

# EXIGENT LETTERS

July 2002: CAU formed

March 14, 2003: First exigent letter issued in NY

May 2003: First contract with telecom for onsite exigent assistance

March 2004: Last contract with telecom for onsite exigent assistance

February 2, 2005: Operation W NSL signed; Tracker database attempted

February 2006: Procedures to verify factual accuracy of FISA applications

May 12, 2006: First blanket NSL (for Company B)

May 17, 2006: Assistant General Counsel sends email regarding exigent letters (leads to OGC "learning" of practice)

July 5, 2006: Second blanket NSL

August 2, 2006: AGC sends follow-up on exigent letters blanket NSL for Company B

September 18, 2006: Youssef cancels hot number service from Company C

September 21, 2006: Third blanket NSL

October 10, 2006: Company B changes policy on exigent letters to require SSA to say it is emergency involving death or serious injury.

November 7, 2006: AGC sends email to Valerie Caproni on blanket NSL, heads up for IG investigation

February 22, 2007: AGC tells Youssef the blanket NSLs may be PIOBs, need to be reported within 14 days

March 1, 2007: FBI draws up new guidelines, requiring factual predicate and limiting people who can authorize exigent letters

March 9, 2007: IG Report on NSLs including "any

illegal and improper use" in 2003 through 2005

June 1, 2007: FBI Guidance on who could sign  
NSLs

August 28, 2007: First OLC request to approve  
exigent letters.

October 12, 2007: SSCI staffer writes (PDF 7) to  
Ben Powell at NSA stating

... you indicated that the Oversight  
section (section o) would be problematic  
if the DOJ IG was empowered to review  
NSA's compliance with acquisition and  
minimization procedures

October 31, 2007: FBI tells IOB it will send  
letter on blanket NSLs and purge all illegally  
acquired information.

November 2007: FBI issues draft guidance on  
Community of Interest requests.

December 2007 to January 2008: Telecom personnel  
move out of CAU.

January 11, 2008: FBI issues new protocol for  
requesting phone records.

February 29, 2008: Bush guts the Intelligence  
Advisory Board, stripping it of investigative  
ability and oversight over IGs.

March 13, 2008: IG Report on NSLs, assessing  
corrective actions of FBI and describing NSL  
usage in 2006

March 14, 2008: SSCI staffer states they would  
prefer to have Intelligence Inspector General  
conduct IG Review of warrantless wiretap program  
(suggesting opposition to Glenn Fine) (PDF 81)

November 5, 2008: OLC issues opinion in response  
to August 28, 2007 request

January 16, 2009: OLC issues a response on  
whether Acting DADs and other Acting officials  
could sign NSLs

March 31, 2009: FBI formally informs IAB of NSL

problems

August 17, 2009: Obama appoints Chuck Hagel to IAB.

October 29, 2009: Obama restores investigative ability to Intelligence Advisory Board

January 20, 2010: IG Report on exigent letters