

**Checklist - Consensual Monitoring (CM) - Telephone (Criminal Matters)**  
 FD-670 (Rev. 9-10-87)



Execute, serialize and retain in a separate sublettered file to the case file. Additional sheet(s) may be attached to this form as necessary to enter data regarding any item below. Each sheet attached should be numbered as an additional page and reflect the item number being continued.

	Serial Number	Initials
1. It will be the responsibility of the case Agent and his/her supervisor to ensure compliance with these instructions.		_____
2. Review MIOG, Part II, Sections 10-9, and 10-10 through 10-10.2.		_____
3. Contact with Squad Supervisor.		_____
4. Ensure availability of equipment and necessary support.		_____
5. Opinion of USA obtained prior to CM and confirmed in writing.	/	_____
6. Memo to SAC for authority, initialed by Squad Supervisor, that includes brief facts of case, opinion of USA and consent of party obtained.	/	_____
7. Tickler set for expiration of authorization, if appropriate.		_____
8. Execute FD-472 and retain as evidence.		_____
9. Contact with ELSUR support employee for coordination of necessary recordkeeping.		_____
10. Contact with appropriate employee for equipment and necessary support (only after proper authorization).		_____
11. Mark Recording for Identification purposes. See MIOG, Part II, Section 16-8.1.2.		_____
12. Execute FD-504 in its entirety for each original tape at the time the tape is initially removed from the recording device or accepted into custody by the FBI.		_____
13. Complete FD-192 and attach to FD-504. Handcarry to ELSUR tape custodian for duplicating and retention. Assure adherence to 5-day evidence control rule.		_____
14. Ensure FD-504 sealed and accepted into custody by the tape custodian.		_____
15. ELSUR indexing completed.		_____
16. Stamp "ELSUR" on file jacket of Vol. I and all subsequent volumes to the case file.	<i>Email 4/30/2007</i>	<i>flw</i>
17. Review case file and notify ELSUR support employee in writing (by routing slip or memo) of the full name, initial overheard date and subsequent overheard dates of any individual monitored previously, but not sufficiently identified for ELSUR indexing purposes.		_____
18. Supervisor's initials and date certifying compliance with above procedures.		_____

(Date)

*TCM-2007-69*

*52C-SL-192017-EZACM-1*



Execute, serialize and retain in a separate sublettered file to the case file. Additional sheet(s) may be attached to this form as necessary to enter data regarding any item below. Each sheet attached should be numbered as an additional page and reflect the item number being continued.

	Serial Number	Initials
1. It will be the responsibility of the case Agent and his/her supervisor to ensure compliance with these instructions.		
2. Review MIOG, Part II, Sections 10-9(1) and 10-10.3 through 10-10.6.		
3. Contact with Squad Supervisor.		
4. Ensure availability of equipment and necessary support.		
5. Opinion of USA obtained prior to CM and confirmed in writing.	1	
6. Emergency authorization, (if required).	N/A	
7. Communication to FBIHQ requesting routine authority (if required).	1	
8. FBIHQ/DOJ authorization obtained. Date authority begins _____ expires _____		
9. Tickler set for expiration and/or renewal of FBIHQ/DOJ authorization.		
10. Execute FD-473 and retain as evidence.		
11. Contact with ELSUR support employee for coordination of necessary recordkeeping.		
12. Contact with appropriate employee for equipment and necessary support (only after proper authorization).	66-2473-1313	
13. Mark recording for identification purposes. See MIOG, Part II, Section 16-8.1.2.		
14. Execute FD-504 in its entirety for each original tape at the time the tape is initially removed from the recording device or accepted into custody by the FBI.		
15. Complete FD-192 and attach to FD-504. Handcarry to ELSUR tape custodian for duplicating and retention. Assure adherence to 5-day evidence-control rule. See MAOP, Part II, Section 2-4.4.1(b).		
16. Assure FD-504 sealed and accepted into custody by the tape custodian.		
17. ELSUR indexing completed.		
18. Stamp "ELSUR" on file jacket of Vol. 1 and all subsequent volumes to the case file.	Email 4/30/2007	glw
19. FD-621 submitted to FBIHQ.	N/A	
20. Review case file and notify ELSUR support employee in writing (by routing slip or memo) of the full name, initial overhear date and subsequent overhear dates of any individual monitored previously, but not sufficiently identified for ELSUR indexing purposes.		
21. Supervisor's initials and date certifying compliance with above procedures.		

