 11:50 AM To: (IR) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); YACONE, JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI); (ER)(CON); SABOL, SHERRY E. (OGC) (FBI); DO) (FBI) Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED

TRANSITORY RECORD

Apologies, apparently I spoke to soon. Committee changed their mind and cannot do it the 26^{th} now. Too many staffers will not be able to make it that late in the day - Congress is on recess the following week so a lot of people will be out. Congress is not back in session until July 6^{th} so that is the next possible day we can do it.

If the 6th does not work we can try to schedule for the 13th. Please advise on availability, thanks.

b6 b7C

b6 b7C

From: (DO) (FBI) Sent: Thursday, June 18, 2015 8:16 AM To: (IR) (FBI) (DO)(FBI) (CC: (OTD) (FBI); HO DIV18_ESU_DATA_CALLS (OTD) (FBI); (OGC)(FBI) (OTD) (FBI); YACONE_NAMES E / ID\ / ERI\. RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI) SABOL, SHERRY E. (OGC) (FBI); DO) (FBI) Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	b6 b7
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TRANSITORY RECORD	
Committee can do 3:30 on June 26 th . I will confirm with them early this afternoon so please let me know if that date/time does not work for some reason.	
is an FBI detailee to the Judiciary Committee and will attend the briefing.	b5
	b6 b7
SSA Office of Congressional Affairs	
From: (IR) (FBI) Sent: Wednesday, June 17, 2015 6:18 PM To: (DO)(FBI) Cc: (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (DO) (FBI); (OGC)(FBI); (OTD) (FBI); YACONE, JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI) (ER)(CON); SABOL, SHERRY E. (OGC) (FBI) Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	

Classification: UNCLASSIFIED	
TRANSITORY RECORD	
If possible can we do this on the first date suggested June 26 th , but later in the day—anytim 3:30 p.m. or later. I emailed on the low-side and he advised that he would be available a 3:30 that day or later. Let us knowAgain.	1 ^
Thanks for whatever you can arrange soonest!!	
Special Assistant to the Assistant Director Critical Incident Response Group (desk) (bb)	
From (OGC)(FBI) Sent: Wednesday, June 17, 2015 4:58 PM To: (OTD) (FBI); DO)(FBI); YACONE, IAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI) (ER)(CONSABOL, SHERRY E. (OGC) (FBI)) (IR) (FBI) (OTD) (FBI) (OTD) (FBI) (OTD) (FBI) (OTD) (FBI) (OTD) (FBI) Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED)
Classification: UNCLASSIFIED	b 6
TRANSITORY RECORD	b7C
I'm available.	
Associate General Counsel Chief, Science & Technology Policy & Law Unit FBI Office of the General Counsel O BB: E-Mair (U) Eic.fbi.gov E-Mail (S):	

<u>Confidentiality Statement</u>: This message is transmitted to you by the Office of the General Counsel of the Federal Bureau of Investigation. The message, along with any attachments, may be confidential and legally privileged. If you are not the intended recipient of this message, please destroy it promptly

FBI OCA	
From: YACONE, JAMES F (IR) (FBI) Sent: Tuesday, June 16, 2015 5:37 PM	
To (DO)(FBI); (OTD) (FBI); RICHARDSON, STEPHEN (OTD) (FBI);	
BURRELL, JAMES (OTD)(FBI) (ER)(CON) (OGC)(FBI); SABOL, SHERRY E. (OGC) (FBI)	
Cc (OTD) (FBI); (OTD) (EBI); OTD)	b6
(FBI) OTD)(FBI); HQ_DIV18_ESU_DATA_CALLS (OTD) (FBI) Subject: RE: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	b70
Subject. New Request for 1 bi Aviation Briefing to House staticiary committee	b7I
Classification, INCLASSIFIED	
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
All, I am not available from June 28 – July 1. I'll be TDY in	
I am available on June 26 th .	
<u>_</u>	
From: (DO)(FBI)	
Sent: Tuesday, June 16, 2015 5:09 PM	
To: OTD) (FBI): RICHARDSON, STEPHEN (OTD) (FBI); YACONE, JAMES F (IR) (FBI); BURRELL, JAMES (OTD)(FBI) (ER)(CON) (OGC)(FBI); SABOL,	
SHERRY E. (OGC) (FBI)	
Cc: (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); HQ_DIV18_ESU_DATA_CALLS; (OTD) (FBI);	
(DO)(FBI)	
Subject: RE: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	
Classification: UNCLASSIFIED	b6
TRANSITORY RECORD	b7C
Have asked if we can push to the week of the 29 th – that 26 th does not work. Will advise once I hear back.	
Thanks	
From: OTD) (FBI)	
Sent: Tuesday, June 16, 2015 3:50 PM To: (DO)(FBI); RICHARDSON, STEPHEN (OTD) (FBI); YACONE, JAMES F (IR) (FBI);	
BURRELL, JAMES (OTD)(FBÍ); (ER)(CÔN) (OGC)(FBÍ); SABÓL,	
SHERRY E. (OGC) (FBI) (OTD) (FBI) (OTD)	
(FBI); (OTD)(FBI); HQ_DIV18_ESU_DATA_CALLS (OTD) (FBI);	

DO) (FBI) Subject: RE: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED
Classification: UNCLASSIFIED
TRANSITORY RECORD
is it at all possible to pick a different date for the aviation briefing? OGC is not available. Thanks,
From: DO)(FBI) Sent: Tuesday, June 16, 2015 2:50 PM To: RICHARDSON. STEPHEN (OTD) (FBI): YACONE. JAMES F (IR) (FBI); BURRELL, JAMES (OTD)(FBI); OGC)(FBI); SABOL, SHERRY E. (OGC) (FBI) CC: OTD) (FBI) (OTD) (FBI): HO DIV18_ESU_DATA CALLS (OTD) (FBI); DO)(FBI); DO)(FBI); DO)(FBI); DO)(FBI); DO)(FBI) Subject: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED Importance: High
TRANSITORY RECORD
All
House Judiciary Committee staff have now asked for the same FBI Aviation briefing that many of you will be providing to Senate Judiciary Committee tomorrow, the 17 th .
House staff are interested in receiving the briefing on Friday June 26 th , preferably at 10:00am.
Please indicate soonest if you are available to brief on this date at that time. If not, we will ask committee to choose another date/time.
Thank you FBI Congressional

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Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

Classification: UNCLASSIFIED



Operational Technology Division/Technical Surveillance Section/Tracking Technology Unit (TTU)

Responses to June 5, 2015 letter from Representatives Loretta Sanchez, Justin Amish, Derek Kilmer, David Schweikert, Michael Capuano, Jason Smith, Beto O'Rourke, Jeff Duncan, Earl Blumenauer, Tim Huelskamp, Madeline Bordallo, Walter Jones, Jr., Raul Labrador, and Louie Gohmert.

		TTU responses:			
1.					
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LAW ENFORCEMENT SENSITIVE : The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.



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Congress of the United States Washington, DC 20515

June 5, 2015

Director James B. Comey Director of the Federal Bureau of Investigation Federal Bureau of Investigation Headquarters 935 Pennsylvania Avenue, NW Washington, DC 20535

Dear Director Comey,

On June 2, 2015, the Associated Press (AP) reported (article attached) that the FBI has been operating a "small air force...carrying video and, at times, cellphone surveillance technology—all hidden behind fictitious companies that are fronts for the government." In fact, the report states that in a span of 30 days, the FBI flew throughout 11 states, many in heavily populated urban areas, such as Southern California, the Midwest, and the Northeast.

We realize that the FBI routinely assists local law enforcement authorities in surveillance for ongoing investigations and at the request of the local law enforcement agency. However, it appears that many of the aerial surveillance operations go beyond local law enforcement and in fact, use cellphone data capture devices to monitor potential suspects. The article states that the electronic signals collection technology, used by the FBI, would set up "cell-site simulators." As such, during the course of an investigation, the technology could be used to capture cellphone information of individuals not suspected of a crime. Therefore, we request the following information:

- To the extent possible, we request you provide the number of incidences that this technology has been used during aerial surveillance operations.
- To the extent possible, we request the number of incidences this technology was authorized by a search warrant.
- To the extent possible, we request the legal approval process in which instances a search warrant didn't authorize the use of cell-site simulators.

- To the extent possible, we request you provide the number of incidences in which individuals not suspected of a crime had their cellphone data captured during aerial surveillance operations.
- To the extent possible, we request the role the FBI's Office of Integrity and Compliance has in creating the policy on the usage of such technology.

We understand the important role the FBI has in protecting our country, and the sensitive nature your work entails. However, as Members of Congress, it is our duty to address any concerns that have been raised by the public regarding this program. In doing so, we would like to continue this dialogue with your office and ask you promptly respond to our requests.

Sincerely,

Loretta Sanches

Member of Congress

 $\mathcal{M}(X)$

Derek Kilmer

Member of Congress

Michael Capuano

Member of Congress

Beto O'Rourke

Member of Congress

Earl Blumenauer

Member of Congress

Justin Amash
Member of Congress

David Schweikert

Member of Congress

Jason Smith

Member of Congress

Member of Congress

Tim Huelskamp

Member of Congress

Maddein ? Bordalla

Member of Congress

Raúl Labrador Member of Congress

Member of Congress

Louie Gohmert Member of Congress



FBI behind mysterious surveillance aircraft over US cities

By JACK GILLUM, EILEEN SULLIVAN and ERIC TUCKER

WASHINGTON (AP) — Scores of low-flying planes circling American cities are part of a civilian air force operated by the FBI and obscured behind fictitious companies, The Associated Press has learned.

The AP traced at least 50 aircraft back to the FBI, and identified more than 100 flights in 11 states over a 30-day period since late April, orbiting both major cities and rural areas. At least 115 planes, including 90 Cessna aircraft, were mentioned in a federal budget document from 2009.

For decades, the planes have provided support to FBI surveillance operations on the ground. But now the aircraft are equipped with high-tech cameras, and in rare circumstances, technology capable of tracking thousands of cellphones, raising questions about how these surveillance flights affect Americans' privacy.

"It's important that federal law enforcement personnel have the tools they need to find and catch criminals," said Charles Grassley, chairman of the Senate Judiciary Committee. "But whenever an operation may also monitor the activities of Americans who are not the intended target, we must make darn sure that safeguards are in place to protect the civil liberties of innocent Americans."

The FBI says the planes are not equipped or used for bulk collection activities or mass surveillance. The surveillance equipment is used for ongoing investigations, the FBI says, generally without a judge's approval.

The FBI confirmed for the first time the wide-scale use of the aircraft, which the AP traced to at least 13 fake companies, such as FVX Research, KQM Aviation, NBR Aviation and PXW Services.

"The FBI's aviation program is not secret," spokesman Christopher Allen said in a statement. "Specific aircraft and their capabilities are protected for operational security purposes."

The front companies are used to protect the safety of the pilots, the agency said. That setup also shields the identity of the aircraft so that suspects on the ground don't know they're being followed.

The FBI is not the only federal law enforcement agency to take such measures.

The Drug Enforcement Administration has its own planes, also registered to fake companies, according to a 2011 Justice Department inspector general report. At the time, the DEA had 92 aircraft in its fleet. And since 2007, the U.S. Marshals Service has operated an aerial surveillance program with its own fleet equipped with technology that can capture data from thousands of cellphones, the Wall Street Journal reported last year.

In the FBI's case, one of its fake companies shares a post office box with the Justice Department, creating a link between the companies and the FBI through publicly available Federal Aviation Administration records.

Basic aspects of the FBI's program are withheld from the public in censored versions of official reports from the Justice Department's inspector general, and the FBI also has been careful not to reveal its surveillance flights in court documents. The agency will not say how many planes are currently in its fleet.

