

[Redacted] (OGC) (FBI)

b6 -1  
b7C

**From:** [Redacted] (OGC)(FBI)  
**Sent:** Tuesday, July 28, 2015 10:17 AM  
**To:** [Redacted] (OGC) (FBI)  
**Subject:** RE: Revised Media Guidelines --- UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~  
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Hi [Redacted]

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b7C

The letter looks good to me, and stresses the negative effect the broad reading of the guidelines is having on our investigations.

The only comment I would have is regarding the phrase: [Redacted]

[Redacted]

b5 -1

[Redacted]

[Redacted]

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**From:** [Redacted] (OGC) (FBI)  
**Sent:** Friday, July 24, 2015 3:55 PM  
**To:** [Redacted] (OGC)(FBI); [Redacted] (NY) (FBI); [Redacted] (OGC)(FBI);  
[Redacted] (OGC)(FBI); [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI); [Redacted]  
(OGC)(FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI);  
[Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted]  
[Redacted] (LA)(FBI)  
**Cc:** [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI)  
**Subject:** FW: Revised Media Guidelines --- UNCLASSIFIED//~~FOUO~~

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Classification: UNCLASSIFIED//~~FOUO~~  
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FYI

**From:** [Redacted] (OGC) (FBI)  
**Sent:** Friday, July 24, 2015 3:25 PM  
**To:** [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted] (OGC)(FBI); [Redacted]  
[Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)  
**Cc:** [Redacted] (WF)(FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted]  
[Redacted] (OGC)(FBI)  
**Subject:** Revised Media Guidelines --- UNCLASSIFIED//~~FOUO~~

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Classification: UNCLASSIFIED//~~FOUO~~  
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All –  
As you know, DOJ revised their media guidelines last year and issued a final rule on January 14, 2015. In promulgating that rule, the Attorney General signed the attached memorandum to all DOJ employees which requires mandatory consultation with the Criminal Division (OEO) on almost all decisions relating to the media –whether or not we believe that the proposed action falls clearly outside the actual terms of the regulation (28 CFR 50.10).

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Please review the attached letter. We welcome any feedback, comments or suggestions. Please send responses by **Wednesday, July 29**. Sorry for the tight turnaround, but it's really short – probably shorter than this email explaining it! Let me know if anyone would like to discuss further in person.

Thanks,



<< File: Revised Media Guidelines - AG Memo.pdf >> << File: [redacted] letter.docx >>

b6 -1  
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[redacted]  
Assistant General Counsel  
National Security Law Branch  
[redacted]

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Classification: UNCLASSIFIED//~~FOUO~~

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Classification: UNCLASSIFIED//~~FOUO~~

[Redacted] (OGC) (FBI)

**From:** [Redacted] (DO)(FBI) b6 -1  
**Sent:** Friday, April 25, 2014 5:03 PM b7C  
**To:** [Redacted] (OGC) (FBI); [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)  
**Cc:** [Redacted] (OGC) (FBI); [Redacted] (DO)(FBI); [Redacted] (DO) (OGA)  
**Subject:** FW: Update DIOG Classified Annex - NSLs --- ~~SECRET//NOFORN~~  
**Attachments:** [Untitled].pdf; NSL Media Policy Options DOJ (March 2014).pdf; Update DIOG Classified Annex - NSLs.docx

**SentinelCaseId:** TRANSITORY RECORD

~~Classification: SECRET//NOFORN~~

~~Classified By: F55M85K85  
Derived From: FBI NSIC, dated 20120629  
Declassify On: 20391231~~

[Redacted] b6 -1  
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The AG's office is going to set a briefing for the AG/DAG for the first full week of May to discuss [Redacted] b5 -1

We plan to present the proposals to the D and DD later next week. [Redacted] b5 -2

[Redacted] Please provide OGC and NSB signoff on the proposals by COB on Tuesday, 4/29 so we can tee up for the D and DD.

