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U.S. Department of Justice

National Security Division

U.S. FOREIGN
INTELLIGENCE
SURVEILLANCE COURT
2022 FEB 28 PM 4: 13
MAURA PETERSON
CLERK OF COURT

Washington, D.C. 20530

February 28, 2022

The Honorable Rudolph Contreras
United States Foreign Intelligence Surveillance Court
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Re: *In Re Accuracy Concerns Regarding FBI Matters Submitted to the FISC*,
Docket No. Misc. 19-02

Dear Judge Contreras:

(U) The Government respectfully submits this update regarding technological improvements the Federal Bureau of Investigation (FBI) is undertaking to aid in consistency and accountability within the FISA application process.

(U) On March 5, 2020, the Court entered an Order directing the Government to provide by March 27, 2020, “a description of any planned or implemented technological improvements to the process of preparing FISA applications or verifying the information contained in FISA applications and updates every thirty days thereafter until they have been fully implemented.” Corrected Opinion and Order of the Foreign Intelligence Surveillance Court (the Court) entered on March 5, 2020 (March 5, 2020 Order) at 17. Following the Court’s grant of a modification permitting updates to be provided to the Court every ninety days, the Government has filed periodic updates most recently on November 29, 2021.¹

(U) As explained previously, the FBI currently manages its workflow related to Foreign Intelligence Surveillance Act (FISA) processes in a platform called the FISA Management System (FISAMS) but is transitioning to a system colloquially known as “the Bridge.” The Bridge is designed to increase collaboration within FBI, as well as between FBI and the Office of Intelligence. FISA workflow processes on the Secret system are not expected to replace those in FISAMS until at least the first quarter of fiscal year 2023, which is an updated timeline for the implementation of this change. Those on the Top Secret system will follow on later.

(U) The FBI’s efforts to develop and implement the Bridge are continuous and ongoing. During prior reporting periods, the Bridge team developed and deployed for testing the FBI’s FISA verification forms and associated workflow processes, the pen register and trap and trace request form the FBI revised in or about July 2021, and changes to the FISA request form and

¹ (U) Letter from Kevin O’Connor, Chief, Oversight Section to the Honorable Rudolph Contreras (November 29, 2021).

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associated workflow processes. During this reporting period, the Bridge team developed, demonstrated, and deployed for unclassified testing an integrated enterprise Classification Marking Tool (CMT) to facilitate the proper overall classification and portion markings for FISA processes and related documents. Similarly, the team tested forms to request the initiation or amendment of applications for FISA pen registers or trap and trace devices, as well as workflows in support of those requests. The team also tested a number of processes relating to the role of the CHS Handler, including creating a new user role; working on the development of a form; and implementing a validation process.

(U) As discussed in previous letters, the FBI also is working on technological improvements related to its accuracy procedures, also known as the Woods Procedures, which will ultimately be integrated with the Bridge. These efforts are designed to use Sentinel, the FBI's automated case management system, to streamline certain processes FBI personnel use to create accuracy subfiles and ensure the contents thereof are available in a manner that is consistent with the FBI's FISA minimization procedures. Previously, the FBI completed development of a feature in Sentinel called the Electronic Woods Capability (EWC) that interfaces with the Bridge and allows FBI personnel to export an accuracy subfile that can be downloaded and transmitted to other personnel involved in the FISA process. As described in June 2021,² the Sentinel team previously deployed the EWC to production and operationally tested it in select FBI field offices. Following successful testing, the EWC was deployed enterprise wide in or about July 2021, to align with the transition the FBI contemporaneously made to require, when permissible, electronic FISA accuracy subfiles. The team also created video tutorials highlighting the features of the tool and, with the FBI's National Security and Cyber Law Branch, provided virtual training sessions to FBI personnel to explain the purpose and capabilities of the tool. Most recently, during the past reporting period, the FBI developed and deployed a duplicate serial feature, which enables users to complete Woods Files more efficiently. Overall, the FBI believes the EWC will enhance the accuracy and completeness of FISA applications by, for example, making documents readily available to those FBI personnel working on applications and/or attesting to their accuracy.

(U) Finally, consistent with an Office of the Inspector General recommendation in the *Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane Investigation*, the FBI has continued to work to develop enhancements to an information technology system that assists employees in fulfilling appropriate mandates for the management and administration of Confidential Human Sources (CHSs). In the previous reporting period, the FBI worked on refining its requirements for enhancements to three documents in this system: the *Source Opening Communication*, the *CHS Quarterly Supervisory Source Report*, and the *CHS Contact Report*. During the current reporting period, the FBI further refined these requirements. In addition, the FBI released the *General Purpose Insert* form, which allows CHS handlers to document information that does not fit easily within other forms. For example, the form may be used to notify a supervisor when a CHS has become sensitive or when certain early approvals are required.

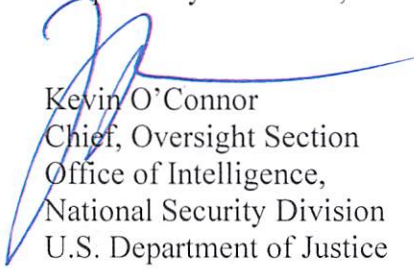
² (U) Letter from Kevin O'Connor, Chief, Oversight Section to the Honorable Rudolph Contreras (June 1, 2021).

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(U) This letter constitutes the Government's ninth update in the above-captioned docket regarding planned or implemented technological improvements. The FBI has reviewed this response and confirmed its accuracy.

Respectfully submitted,



Kevin O'Connor
Chief, Oversight Section
Office of Intelligence,
National Security Division
U.S. Department of Justice

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