

~~ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE~~

b5

DATE: 05-28-2009  
CLASSIFIED BY 60322 UC/LP/STP/KM  
REASON: 1.4 (c)  
DECLASSIFY ON: 05-28-2034

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**Responses of the Federal Bureau of Investigation  
Based Upon the July 26, 2007, Oversight Hearing Before the  
House Committee on the Judiciary**

Questions Posed by Chairman Conyers

8. How many NSLs have been sent to public libraries? How many of those were accompanied by a "gag order?"

Response:

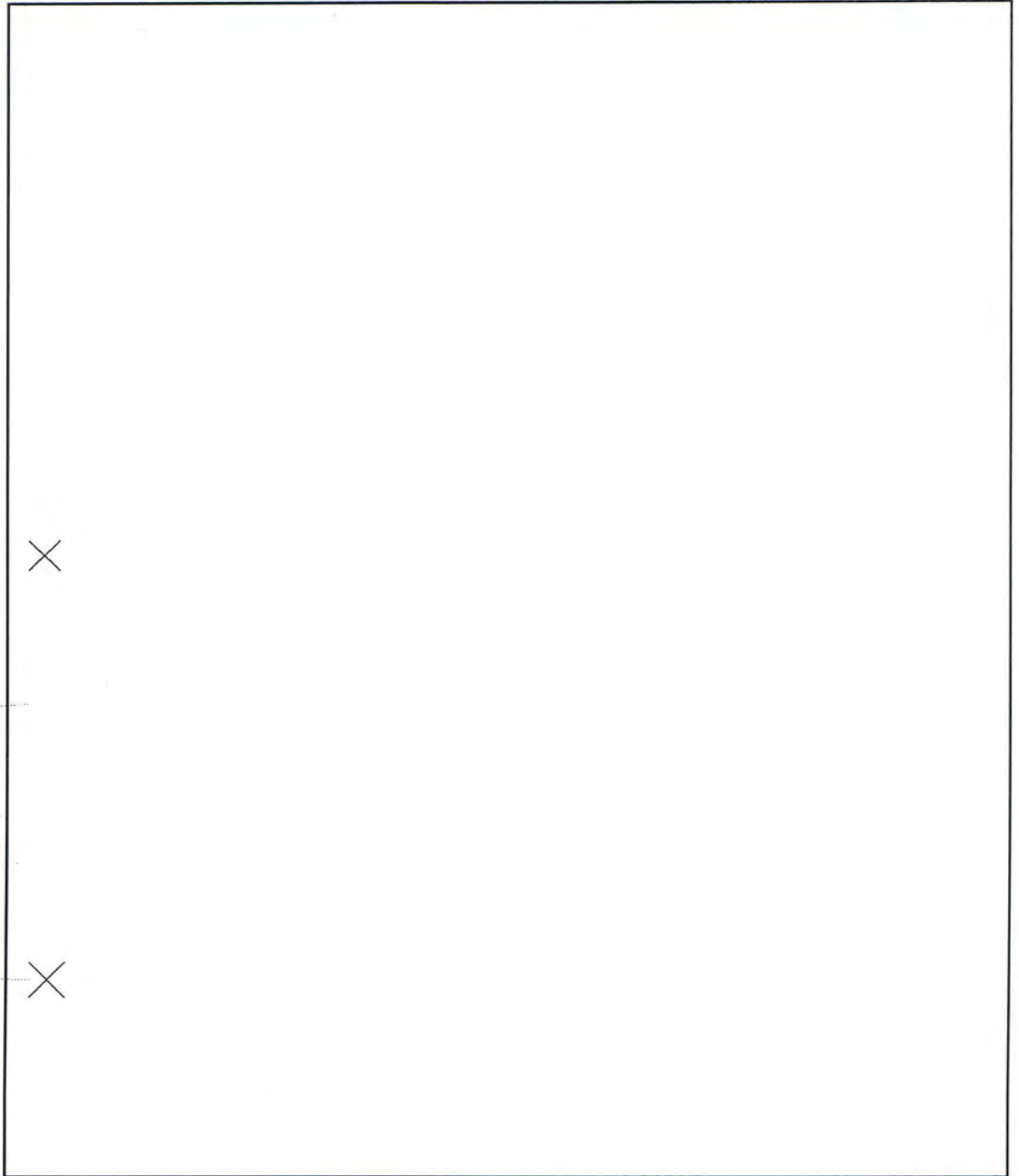
(U)