Thanks, b6 -1  
b7C  
[Redacted]

FISAs

[Redacted] b5 -1

NSLs

[Redacted] drafted the attached proposal to update the classified annex of the DIOG (Section G-12) which covers procedures on the issuance of NSLs to members of the news media or news organizations. b6 -1  
b7C

[Redacted] b5 -1

[Redacted]

b5 -1

**From:** [Redacted] (DO)(OGA)  
**Sent:** Tuesday, March 11, 2014 3:51 PM  
**To:** [Redacted] (OGC) (FBI)  
**Cc:** [Redacted] (OGC)(FBI); [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI); [Redacted] (DO)(FBI); [Redacted] (CTD) (OGA)  
**Subject:** Update DIOG Classified Annex - NSLs --- ~~SECRET//NOFORN~~

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~~Classified By: F55M85K85  
Derived From: FBI NSIC, dated 20120629  
Declassify On: 20391231~~

-----  
TRANSITORY RECORD

[Redacted]

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Per our discussion, attached is the revision to the classified annex of the DIOG relating to media NSLs. [Redacted] had the lead on revising based on our last meeting with the AG and DAG. The bottom line: [Redacted]

[Redacted] The revision to the DIOG does the following:

[Redacted]

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[Redacted]

b5 -1

Please advise if [Redacted] is ok with the NSL portion and more broadly, the FISA portion.

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We would like to present to the DD, and possibly the D, tomorrow.

Thanks,

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b7C

[Redacted]

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Classification: ~~SECRET//NOFORN~~

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Classification: ~~SECRET//NOFORN~~

[Redacted] (OGC) (FBI)

**From:** [Redacted] (OGC)(FBI)  
**Sent:** Tuesday, February 10, 2015 10:22 AM  
**To:** [Redacted] (OGC)(FBI)  
**Subject:** RE: Media interviews --- UNCLASSIFIED

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**SentinelCaseId:** NON-RECORD

Classification: UNCLASSIFIED  
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[Redacted] b6 -1  
b7C

You may want to share this with the client as well (GMU/GOU) so that they know the advice you are giving out on this issue.

Thanks.

[Redacted]

[Redacted]  
Assistant General Counsel  
National Security Law Branch  
Office of the General Counsel

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b7C  
b7E -3

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**From:** [Redacted] (OGC)(FBI)  
**Sent:** Tuesday, February 10, 2015 10:06 AM  
**To:** [Redacted] (OGC)(FBI); [Redacted] (NO) (FBI)  
**Subject:** RE: Media interviews --- UNCLASSIFIED

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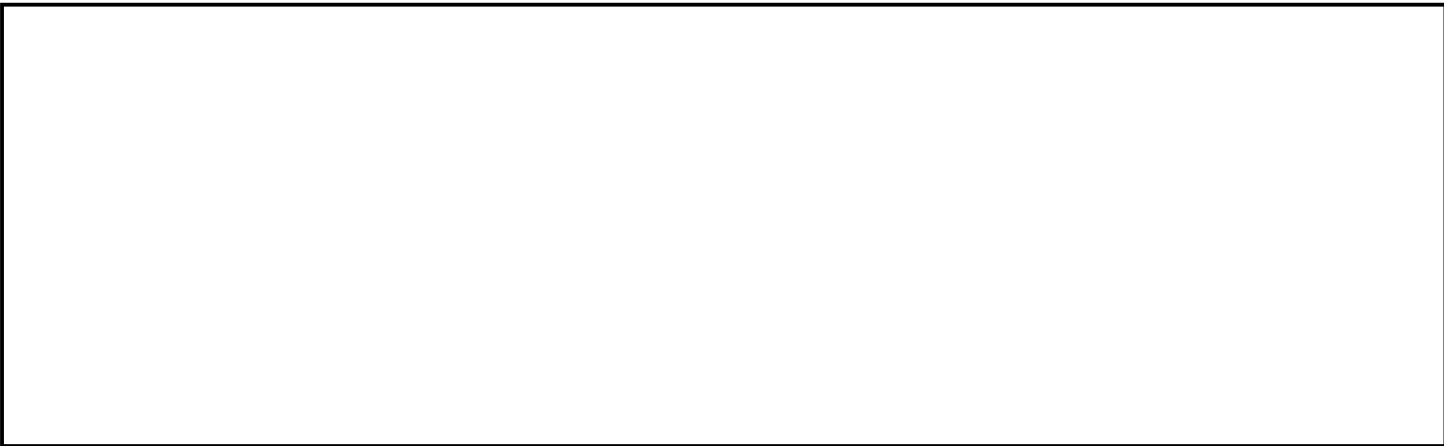
Classification: UNCLASSIFIED  
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Thank you [Redacted] as [Redacted] noted, the AG recently issued revised media guidelines which replace the guidelines codified at 28 CFR 50.10.

