

**(OGC) (FBI)**

**Sent:** Friday, May 22, 2015 8:14 AM  
**Subject:** RE: Cyber PIG --- UNCLASSIFIED

Classification: UNCLASSIFIED

Hi 

The PIG was provided to us on 18 May but they wanted comments back by 15 May. If they are indeed soliciting input, I've made some comments in the attached.

CyD Policy  
Implementation Guide

Thanks,

**From:** [REDACTED] (DI) (FBI)  
**Sent:** Monday, May 18, 2015 4:30 PM  
**To:** HQ-DIV16-MECIU  
**Subject:** FW: Cyber PIG --- UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~

The attached Policy Implication Guide is being sent out for review. If you have any comments please prepare them as instructed below by the due date and I'll compile them for the unit. Apparently, the Texas Tool is here to stay.

**From:** [REDACTED] (CV) (FBI)  
**Sent:** Monday, May 18, 2015 2:50 PM  
**To:** HQ-DIV16-SECTIONCHIEFS; HQ-DIV16-SECTIONCHIEFS-LEADS; HQ-DIV16-UNITCHIEFS  
**Cc:** [REDACTED] (CYD) (FBI); [REDACTED] (CYD) (FBI); [REDACTED] (CYD) (FBI);  
[REDACTED] (CYD) (FBI); [REDACTED] (CYD)(FBI); [REDACTED] (CYD) (FBI);  
(CYD)(CON); [REDACTED] (CYD)(FBI); [REDACTED] (CYD) (FBI);  
[REDACTED] (CYD)(FBI); [REDACTED] (CYD)(FBI); [REDACTED] (LA)(FBI);  
(CYD)(FBI); [REDACTED] (CyD) (FBI); [REDACTED] (CYD) (FBI); [REDACTED]  
[REDACTED] (CV) (FBI)  
**Subject:** Cyber PIG --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//~~FOUO~~

Section Chiefs/Unit Chiefs,

After many months of hard work and with the help of many Cyber SMEs, the Cyber Policy Implementation Guide (PIG) is nearing completion. Attached, you will find a copy of the PIG containing many of the changes instituted in CyD since FY14.

<< File: CyD Policy Implementation Guide\_2015 - In Progress.docx >>

Please read through the sections which pertain to your unit and assess their level of completeness.

1. If no changes are needed, please reply to this email with the paragraph number(s) you reviewed, with "No changes needed." (By Friday, May 15, 2015.)
2. If minor changes are needed, make the appropriate changes, and reply to this e-mail, "Minor changes attached." (By Friday, May 15, 2015.)
3. If major changes are needed, reply to this e-mail with "Major changes needed," and provide the list of SMEs currently working on those changes. (By Friday, May 15, 2015.) We will work with your SMEs to make all appropriate corrections by the deadline, currently set for June 5<sup>th</sup>.

Below is a list of SMEs who have contributed or will be contributing changed to the PIG. Please add POC name(s) next to your Unit/Section so we can contact them in the event we need to consult with them before publishing. (By Friday, May 15, 2015.)

NCIJTF

ODE  
CyWatch  
TFMU  
ISU  
OAA

CYOS I

MEAU  
CyTU

CYOS II

ACyOU  
ACyOU II

CYOS III

ECyOU I  
ECyOU II

CYOS IV - [REDACTED] (CyD) (FBI)

TOU - [REDACTED] (CYD)(FBI)

[REDACTED] (CYD)(FBI)

OCU - [REDACTED] (LA)(FBI)

[REDACTED] (CYD)(FBI)

[REDACTED] CyD) (FBI)

CYOS V - [REDACTED] (CYD)(FBI)

CIRFU - [REDACTED] (CYD)(FBI)

[REDACTED] (CYD) (FBI)

MCCU - [REDACTED] CYD) (FBI)

[REDACTED] (CYD) (FBI)

IC3 - [REDACTED] (CYD) (FBI)

[REDACTED] (CYD) (FBI)

CYBIS

CYIPU  
ACYIU  
ECYIU

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MECYIU  
CYTIU  
MCYCIU  
TCYIU

COS

NIPU I - [redacted] (CYD) (FBI)  
[redacted] (CYD) (FBI)  
NIPU II

CSS

CYTLU  
FARU  
SSU

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ESU - [redacted] (CYD)(CON)  
[redacted] (CYD)(FBI)  
[redacted] (CYD) (FBI)  
SIU - [redacted] (CyD) (FBI)  
IPO - [redacted] (DO)(FBI)

The person compiling all changes and drafting the final product is [redacted] (CYD)(CON). Please include her in all future correspondence.

Thank you for your quick response on this matter.

v/r

[redacted]  
Supervisory Special Agent  
Strategic Initiatives Unit, Cyber Division  
W: [redacted]  
C: [redacted]

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=====  
Classification: UNCLASSIFIED//~~FOUO~~

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Classification: UNCLASSIFIED//~~FOUO~~

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Classification: UNCLASSIFIED

UNCLASSIFIED - ~~FOR OFFICIAL USE ONLY~~

§18

Domestic Investigations and Operations Guide

**18.6.6 (U) INVESTIGATIVE METHOD: NATIONAL SECURITY LETTER (COMPULSORY PROCESS)**

**18.6.6.1 (U) OVERVIEW OF COMPULSORY PROCESS**

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(U//FOUO)

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**18.6.6.2 (U) APPLICATION**

(U//FOUO) NSLs may be used in a national security Predicated Investigation. This method may not be used for assistance to other government agencies, unless the information sought is relevant to an open FBI Predicated Investigation.

**18.6.6.3 (U) NATIONAL SECURITY LETTERS**

**18.6.6.3.1 (U) LEGAL AUTHORITY**

- A) (U) 12 U.S.C. § 3414(a)(5)(A);
- B) (U) 15 U.S.C. §§ 1681u and 1681v;
- C) (U) 18 U.S.C. § 2709;
- D) (U) 50 U.S.C. § 436;
- E) (U) AGG-Dom, Part V; and
- F) (U) An NSL may be used only to request:
  - 1) (U) Financial Records: The Right to Financial Privacy Act (RFPA), 12 U.S.C. § 3414(a)(5);
  - 2) (U) Identity of Financial Institutions: Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681u(a);
  - 3) (U) Consumer Identifying Information: FCRA, 15 U.S.C. § 1681u(b);
  - 4) (U) Full Credit Reports in International Terrorism Investigations: FCRA, 15 U.S.C. § 1681v; and
  - 5) (U) Telephone Subscriber Information, Toll Billing Records, Electronic Communication Subscriber Information, and Electronic Communication Transactional Records: Electronic Communications Privacy Act (ECPA), 18 U.S.C. § 2709.



**18.6.6.3.2 (U) DEFINITION OF METHOD**

(U) An NSL is an administrative demand for documents or records that are relevant to a Predicated Investigation to protect against international terrorism or clandestine intelligence activities [REDACTED]

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**18.6.6.3.3 (U) APPROVAL REQUIREMENTS**

(U//~~FOUO~~) Those who approve NSLs are responsible for ensuring the investigative and procedural requirements have been met. They must certify that the information sought by the NSL is relevant to an open, predicated national security investigation. For an NSL to include a nondisclosure provision, the approver must determine that disclosure of the NSL may endanger the national security of the United States; interfere with a criminal, counterterrorism, or counterintelligence investigation; interfere with diplomatic relations; or endanger the life or physical safety of any person. Those who approve NSLs, as well as those designated as acting officials who will approve NSLs, must have completed the Virtual Academy course on NSLs, reviewed DIOG Section 18.6.6. (National Security Letter), and if appropriate, received NSL training from the CDC/ADC or a National Security Law Branch (NSLB) attorney prior to approving NSLs.