The planes are equipped with technology that can capture video of unrelated criminal activity on the ground that could be handed over to prosecutions. One of the planes, photographed in flight last week by the AP in northern Virginia, bristled with unusual antennas under its fuselage and a camera on its left side.

Some of the aircraft can also be equipped with technology that can identify thousands of people below through the cellphones they carry, even if they're not making a call or in public. Officials said that practice, which mimics cell towers and gets phones to reveal basic subscriber information, is used in only limited situations.

"These are not your grandparents' surveillance aircraft," said Jay Stanley, a senior policy analyst with the American Civil Liberties Union. Stanley said the flights are significant "if the federal government is maintaining a fleet of aircraft whose purpose is to circle over American cities, especially with the technology we know can be attached to those aircraft."

The Justice Department recently published a privacy policy for its agencies' use of drones and unmanned aircraft systems. But that policy does not apply to piloted aircraft. An FBI spokesman said the FBI's flights comply with agency rules.

Those rules, which are heavily redacted in publicly available documents, limit the types of equipment the agency can use, as well as the justifications and duration of the surveillance.

Evolving technology can record higher-quality video from long distances, even at night, and can capture certain identifying information from cellphones using a device known as a "cell-site simulator" — or Stingray, to use one of the product's brand names. These can trick pinpointed cellphones into revealing identification numbers of subscribers, including those not suspected of a crime.

The FBI has recently begun obtaining court orders to use this technology. Previously, the Obama administration had been directing local authorities through secret agreements not to reveal their own use of the devices, even encouraging prosecutors to drop cases rather than disclose the technology's use in open court.

Officials say cellphone surveillance from FBI aircraft was rarely used.

Details confirmed by the FBI about its air force track closely with published reports since at least 2003 that a government surveillance program might be behind suspicious-looking planes slowly circling neighborhoods.

One such plane was spotted during the recent disturbance in Baltimore that followed the death of 25-year-old Freddie Gray, who sustained grievous injuries while in police custody. In that instance, the FBI was helping local police with aerial support, which it occasionally does when asked. Those types of requests are reviewed by senior FBI officials.

During the past few weeks, the AP tracked planes from the FBI's fleet on more than 100 flights over at least 11 states plus the District of Columbia, most with Cessna 182T Skylane aircraft. These included parts of Boston, Chicago, Dallas, Houston, Minneapolis, Phoenix, Seattle and Southern California.

Some flights orbited large, enclosed buildings for extended periods where aerial photography would be less effective than electronic signals collection. Those included above Ronald Reagan Washington National Airport and the Mall of America in Bloomington, Minnesota.

David Gomez, a former FBI agent who oversaw parts of the aviation surveillance program over the course of his career, said the FBI surveillance aircraft are used to assist surveillance on the ground. For example, if a plane is following a suspect in a vehicle, an FBI ground surveillance team can lag behind so as not to blow their cover, Gomez said.

After The Washington Post revealed flights by two planes circling over Baltimore in early May, the AP began analyzing detailed flight data and aircraft-ownership registrations that shared similar addresses and flight patterns. That review found that some FBI missions circled above at least 40,000 residents during a single flight over Anaheim, California, in late May, according to Census data and records provided by the website FlightRadar24.com.

Most flight patterns occurred in counter-clockwise orbits up to several miles wide and roughly one mile above the ground at slow speeds. A 2003 newsletter from the company FLIR Systems Inc., which makes camera technology such as seen on the planes, described flying slowly in left-handed patterns.

Gomez said the aircraft circle to the left because the pilot sits on the left side. He said different flight formations are used depending on circumstances on the ground, such as whether a suspect is on the move.

The FBI asked the AP not to disclose the names of the fake companies it uncovered, saying that would saddle taxpayers with the expense of creating new cover companies to shield the government's involvement, and could endanger the planes and integrity of the surveillance missions. The AP declined the FBI's request because the companies' names — as well as common addresses linked to the Justice Department — are listed on public documents and in government databases.

Recently, independent journalists and websites have cited companies traced to post office boxes in Virginia, including one shared with the Justice Department.

Included on most aircraft registrations is a mysterious name, Robert Lindley. He is listed as chief executive and has at least three distinct signatures among the companies. Two documents include a signature for Robert Taylor, which is strikingly similar to one of Lindley's three handwriting patterns.

The FBI would not say whether Lindley is a U.S. government employee. The AP unsuccessfully tried to reach Lindley at phone numbers registered to people of the same name in the Washington area.

Law enforcement officials said Justice Department lawyers approved the decision to create fictitious companies and that the Federal Aviation Administration was aware of the practice. The

FBI has been doing this since at least the late 1980s, according to a 1990 report by the then-General Accounting Office.

Associated Press writers Sean Murphy in Oklahoma City; Joan Lowy and Ted Bridis in Washington; Randall Chase in Wilmington, Delaware; and news researchers Monika Mathur in Washington and Rhonda Shafner in New York contributed to this report.

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From:	HQ_DIV18_ESU_DATA_CALLS <th></th>	
Sent: To: Cc:	DATA_CALLS9EFCCD89410548068AD5928A5687B6D49F9003>Wednesday_July 15_2015 10:07:02 AM	b6 b7C b7E
Subject: Attachments:	OGC)(FBI) OTD response - Action item from June 17, 2015 Aviation briefing to the Staff of the Senate Judiciary Committee UNCLASSIFIED///NOFORN//LES OTD_TTU_AAR_Senate_StafferMeeting_06_17_2015.docx; Aviation briefing June 17_2015 - ESU Tasking 476.docx	
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	ne question posed by one of the staffers during the Aviation Briefing held on June of the Senate Judiciary Committee.	
Background: SSA A the Senate Judiciary	fter Action Report from the Aviation Briefing held on June 17, 2015 to the Staff of Committee	b6 b7С
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Operational Technology Division (OTD)

Technical Surveillance Section (TSS)

Action Item from Aviation Briefing June 17, 2015

Senator Grassley's staffer requested additional details on the procedures for altering a cell-site simulator to allow it to intercept and record any electronic communication. Since the depth and breadth of information for such a reply was not readily available, FBI personnel advised that they would communicate a response directly to the staffer, who was the only individual in the meeting that expressed a desire to review such data

OTD response:

Author: UCDate: 7/14/15

Approver: DAD James Burrell

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b6 b7C

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Operational Technology Division/Technical Surveillance Section/Tracking Technology Unit (TTU)	
Drafted by SSA PM for 06/17/2015	
OTD/TSS/TTU After Action Report (AAR) for Meeting with Senatorial Staff on Responses to June 3, 2015 Letter from Sen. Al Franken	b6 b7С
FBI Personnel: AD Stephen Richardson, AD James Yacone, Staff Attorney (SME for Cell Site Simulators [CSSs]), OCA: SSA	b7E
Unclassified Meeting:	

FBI met with approximately 25 Senate staffer to discuss responses to Senator Franken letter, dated June 3, 2015. At the meeting, AD Yacone addressed responses to the letter dealing with the aviation program and technology aboard FBI's planes. AD Richardson addressed issues regarding CSS devices, in particular airborne capabilities, deployments, and mission statistics. The Senate staffers were advised that there were a total of five CSS airborne missions.

The majority of questions were directed at AD Yacone regarding airborne missions and concerns regarding aerial surveillance directed at groups or individuals exercising 1st Amendment Rights. The staffers were informed that both FBI and USDOJ policy strictly prohibit investigative conduct and intelligence collection directed at individuals or groups who are exercising their 1st Amendment Rights. The staffers were also advised that FBI's practices were in line with its policy. In addition, AD Yacone directly refuted allegations from recent articles on the usage of aviation assets to conduct the bulk collection of information on innocent citizens

Additional questions were focused on the recent flight mission in Baltimore, MD that occurred during the protests regarding the death of Freddie Gray. Staffers were informed that the request for FBI aviation assets came from the City of Baltimore. They were also advised that the FBI's aviation asset was directed over areas of apparent criminal activity, such as arson sites, and not at areas where protestors were gathering peacefully.

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After approximately 15 minutes, all questions regarding the FBI's aviation program and the CSS devices appeared to be satisfactorily answered with exception of one question from a member of Senator Grassley's staff.	
Close/Classified Session:	
	b6 b7C b7E

Action Items:

TTU will begin collecting responsive information for Senator Grassley's staffer. The information will likely be designated as "Law Enforcement Sensitive". This information will be sent to OTD's Executive Management on 06/18/2015.

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From:	OTD) (FBI) <th>b6 b70</th>	b6 b70
Sent:	Tuesday, June 16, 2015 2:12:48 PM	2.0
To:	RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI); BROOKS, BRIAN K (OTD) (FBI): HO_DIV18_ESU_DATA_CALLS	
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Classified By: J42J72T84 Derived From: FBH NSIC dated 20130301 Declassify On: 20401231	ъ7С
l approve. Nice work and team.	
From: (OTD) (FBI) Sent: Tuesday, June 09, 2015 7:11 PM To: (IR) (FBI) (OGC)(FBI); (OTD) (FBI) (OTD) (FBI); (OTD) (FBI) Cc: (ER) (FBI) Subject: Airborne Missions for Cell Site Simulators (CSS) SECRET//NOPORN	
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Classified By: C42W42B75 Derived From: FBI NSIC dated 20130301 Declassify On: 20401231	
Here is a synopsis of what I have obtained so far. The caveat is that the airborne missions are not recorded in metrics. I also cannot locate any data in Sentinel and Therefore, the data I have is based upon an urgent email request that was sent out to the field There may be additional missions that can be reported in the future, when all the respond (the email was sent 06/08/2015). Also, some of the missions might go back as far as when had tried to start a nascent aerial capability. At that time, CSS gear was sent to had gear, but they sent it back for lack of interest/usage. The POC for that program, reached out specifically to those offices in addition to the wide email I sent. All offices reported back with the same stats as the ones emailed to me. There may also be airborne missions that involved that are no longer in the tech program or retired, so I cannot say for certain that the mission numbers are 100% accurate. So far,	ь6 ь70 ь71

we have five airborne missions reported.