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*so responses are current as of 12 07*

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(S)

(U)

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*These responses are current as of 12-07*

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(U)

X

X

(S)

9. On page 109 of the Inspector General's Report, it is reported that agents are accessing "NSL information about parties two or three steps removed from their subjects without determining if these contacts reveal suspicious connections."

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*These responses are current as of 12/07*

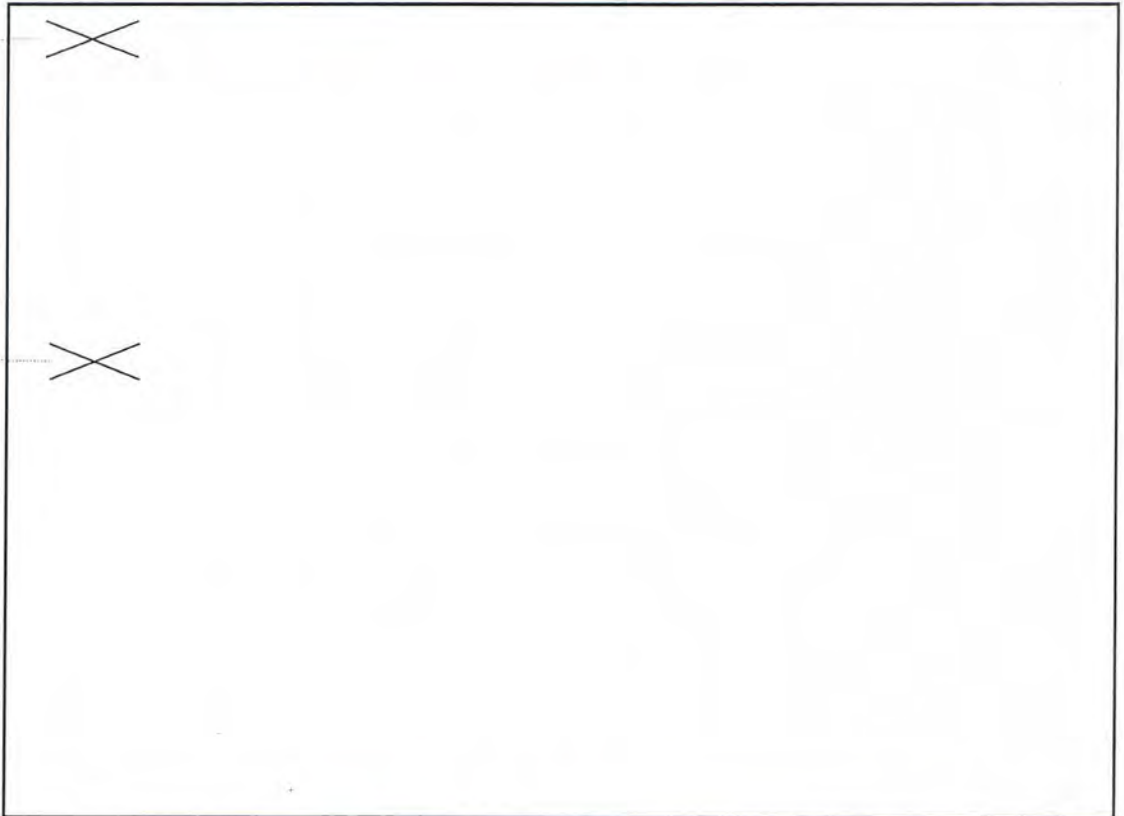
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a. How does this comport with the standard that the information requested be relevant to or sought for an authorized investigation to protect against international terrorism or espionage?

b. If not, is the "relevance" standard too low?