(U//~~FOUO~~) The process for creating an NSL involves two documents: the NSL itself and the EC approving the issuance of the NSL. The Director has delegated the authority to sign NSLs to the Deputy Director, Executive Assistant Director, and Associate EAD for the National Security Branch; Assistant Directors and all DADs for the Counterterrorism, Counterintelligence, and Cyber Divisions, and the Weapons of Mass Destruction Directorate; General Counsel; Deputy General Counsel for the National Security Law Branch; Assistant Directors in Charge in New York, Washington, DC, and Los Angeles; and all SACs in all field offices. See EC 333-HQ-A1487720 Serial 515 (May 15, 2012). No other *delegations* are permitted. However, the authority to approve NSLs may be designated to an acting official (see below).

(U//~~FOUO~~) [REDACTED]

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(U//~~FOUO~~) In addition to being signed by a statutorily required approver, an NSL must be approved by a CDC, ADC (or attorney acting in that capacity), or an NSLB attorney.

**18.6.6.3.4 (U) STANDARDS FOR ISSUING NSLS**

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[REDACTED]

**18.6.6.3.5 (U) SPECIAL PROCEDURES FOR REQUESTING COMMUNICATION SUBSCRIBER  
INFORMATION**

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[REDACTED]

(U//~~FOUO~~)

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[REDACTED]

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(U//~~FOUO~~) [REDACTED] the employee should consider whether an NSL is the least intrusive and reasonable means based upon the circumstances of the investigation to obtain the information. [REDACTED]

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[REDACTED]

(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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**18.6.6.3.6 (U) DURATION OF APPROVAL**

(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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**18.6.6.3.7 (U) SPECIFIC PROCEDURES FOR CREATING NSLS**

(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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A) (U//~~FOUO~~) [REDACTED]  
[REDACTED]

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B) (U//~~FOUO~~) [REDACTED]  
[REDACTED]

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C) (U//~~FOUO~~)

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D) (U//~~FOUO~~)

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E) (U//~~FOUO~~)

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18.6.6.3.7.1 (U) COVER EC APPROVING AN NSL

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B) (U//~~FOUO~~)

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D) (U//~~FOUO~~)

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E) (U//~~FOUO~~)

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F) (U//~~FOUO~~)

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G) (U//~~FOUO~~)

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- H) (U//~~FOUO~~) [REDACTED] b7E -1
- I) (U//~~FOUO~~) [REDACTED] b7E -1
- J) (U//~~FOUO~~) [REDACTED] b7E -1
- K) (U//~~FOUO~~) [REDACTED] b7E -1
- L) (U//~~FOUO~~) [REDACTED] b7E -1
- (U//~~FOUO~~) This list is not exhaustive [REDACTED] b7E -1
- [REDACTED]

18.6.6.3.7.2 (U) COPY OF THE NSL AND RELATED DOCUMENTS IN THE  
INVESTIGATIVE FILE

(U//~~FOUO~~) [REDACTED] b7E -1

[REDACTED]

(U//~~FOUO~~) [REDACTED] b7E -1

[REDACTED]

(U//~~FOUO~~) [REDACTED] b7E -1

[REDACTED]

## 18.6.6.3.7.3 (U) COMMUNITY OF INTEREST INFORMATION

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## 18.6.6.3.7.4 (U) CONTACT WITH MEMBERS OF THE NEWS MEDIA BY A

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(U//~~FOUO~~)

## 18.6.6.3.7.5 (U) EMERGENCY CIRCUMSTANCES

(U//~~FOUO~~) ECPA protects subscriber or communications transactional information from disclosure by providers of electronic communication services. Generally, an NSL, grand jury subpoena, or another form of legal process must be used to compel a communication service provider to disclose subscriber or transactional information. In emergency circumstances, however, the provider may voluntarily disclose information to the FBI if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person exists and requires disclosure without delay. As a matter of FBI policy, when there is a danger of death or serious physical injury that does not permit the proper processing of an NSL, an administrative subpoena (if permissible), or a grand jury subpoena, then a letter to the provider citing 18 U.S.C. § 2702 may be used to request emergency disclosure, if approved by a SAC, ASAC, or FBIHQ Section Chief. If time does not permit the issuance of an emergency letter that cites 18 U.S.C. § 2702, then an oral request to the provider may be made, but the oral request must be followed-up with a letter to the provider. In either situation, an  Form, which automatically generates the letter, must be completed.

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**18.6.6.3.8 (U) NOTICE AND REPORTING REQUIREMENTS**

(U//~~FOUO~~) NSLB compiles NSL statistics for reporting to Congress. The NSL subsystem  automatically records the information needed for Congressional reporting. If the NSL is created outside the subsystem, then the NSL's cover EC must include the information necessary for NSLB to report NSL statistics accurately, i.e., delineate the number of targeted facilities/accounts in each NSL issued to an NSL recipient.

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(U//~~FOUO~~) NSLB also reports to Congress the USPER status of the target (as opposed to the subject of the investigation) of all NSLs, other than NSLs that seek only subscriber information. While the subject of the investigation is often the target of the NSL, that is not always the case. The EC must record the USPER status of the target of the NSL – the person whose information the FBI is seeking. If the NSL is seeking information about more than one person, the EC must record the USPER status of each person.

**18.6.6.3.9 (U) RECEIPT OF NSL INFORMATION, REVIEW FOR OVERPRODUCTION, AND RELEASING THE INFORMATION**(U//~~FOUO~~) 

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**18.6.6.3.10 (U) OVERPRODUCTION**

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**18.6.6.3.11 (U) RETENTION OF NSL INFORMATION**

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**18.6.6.3.12 (U) ELECTRONIC SERVICE AND ELECTRONIC RETURNS OF NSLS**

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[Redacted]

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[Redacted]

[REDACTED]

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(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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A) (U//~~FOUO~~) [REDACTED]  
[REDACTED]

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B) (U//~~FOUO~~) [REDACTED]  
[REDACTED]

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(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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**18.6.6.3.13 (U) DISSEMINATION OF NSL INFORMATION**

(U//~~FOUO~~) Subject to certain statutory limitations, information obtained in response to an NSL may be disseminated according to general dissemination standards in the AGG-Dom. The ECPA (telephone and electronic communications transactional records) and RFPFA (financial records) permit dissemination if consistent with the AGG-Dom and the information is clearly relevant to the responsibilities of the recipient agency. FCRA permits dissemination of identity of financial institutions and consumer identifying information to other federal agencies as may be necessary for the approval or conduct of a foreign counterintelligence investigation. FCRA imposes no special rules for dissemination of full credit reports.

(U//~~FOUO~~) [REDACTED]  
[REDACTED] neither an NSL nor the information received in response to an NSL is classified. [REDACTED]

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[REDACTED]

**18.6.6.3.14 (U) SPECIAL PROCEDURES FOR HANDLING RIGHT TO FINANCIAL PRIVACY ACT INFORMATION AND OTHER INFORMATION**

(U//~~FOUO~~) [REDACTED]  
[REDACTED]

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**18.6.6.3.15 (U) PAYMENT FOR NSL-DERIVED INFORMATION**

(U//~~FOUO~~) No legal obligation exists for the FBI to compensate recipients of NSLs issued pursuant to ECPA (telephone and electronic communications transactional records) or FCRA, 15 U.S.C. § 1681v (full credit reports in international terrorism investigations), and therefore no payment should be made in connection with those NSLs. See EC 319X-HQ-A1487720-OGC, serial 222, for a form letter to be sent in response to demands for payment concerning these NSLs.

(U//~~FOUO~~) Compensation for responding to NSLs issued pursuant to RFPA (financial records) and FCRA § 1681u (identity of financial institutions and consumer identifying information) is covered by a fee schedule adopted under 12 C.F.R. § 219.3, Appendix A.