Since this information is going to AD Yacone soon, I thought you should be kept in the immediate loop, but the attached document has not received approval for release yet from UC and A/SC
<< File: Draft
Supervisory Special Agent Operational Technology Division Tracking Technology Unit
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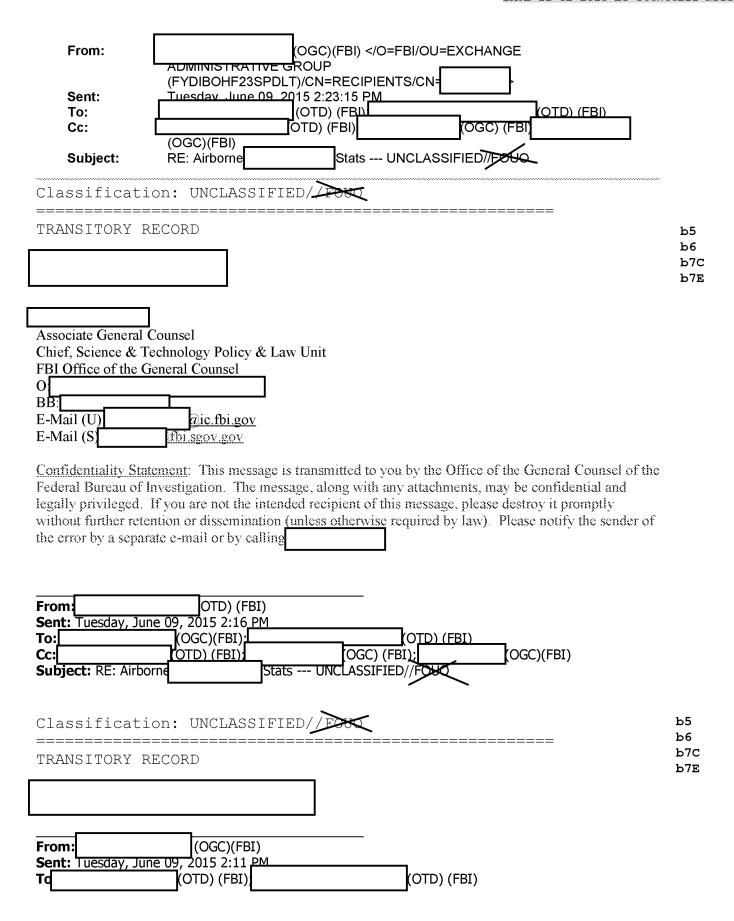
2 quick issues-
Thanks.
Associate General Counsel Chief, Science & Technology Policy & Law Unit FBL Office of the General Counsel BB E-Mail (U): @ic.fbi.gov E-Mail (S) fbi.sgov.gov
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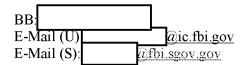
Thanks.
Associate General Counsel Chief, Science & Technology Policy & Law Unit FBI Office of the General Counsel O: on BB: E-Mail (U): @ic.fbi.gov E-Mail (S):
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Associate General Counsel Chief, Science & Technology Policy & Law Unit	
Chief, Science & Technology Policy & Law Unit FBI Office of the General Counsel	



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without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling From: (OTD) (FBI) Sent: Tuesday, June 09, 2015 2:09 PM To: (OGC)(FBI); (OTD) (FBI)	

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2 quick issues-
Thanks.
Associate General Counsel Chief, Science & Technology Policy & Law Unit FBI Office of the General Counsel O: BB: E-Mail (U): @ic.fbi.gov E-Mail (S): Confidentiality Statement: This message is transmitted to you by the Office of the General Counsel of the Federal Bureau of Investigation. The message, along with any attachments, may be confidential and legally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling
Classification: UNCLASSIFIED//FOXO
Classification: UNCLASSIFIED//FOU
Classification: UNCLASSIFIED//FOO
Classification: UNCLASSIFIED//FOXO
Classification: UNCLASSIFIED//F060
Classification: INCLASSIFIED//PAG

b5 b6 b7C b7E

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-02-2015 BY C66W46B11 NSICG

From: Sent: To: Cc: Subject:	ADMINISTRATIVE GROUI Tuesdav. June 09. 2015 2: OTD OTD) (OGC)(FBI) RE: Airborne	54:57 PM OG	b6 b7c 6C)(FBI) b7E
Classificat	ion: UNCLASSIFIED//		
TRANSITORY I	RECORD		===
To: Cc: Subject: RE: Airb	ion: UNCLASSIFIED//	(OTD) (FBI) (OGC) (FBI) NCLASSIFIED//FOUO	GC)(FBI) 55 66 57C 57E

I am still not certain where those stats came from for the DD?

I'm available the 10^{th} and 11^{th} , and morning of the 12^{th} .

Thanks,

	b6 b7С b7Е
From OGC)(FBI) Sent: Tuesday, June 09, 2015 1:56 PM To: OTD) (FBI) Cc: (OTD) (FBI); (OGC) (FBI); OGC)(FBI) Subject: Airborne Stats UNCLASSIFIED//FOUO	
Classification: UNCLASSIFIED//POWO	
TRANSITORY RECORD	
	b5 b6 b7C
2 quick issues-	b7E
Thanks.	
Associate General Counsel Chief, Science & Technology Policy & Law Unit FBI Office of the General Counsel O: pr BB: E-Mail (U): vic.fbi.gov E-Mail (S) vibi.sgov.gov	
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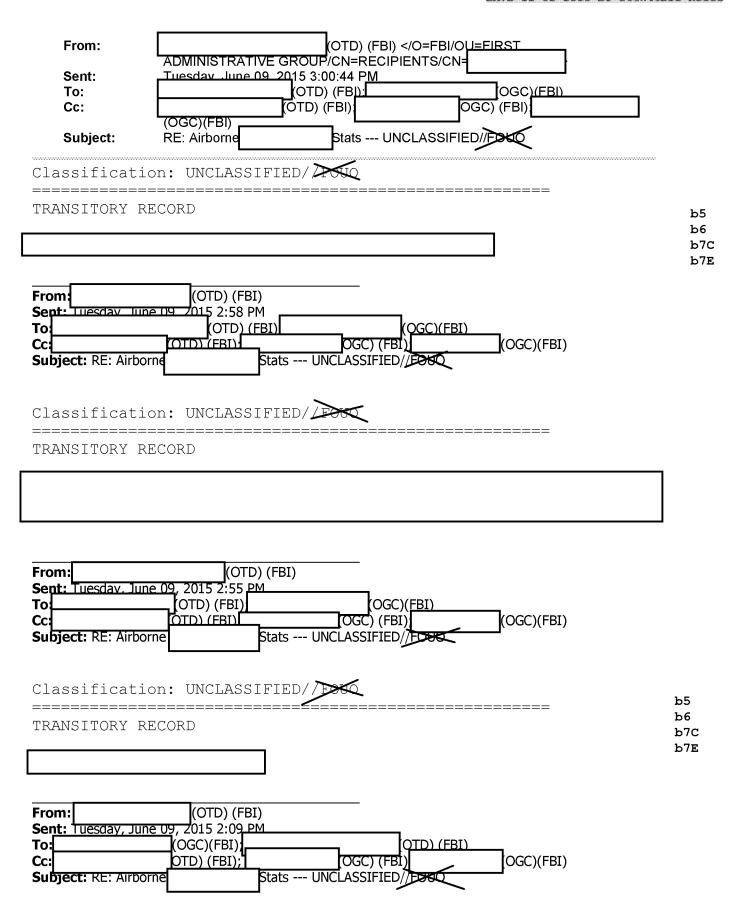
Classification: UNCLASSIFIED//FOR

From: Sent: To:	(OTD) (FBI) <th></th>	
Cc:	(OGC)(FBI) (OGC) (FBI)	
Subject:	RE: Airborne Stats UNCLASSIFIED#F060	
Classificat	ion: UNCLASSIFIED/	
TRANSITORY	RECORD	1. F
		b5 b6
		b7E
To: Cc: Subject: RE: Airb	OTD) (FBI) une 09, 2015 2:55 PM OTD) (FBI): OTD) (FBI): OTD) (FBI): OGC)(FBI) OGC)(FBI) OGC)(FBI) OGC)(FBI) OGC)(FBI)	-
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From: Sent: Tuesday. Ju To Cd Subject: RE: Airbo	(OTD) (FBI) UNE 09, 2015 2:09 PM (OGC)(FBI) (OTD) (FBI) OGC) (FBI) OGC)(FBI) OGC)(FBI)	
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TRANSITORY I	RECORD	b7E

	b5 b6 b70
	ь7:
I am still not certain where those stats came from for the DD?	
I'm available the 10 th and 11 th , and morning of the 12 th .	
Thanks,	
From: OGC)(FBI) Sent: Tuesday, June 09, 2015 1:56 PM To (OTD) (FBI) (OTD) (FBI) Cc (OTD) (FBI) OGC) (FBI); (OGC)(FBI) Subject: Airborne Stats UNCLASSIFIED//FOUO	
Classification: UNCLASSIFIED//POTO	
TRANSITORY RECORD	b5 b6 b7C b7E
2 quick issues-	572
Thanks.	

Associate General Counsel Chief, Science & Technology Policy & Law Unit FBI Office of the General Counsel O:
E-Mail (S
classification: UNCLASSIFIED//F000
Classification: UNCLASSIFIED/7F250
Classification: UNCLASSIFIED//F
Classification: UNCLASSIFIED//E00

b6 b7C b7E



From: [OGC) (FBI) <th>T ADMINISTRATIVE GROUP/CN=RECIPI</th> <th>IENTS/CN=</th>	T ADMINISTRATIVE GROUP/CN=RECIPI	IENTS/CN=
Sent: To:	Tuesday April I	01 2014 2:27:41 PM (OTD) (FBI)	OGC)(FBI)	OGC)(FBI); BEAN, W L
10.	SCOTT III (WF			OGO)(I BI), BEAN, WE
Cc:	,	LOGC) (FBI)		
Subject	:: RE: Airborn€	proof of concept UNCLAS	-	
Class	ification:	UNCLASSIFIED/	HE	L INFORMATION CONTAINED REIN IS UNCLASSIFIED TE 11-02-2015 BY C66W46B11 NSICG
Scott				
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		el and Unit Chief		b7E
	and Technology I			
	f the General Cou	ınsel		
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	ntiality Statemen			
attachm	ents, may be cor	fidential and legally privileged. I	eneral Counsel of the Federal Bureau of Inv If you are not the intended recipient of this vise required by law). Please notify the ser	
From:	uesday, April 01,	(OTD) (FBI)		
To:		OGC)(FBI)	(OGC)(FBI); BEAN, W L SCOTT III ((OTD) (FBI) OTD) (FBI)
Cc) (FBI)		, (, ,
Su bject	: FW: Airborne	proof of concept UNCLAS	SSIFIED//FOSO	
	L			
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ı				
From:		(OTD) (FBI)		
	uesday, April 01,			b5
To:			TD) (FBI)	b 6
Cc:		OTD)(FBI);	(OTD) (FBI)	ъ7С
	: RE: Airborne	proof of concept UNCLAS		b7E
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ш				EFF CELL-1215
luct cha	eking in I am ha	uing a difficult time finding the be	attam of my inhay so I analogize if you have	on answered the holes of the holes of

forward progress?

Sent: Monday, March 17 To: Cc: Subject: Airborne	(OTD) (FBI) OTD) (FBI) proof of concept UNCLASSIFIED//DOCO	b5 b6 b7C
Classification: ========	UNCLASSIFIED//F000 	b7E
To follow-up on our mee	ting from a few weeks ago,	
Thanks, SSA TTA Operations and Development of the company of the	ion	
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======================================	UNCLASSIFIED/7500	
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From:	(OTD) (FBI) 0=FBI/OU=FIRST ADMINISTRATIVE</th	
Sent:	GROUP/CN=RECIPIENTS/CN Thursday, April 24, 2014 1:41:11 PM	
To:	(OGC)(FBI)	
Cc:	(OTD) (FBI) (OTD) (FBI) (OGC) (FBI); BEAN, W L	b 6
	SCOTT III (WF) (FBI)	b70
Subject:	RE: Airborne UNCLASSIFIED//LES	b7E
Classificati	on: UNCLASSIFIED//INS	
of FBI and may be denforcement, public beyond these entiti information is store bearing the LES cav- the originating ager	AEXIT SENSITIVE: The information marked (U/) (In this document is the property listributed within the Federal Government (and its contractors), US intelligence, law c safety or protection officials and individuals with a need to know. Distribution es without FBI authorization is prohibited. Precautions should be taken to ensure this ed and/or destroyed in a manner that precludes unauthorized access. Information eat may not be used in legal proceedings without first receiving authorization from a new face prohibited from subsequently posting the information marked LES unclassified network.	
I understand that ye	ou are working on a legal opinion re this capability. Is that correct?	
То	(OTD) (FBI) wil 24, 2014 1:28 PM (OGC) (FBI) W L SCOTT III (OTD) (FBI) (OTD) (FBI); (OTD) (FBI) orne UNCLASSIFIED (FBI)	
Classificati	on: UNCLASSIFIED//LES	
Federal Government (and i know. Distribution beyond and/or destroyed in a man	ENSITIVE: The information marked (U//LES) in this document is the property of FBI and may be distributed within the tis contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored ner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings portration from the originating agency. Recipients are prohibited from subsequently posting the information marked lassified network.	ь6 ь7с ь7Е
FYI. I expect these	requests to go up as field offices and CID learn of the airborne option.	
From Sent: Thursday. An To: Subject: RE: Airbo	(OTD) (FBI) wil 24, 2014 10:23 AM (OTD) (FBI) rne UNCLASSIFIED	