Response to subparts a and b:

(U)



(U)

11. Page 48 of the IG's report discusses how NSLs may be used to support later Foreign Intelligence Surveillance Act (FISA) applications. Someone, however, redacted the standard for getting such an order from the Report. It states:

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responses are current as of 11/07

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"For example, to obtain FISA orders the FBI must establish [REDACTED]."

a. Why was this redacted?

Response:

(U)

Redacted response box containing an 'X' mark.

c. There is a statute on the books that clearly delineates the standard for a FISA order. Does this redaction imply that the FISA requirements are not being followed?

Response:

(U)

Redacted response box containing an 'X' mark.

14. The following questions pertain to specific sections of the Bureau's Draft Guidelines:

a. On page 3 of the Guidelines, there is redaction of a discussion of email and what is content and therefore cannot be obtained by an NSL.

ii. Is the Bureau using the Internet Service Provider NSLs to get lists of people an individual sends an email to?

Response:

(U)

Redacted response box containing an 'X' mark.

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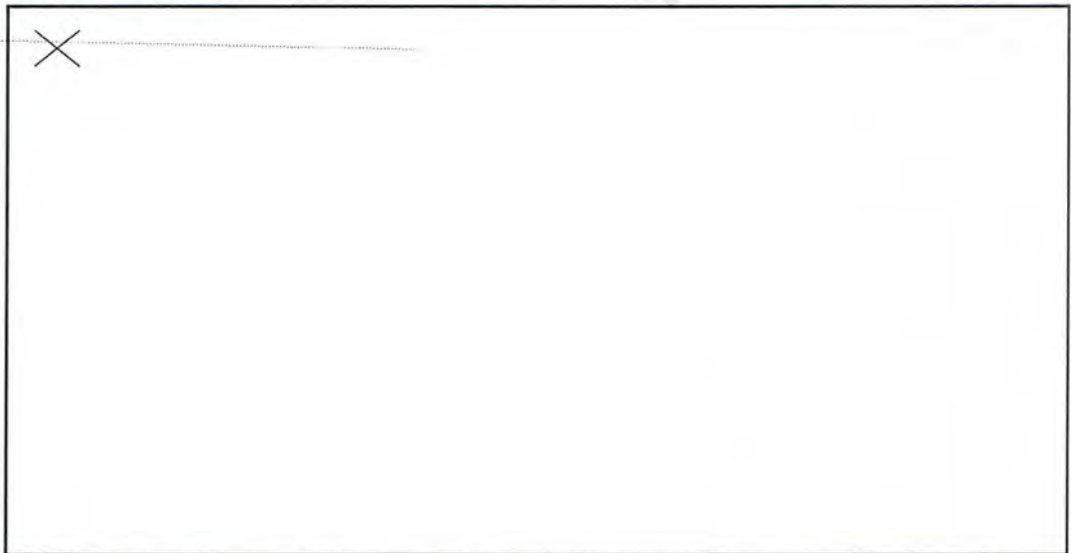
22. A document released as part of a recent FOIA request entitled "Typical NSL Retention and Database Use" shows NSL telephone record data being distributed into six different databases, two of which are hidden with redaction tape.

b. The IG report on NSLs mentions only three databases into which NSL information is distributed. Was the IG told of these secret databases?

c. Why are these databases being hidden?

Response to subparts b and c:

(S)



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25. The new Oversight Section is designed to ensure the accuracy of FBI declarations to the Foreign Intelligence Surveillance Court. Were there instances in which declarations to the Court were inaccurate? Please explain.

Response:

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Responses are classified as of 12/17

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(U) ———— X

(U) ———— X

(U) ———— X



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2. *se responses are current as of 12/ 97*