**18.6.6.3.16 (U) JUDICIAL REVIEW OF NSLS**

(U//~~FOUO~~) All NSLs should include the necessary legal notices. Specifically, an NSL issued by the FBI shall inform the recipient of the right to judicial review of the NSL pursuant to the procedures set forth in 18 U.S.C. § 3511(a). See *Doe v. Mukasey*, 549 F.3d 861 (2d Cir. 2008). An NSL issued by the FBI shall also inform the recipient of the right to judicial review of any nondisclosure requirement imposed in connection with the NSL. An NSL shall specifically advise that, if the recipient wishes to make a disclosure that is prohibited by the nondisclosure requirement, the recipient must notify the FBI within 10 calendar days of receipt of the NSL, in accordance with notification instructions set forth in the NSL. The NSL shall further advise that the Government will initiate judicial review proceedings within 30 days of receiving such a notification, and that the nondisclosure requirement will remain in effect unless and until there is a final court order holding that disclosure is permitted. If the recipient does not activate the Government-initiated judicial review by providing notice to the Government within 10 calendar days of receipt of the NSL, then the nondisclosure requirement will remain in effect, subject to the recipient's opportunity to make an annual challenge to the nondisclosure requirement as provided by 18 U.S.C. § 3511(b).

(U//~~FOUO~~) In any judicial review proceeding regarding a nondisclosure requirement imposed in connection with an NSL, the Government will bear the burden of persuading the district court that there is good reason to believe that disclosure may result in one or more of the enumerated harms set forth at 18 U.S.C. § 2709(c): a danger to the national security of the United States; interference with a criminal, counterterrorism, or counterintelligence investigation; interference with diplomatic relations; or danger to the life or physical safety of any person, that is related to an authorized investigation to protect against international terrorism or clandestine intelligence activities. The Government's certification that disclosure may result in one of these enumerated harms will not be treated as conclusive. Accordingly, the field office or FBIHQ Division that issued the NSL, in conjunction with OGC, shall coordinate with DOJ and the United States Attorney's Office to ensure that the Government's certification is sufficient to meet the Government's burden of proof.

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[REDACTED] OGC) (FBI)

b6 -1  
b7C

**From:** [REDACTED] (OGC)(FBI)  
**Sent:** Wednesday, February 25, 2015 2:19 PM  
**To:** [REDACTED] (OGC) (FBI); BAKER, JAMES A (OGC)(FBI)  
**Cc:** MCNALLY, RICHARD (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC)(FBI); [REDACTED] (OGC)(FBI)  
**Subject:** RE: Media Guidelines - DIOG Update --- ~~SECRET//NOFORN~~  
**SentinelCaseId:** NON-RECORD

~~Classification: SECRET//NOFORN~~

~~Classified By: F11M49K72  
Derived From: FBI NSIC, dated 20120629  
Declassify On: 20401231~~

[REDACTED]  
b5 -2  
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Jim - You had asked us to check the status of the att'd DIOG changes as DOJ was under the impression that the approval was in your queue. We confirmed that IPO is awaiting your approval. Once you approve, IPO will perform a limited collaboration with the proposal, review it within IPO, then if there are no other suggested changes, place it into the matrix of changes to be incorporated into the next DIOG revision. We will need your approval before **Friday 3/6** for the changes to make it into the next DIOG revision. Thanks and let us know if you have questions, [REDACTED]

b6 -1  
b7C

**From:** [REDACTED] (OGC) (FBI)  
**Sent:** Thursday, January 08, 2015 10:00 AM  
**To:** BAKER, JAMES A (OGC)(FBI)  
**Cc:** MCNALLY, RICHARD (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC)(FBI)  
**Subject:** Media Guidelines - DIOG Update --- ~~SECRET//NOFORN~~

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b7C

~~Classification: SECRET//NOFORN~~

~~Classified By: F82M32K21  
Derived From: FBI NSIC, dated 20120629  
Declassify On: 20401231~~

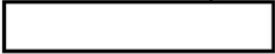
Per our meeting this morning. I'm attaching the latest draft of the update to the Classified Annex to the DIOG re NSLs to seeking information about members of the news media. Please let me know if you'd like me to forward this to DOJ.

Thank you,  
[REDACTED]


<< File: Update DIOG Classified Annex - NSLs v5.docx >>

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[REDACTED]  
Assistant General Counsel



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 

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Classification: ~~SECRET//NOFORN~~

=====  
Classification: ~~SECRET//NOFORN~~



[REDACTED] (OGC) (FBI)

b6 -1  
b7C

From: [REDACTED] (OGC) (FBI)  
Sent: Monday, December 08, 2014 8:52 AM  
To: [REDACTED] (OGC) (FBI)  
Cc: Babcock, Ernest J. (OGC) (FBI)  
Subject: FW: News Media Guidelines  
Attachments: 50 10 REDLINE December 2014.docx

[REDACTED]  
Can you please review the below guidelines and let us know if you have any comments/concerns?  
Thanks.

[REDACTED]  
Acting Unit Chief  
Privacy and Civil Liberties Unit  
FBI- Office of the General Counsel

b6 -1  
b7C

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

From: Babcock, Ernest J.  
Sent: Monday, December 08, 2014 8:47 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: News Media Guidelines

b6 -1  
b7C

[REDACTED] since [REDACTED] is copied, I assume we should take a look. Thanks. Ernie

Ernest J. Babcock  
Deputy General Counsel  
General Law Branch, Office of the General Counsel Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Washington, D.C. 20535  
202-324-5634

Confidentiality Statement:

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

From: [REDACTED]  
Sent: Monday, December 08, 2014 8:41 AM  
To: Sabol, Sherry E.; Babcock, Ernest J.; McNally, Richard; [REDACTED] (OGC) (FBI)  
Subject: FW: News Media Guidelines

b6 -1  
b7C

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

From: [REDACTED] (ODAG) [mailto:[REDACTED]]  
Sent: Saturday, December 06, 2014 9:41 AM  
To: [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED]  
[REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED]  
(OLP) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (OLP) (JMD); [REDACTED]  
(USAE0); [REDACTED] (USAE0); [REDACTED] (USAE0); [REDACTED] (OAAG); [REDACTED]  
[REDACTED] (OASG) (JMD); [REDACTED] (OLC) (JMD); [REDACTED]  
[REDACTED] (OLC) (JMD); [REDACTED] (ATR); [REDACTED] (CIV); [REDACTED] (ATR);  
Baltes, Joanna P.; [REDACTED] (ODAG) (JMD)  
Cc: [REDACTED] (OAG) (JMD); [REDACTED] (OAG) (JMD); [REDACTED] (OAG)  
(JMD); [REDACTED] (CRM); [REDACTED] (CRM)  
Subject: News Media Guidelines

b6 -1, 4  
b7C

All,

As you may recall, the Attorney General issued revised news media guidelines (28 CFR 50.10) in February 2014. Based on suggestions from the News Media Dialogue Group and our experience working with the guidelines since February, CRM put together proposed updates to 50.10.

Your component reviewed the 50.10 guidelines before the AG issued the revision in February. As such, we would very much like your component to review the proposed updates and let us know if you have any comments or questions by Wednesday, December 10. Thanks very much!

[REDACTED]  
[REDACTED]  
b6 -4  
b7C

Senior Counsel to the Deputy Attorney General  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Tel: [REDACTED]

[REDACTED] (OGC) (FBI)

**From:** [REDACTED] (OGC) (FBI)  
**Sent:** Tuesday, December 09, 2014 10:00 AM  
**To:** [REDACTED] (OGC) (FBI)  
**Cc:** Babcock, Ernest J. (OGC) (FBI)  
**Subject:** 50 10 REDLINE December 2014  
**Attachments:** 50 10 REDLINE December 2014.docx

b6 -1  
b7C

[REDACTED] and Ernie:

I made some extremely minor comments (and found a typo) in the document.  
Basically, I think it's fine. The one potentially important thing it leaves out

[REDACTED] b5 -1  
Maybe this is addressed in other Department policies, but as you know, [REDACTED]  
[REDACTED]

[REDACTED]  
Assistant General Counsel  
Privacy and Civil Liberties Unit  
Federal Bureau of Investigation  
[REDACTED]

b6 -1  
b7C

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 the number listed above.

