

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)		LEAVE BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER <i>71-065-03-2</i>	
1 FROM (Agency or establishment) <b>Department of Justice</b>		DATE RECEIVED <i>4-4-2003</i>	
2 MAJOR SUBDIVISION <b>Federal Bureau of Investigation</b>		NOTIFICATION TO AGENCY	
3 MINOR SUBDIVISION <b>Records Management Division (RMD)</b>		In accordance with the provisions of 44 U S C 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or withdrawn" in column 10	
4 NAME OF PERSON WITH WHOM TO CONFER <b>Marie B. Allen</b>	5 TELEPHONE <b>202-324-7231</b>	DATE <i>7-12-04</i>	ARCHIVIST OF THE UNITED STATES <i>John W. Carl</i>
6 AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached <u>2</u> page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE <b>03/28/2003</b>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Robert J. Garry, Jr.</i> <b>/s/ Robert J. Garry, Jr.</b>	TITLE <b>Acting Assistant Director Records Management Division</b>	
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<b>ORIGINAL ELECTRONIC SURVEILLANCE (ELSUR) MEDIA</b>  Electronic media maintained by offices of the Federal Bureau of Investigation [FBI] are the product of a variety of audio, video and other electronic technologies. The ELSUR media addressed in this document are produced under the direction of the FBI, in accordance with statutory, regulatory and other policy requirements including, but not limited to, the following: <ol style="list-style-type: none"> <li>1) consent of one party, Title 18, United States Code (USC), Section 2511(c) [consensual monitoring];</li> <li>2) court order issued in accordance with Title 18, USC, Section 2518 (otherwise known as "Title III");</li> <li>3) court order issued in accordance with Title 50, USC, Section 1801, (Foreign Intelligence Surveillance Act);</li> <li>4) court order issued in accordance with Rule 41(b) of the Federal Rules of Criminal Procedure and the All Writs Act, Title 28, USC Section 1651; and</li> <li>5) Attorney General Guidelines for "Procedures for Lawful Warrantless Interceptions of Verbal Communications"</li> </ol> <i>cc Agency, NR, Nwmmw, nwes, nwct</i>		

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	<p>NOTE: All information obtained by the FBI pursuant to the orders of a Foreign Intelligence Surveillance Court (FISC) is subject to the Standard Minimization Procedures approved by the FISC and adopted by the Attorney General. Per the Standard Minimization Procedures, FISA information may be destroyed at any time if the FBI determines that: a) the information is not pertinent to an authorized responsibility, duty, or function of the FBI, any United States law enforcement agency, or the United States intelligence community and is unlikely to become so; b) the information is not of foreign intelligence value, either currently or potentially; c) the information does not contain evidence of a criminal offense that has been, is being, or is about to be committed; d) the information does not contain material that is potentially exculpatory of a criminal defendant; e) the information does not include privileged communications; and f) the information is not subject to any rules or requirements under a FISC order which would preclude its immediate destruction.</p> <p>I. Electronic medium (i.e., analog audio and video cassettes, compact disks, and digital audio and video storage medium regardless of format) with or without sound generated during an investigation and authorized by court order or other appropriate authorizing official.</p> <p>DESTROY media and related control documents 11 years after the date of the media, when there is no longer an agency interest in the media, and after securing any necessary authorization for destruction from a court of competent jurisdiction</p> <p>II. Electronic medium (i.e. analog audio and video cassettes, compact disks, and digital audio and video storage medium regardless of format) generated pursuant to consent of at least one of the participants.</p> <p>DESTROY media and related control documents 11 years after the date of the media, and when there is no longer an agency interest in the media.</p> <p>III. Electronic medium (i.e. analog audio and video cassettes, compact disks, and digital audio and video storage medium regardless of format) without sound authorized by the Special Agent in Charge or other appropriate authorizing official.</p> <p>DESTROY media and related control documents 11 years after the date of the media, and when the agency use has been exhausted</p> <p><b>NOTE: Prior to final disposition, the FBI will evaluate the electronic surveillance material related to each case to determine whether or not the records have historical value. If so, the records will be</b></p>	<p>N1-65-90-03</p> <p>N1-65-90-03</p> <p>N1-65-90-03</p>	

proposed for permanent retention under a separate disposition authority.