Classification: UNCLASSIFIED	
Yes, thanks.	
From: Sent: Thursday. April 24, 2014 9:35 AM To (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	b3 b5 b6 b7C b7E
Classification: UNCLASSIFIED	
From: (OTD) (FBI) Sent: Thursday, April 24, 2014 12:22 PM To: OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	
	b3 b5 b6
	b7C b7E
From: (OTD) (FBI) Sent: Thursday, April 24, 2014 8:10 AM To (OTD) (FBI) Subject: FW: Airborn UNCLASSIFIED	
Classification: UNCLASSIFIED	

From: Sent: Thursday, April 24, 2014 11:02 AM To: (OTD) (FBI) Cc: FBI) Subject: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	ъ6 ъ70
	b7E
Let me know what you think, Thanks	
Classification: UNCLASSIFIED	

Classification: UNCLASSIFIED/

Classification: UNCLASSIFIED/

From:	(OGC) (FBI) <th>b5 b6</th>	b5 b6
Sent: To:	<u>Thursday April 24 2014 4:52:31 PM</u> (OTD) (FBI) (OGC)(FBI);	b7C b7E
1	(OGC)(FBI); BEAN, W L SCOTT III (WF) (FBI);	
Cc: Subject:	OTD) (FBI); OTD) (FBI) RE: Airborne UNCLASSIFIED//LES	
Classification	on: UNCLASSIFIED/ZES	
of FBI and may be d enforcement, public beyond these entiti- information is store bearing the LES cave the originating ager	IENT SENSOIVE: The information marked (UALC) in this document is the property listributed within the Federal Government (and its contractors), US intelligence, law c safety or protection officials and individuals with a need to know. Distribution es without FBI authorization is prohibited. Precautions should be taken to ensure this d and/or destroyed in a manner that precludes unauthorized access. Information eat may not be used in legal proceedings without first receiving authorization from acceptance are prohibited from subsequently posting the information marked LES unclassified network.	
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Federal Government (and it know. Distribution beyond t and/or destroyed in a mans	NSITIVE: The information marked (UVES) in this document is the property of FBI and may be distributed within the is contractors). US intelligence, low enforcement, public safety or protection officials and individuals with a need to these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored ner that precludes unauthorized access. Information bearing the UES caveat may not be used in legal proceedings orizotion from the originating agency. Recipients are prohibited from subsequently posting the information marked assifted network.	b6 b7C b7E
FYI. I expect these i	requests to go up as field offices and CID learn of the airborne option.	
From Sent: Thursday, Ap To: Subject: RE: Airbor	OTD) (FBI) ril 24, 2014 10:23 AM OTD) (FBI) rne UNCLASSIFIED	

From: Sent: To: Cc:	OGC)(FBI) <th>b6 b7С b7Е</th>	b6 b7С b7Е
Subject:	RE: Airborne UNCLASSIFIED#LES	
Classificati	ion: UNCLASSIFIED//LES	
of FBI and may be enforcement, publi beyond these entition information is stor bearing the LES cat the originating age	distributed within the Federal Government (and its contractors), US intelligence, law lic safety or protection officials and individuals with a need to know. Distribution ties without FBI authorization is prohibited. Precautions should be taken to ensure this ed and/or destroyed in a manner that precludes unauthorized access. Information yeat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES unclassified network.	
Unit Chief Science & Technol FBL Office of the C O: BB E-Mail (U) E-Mail (S)	logy Policy & Law Unit General Counsel	b5 b6 b7C b7E
Federal Bureau of legally privileged. without further rete	itement: This message is transmitted to you by the Office of the General Counsel of the Investigation. The message, along with any attachments, may be confidential and If you are not the intended recipient of this message, please destroy it promptly ention or dissemination (unless otherwise required by law). Please notify the sender of rate e-mail or by calling	
From Sent: Thursday A	(OTD) (FBI) pril 24, 2014 1:41 PM (OGC)(FBI)	

Cc: (OTD) (FBI) (OTD) (FBI); OGC) (FBI); OGC) (FBI); Subject: RE: Airborne UNCLASSIFIED/	
Classification: UNCLASSIFIED/ZES	
(U) LAW ENFORCEMENT SENSITIVE: The information marked (U) (ES) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.	b6 b7С b7Е
I understand that you are working on a legal opinion re this capability. Is that correct?	
From: (OTD) (FBI) Sept: Thursday April 24, 2014 1:28 PM To (OGC) (FBI); OGC) (FBI) (OGC)(FBI): BEAN, W L SCOTT III (OTD) (FBI); (OTD) (FBI) Cc (OTD) (FBI) (OTD) (FBI) Subject: FW: Airborne UNCLASSIFIED/DES	
Classification: UNCLASSIFIED/	
(U) LAW ENFORCEMENT SECULIVE: The information marked (U//LES) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.	
FYI. I expect these requests to go up as field offices and CID learn of the airborne option.	
From OTD) (FBI) Sent: Thursday, April 24, 2014 10:23 AM To: (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	b6 b7C b7E
Classification: UNCLASSIFIED	

Yes, thanks.

From (OTD) (FBI) Sent: Thursday. April 24, 2014 9:35 AM To: (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	b3 b5 b6 b7 b7
Classification: UNCLASSIFIED	7
From: (OTD) (FBI)	J
Sent: Thursday April 24, 2014 12:22 PM To: Subject: RE: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	
From: (OTD) (FBI)	b3 b5 b6
Sept: Thursday April 24 2014 8:10 AM To (OTD) (FBI) Subject: FW: Airborne UNCLASSIFIED	b70 b7E
Classification: UNCLASSIFIED	

From Sent: Thursday, April 24 To Cc Subject: Airborne	(FBI) , 2014 11:02 AM (OTD) (FBI) (FBI) UNCLASSIFIED		b6 b7C b7E
Classification:	UNCLASSIFIED	========	
Let me know what you th Thanks	nink,		
	UNCLASSIFIED	========	
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From: Sent: To:	(OGC) (FBI) 0=ERI/OLI=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN= Thursday April 24 2014 6:15:45 PM (OGC)(FBI) (OGC)(FBI) (OTD) (FBI)</th <th>b6 b7С b7Е</th>	b6 b7С b7Е
Cc:	(OGC)(FBI); BEAN, W L SCOTT III (WF) (FBI)	
Subject:	RE: Airborne UNCLASSIFIED/	
Classificati	on: UNCLASSIFIED//RES	
of FBI and may be of enforcement, publi- beyond these entit information is store bearing the LES cay the originating age	distributed within the Federal Government (and its contractors), US intelligence, law ic safety or protection officials and individuals with a need to know. Distribution lies without FBI authorization is prohibited. Precautions should be taken to ensure this ed and/or destroyed in a manner that precludes unauthorized access. Information yeat may not be used in legal proceedings without first receiving authorization from ncy. Recipients are prohibited from subsequently posting the information marked LES unclassified network.	
From Sent: Thursday, A To: OT Cc: Subject: RE: Airbo	(OGC)(FBI) pril 24, 2014 2:34 PM D) (FBI) (OTD) (FBI) (OGC)(FBI); BEAN, W L SCOTT III (OTD) (FBI) orne UNCLASSIFIED/DES	b5 b6 b7C b7E
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of FBI and may be of enforcement, publi- beyond these entit information is store bearing the LES cay the originating age	distributed within the Federal Government (and its contractors), US intelligence, law ic safety or protection officials and individuals with a need to know. Distribution lies without FBI authorization is prohibited. Precautions should be taken to ensure this ed and/or destroyed in a manner that precludes unauthorized access. Information reat may not be used in legal proceedings without first receiving authorization from ncy. Recipients are prohibited from subsequently posting the information marked LES unclassified network.	

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General Counsel General Counsel of the General Counsel General Counsel of the General Counsel of the General Counsel of the General Bureau of Investigation. The message, along with any attachments, may be confidential and egally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination funless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling GOTD) (FBI) GOTD) (FBI) GOTD) (FBI) GOTD) (FBI) GOC)(FBI); BEAN, W.L. SCOTT III (OTD) (FBI) GOC) (FBI); BEAN,	
Confidentiality Statement: This message is transmitted to you by the Office of the General Counsel of the rederal Bureau of Investigation. The message, along with any attachments, may be confidential and egally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling From (OTD) (FBI) Sent: Thursday, April 24, 2014 1:41 PM OCC)(FBI); BEAN, W. L. SCOTT III (OTD) (FBI) Classification: UNCLASSIFIED (DESC) Classification: UNCLASSIFIED (DESC) OFFICIENT SENSITION: The information marked (U/DESC) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law inforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information beginning agency. Recipients are prohibited from subsequently posting the information marked LES	Science & Technology Policy & Law Unit FBI Office of the General Counsel BB
control (FBI) (OTD) (FBI) (OTD) (FBI) (OGC) (FBI); (OGC)	Confidentiality Statement: This message is transmitted to you by the Office of the General Counsel of the dederal Bureau of Investigation. The message, along with any attachments, may be confidential and egally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of
U) LAW ENFORCEMENT SENSITIVE. The information marked (U/DSX) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES	Sent: Thursday, April 24, 2014 1:41 PM Fo: OGC)(FBI) Cc: KOTD) (FBI); LOGC)(FBI); BEAN, W L SCOTT III (OTD) (FBI)
of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law inforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES.	Classification: UNCLASSIFIED//LES
	(U) LAW ENFORCEMENT SENSITIVE. The information marked (U/DSS) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.
I understand that you are working on a legal opinion re this capability. Is that correct?	I understand that you are working on a legal opinion re this capability. Is that correct?

To OGC) (FBI) OGC)(FBI) (OGC)(FBI) (OGC)(FBI): BEAN, W L SCOTT III (OTD) (FBI): OTD) (FBI) (OTD) (FBI)	b6 b7C b7E
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(U) LAWERTONCEMENT SENSITIVE: The information marked (U) Test in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.	
FYI. I expect these requests to go up as field offices and CID learn of the airborne option.	
From: (OTD) (FBI) Sent: Thursday, April 24, 2014 10:23 AM To (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	
Yes, thanks.	
From: OTD) (FBI) Sept: Thursday April 24 2014 9:35 AM To (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	b3 b5
	b6 b7C b7E
From: (OTD) (FRI)	

Sent: Thursday, April 24, 2014 12:22 PM To COTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	b3 b5 b6
Classification: UNCLASSIFIED	b7С b7Е
From: (OTD) (FBI) Sent: Thursday, April 24, 2014 8:10 AM To: (OTD) (FBI) Subject: FW: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	
From: (FBI) Sent: Thursday, April 24, 2014 11:02 AM To: HASTIF, MICHAEL A. (OTD) (FBI) Cc: (FBI) Subject: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	
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Let me know what you the Thanks	nink,	
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From:	: OTD) (FBI)	
Sent: To:	Friday April 25 2014 4:47:44 PM (OGC)(FBI)	b7E
Cc:	(OTD) (FBI)	
Subject:	(OGC)(FBI); P= AND YV L SCOTT III (WF) (FBI) RE: Airborne - UNCLASSIFIED//LES	
Classificat	ion: UNCLASSIFIED //BES	
of FBI and may be enforcement, put beyond these ent information is sto bearing the LES counties the originating agon a website or at From the message the topics that	e distributed within the Federal Government (and its contractors), US intelligence, law olic safety or protection officials and individuals with a need to know. Distribution ities without FBI authorization is prohibited. Precautions should be taken to ensure this red and/or destroyed in a manner that precludes unauthorized access. Information aveat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES in unclassified network. The believe I can dispel most mis-conceptions and about the way it believe may be driving some of questions.	
	ext week, although can meet afterwards.	
To: Cc:	(OGC) (FBI) April 24, 2014 6:16 PM (OGC)(FBI) (OTD) (FBI) (OTD) (FBI) (OTD) (FBI) OFFI OFF	b6 b7C b7E
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the originating agency. Recipients are prohibited from subsequently posting the information marked LES

on a website or an unclassified network.