[REDACTED] (OGC) (FBI)

**From:** Babcock Ernest J (OGC) (FBI) b6 -1  
**Sent:** Tuesday, December 09, 2014 2:18 PM b7C  
**To:** [REDACTED] (OGC) (FBI)  
**Cc:** [REDACTED] (OGC) (FBI), [REDACTED] (OGC) (FBI)  
**Subject:** FW: 50 10 REDLINE December 2014  
**Attachments:** 50 10 REDLINE December 2014 docx

For comments are attached. Error

Ernest Babcock  
Deputy General Counsel  
General Law Branch, Office of the General Counsel  
Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Washington, DC 20535  
202 324 5634

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 202 324 5634.

**From:** [REDACTED] (OGC) (FBI)  
**Sent:** Tuesday, December 09, 2014 10:00 AM  
**To:** [REDACTED] b6 -1  
**Cc:** Babcock, Ernest J b7C  
**Subject:** 50 10 REDLINE December 2014

[REDACTED] and Ernie:

I made some extremely minor comments (and found a typo) in the document. Basically, I think it's fine. The one potentially important thing it leaves out

Maybe this is addressed in other Department policies, but as you know, [REDACTED]

b5 -1

b5 -1

[REDACTED]  
Assistant General Counsel  
Privacy and Civil Liberties Unit  
Federal Bureau of Investigation  
[REDACTED]

b6 -1  
b7C

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[REDACTED] (OGC) (FBI)

**From:** [REDACTED] (OGC) (FBI)  
**Sent:** Tuesday, December 09, 2014 2:50 PM  
**To:** [REDACTED] (OGC) (FBI)  
**Subject:** Re: 50 10 REDLINE December 2014

b6 -1

b7C

Thanks [REDACTED]

[REDACTED]  
Acting Unit Chief  
Privacy and Civil Liberties Unit  
FBI Office of the General Counsel

**From:** [REDACTED] (OGC)(FBI)  
**To:** [REDACTED]  
**Cc:** Babcock, Ernest J.  
**Sent:** Tue Dec 09 09:59:48 2014  
**Subject:** 50 10 REDLINE December 2014

b6 -1

b7C

[REDACTED] and Ernie:

I made some extremely minor comments (and found a typo) in the document.  
Basically, I think it's fine. The one potentially important thing it leaves out

b5 -1

Maybe this is addressed in other Department policies, but as you know, [REDACTED]

[REDACTED]  
Assistant General Counsel  
Privacy and Civil Liberties Unit  
Federal Bureau of Investigation  
[REDACTED]

b6 -1

b7C

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[REDACTED] (OGC) (FBI)

**From:** [REDACTED] (OGC) (FBI) b6 -1  
**Sent:** Wednesday, January 07, 2015 8:14 AM b7C  
**To:** [REDACTED] (OGC) (FBI); Babcock, Ernest J. (OGC) (FBI)  
**Subject:** FW: 50 10 REDLINE December 2014  
**Attachments:** 50 10 REDLINE December 2014.docx

[REDACTED] Ernie:

W/r/t the latest version of the draft news media guidelines, below is the email I sent you a month ago about it. Basically, not much has changed. I think the policy is more or less fine - it sets some guidelines that will hopefully protect media members in their newsgathering activities, at least from DOJ subpoenas. As I said previously, [REDACTED] b5 -1

[REDACTED] Unlike a generation ago, this is a fairly important - and sometimes hard to answer - question, so I suppose I'm a bit surprised that the issue is not addressed in the current draft. Other than that, I have little to add.

[REDACTED]  
Assistant General Counsel  
Privacy and Civil Liberties Unit  
Federal Bureau of Investigation  
[REDACTED]

b6 -1  
b7C

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 the number listed above.

**From:** [REDACTED] (OGC)(FBI)  
**Sent:** Tuesday, December 09, 2014 10:00 AM  
**To:** [REDACTED] b6 -1  
**Cc:** Babcock, Ernest J. b7C  
**Subject:** 50 10 REDLINE December 2014

[REDACTED] and Ernie:

I made some extremely minor comments (and found a typo) in the document. Basically, I think it's fine. The one potentially important thing it leaves out

[REDACTED] b5 -1  
Maybe this is addressed in other Department policies, but as you know, [REDACTED]  
[REDACTED]

[REDACTED] b6 -1  
b7C

Assistant General Counsel  
Privacy and Civil Liberties Unit  
Federal Bureau of Investigation

b6 -1  
b7c

[REDACTED]

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 the number listed above.



[redacted] (OGC) (FBI)

b6 -1  
b7C

From: [redacted] (OGC) (FBI)  
Sent: Wednesday, January 07, 2015 12:52 PM  
To: Babcock, Ernest J (OGC) (FBI); [redacted] (OGC) (FBI)  
Subject: FW: News Media Guidelines

Ernie,

Regarding the below, should I forward [redacted] comments to [redacted]

b6 -1  
b7C

[redacted]  
Acting Unit Chief  
Privacy and Civil Liberties Unit  
FBI- Office of the General Counsel

Confidentiality Statement:

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

From: [redacted]  
Sent: Wednesday, January 07, 2015 12:17 PM  
To: [redacted] McNally, Richard; [redacted] (OGC)(FBI);  
[redacted]  
Cc: Sabol, Sherry E.; Babcock, Ernest J.  
Subject: RE: News Media Guidelines

b6 -1  
b7C

[redacted] and [redacted] I think this is in your bailiwick, no? Could you please coordinate as warranted on a suitable response for [redacted] with NSLB looped in too if and as appropriate? Thanks!

b6 -1  
b7C

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

From: [redacted]  
Sent: Wednesday, January 07, 2015 11:43 AM  
To: [redacted] McNally, Richard; [redacted]  
[redacted] (OGC)(FBI)  
Cc: Baltes, Joanna P.; Baker, James A.; [redacted]  
Subject: FW: News Media Guidelines

b6 -1  
b7C

Can OGC take the lead on reviewing and provide comments back to this group so we can provide to the DD? Comments are due back by "morning tomorrow" so we should aim to have our comments to the DD tonight/early tomorrow if possible. If we need more time, I can go back to [redacted]

[redacted] We should run past NSB execs as well.

b6 -1, 4  
b7C

Thanks

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

From: [redacted] (ODAG) [mailto:[redacted]]  
Sent: Tuesday, January 06, 2015 3:47 PM  
To: [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted]  
[redacted] (NSD) (JMD); [redacted] (NSD) (JMD); Wiegmann, Brad (NSD) (JMD); Tyrangiel, Elana  
(OLP) (JMD); [redacted] (OLP) (JMD); Chang, Edward (USAE0); Wong, Norman (USAE0);  
[redacted] (USAE0); [redacted] (OAAG) (JMD); Chilakamarri, Varudhini (OASG) (JMD);  
[redacted] (OLC) (JMD); [redacted] (OLC) (JMD);  
[redacted] (ATR); [redacted] (CIV); [redacted] (ATR); Baltes, Joanna P.;  
[redacted] (ODAG) (JMD); [redacted] (ATF); [redacted]  
(ODAG) (JMD); [redacted] (OLP) (JMD); [redacted] (DEA); [redacted] (DEA)  
Cc: [redacted] (OAG) (JMD); [redacted] (OAG) (JMD); [redacted] (OAG)  
(JMD); [redacted] (CRM); [redacted] (CRM)  
Subject: RE: News Media Guidelines

b6 -1, 4  
b7C

All,

Thank you very much for the input and comments. I have attached two documents to this email:

- (1) An updated version of the 50.10 guidelines that we would like to issue in the next week or so.
- (2) A redline to show the changes from the previous version of the guidelines that I sent in Dec. 2014.

b5 -1

Could you please let us know by Thursday morning, January 8 whether your component has any comments on the attached revised 50.10 guidelines?