(Date)

*NTCM 2007-68  
 CE TV/Audio - 2007-70*

*56C-SL-192017-EZACM-1*

From: SA [redacted] (56C-SL-192017-ELA) (P)

For FBI Field Office use only  
CM#:

Title: Association of Community Organizations for Reform Now (ACORN); UNSUBS; Election Laws Violation - Federal Election;

Contact: SA [redacted]  
Phone: [redacted]  
Squad: 6

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Notification of SAC/ASAC Authority Granted for Use of Telephonic and/or Nontelephonic Consensual Monitoring Equipment In Criminal Matters. Must be submitted within 7 working days of the date authority is granted as shown in Item 5 below.

1. Reason for Proposed Use: (Check) <input checked="" type="checkbox"/> Corroborate Testimony <input type="checkbox"/> Protect Consenting Party <input type="checkbox"/> Protect Government Property <input checked="" type="checkbox"/> Collect Evidence <input type="checkbox"/> Other (Specify) _____	2. Type of Equipment: (Check) <input checked="" type="checkbox"/> CCTV/Audio & Video <input type="checkbox"/> CCTV Video <input type="checkbox"/> Software Program, Network Monitoring Device, or Modem <input checked="" type="checkbox"/> Concealed Recorder <input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Other (Specify) _____	
3. Consenting Party (Identify ONLY on Field Office Copy) <input checked="" type="checkbox"/> Nonconfidential Party <input type="checkbox"/> Confidential Source <input type="checkbox"/> Cooperative Witness <input type="checkbox"/> UCE	4. Interceptee(s): (If Public Official, Include Title & Entity) [redacted] & others as yet unknown.	
5. Duration of proposed use: Authority Granted On: <u>4/20/2007</u> <input type="checkbox"/> For the duration of investigation: <input type="checkbox"/> For 90 days Expiring On: _____	6. Equipment Concealed: <input type="checkbox"/> In a Computer System <input type="checkbox"/> In a Motel Rm. <input type="checkbox"/> On a Person <input checked="" type="checkbox"/> Other (Specify) <u>Telephonic</u> <input type="checkbox"/> In a Residence <input type="checkbox"/> In a Telephone <input type="checkbox"/> In a Vehicle	7. City & State where Equipment will be used: <u>Kansas City, MO</u>
8. The following mandatory requirements have been met: <input checked="" type="checkbox"/> Consenting party has agreed to testify; <input checked="" type="checkbox"/> Consenting party has agreed to execute the consent form prior to monitoring/recording; & <input checked="" type="checkbox"/> Recording/transmitting device will be activated only when consenting party is present.	9. Trial Attorney responsible for prosecuting the case or designated DOJ has been contacted, foresees no entrapment, and has advised the legal & appropriate. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date of Contact: <u>04/20/2007</u> Identity of Gov't Atty: <u>AUSA Hal Goldsmith</u> Judicial District where the case is expected to be prosecuted: <u>EDMO</u>	
10. Violation(s): Title(s) <u>42</u> U.S.C., § <u>1973</u>		

11. DOJ written approval required  Yes  No. If "Yes" check reason below:  
 NOTE: Requests for Routine NTCM usage involving any of the 6 sensitive circumstances require an EC to FBIHQ prepared in the format described in the Part II, Section 10-10.3 (8). Request for Emergency NTCM usage involving any of the 6 sensitive circumstances requires immediate contact with the FBIHQ substantive desk for DOJ approval. The 6 sensitive circumstances do not apply to the use of telephonic consensual monitoring or CCTV video only.

Monitoring relates to an investigation of a member of Congress, a federal judge, a member of the Executive Branch at Executive Level IV or above, or a person who has served in such capacity within the previous 2 years.

2.  Monitoring relates to an investigation of the Governor, Lieutenant Governor, or Attorney General of any state or territory, or a judge or justice of the highest court of any State or Territory, & the offense investigated is one involving bribery, conflict of interest, or extortion relating to the performance of his/her official duties.

3.  Consenting/nonconsenting party is a member of the diplomatic corps of a foreign country.

4.  Consenting/nonconsenting party is or has been a member of the Witness Security Program & that fact is known to the agency involved or its officers.

5.  Consenting/nonconsenting party is in the custody of the Bureau of Prisons or the U.S. Marshals Service.

6.  Attorney General, Deputy Attorney General, Associate Attorney General, Assistant Attorney General for the Criminal Division, or the U.S. Attorney in the district where an investigation is being conducted has requested the investigating agency to obtain prior written consent for making a consensual interception in a specific investigation.

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12. Synopsis of Case: (Attach additional page if necessary)  
ACORN was involved in massive voter registration fraud in the St. Louis Metropolitan area. [redacted] was [redacted]. [redacted] is the [redacted] took orders from [redacted]. [redacted] took orders from [redacted].