From: OTD) (FBI)				
Classification: UNCLASSIFIED// Lin this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network. That would be great Let's schedule something upon your return.				
To Cc: (OTD) (FBI) Subject: RE: Airb	(OTD) (FBI) (OGC) (FBI) (OGC) (FBI) (OGC) (FBI); (OGC)			
of FBI and may be enforcement, pub beyond these enti information is stor bearing the LES ca the originating age	distributed within the Federal Government (and its contractors), US intelligence, law lic safety or protection officials and individuals with a need to know. Distribution ties without FBI authorization is prohibited. Precautions should be taken to ensure this red and/or destroyed in a manner that precludes unauthorized access. Information weat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES a unclassified network.	b5 b6 b7C b7E		

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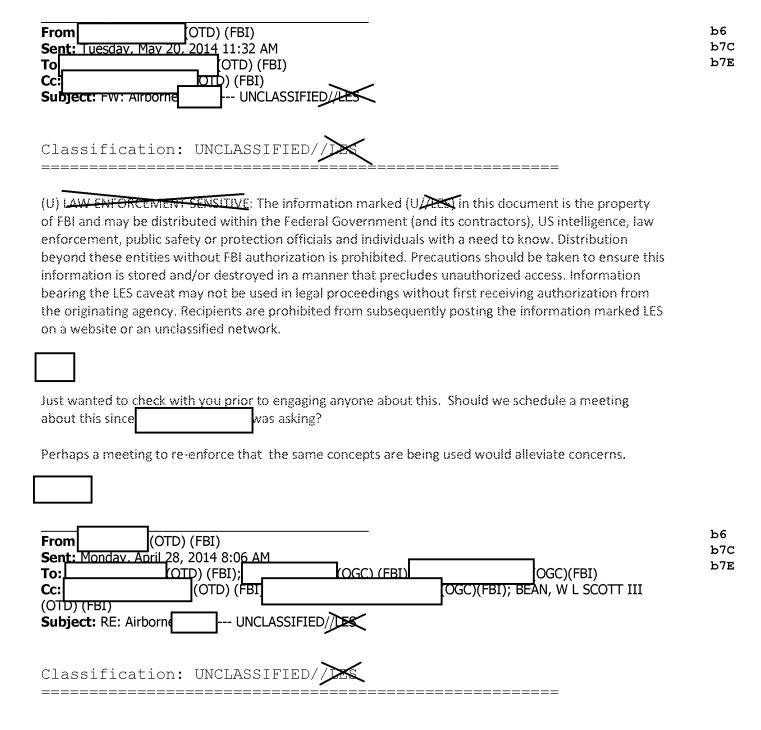
From: Sent: To: Cc: Subject:	(OTD) (FBI) <th>b6 b70 b71</th>	b6 b70 b71
Classificat		
of FBI and may be enforcement, pub beyond these enti information is stor bearing the LES ca the originating age	MENT SENSITIVE: The information marked (U/AES) in this document is the property distributed within the Federal Government (and its contractors), US intelligence, law olic safety or protection officials and individuals with a need to know. Distribution ities without FBI authorization is prohibited. Precautions should be taken to ensure this red and/or destroyed in a manner that precludes unauthorized access. Information eveat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES in unclassified network.	
•	like to get on calendar an internal OTD meeting about Airborne I would just like meeting to communicate the scope of this effort, which may help drive our other	
Perhaps a quick ½	hour discussion would suffice.	
	f next week and week after (except 06/24). If you let us know a date/time that would but the invite to get it on calendar.	
		b6 b70
From: Sent: Tuesday, M To: Cc: Subject: RE: Airb	(OTD) (FBI) av 20, 2014 12:39 PM IOTD) (FBI) (OTD) (FBI) orne UNCLASSIFIED	
Classificat	ion: UNCLASSIFIED//INC	
property of FBI a	TEMENT SENSITIVE: The information marked (U/DES) in this document is the and may be distributed within the Federal Government (and its contractors), US enforcement, public safety or protection officials and individuals with a need	

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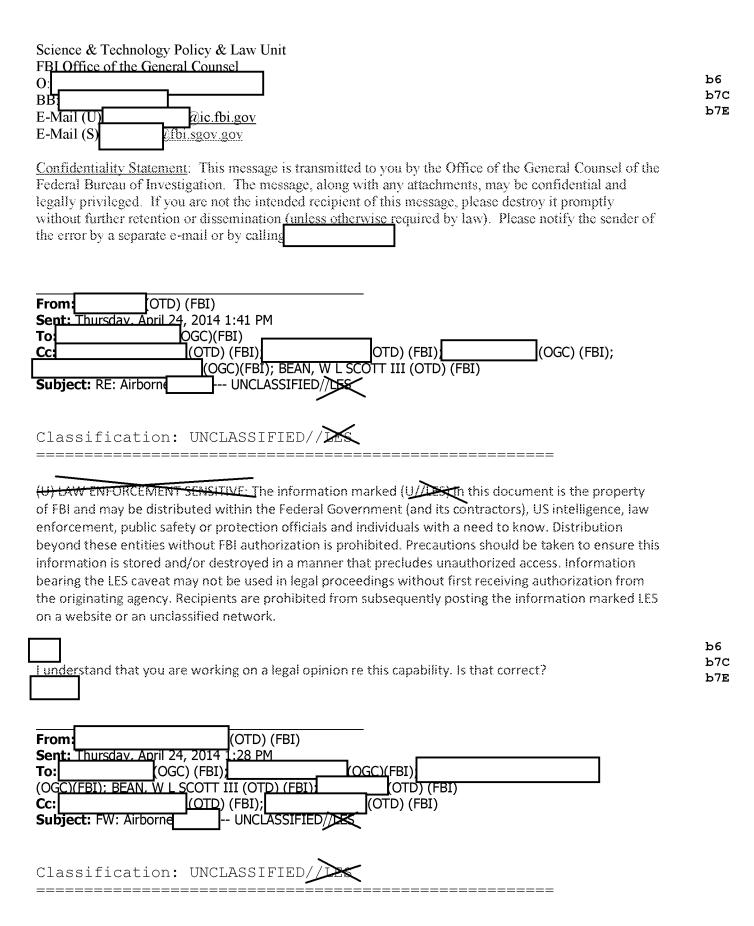
Yes. Please include me.



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That would be great Let's schedule something upon your return.	b6 b7C b7E
From: (OTD) (FBI) Sent: Friday, April 25, 2014 4:48 PM To: (OGC) (FBI) OGC)(FBI) Cc: (OTD) (FBI) (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED//DES	
Classification: UNCLASSIFIED//I	
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	b6 b7C b7E
P.S. I'm on TDY next week, although can meet afterwards.	
From: OGC) (FBI) Sent: Thursdav. April 24, 2014 6:16 PM To: OGC)(FBI) OTD) (FBI) Cc: OTD) (FBI) (OTD) (FBI) (OGC)(FBI); BEAN, W SCOTT III (OTD) (FBI) Subject: RE: Airborne - UNCLASSIFIED/DES	

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This is one of the tech capabilities on the list that I was seeking time from OTD for presentations to specific OGC disciplines.	b6 b7C b7E
From: OGC)(FBI) Sent: Thursday, April 24, 2014 2:34 PM To: OTD) (FBI) Cc: (OTD) (FBI) (OGC)(FBI); BEAN, W L SCOTT III (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED//LES	
Classification: UNCLASSIFIED/	
(U) LAW ENFORCEMENT SENSITIVE: The information marked (U//ÆÆ) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.	
	b5 b6 b7C
	b7E
Unit Chief	



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FYI. I expect these requests to go up as field offices and CID learn of the airborne option.

From: Sent: Thursday, April 24, 2014 10:23 AM To: Subject: RE: Airborne UNCLASSIFIED	b6 b7C b7E
Classification: UNCLASSIFIED	
Yes, thanks.	
From: Sent: Thursday, April 24, 2014 9:35 AM To (OTD) (FBI) (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	
	b3 b5 b6 b7C b7E
From: (OTD) (FBI) Sent: Thursday April 24, 2014 12:22 PM To: (OTD) (FBI) Subject: RE: Airborne UNCLASSIFIED	
Classification: UNCLASSIFIED	

	b3 b5 b6 b7
From: (OTD) (FBI) Sept: Thursday, April 24, 2014 8:10 AM To: OTD) (FBI) Subject: FW: Airborn UNCLASSIFIED	b7
Classification: UNCLASSIFIED ===================================	
Sept: Thursday. April 24, 2014 11:02 AM To OTD) (FBI) Cc FBI) Subject: Airborne UNCLASSIFIED Classification: UNCLASSIFIED	
	ь6 b7с b7E
]
Let me know what you think, Thanks	

 ${\tt Classification:\ UNCLASSIFIED}$

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From:	(OPA) (FBI)		
Sent: To:	Wednesday, March 11, 2015 10:32:03 AM OGC)(FBI)		
Cc: Subject:	RE: CSS - talking points for public discussions UNCLASSIFIED		
	ion: UNCLASSIFIED/DEK IENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS DOCUMENT	b5 b6	
of FBI and may be enforcement, pub beyond these enti- information is stor bearing the LES cathe originating age	distributed within the Federal Government (and its contractors), US intelligence, law lic safety or protection officials and individuals with a need to know. Distribution ties without FBI authorization is prohibited. Precautions should be taken to ensure this red and/or destroyed in a manner that precludes unauthorized access. Information yeat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES unclassified network.	ъ7С	
To: BURRELL, JAMES (Cc:	(OTD) (FBI) arch 10, 2015 5:16 PM (OGC)(FBI); (OTD)(FBI) (OTD) (FBI); OTD)(FBI); (OTD) (FBI); (OTD) (FBI); OPA) (FBI); (OTD) (FBI); (OTD) (FBI); OTD) (FBI); (OTD) (FBI); (OTD) (FBI); OTD) (FBI); SABOL, SHERRY E. (OGC) (FBI) - talking points for public discussions UNCLASSIFIED//LES	ье ь7	
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of FBI and may be enforcement, pub beyond these enti information is stor bearing the LES ca	MENT SENSITIVE: The information marked (U) and its contractors), US intelligence, law distributed within the Federal Government (and its contractors), US intelligence, law lic safety or protection officials and individuals with a need to know. Distribution ties without FBI authorization is prohibited. Precautions should be taken to ensure this red and/or destroyed in a manner that precludes unauthorized access. Information weat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES		

on a website or an unclassified network.