Thanks very much,

[redacted]

b6 -1,4  
b7C

From: [redacted] (ODAG)  
Sent: Saturday, December 06, 2014 9:41 AM  
To: [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted]  
[redacted] (NSD); [redacted] (NSD); [redacted] (NSD); [redacted] (OLP); [redacted]  
[redacted] (OLP); [redacted] (OLP); [redacted] (USAE0); [redacted] (USAE0); [redacted]  
[redacted] (USAE0); [redacted] (OAG); [redacted] (OASG); [redacted] (FBI);  
[redacted] (FBI); [redacted] (OLC); [redacted] (OLC); [redacted]  
[redacted] (CIV); [redacted] Baltes, Joanna P. (FBI); [redacted] (FBI); [redacted]  
[redacted] (ODAG)  
Cc: [redacted] (OAG); [redacted] (OAG); [redacted] (OAG); [redacted]  
Paul; [redacted]  
Subject: News Media Guidelines

All,

As you may recall, the Attorney General issued revised news media guidelines (28 CFR 50.10) in February 2014. Based on suggestions from the News Media Dialogue Group and our experience working with the guidelines since February, CRM put together proposed updates to 50.10.

Your component reviewed the 50.10 guidelines before the AG issued the revision in February. As such, we would very much like your component to review the proposed updates and let us know if you have any comments or questions by Wednesday, December 10. Thanks very much!

[REDACTED]  
<< File: 50 10 REDLINE December 2014.docx >>

b6 -4

b7C

[REDACTED]  
Senior Counsel to the Deputy Attorney General  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Tel: [REDACTED]

[REDACTED] (OGC) (FBI)

b6 -1  
b7C

**From:** Babcock, Ernest J. (OGC) (FBI)  
**Sent:** Wednesday, January 07, 2015 12:56 PM  
**To:** [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI)  
**Subject:** FW: News Media Guidelines

FYI

Ernest J. Babcock  
Deputy General Counsel  
General Law Branch, Office of the General Counsel Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Washington, D.C. 20535  
202-324-5634

Confidentiality Statement:

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

**From:** [REDACTED]  
**Sent:** Wednesday, January 07, 2015 12:51 PM  
**To:** [REDACTED] McNally, Richard; [REDACTED] (OGC)(FBI);  
[REDACTED]  
**Cc:** Sabol, Sherry E.; Babcock, Ernest J.  
**Subject:** RE: News Media Guidelines

b6 -1  
b7C

I reviewed the draft in early December, and this is not significantly different. In my discussions with [REDACTED] (ODAG) on this, he indicated that most of the issues/questions raised will be addressed in the AG's memo accompanying the regulations or the USAM, rather than in changes to the regulations (as noted below).

b6 -4  
b7C

Overall, the recent revisions do not have a significant impact on FBI operations. The Department has included a provision for [REDACTED]

b5 -1

[REDACTED]

[REDACTED]

b5 -1

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

From: [REDACTED]  
Sent: Wednesday, January 07, 2015 12:17 PM  
To: [REDACTED] McNally, Richard; [REDACTED] (OGC)(FBI);  
Cc: Sabol, Sherry E.; Babcock, Ernest J.  
Subject: RE: News Media Guidelines

b6 -1  
b7C

[REDACTED] and [REDACTED] I think this is in your bailiwick, no? Could you please coordinate as warranted on a suitable response for [REDACTED] with NSLB looped in too if and as appropriate? Thanks!

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

From: [REDACTED]  
Sent: Wednesday, January 07, 2015 11:43 AM  
To: [REDACTED] McNally, Richard; [REDACTED]  
Cc: Baltes, Joanna P.; Baker, James A.; [REDACTED]  
Subject: FW: News Media Guidelines

b6 -1  
b7C

Can OGC take the lead on reviewing and provide comments back to this group so we can provide to the DD? Comments are due back by "morning tomorrow" so we should aim to have our comments to the DD tonight/early tomorrow if possible. If we need more time, I can go back to Kiran.

[REDACTED] We should run past NSB execs as well.

Thanks,  
[REDACTED]

b6 -1  
b7C

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

From: [REDACTED] (ODAG) [mailto:[REDACTED]]  
Sent: Tuesday, January 06, 2015 3:47 PM  
To: [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (USAE0); [REDACTED] (USAE0); [REDACTED] (USAE0); [REDACTED] (OAG) (JMD); [REDACTED] (OASG) (JMD); [REDACTED] (OLC) (JMD); [REDACTED] (OLC) (JMD); [REDACTED] (ATR); [REDACTED] (CIV); [REDACTED] (ATR); Baltes, Joanna P.; [REDACTED] (ODAG) (JMD); [REDACTED] (ATF); [REDACTED] (ODAG) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (DEA); [REDACTED] (DEA)  
Cc: [REDACTED] (OAG) (JMD); [REDACTED] (OAG) (JMD); [REDACTED] (OAG) (JMD); [REDACTED] (JMD); [REDACTED] (CRM); [REDACTED] (CRM)  
Subject: RE: News Media Guidelines

b6 -1, 4  
b7C

All,

Thank you very much for the input and comments. I have attached two documents to this email:

- (1) An updated version of the 50.10 guidelines that we would like to issue in the next week or so.
- (2) A redline to show the changes from the previous version of the guidelines that I sent in Dec. 2014.

[REDACTED]

Could you please let us know by Thursday morning, January 8 whether your component has any comments on the attached revised 50.10 guidelines?

Thanks very much,

[REDACTED] b6 -1, 4  
b7C

From: [REDACTED] (ODAG)

Sent: Saturday, December 06, 2014 9:41 AM

To: [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (NSD); [REDACTED] (NSD); [REDACTED] (NSD); [REDACTED] (OLP); [REDACTED] (OLP); [REDACTED] (OLP); [REDACTED] (USAEO); [REDACTED] (USAEO); [REDACTED] (USAEO); [REDACTED] (OAAG); [REDACTED] (OASG); [REDACTED] (FBI); [REDACTED] (FBI); [REDACTED] (OLC); [REDACTED] (OLC); [REDACTED] (CIV); [REDACTED] Baltes, Joanna P. (FBI); [REDACTED] (FBI); [REDACTED] (ODAG)

Cc: [REDACTED] (OAG); [REDACTED] (OAG); [REDACTED] (OAG); [REDACTED]

Subject: News Media Guidelines

All,

As you may recall, the Attorney General issued revised news media guidelines (28 CFR 50.10) in February 2014. Based on suggestions from the News Media Dialogue Group and our experience working with the guidelines since February, CRM put together proposed updates to 50.10.

Your component reviewed the 50.10 guidelines before the AG issued the revision in February. As such, we would very much like your component to review the proposed updates and let us know if you have any comments or questions by Wednesday, December 10. Thanks very much!

[REDACTED] b6 -4  
b7C

<< File: 50 10 REDLINE December 2014.docx >>

[REDACTED]  
Senior Counsel to the Deputy Attorney General  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Tel: [REDACTED]

[REDACTED] (OGC) (FBI)

b6 -1  
b7C

**From:** [REDACTED] (OGC) (FBI)  
**Sent:** Wednesday, January 07, 2015 12:57 PM  
**To:** [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI); McNally, Richard (OGC) (FBI);  
[REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI)  
**Cc:** Sabol, Sherry E (OGC) (FBI), Babcock, Ernest J (OGC) (FBI), [REDACTED] (OGC) (FBI)  
**Subject:** RE News Media Guidelines  
**Attachments:** FW 50 10 REDLINE December 2014

[REDACTED]  
[REDACTED] has reviewed both versions of this document for PCLU (December and the most recent). I am attaching his comments. Thanks.

b6 -1  
b7C

[REDACTED]  
Acting Unit Chief  
Privacy and Civil Liberties Unit  
FBI- Office of the General Counsel  
[REDACTED]

Confidentiality Statement:

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

**From:** [REDACTED]  
**Sent:** Wednesday, January 07, 2015 12:17 PM  
**To:** [REDACTED] McNally, Richard; [REDACTED] (OGC) (FBI);  
[REDACTED]  
**Cc:** Sabol, Sherry E.; Babcock, Ernest J.  
**Subject:** RE: News Media Guidelines

b6 -1  
b7C

[REDACTED] and [REDACTED] I think this is in your bailiwick, no? Could you please coordinate as warranted on a suitable response for [REDACTED] with NSLB looped in too if and as appropriate? Thanks!