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[Redacted]

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b5 -1

Below are excerpts from the DIOG and a white paper issued following the updated guidelines

**18.5.6.4.8 (U) MEMBERS OF THE NEWS MEDIA**

**18.5.6.4.8.1 (U) APPROVAL REQUIREMENTS**

**18.5.6.4.8.1.1 (U) GENERAL REQUIREMENTS**

(U/~~FOUO~~) Attorney General approval must be obtained prior to conducting an interview of a member of the news media for any offense which the member of the news media is suspected of having committed in the course of, or arising out of, the coverage or investigation of a news story, or while engaged in the performance of his/her official duties as a member of the news media.



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The EC must contain the necessary facts and investigative justification for the interview consistent with the DOJ guidelines set forth in 28 C.F.R. § 50.10.

**I. Questioning, Arresting, Charging Members of the News Media**

(U) Attorney General authorization is also required prior to questioning, arresting, or charging a member of the news media regarding criminal conduct he/she is suspected of having committed in the course of, or arising out of, the coverage or investigation of the news or while engaged in the performance of official duties.

**II. Safeguarding Information Obtained**



b7E -1

[Redacted]

b7E -1

In addition to the above

[Redacted]

b7E -1

[Redacted]

[Redacted]

[Redacted]

b7E -1

I hope this answers your questions. Please let me know if you would like any additional information.

Thanks,

[Redacted]

[Redacted] FBI/OGC | NATIONAL SECURITY LAW BRANCH | [Redacted]

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b7C  
b7E -3

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**From:** [Redacted] (OGC)(FBI)  
**Sent:** Monday, February 09, 2015 5:04 PM  
**To:** [Redacted] (NO) (FBI)  
**Cc:** [Redacted] (OGC)(FBI)  
**Subject:** RE: Media interviews --- UNCLASSIFIED

b6 -1  
b7C

Classification: UNCLASSIFIED

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Hi [Redacted]

b6 -1  
b7C

Thanks for your email. Unfortunately, I am no longer the legal rep to GMU. I have copied [Redacted] here, who is currently assigned this role. She will be able to provide the most up to date guidance with regard to the mandatory baseline collection policy (which incorporates the interview requirement) and the AG memo re: contact with media members. Thanks!



[Redacted]

[Redacted]

Assistant General Counsel  
National Security Law Branch  
Office of the General Counsel

[Redacted]

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b7E -3

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**From:** [Redacted] (NO) (FBI)  
**Sent:** Monday, February 09, 2015 4:51 PM b6 -1  
**To:** [Redacted] (OGC)(FBI) b7C  
**Subject:** Media interviews --- UNCLASSIFIED

Classification: UNCLASSIFIED

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b6 -1, -3  
b7C  
b7E -1, -2

Hi [Redacted] I have a question that I'm hoping you can answer or refer me to the person who can. [Redacted]

[Redacted]

SSA [Redacted]  
Associate Division Counsel  
New Orleans

[Redacted]

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