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From OGC)(FBI) Sent: Monday, March 09, 2015 1:01 PM To (OTD) (FBI) (OTD)(FBI); OTD)(FBI); BURRELL JAMES (OTD)(FBI) (OTD) (FBI); (DO) (FBI); Cc: (OPA) (EBI): (OTD) (FBI) (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (O	b b b
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I've made suggested edits and comments to one of the versions here, which can be incorporated into other versions to ensure consistency if accepted. I'm available to discuss if you have any questions.	b5
	b6 b7
Associate General Counsel Chief, Science & Technology Policy & Law Unit	

FBL Office of the General Counsel O	
BB	
E-Mail (U) <u>@ic.fbi.gov</u> E-Mail (S) <u>fbi.sgov.gov</u>	
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From (OTD) (FBI) Sent: Saturdav. March 07, 2015 6:00 PM To: OTD)(FBI); (OTD) (FBI); BURRELL, JAMES (OTD)(FBI);	
OIDI (FRI)	
CC: (CID)(FBI) (OGC)(FBI) (OGC) (FBI); (DO) (FBI); (OPA) (FBI) (OTD) (FBI);	
(OTD) (FBI): OTD) (FBI) (OTD)(FBI); (OTD)(OGA)	
Subject: RE: CSS - talking points for public discussions UNCLASSIFIED//LDS	
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From: OTD)(FBI) Sent: Friday, March 06, 2015 3:13 PM	
Tol	

Cc: OTD) (FI Subject: RE: CSS - talking po	BI) Dints for public discussions UNCLASSIFIED//	b6 b7C
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of FBI and may be distributed enforcement, public safety or beyond these entities without information is stored and/or of bearing the LES caveat may no	SITIVE: The information marked (U/ACS) in this I within the Federal Government (and its contrar protection officials and individuals with a nees to FBI authorization is prohibited. Precautions slick destroyed in a manner that precludes unauthout of the used in legal proceedings without first resents are prohibited from subsequently postinged network.	actors), US intelligence, law d to know. Distribution hould be taken to ensure this rized access. Information ceiving authorization from
		b5 b6 b7C b7E
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Cc:	(FBI) DO) (FBI); PA) (FBI); OGC)(FBI) (OTD) (CON): OTD)(FBI) OGC) (FBI) DTD) (FBI);	(OGC)(FBI);
From: Sent: Tuesday March 03, 20: To: (OTD) (OPCC:	OTD) (FBI) 15 5:12 PM (FBI) PA) (FBI); OGC)(FBI) OGC) (FBI) OTD) (CON): OTD) (FBI); OTD) (FBI); OTD) (FBI);	b6 b7с b7E

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Subject: RE: CSS - talking points for public discussions --- UNCLASSIFIED//

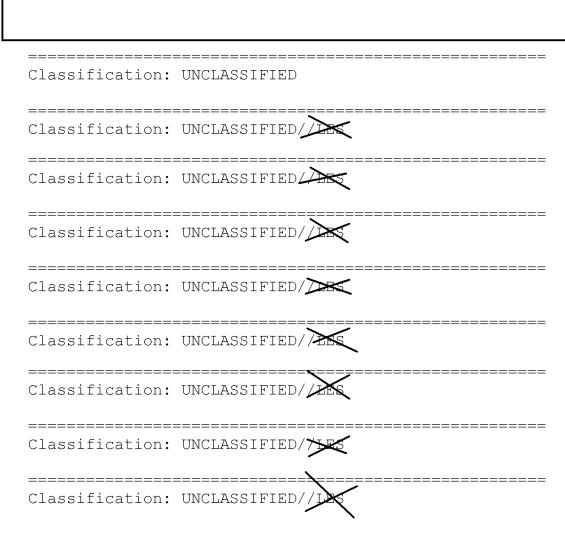
Importance: High

LES on a website or an unclassified network.

riginal draft into two documents, pdated files below, review, edit/c		n to me. I'll maintain ver	Please see both rsion integrity.
	OTD) (FBI)	-	
ent: Thursday February 26, 2019 OTD) (FBI) KOPA) (F	;	DO) (FBI)	OGC)(FBI);
) (CON)	(OTD)(FBI);	(OGC) (FBI); (OTD) (FBI);
(OTD)(OGA);		D)(FBI); discussions UNCLASS	(OTD) (FBI)
mportance: High			
lassification: UNCLAS	SSIFIED//LES		
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id/or destroyed in a manner that precludes un ithout first receiving authorization from the or 'S on a website or an unclassified network.			
, , , , , , , , , , , , , , , , , , , ,			
rom:	OTD) (CON)	-	
ent: Tuesday, February 24, 2015		(OTD) (FBI);	(OTD)
-BI); OTD) ((OTD)(FBÍ) OTD) ((OTD)
-BI):			
FBI); CC: (OTD)(CC CON) (ER)((OTD) (FBI); (ER)(CO <u>N);</u>	(OTD) (OTD)

(OTD) (FBI) - talking points for public discussions UNCLASSIFIED	b6 b7C b7E
Classification: UNCLASSIFIED	
Please forward your responses to me by 3/2/15 for section level review.	
	b5 b6 b7C
	b7E





From: Sent: To: Cc: Subject:	(OTD) (FBI) <th></th>	
	Lon: UNCLASSIFIED/ ASSETT ON DELIBERATIVE PROCESS DOCUMENT	b5 b6 b7C b7E
of FBI and may be enforcement, publ beyond these entitinformation is stor bearing the LES catthe originating age	MENT SENSITIVE: The information marked (U/) in this document is the property distributed within the Federal Government (and its contractors), US intelligence, law ic safety or protection officials and individuals with a need to know. Distribution cles without FBI authorization is prohibited. Precautions should be taken to ensure this ed and/or destroyed in a manner that precludes unauthorized access. Information yeat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES unclassified network.	
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То	(OPA) (FBI) March 11, 2015 10:32 AM (OTD) (FBI); (OGC)(FBI) - talking points for public discussions UNCLASSIFIED//LES	
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of FBI and may be enforcement, publ beyond these entit information is stor bearing the LES can the originating age	wich sensitive: The information marked (WACS) in this document is the property distributed within the Federal Government (and its contractors), US intelligence, law ic safety or protection officials and individuals with a need to know. Distribution ties without FBI authorization is prohibited. Precautions should be taken to ensure this ed and/or destroyed in a manner that precludes unauthorized access. Information weat may not be used in legal proceedings without first receiving authorization from ency. Recipients are prohibited from subsequently posting the information marked LES unclassified network.	b5 b6 b70

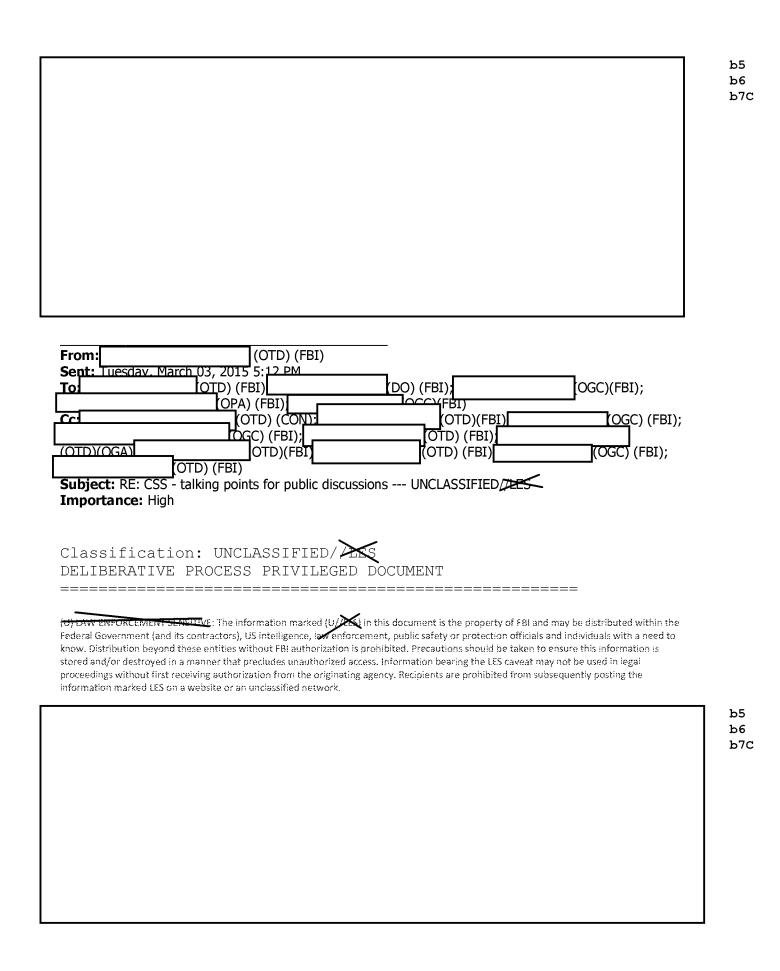
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From OGC)(FBI) Sent: Monday, March 09, 2015 1:01 PM To OTD) (FBI) (OTD) (FBI); BURRELL, JAMES (OTD)(FBI); (OTD) (FBI); Cc: (OPA) (FBI): (OTD) (FBI); (DO) (FBI); (OPA) (FBI): (OTD) (FBI) (OTD) (FBI); (OTD) (FBI); SABOL, SHERRY E. (OGC) (FBI) Subject: RE: CSS - talking points for public discussions UNCLASSIFIED/	b5 b6 b7C b7E
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	b5 b6 b7
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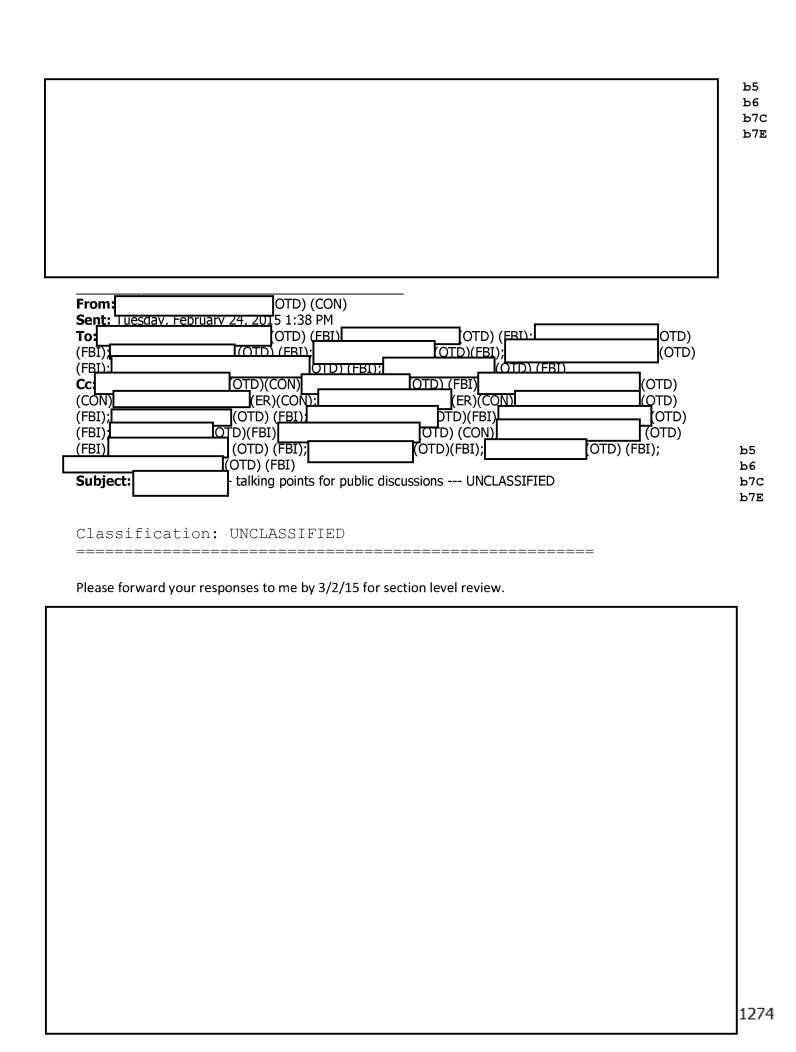
b5 b5 b6 b7C