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

**From:** [REDACTED]  
**Sent:** Wednesday, January 07, 2015 11:43 AM  
**To:** [REDACTED] McNally, Richard; [REDACTED]  
[REDACTED] (OGC) (FBI)  
**Cc:** Baltes, Joanna P.; Baker, James A.; [REDACTED]  
**Subject:** FW: News Media Guidelines

b6 -1, 4  
b7C

Can OGC take the lead on reviewing and provide comments back to this group so we can provide to the DD? Comments are due back by "morning tomorrow" so we should aim to have our comments to the DD tonight/early tomorrow if possible. If we need more time, I can go back to [REDACTED]

[redacted] We should run past NSB execs as well. b6 -1  
b7C

Thanks,  
[redacted]

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

From: [redacted] (ODAG) [mailto:[redacted]]  
Sent: Tuesday, January 06, 2015 3:47 PM  
To: [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted] (NSD) (JMD); [redacted] (NSD) (JMD); [redacted] (NSD) (JMD); [redacted] (OLP) (JMD); [redacted] (OLP) (JMD); [redacted] (USAEO); [redacted] (USAEO); [redacted] (USAEO); [redacted] (OAG) (JMD); [redacted] (OASG) (JMD); [redacted] (OLC) (JMD); [redacted] (OLC) (JMD); [redacted] (ATR); [redacted] (CIV); [redacted] (ATR); Baltes, Joanna P.; [redacted] (ODAG) (JMD); [redacted] (ODAG) (JMD); [redacted] (ATF); [redacted] (ODAG) (JMD); [redacted] (OLP) (JMD); [redacted] (DEA); [redacted] (DEA)  
Cc: [redacted] (OAG) (JMD); [redacted] (OAG) (JMD); [redacted] (OAG) (JMD); [redacted] (JMD); [redacted] (CRM); [redacted] (CRM)  
Subject: RE: News Media Guidelines

b6 -1  
b7C

All,

Thank you very much for the input and comments. I have attached two documents to this email:

- (1) An updated version of the 50.10 guidelines that we would like to issue in the next week or so.
- (2) A redline to show the changes from the previous version of the guidelines that I sent in Dec. 2014.

[redacted] b5 -1

Could you please let us know by Thursday morning, January 8 whether your component has any comments on the attached revised 50.10 guidelines?

Thanks very much,

[redacted] b6 -4  
b7C

From: [redacted] (ODAG)  
Sent: Saturday, December 06, 2014 9:41 AM  
To: [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted] (NSD); [redacted] (NSD); [redacted] (NSD); [redacted] (OLP); [redacted] (OLP); [redacted] (OLP); [redacted] (USAEO); [redacted] (USAEO); [redacted] (USAEO); [redacted] (OAG); [redacted] (OASG); [redacted] (FBI); [redacted] (FBI); [redacted] (OLC); [redacted] (OLC); [redacted] (CIV); [redacted] Baltes, Joanna P. (FBI); [redacted] (FBI); [redacted] (ODAG)  
Cc: [redacted] (OAG); [redacted] (OAG); [redacted] (OAG); [redacted]  
Subject: News Media Guidelines

b6 -1, 4  
b7C

All,



As you may recall, the Attorney General issued revised news media guidelines (28 CFR 50.10) in February 2014. Based on suggestions from the News Media Dialogue Group and our experience working with the guidelines since February, CRM put together proposed updates to 50.10.

Your component reviewed the 50.10 guidelines before the AG issued the revision in February. As such, we would very much like your component to review the proposed updates and let us know if you have any comments or questions by Wednesday, December 10. Thanks very much!

[REDACTED]

<< File: 50 10 REDLINE December 2014.docx >>

b6 -4  
b7c

[REDACTED]

Senior Counsel to the Deputy Attorney General  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Tel: [REDACTED]

[REDACTED] (OGC) (FBI)

b6 -1  
b7C

From: [REDACTED] (OGC) (FBI)  
Sent: Wednesday, January 07, 2015 1:59 PM  
To: [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI); McNally, Richard (OGC) (FBI);  
[REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI)  
Cc: Sabol, Sherry E (OGC) (FBI); Babcock, Ernest J (OGC) (FBI); [REDACTED] (OGC) (FBI)  
Subject: RE: News Media Guidelines

b5 -1

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

From: [REDACTED]  
Sent: Wednesday, January 07, 2015 12:57 PM  
To: [REDACTED] McNally, Richard; [REDACTED]  
[REDACTED] (OGC) (FBI); [REDACTED]  
Cc: Sabol, Sherry E.; Babcock, Ernest J.; [REDACTED] (OGC) (FBI)  
Subject: RE: News Media Guidelines

b6 -1  
b7C

[REDACTED]  
[REDACTED] has reviewed both versions of this document for PCLU (December and the most recent). I am attaching his comments. Thanks.

b6 -1  
b7C

[REDACTED]  
Acting Unit Chief  
Privacy and Civil Liberties Unit  
FBI- Office of the General Counsel

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

From: [REDACTED]  
Sent: Wednesday, January 07, 2015 12:17 PM  
To: [REDACTED] McNally, Richard; [REDACTED] (OGC) (FBI);  
[REDACTED]  
Cc: Sabol, Sherry E.; Babcock, Ernest J.  
Subject: RE: News Media Guidelines

b6 -1  
b7C

[REDACTED] and [REDACTED] I think this is in your bailiwick, no? Could you please coordinate as warranted on a suitable response for [REDACTED] with NSLB looped in too if and as appropriate? Thanks!

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

From: [REDACTED]

Sent: Wednesday, January 07, 2015 11:43 AM

To: [REDACTED] McNally, Richard; [REDACTED]

b6 -1

b7C

[REDACTED] (OGC) (FBI)

Cc: Baltes, Joanna P.; Baker, James A.; [REDACTED]

Subject: FW: News Media Guidelines

Can OGC take the lead on reviewing and provide comments back to this group so we can provide to the DD? Comments are due back by "morning tomorrow" so we should aim to have our comments to the DD tonight/early tomorrow if possible. If we need more time, I can go back to [REDACTED]

[REDACTED] We should run past NSB execs as well.

b6 -1, 4

b7C

Thanks,

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

From: [REDACTED] (ODAG) [mailto:[REDACTED]]

b6 -1, 4

b7C

Sent: Tuesday, January 06, 2015 3:47 PM

To: [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED]

[REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED]

[REDACTED] (OLP) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (USAE0); [REDACTED] (USAE0);

[REDACTED] (USAE0); [REDACTED] (OAAG) (JMD); [REDACTED] (OASG) (JMD);

[REDACTED] (OLC) (JMD); [REDACTED] (OLC) (JMD);

[REDACTED] (ATR); [REDACTED] (CIV); [REDACTED] (ATR); Baltes, Joanna P.;

[REDACTED] (ODAG) (JMD); [REDACTED] (ATF); [REDACTED]

[REDACTED] (ODAG) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (DEA); [REDACTED] (DEA)

Cc: [REDACTED] (OAG) (JMD); [REDACTED] (OAG) (JMD); [REDACTED] (OAG)

[REDACTED] (JMD); [REDACTED] (CRM); [REDACTED] (CRM)

Subject: RE: News Media Guidelines

All,

Thank you very much for the input and comments. I have attached two documents to this email:

- (1) An updated version of the 50.10 guidelines that we would like to issue in the next week or so.
- (2) A redline to show the changes from the previous version of the guidelines that I sent in Dec. 2014.

b5 -1

Could you please let us know by Thursday morning, January 8 whether your component has any comments on the attached revised 50.10 guidelines?

Thanks very much,

b6 -4

b7C

From: [REDACTED] (ODAG)

Sent: Saturday, December 06, 2014 9:41 AM

To: [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED]

[REDACTED] (NSD); [REDACTED] (NSD); [REDACTED] (NSD); [REDACTED] (OLP); [REDACTED]

[REDACTED] (OLP); [REDACTED] (OLP); [REDACTED] (USAE0); [REDACTED] (USAE0); [REDACTED]

[redacted] (USAE0); [redacted] (OAAG); [redacted] (OASG); [redacted] (FBI); b7C  
 [redacted] (FBI); [redacted] (OLC); [redacted] (OLC); [redacted]  
 [redacted] (CIV); [redacted] Baltes, Joanna P. (FBI); [redacted] (FBI); [redacted]  
 [redacted] (ODAG)  
 Cc: [redacted] (OAG); [redacted] (OAG); [redacted] (OAG); [redacted]  
 [redacted]  
 Subject: News Media Guidelines

All,

As you may recall, the Attorney General issued revised news media guidelines (28 CFR 50.10) in February 2014. Based on suggestions from the News Media Dialogue Group and our experience working with the guidelines since February, CRM put together proposed updates to 50.10.

Your component reviewed the 50.10 guidelines before the AG issued the revision in February. As such, we would very much like your component to review the proposed updates and let us know if you have any comments or questions by Wednesday, December 10. Thanks very much!

[redacted]

<< File: 50 10 REDLINE December 2014.docx >>

b6 -4  
b7C

[redacted]

Senior Counsel to the Deputy Attorney General  
 950 Pennsylvania Avenue, NW  
 Washington, D.C. 20530  
 Tel: [redacted]

b6 -1  
b7C

[REDACTED] (OGC) (FBI)

---

From: [REDACTED] (OGC) (FBI)  
Sent: Wednesday, January 07, 2015 2:04 PM  
To: [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI);  
[REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI);  
(FBI)  
Cc: Sabol, Sherry E (OGC) (FBI), Babcock, Ernest J (OGC) (FBI); [REDACTED] (OGC) (FBI)  
Subject: RE: News Media Guidelines

[REDACTED] As the apparent OGC expert on this, do you want to take charge of getting back to  
[REDACTED] with any comments on the latest version?

b6 -1  
b7C

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

From: [REDACTED]  
Sent: Wednesday, January 07, 2015 1:59 PM  
To: [REDACTED] McNally, Richard; [REDACTED]  
[REDACTED] (OGC) (FBI); [REDACTED]  
Cc: Sabol, Sherry E.; Babcock, Ernest J.; [REDACTED] (OGC) (FBI)  
Subject: RE: News Media Guidelines

b5 -1

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

From: [REDACTED]  
Sent: Wednesday, January 07, 2015 12:57 PM  
To: [REDACTED] McNally, Richard; [REDACTED]  
[REDACTED] (OGC) (FBI); [REDACTED]  
Cc: Sabol, Sherry E.; Babcock, Ernest J.; [REDACTED] (OGC) (FBI)  
Subject: RE: News Media Guidelines

b6 -1  
b7C

[REDACTED]  
[REDACTED] has reviewed both versions of this document for PCLU (December and the most recent). I am attaching his comments. Thanks.

b6 -1  
b7C

[REDACTED]  
Acting Unit Chief  
Privacy and Civil Liberties Unit  
FBI- Office of the General Counsel

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b6 -1  
b7C

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

From: [REDACTED]  
Sent: Wednesday, January 07, 2015 12:17 PM

To: [redacted] McNally, Richard; [redacted] (OGC)(FBI);  
[redacted]  
Cc: Sabol, Sherry E.; Babcock, Ernest J.  
Subject: RE: News Media Guidelines

b6 -1  
b7C

[redacted] and [redacted] I think this is in your bailiwick, no? Could you please coordinate as warranted on a suitable response for [redacted] with NSLB looped in too if and as appropriate? Thanks!

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

b6 -1  
b7C

From: [redacted]  
Sent: Wednesday, January 07, 2015 11:43 AM  
To: [redacted] McNally, Richard; [redacted]  
[redacted] (OGC)(FBI)  
Cc: Baltes, Joanna P.; Baker, James A.; [redacted]  
Subject: FW: News Media Guidelines

Can OGC take the lead on reviewing and provide comments back to this group so we can provide to the DD? Comments are due back by "morning tomorrow" so we should aim to have our comments to the DD tonight/early tomorrow if possible. If we need more time, I can go back to [redacted] b6 -1, 4  
b7C

[redacted] We should run past NSB execs as well.

Thanks,  
[redacted]

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

b6 -1, 4  
b7C

From: [redacted] (ODAG) [mailto:[redacted]]  
Sent: Tuesday, January 06, 2015 3:47 PM  
To: [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted]  
[redacted] (NSD) (JMD); [redacted] (NSD) (JMD); [redacted] (NSD) (JMD); [redacted]  
[redacted] (OLP) (JMD); [redacted] (OLP) (JMD); [redacted] (USAE0); [redacted] (USAE0);  
[redacted] (USAE0); [redacted] (OAAG) (JMD); [redacted] (OASG) (JMD);  
[redacted] (OLC) (JMD); [redacted] (OLC) (JMD);  
[redacted] (ATR); [redacted] (CIV); [redacted] (ATR); Baltes, Joanna P.;  
[redacted] (ODAG) (JMD); [redacted] (ATF); [redacted]  
[redacted] (ODAG) (JMD); [redacted] (OLP) (JMD); [redacted] (DEA); [redacted] (DEA)  
Cc: [redacted] (OAG) (JMD); [redacted] (OAG) (JMD); [redacted] (OAG)  
(JMD); [redacted] (CRM); [redacted] (CRM)  
Subject: RE: News Media Guidelines

All,

Thank you very much for the input and comments. I have attached two documents to this email:

- (1) An updated version of the 50.10 guidelines that we would like to issue in the next week or so.
- (2) A redline to show the changes from the previous version of the guidelines that I sent in Dec. 2014.

b5 -1

[redacted]  
Could you please let us know by Thursday morning, January 8 whether your component has any comments on the attached revised 50.10 guidelines?

Thanks very much,

b6 -1, 4  
b7C

[redacted]  
From: [redacted] (ODAG)  
Sent: Saturday, December 06, 2014 9:41 AM  
To: [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted]  
[redacted] (NSD); [redacted] (NSD); [redacted] (NSD); [redacted] (OLP); [redacted]  
[redacted] (OLP); [redacted] (OLP); [redacted] (USAEO); [redacted] (USAEO); [redacted]  
[redacted] (USAEO); [redacted] (OAAG); [redacted] (OASG); [redacted] (FBI);  
[redacted] (FBI); [redacted] (OLC); [redacted] (OLC); [redacted]  
[redacted] (CIV); [redacted] Baltes, Joanna P. (FBI); [redacted] (FBI); [redacted]  
[redacted] (ODAG)  
Cc: [redacted] (OAG); [redacted] (OAG); [redacted] (OAG); [redacted]  
Subject: News Media Guidelines

All,

As you may recall, the Attorney General issued revised news media guidelines (28 CFR 50.10) in February 2014. Based on suggestions from the News Media Dialogue Group and our experience working with the guidelines since February, CRM put together proposed updates to 50.10.

Your component reviewed the 50.10 guidelines before the AG issued the revision in February. As such, we would very much like your component to review the proposed updates and let us know if you have any comments or questions by Wednesday, December 10. Thanks very much!