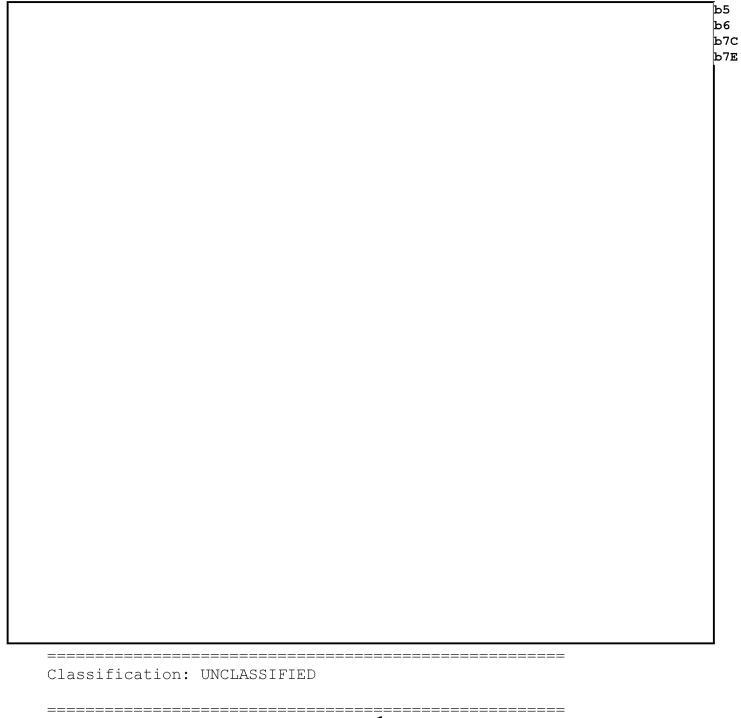
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From: Sent: Friday, March 06, 2015 3:13 PM To (OTD) (FBI) Cc (OTD) (FBI) Subject: RE: CSS - talking points for public discussions UNCLASSIFIED/
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From: (OTD) (FBI)	b5
Sent: Monday, March 02, 2015 3:10 PM To (OTD) (FBI); DO) (FBI) OGC)(FBI);	b6 b7C
OPA) (FBI); (OGC) (FBI) (OGC)(FBI)	b7E
CC: OTD) (CON) (CON) (OTD)(FBD: COC) (FBI);	
(OTD)(OGA) (FBI) (OTD) (FBI) (OTD) (FBI)	
(OTD)(OGA) OTD)(FBI) (OTD) (FBI) Subject: RE: talking points for public discussions UNCLASSIFIED)	
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LES on a website or an unclassified network.	
I received comments/edits back from and Based on advice, I split my	
original draft into two documents, Please see both updated files below, review, edit/comment, and return to me. I'll maintain version integrity.	
Service Services Annual Services Servic	
From: (OTD) (FBI)	b6
Sent: Thursday, February 26, 2015 5:46 PM	b7C b7E
To: OTD) (FBI) (DO) (FBI); (OGC)(FBI);	D/E
CC: (OTD) (CON): (OTD)(FBI) (OGC) (FBI);	
OTD)(OGĀ) (OTD)(FBI) (OTD) (FBĪ)	
Subject: RE: talking points for public discussions UNCLASSIFIED Importance: High	
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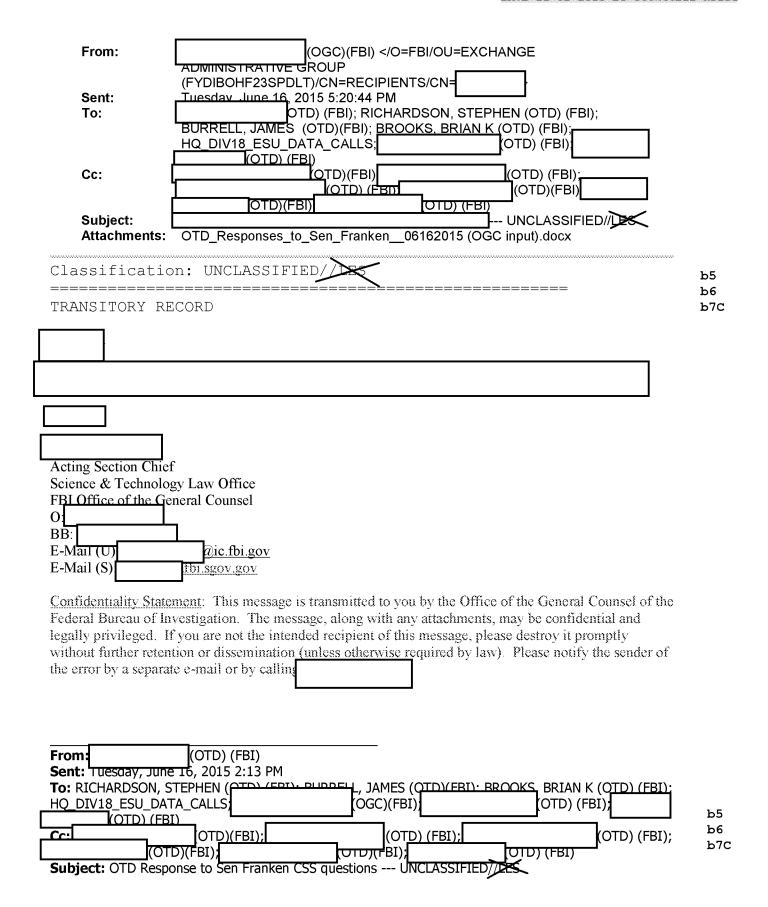
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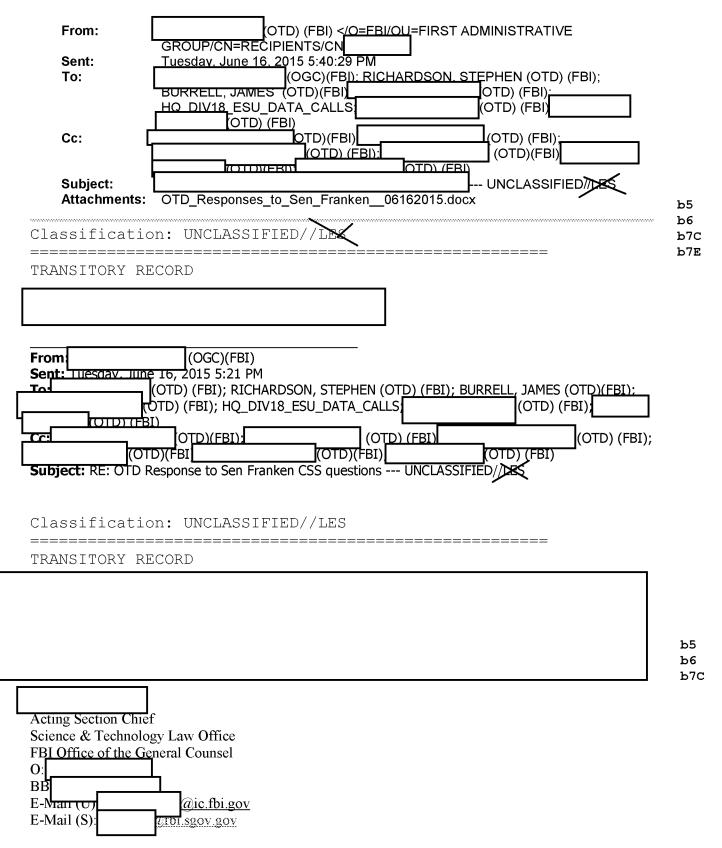
TRANSITORY RECORD

AD Richardson, DAD Burrell,
Here is the latest version for your approval. The red boxes indicate LES.

<< File: OTD_Responses_to_Sen_Franken__06162015.docx >>

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<< File: OTD_Responses_to_Sen_Franken06162015 (OGC input).docx >>	
From: OTD) (FBI) Sent: Tuesday, June 16, 2015 2:13 PM To: RICHARDSON, STEPHEN (OTD) (FBI): BURRELL, JAMES (OTD)(FBI): (OTD) (FBI);	
HO_DIV18_ESU_DATA_CALLS; (OGC)(FBI); DTD) (FBI)	ь6
(OTD) (FBI) (OTD)(FBI) (OTD) (FBI); (OTD) (FBI); (OTD) (FBI)	b7C
Subject: OTD Response to Sen Franken CSS questions UNCLASSIFIED// CSS Classification: UNCLASSIFIED//LESS	
TRANSITORY RECORD	
AD Richardson, DAD Burrell, Here is the latest version for your approval. The red boxes indicate LES.	
<< File: OTD_Responses_to_Sen_Franken06162015.docx >>	
Classification: UNCLASSIFIED//LEC	
Classification: UNCLASSIFIED//LES	
Classification: UNCLASSIFIED/	

From:	(OTD) (FBI) <th></th>	
Sent:	Thursday July 02 2015 12:48:39 PM	
To:	(OT <u>D</u>) (FBI)	
Cc:	<u>котр) (</u> FBI)(OTD) (FBI);	
	OGC)(FBI); (ER)(CON)	
Subject:	RE: Task 504 UNCLASSIFIED//DESC	
Attachments:	(06-26-2015) Draft OTD TTU Response House of Reps Letter on 06 03 2015 06242015_JC_dks_JC (STPLU edits) (2).docx; (06-30-2015) Draft OTD TTU Response House of Reps Letter on 06 05 2015.docx	
Classificatio	n: UNCLASSIFIED//LES	
Upon removal	of attachment(s), this document is UNCLASSIFIED	b6 b70

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Attached are the two documents that will be referenced in the 2:30 Prep for 7/6 Aviation briefing Congressional Briefing Prep call. The final submission will be provided after the meeting.

From: (OTD) (FBI)
Sent: Thursday, July 02, 2015 10:07 AM
To OTD) (FBI)
Subject: FW: Task 504 --- UNCLASSIFIED//LES
Classification: UNCLASSIFIED/

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when this is "final" please submit a copy to the ESU datacall inbox so we can upload it into the tracker.	
From: HQ_DIV18_ESU_DATA_CALLS Sept: Thursday_July 02, 2015 7:37 AM To	
Classification: UNCLASSIFIED/ZEES	
Upon removal of attachment(s), this document is UNCLASSIFIED	b6
(U) LAW ENFORCEMENT SENSITIVE: The information marked (U/AESLIN this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.	ь70
See below for the latest on tasking # 504.	
From: OGC)(FBI) Sent: Wednesday, July 01, 2015 5:55 PM To OTD) (FBI) Cc: (OTD) (FBI); HQ_DIV18_ESU_DATA_CALLS; BURRELL, JAMES (OTD)(FBI) Subject: RE: Task 504 UNCLASSIFIED/)	
Classification: UNCLASSIFIED/	
Upon removal of attachment(s), this document is UNCLASSIFIED	
(U) LAW ENFORCEMENT SENSITIVE: The information marked (U/ASS) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this	

information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from

the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website or an unclassified network.
Only 1 comment on one document.
< File: (06-26-2015) Draft OTD TTU Response House of Reps Letter on 06 03 2015 06242015_JC_dks_JC (STPLU edits) (2).docx >>
Associate General Counsel Chief, Science & Technology Policy & Law Unit FBI Office of the General Counsel O BB E-Mail (U) Dic.fbi.gov E-Mail (S) Disgov.gov Confidentiality Statement: This message is transmitted to you by the Office of the General Counsel of the Federal Bureau of Investigation. The message, along with any attachments, may be confidential and
legally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling
From: OTD) (FBI) Sent: wednesday, July UI, 2015 5:49 PM To: (OGC)(FBI) Cc: (OTD) (FBI); HQ_DIV18_ESU_DATA_CALLS; BURRELL, JAMES (OTD)(FBI) Subject: Task 504 UNCLASSIFIED//PES
Classification: UNCLASSIFIED//LES
Upon removal of attachment(s), this document is UNCLASSIFIED
(U) LAW ENFORCEMENT SENSITIVE: The information marked (U/ALES) in this document is the property of FBI and may be distributed within the Federal Government (and its contractors), US intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information

bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES

on a website or an unclassified network.