[redacted]  
<< File: 50 10 REDLINE December 2014.docx >>

b6 -4  
b7C

[redacted]  
Senior Counsel to the Deputy Attorney General  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Tel: [redacted]

[REDACTED] (OGC) (FBI)

b6 -1  
b7C

**From:** [REDACTED] (OGC) (FBI)  
**Sent:** Thursday, December 11, 2014 10:59 AM  
**To:** Babcock, Ernest J. (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI); Sabol, Sherry E. (OGC) (FBI); [REDACTED] (OGC) (FBI); [REDACTED] (OGC) (FBI)  
**Subject:** FW: News Media Guidelines

**From:** [REDACTED] (NSD) [mailto:[REDACTED]]  
**Sent:** Wednesday, December 10, 2014 6:34 PM  
**To:** [REDACTED] (ODAG) (JMD); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (OLP) (JMD); [REDACTED] (USAEO); [REDACTED] (USAEO); [REDACTED] (USAEO); [REDACTED] (OAAG) (JMD); [REDACTED] (OASG) (JMD); [REDACTED] (OLC) (JMD); [REDACTED] (OLC) (JMD); [REDACTED] (ATR); [REDACTED] (CIV); [REDACTED] (ATR); Baltes, Joanna P.; [REDACTED] (ODAG) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD)  
**Cc:** [REDACTED] (OAG) (JMD); [REDACTED] (OAG) (JMD); [REDACTED] (OAG) (JMD); [REDACTED] (CRM); [REDACTED] (CRM)  
**Subject:** RE: News Media Guidelines

b6 -1, 4  
b7C

H [REDACTED]

Thanks for circulating these proposed edits—we appreciate the chance to review them. After discussing for a couple of days on our end, I think we have a few thoughts more by way of questions than comments or concerns at this point:

b5 -1

1. [REDACTED]

b5 -1

2. [REDACTED]

b5 -1

3. [REDACTED]



4.

b5 -1

Any clarification that you could provide on what these proposed changes are aiming to accomplish (or what they're motivated by) would help us in evaluating their potential effects and any concerns that might arise on our end. Thanks very much!

All the best, [redacted] b6 -4  
b7C

**From:** [redacted] (ODAG) b6 -1, 4  
**Sent:** Wednesday, December 10, 2014 5:11 PM b7C  
**To:** [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted] (NSD); [redacted] (NSD); [redacted] (NSD); [redacted] (OLP); [redacted] (OLP); [redacted] (OLP); [redacted] (OLP); [redacted] (USAEO); [redacted] (USAEO); [redacted] (USAEO); [redacted] (OAAG); [redacted] (OASG); [redacted] (FBI); [redacted] (FBI); [redacted] (OLC); [redacted] (OLC); [redacted] (CIV); [redacted] Baltes, Joanna P. (FBI); [redacted] (FBI); [redacted] (ODAG)  
**Cc:** [redacted] (OAG); [redacted] (OAG); [redacted] (OAG); [redacted]  
**Subject:** RE: News Media Guidelines

All

This is just a gentle reminder to provide any comments or questions today. Thanks very much,

[redacted] b6 -4  
b7C

**From:** [redacted] (ODAG) b6 -1, 4  
**Sent:** Saturday, December 06, 2014 9:41 AM b7C  
**To:** [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted] (NSD); [redacted] (NSD); [redacted] (NSD); [redacted] (OLP); [redacted] (OLP); [redacted] (OLP); [redacted] (OLP); [redacted] (USAEO); [redacted] (USAEO); [redacted] (USAEO); [redacted] (OAAG); [redacted] (OASG); [redacted] (FBI); [redacted] (FBI); [redacted] (OLC); [redacted] (OLC); [redacted] (CIV); [redacted] Baltes, Joanna P. (FBI); [redacted] (FBI); [redacted] (ODAG)  
**Cc:** [redacted] (OAG); [redacted] (OAG); [redacted] (OAG); [redacted]  
**Subject:** News Media Guidelines

All,

As you may recall, the Attorney General issued revised news media guidelines (28 CFR 50.10) in February 2014. Based on suggestions from the News Media Dialogue Group and our experience working with the guidelines since February, CRM put together proposed updates to 50.10.

Your component reviewed the 50.10 guidelines before the AG issued the revision in February. As such, we would very much like your component to review the proposed updates and let us know if you have any comments or questions by **Wednesday, December 10**. Thanks very much!

[REDACTED]  
<< File: 50 10 REDLINE December 2014.docx >>

[REDACTED]  
Senior Counsel to the Deputy Attorney General  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Tel: [REDACTED]

[REDACTED] (OGC) (FBI)

From: [REDACTED] (OGC) (FBI)  
Sent: Tuesday, January 06, 2015 4:30 PM  
To: [REDACTED] (OGC) (FBI)  
Cc: Babcock, Ernest J. (OGC) (FBI)  
Subject: Fw: News Media Guidelines  
Attachments: redline 1-6-15.docx, 50 10 January 6 2015 CLEAN.docx

b6 -1  
b7C

[REDACTED]  
Can you review this? I think you may have provided comments on an earlier version. Thanks.

[REDACTED]  
Acting Unit Chief  
Privacy and Civil Liberties Unit  
FBI Office of the General Counsel

b6 -1  
b7C

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

From: Babcock, Ernest J.  
To: [REDACTED]  
Cc: [REDACTED]  
Sent: Tue Jan 06 16:01:54 2015  
Subject: FW: News Media Guidelines

[REDACTED] please review or assign. Hope you are feeling better. Ernie

Ernest J. Babcock  
Deputy General Counsel  
General Law Branch, Office of the General Counsel Federal Bureau of Investigation  
935 Pennsylvania Ave, NW  
Washington, D.C. 20535  
202-324-5634

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

From: [REDACTED]  
Sent: Tuesday, January 06, 2015 3:56 PM  
To: McNally, Richard; [REDACTED] (OGC) (FBI); [REDACTED]; [REDACTED]  
Sabol, Sherry E.; Babcock, Ernest J.; [REDACTED]; [REDACTED]  
Subject: FW: News Media Guidelines

b6 -1  
b7C

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

From: [REDACTED] (ODAG) [mailto:[REDACTED]]  
Sent: Tuesday, January 06, 2015 3:47 PM  
To: [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED] (CIV); [REDACTED]  
[REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED] (NSD) (JMD); [REDACTED]

b6 -4  
b7C

(OLP) (JMD); [redacted] (OLP) (JMD); [redacted] (USAE0); [redacted] (USAE0); [redacted] (USAE0); [redacted] (OAAG) (JMD); [redacted] (OASG) (JMD); [redacted] (OLC) (JMD); [redacted] (OLC) (JMD); [redacted] (ATR); [redacted] (CIV); [redacted] (ATR); Baltes, Joanna P.; [redacted] (ODAG) (JMD); [redacted] (ATF); [redacted] (ODAG) (JMD); [redacted] (OLP) (JMD); [redacted] (DEA); [redacted] (DEA) Cc: [redacted] (OAG) (JMD); [redacted] (OAG) (JMD); [redacted] (OAG) (JMD); [redacted] (OAG) (JMD); [redacted] (CRM); [redacted] (CRM) Subject: RE: News Media Guidelines

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- (2) A redline to show the changes from the previous version of the guidelines that I sent in Dec. 2014.

[redacted]

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Thanks very much,

[redacted] b6 -4  
[redacted] b7C

From: [redacted] (ODAG) Sent: Saturday, December 06, 2014 9:41 AM To: [redacted] (CIV); [redacted] (CIV); [redacted] (CIV); [redacted] (NSD); [redacted] (NSD); [redacted] (NSD); [redacted] (OLP); [redacted] (OLP); [redacted] (OLP); [redacted] (USAE0); [redacted] (USAE0); [redacted] (USAE0); [redacted] (OAAG); [redacted] (OASG); [redacted] (FBI); [redacted] (FBI); [redacted] (OLC); [redacted] (OLC); [redacted] (CIV); [redacted] Baltes, Joanna P. (FBI); [redacted] (FBI); [redacted] (ODAG) Cc: [redacted] (OAG); [redacted] (OAG); [redacted] (OAG); [redacted] Subject: News Media Guidelines

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[redacted] b6 -4  
[redacted] b7C

<< File: 50 10 REDLINE December 2014.docx >>

[REDACTED]  
Senior Counsel to the Deputy Attorney General    b6 -4  
950 Pennsylvania Avenue, NW                    b7C  
Washington, D.C. 20530  
Tel: [REDACTED]