EFF CELL-1295

b6 b7C

Below are the two documents prepared in response to the two congressional letters referenced in task 504.
please review and provide any updates to all.
Thank you
<< File: (06-26-2015) Draft OTD TTU Response House of Reps Letter on 06 03 2015 06242015_JC_dks_JC (STPLU edits) (2).docx >> << File: (06-30-2015) Draft OTD TTU Response House of Reps Letter on 06 05 2015.docx >>
Acting Section Chief Technical Surveillance Section Operational Technology Division
Classification: UNCLASSIFIED//LESC
Classification: UNCLASSIFIED//LES
Classification: UNCLASSIFIED//LS

GROUP/CN=RECIPIENTS/CN: Monday, June 29, 2015 12:38:26 PM	
To:	
OTD) (FBI) OGCVFRI) OTD) (FBI) OTD) (FBI); OTD) (FBI); OTD) (FBI); OTD) (FBI); OTD) (FBI); OTD) (FBI);	
Cc: OTD) (FBI) OTD) (FBI); HQ_DIV18_ESU_DATA_CALLS (OTD) (FBI);	
(ОТD)(FBI);	
<u>HQ_DIV18_ESU_DATA_CALLS</u> (OTD) (FBI);	
I IUGU)(FDI), TAUUNE, JAINES F (IK) (FBI); KIUHAKUSUN.	
STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI)	
ER)(CON); SABOL, SHERRY È. (OGC) (FBI)	
рој (гві)	
Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary	
Committee UNCLASSIFIED	
Attachments: Letter 2.pdf	
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
INANSITORI RECORD	
Hello, there was an additional letter sent from the House of Representatives with specific questions concerning the Aviation program, although it is focused solely on the use of airborne cell simulator technology. The signatories to this letter will be invited to the July 6^{th} briefing as well and a copy is attached.	
SSA Office of Congressional Affairs	
From: (DO) (FBI) Sent: Monday, June 22, 2015 2:37 PM To: (DO)(FBI); (OTD) (FBI);	
(OGC)(FBI)	
Cd [OTD) (FBI) (OTD) (FBI) (OTD)	
(FBI); DTD)(FBI); HQ_DIV18_ESU_DATA_CALLS; OTD) (FBI	[);
(OGC)(FBI): YACONE JAMES E (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI);	
BURRELL, JAMES (OTD)(FBI); [ER)(CON); SABOL, SHERRY E. (OGC) (FBI);	
[DO) (FBI)	
Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee	
UNCLASSIFIED	
Classification: UNCLASSIFIED	

Hello - House Judiciary Committee staff briefing on the aviation program and cell site simulators will now be on July $6^{\rm th}$ at 1:00 pm. Please let me know if that presents any problems. Thanks.

TRANSITORY RECORD

b6 b7C

From (DO) (FBI) Sent: Thursday, June 18, 2015 11:50 AM To (IR) (FBI) (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD) (FBI); (OTD)(FBI); (OTD) (FBI); YACONE JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI); SABOL, SHERRY E. (OGC) (FBI) (DO) (FBI) Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	6 7C
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
Apologies, apparently I spoke to soon. Committee changed their mind and cannot do it the 26 th now. Too many staffers will not be able to make it that late in the day - Congress is on recess the following week so a lot of people will be out. Congress is not back in session until July 6 th so that is the next possible day we can do it. If the 6 th does not work we can try to schedule for the 13 th . Please advise on availability, thanks.	
OTD) (FBI); YACONE, JAMES F (IR) (FBI);	b5 b6 b7(
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
Committee can do 3:30 on June 26 th . I will confirm with them early this afternoon so please let me know if that date/time does not work for some reason.	

is an FBI detailee to the Judiciary Committee and will attend the briefing.	7
	_
SSA Office of Congressional Affairs	b5 b6
	b7С
From: (IR) (FBI)	
Sent: Wednesday, June 17, 2015 6:18 PM To:	
Cc: (OTD) (FBI) (OTD) (FBI) (OTD) (FBI): (OTD)(FBI): HO DIVIS ESU_DATA_CALLS: OTD) (FBI); (OTD) (FBI); YACONE,	
JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI), (ER)(CON); SABOL, SHERRY E. (OGC) (FBI) Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee	
UNCLASSIFIED	
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
If possible can we do this on the first date suggested June 26 th , but later in the day—anytime 3:30 p.m. or later. I emailed on the low-side and he advised that he would be available at	
3:30 that day or later. Let us knowAgain. Thanks for whatever you can arrange soonest!!	
Special Assistant to the Assistant Director Critical Incident Response Group	b5 b6
(desk) (bb)	ь7c
From: (OGC)(FBI) Sent: Wednesday. June 17, 2015 4:58 PM To DOV(FBI), VACONE, JAMES F. (ID.) (FBI).	
To: OTD) (FBI) DO)(FBI); YACONE. JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI); (ER)(CON); SABOL, SHERRY E. (OGC) (FBI); (IR) (FBI)	

Cc: OTD) (FBI) OTD) (FBI)	
(FBÍ); HQ_DIV18_ESU_DATA_CALLS (OTD) (FBI); (DO) (FBI)	
Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
I'm available.	
Associate General Counsel Chief, Science & Technology Policy & Law Unit	1.6
BB: E-Mail (S): @ic.fbi.sgov.gov	ь6 ь7с
<u>Confidentiality Statement</u> : This message is transmitted to you by the Office of the General Counsel of the Federal Bureau of Investigation. The message, along with any attachments, may be confidential and legally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling	
From: Sent: Wednesday, June 17, 2015 3:01 PM To: DO)(FBI): YACONE, JAMES F (IR) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD) (FBI): Cd OTD) (FBI) OTD)(FBI) (OTD) (FBI) (OTD) (FBI) (OTD) (FBI); HQ_DIV18_ESU_DATA_CALLS; (OTD) (FBI); Subject: RE: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	
Classification: UNCLASSIFIED ====================================	
114 TAD 1101/1 1/1001/D	

It appears that AD Richardson is available, but we will need OGC.

From: DO)(FBI)	
Sent: Wednesday, June 17, 2015 10:30 AM To: YACONE, JAMES F (IR) (FBI) OTD) (FBI); RICHARDSON, STEPHEN (OTD) (FBI);	
BURRELL, JAMES (OTD)(FBI) ER)(CON) (OGC)(FBI); SABOL, SHERRY E. (OGC) (FBI):	
Cc: (OTD) (FBI); (OTD) (FBI)	
(FBI); (OTD)(FBI): HO_DIV18_ESU_DATA_CALLS; (OTD) (FBI); (DO)(FBI)	
Subject: UPDATED: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	
Importance: High	
Classification: UNCLASSIFIED	
TRANSITORY RECORD	b 6
All	ь7C
The Committee is available on Monday July 6 th , either morning or afternoon.	
Are briefers available on this date?	
Please advise.	
Thank you.	
FRUCA	
From: VACONE JAMES E (ID) (EDI)	
From: YACONE, JAMES F (IR) (FBI) Sept: Tuesdav, June 16, 2015 5:37 PM	
To (DO)(FBI): OTD) (FBI); RICHARDSON, STEPHEN (OTD) (FBI); BURRELL, JAMES (OTD)(FBI) (ER)(CON) (OGC)(FBI); SABOL,	
SHERRY E (OGC) (FRI)	
Cc: (OTD) (FBI); (OTD) (FBI) OTD) (FBI) OTD)(FBI); HQ_DIV18_ESU_DATA_CALLS; OTD) (FBI)	
Subject: RE: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	b6
	ь70 b71
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
All Lam not available from lune 32 – tuly 1	
All, I am not available from June 28 – July 1	
From (DO)(FBI)	

Sent: Tuesday. June 16, 2015 5:09 PM	
To: (OTD) (FBI): RICHARDSON, STEPHEN (OTD) (FBI): YACONE, JAMES F (IR) (FBI);	
BURRELL, JAMES (OTD)(FBI) [ER)(CON) [OGC)(FBI); SABOL,	
SHERRY E (OGC) (EBI)	
Cc: (OTD) (FBI) (OTD) (FBI) (OTD)	
OTD)(FBI); HQ_DIV18_ESU_DATA_CALLS; OTD) (FBI);	
DO)(FBI)	
Subject: RE: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	
Classification, UNCLASSIED	
Classification: UNCLASSIFIED	b6 b70
	D/C
TRANSITORY RECORD	
and the second s	
Have asked if we can push to the week of the 29 th – that 26 th does not work. Will advise once I	
hear back. ————————————————————————————————————	
Thanks	
From: OTD) (FBI)	
Sent: Tuesday, June 10, 2015 3:50 PM	
To: DO)(FBI); RICHARDSON, STEPHEN (OTD) (FBI); YACONE, JAMES F (IR) (FBI);	
BURRELL, JAMES (OTD)(FBI); (ER)(CON) (OGC)(FBI); SABOL, SHERRY E. (OGC) (FBI)	
Cc: (OTD) (FBI); (OTD) (FBI);	
(OTD)(FBI); HQ_DIV18_ESU_DATA_CALLS; (OTD) (FBI);	
(DO) (FBI)	
Subject: RE: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED	
Classification: UNCLASSIFIED	
TRANSITORY RECORD	
is it at all possible to pick a different date for the aviation briefing? OGC is not available.	b6
Thanks,	b70
From: (DO)(FBI)	
Sent: Tuesday, June 16, 2015 2:50 PM	
To: RICHARDSON, STEPHEN (OTD) (FBI); YACONE, JAMES F (IR) (FBI); BURRELL, JAMES (OTD)(FBI);	
ler)(con) logc)(fbi); sabol, sherry e. (ogc) (fbi)	
CC: (OTD) (FBI); (OTD) (FBI)	
(FBĪ) (OTD)(FBĪ); HQ DIV18_ESU_DATA CALLS (FBĪ) (FBĪ);	
DO)(FBI) OTD) (FBI); (DO) (FBI)	
Subject: New Request for FBI Aviation Briefing to House Judiciary Committee UNCLASSIFIED Importance: High	
INDOILANCE: NON	

Classification: UNCLASSIFIED
TRANSITORY RECORD
All
House Judiciary Committee staff have now asked for the same FBI Aviation briefing that many of you will be providing to Senate Judiciary Committee tomorrow, the 17 th .
House staff are interested in receiving the briefing on Friday June 26 th , preferably at 10:00am.
Please indicate soonest if you are available to brief on this date at that time. If not, we will ask committee to choose another date/time.
Thank you FBI Congressional
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From:	(OTD) (FBI) <th></th>	
Sent: To:	Wednesday July 01 2015 5:49:21 PM OGC)(FBI)	
Cc:	OTD) (FBI); HQ_DIV18_ESU_DATA_CALLS;	
	BURRELL, JAMES (OTD)(FBI)	b6 b7C
Subject:	Task 504 UNCLASSIFIED/7025	570
Attachments:	(06-26-2015) Draft OTD TTU Response House of Reps Letter on 06 03 2015 06242015_JC_dks_JC (STPLU edits) (2).docx; (06-30-2015) Draft OTD TTU	
	Response House of Reps Letter on 06 05 2015.docx	
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of FBI and may be disenforcement, public beyond these entities information is stored bearing the LES cave the originating agent on a website or an unusual Below are the two do 504.	ocuments prepared in response to the two congressional letters referenced in task	
please review an	d provide any updates to all.	
Thank you		
		b6
		b7C
SSA		
Acting Section Chief		
Technical Surveilland	e Section	
Operational Technol	ogy Division	
Classification	n: UNCLASSIFIED// NS	