*uploaded 4/30/2007 jlv*

Field Approval: Squad Supervisor: <u>[Signature]</u> 13. CDC (If Applicable) Signature _____ Date: _____ 14. SAC/ASAC Signature <u>Thomas B. Noble</u> Date: <u>4/23/07</u>	FBIHQ Approval 15. Unit Chief (If Sensitive Circumstances Exist) Signature _____ Date: _____
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*115 Keol. 759*

*56C-SL-192017-ELACM-1*

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**Checklist - Consensual Monitoring (CM) Nontelephone/Telephone  
(Criminal Matters)**

	Serial Number	Initials
1.Opinion of AUSA obtained prior to CM and confirmed in writing:	<u>2</u>	_____
2.FD-759 requesting authority:	<u>2</u>	_____
3.Tickler set re authorization:		_____
4.Source file number (maintained in CFR):	_____	_____
5.Execute FD-472 and retain as evidence (if required):	_____	_____
6.Execute FD-473 and retain as evidence (if required):	_____	_____
7.Execute FD-473a and retain as evidence (if required):	_____	_____
8.Stamp "ELSUR" on file jacket of volume 1 and all subsequent volumes to case file:		<i>[Signature]</i>
Consenting Party:	_____	
Interceptee(s):	_____	
	_____	
	_____	
Authority:	_____	
CM Numbers:	<u>NTCM-2007-131</u>	
	<u>TCM-2007-132</u>	
	_____	

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*56C-5L-192017-ELACM-2*

From: SA [redacted] (56C-SL-192017-ELA) (P)

For FBI Field Office use only  
CM#:

Title: Association of Community Organizations for Reform Now (ACORN) : ETAL

Contact: SA [redacted]  
Phone: [redacted]  
Squad: 6

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Notification of SAC/ASAC Authority Granted for Use of Telephonic and/or Nontelephonic Consensual Monitoring Equipment In Criminal Matters Only. This form must be submitted within 7 working days of the date authority is granted as shown in Item 5 below.

1. Reason for Proposed Use: (Check) <input checked="" type="checkbox"/> Corroborate Testimony <input type="checkbox"/> Protect Consenting Party <input type="checkbox"/> Protect Government Property <input checked="" type="checkbox"/> Collect Evidence <input type="checkbox"/> Other (Specify) _____		2. Type of Equipment: (Check) <input type="checkbox"/> CCTV/Audio & Video <input type="checkbox"/> CCTV Video Only <input type="checkbox"/> Software Program, Network Monitoring Device, or Modem <input checked="" type="checkbox"/> Concealed Recorder <input type="checkbox"/> Microphone <input type="checkbox"/> Other (Specify) _____ <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Transmitter/Receiver	
3. Consenting Party (Identify ONLY on Field Office Copy) <input checked="" type="checkbox"/> Nonconfidential Party [redacted] <input type="checkbox"/> Confidential Source <input type="checkbox"/> Cooperative Witness <input type="checkbox"/> UCE		4. Interceptee(s): (If Public Official, Include Title & Entity) [redacted] & others as yet unknown.	
5. Duration of proposed use: Authority Granted On: 07/05/2007 <input checked="" type="checkbox"/> For the duration of investigation: <input type="checkbox"/> For 90 days Expiring On: _____		6. Equipment Concealed: <input type="checkbox"/> In a Computer System <input type="checkbox"/> In a Motel Rm. <input checked="" type="checkbox"/> On a Person <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> In a Residence <input checked="" type="checkbox"/> In a Telephone <input type="checkbox"/> In a Vehicle	
8. The following mandatory requirements have been met: <input checked="" type="checkbox"/> Consenting party has agreed to testify; <input checked="" type="checkbox"/> Consenting party has agreed to execute the consent form prior to monitoring/recording; & <input checked="" type="checkbox"/> Recording/transmitting device will be activated only when consenting party is present.		9. Trial Attorney responsible for prosecuting the case or designated DOJ Attorney has been contacted, foresees no entrapment, and has advised the monitoring is legal & appropriate. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date of Contact: 07/03/2007 Identity of Gov't Atty: AUSA Hal Goldsmith Judicial District where the case is expected to be prosecuted: EDMO	
10. Violation(s): Title(s) 42 U.S.C., § 1973			
11. DOJ written approval required <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. If "Yes" check reason below: NOTE: Requests for Routine NTCM usage involving any of the 6 sensitive circumstances require an EC to FBIHQ prepared in the format described in the MIOG, Part II, Section 10-10.3 (8). Request for Emergency NTCM usage involving any of the 6 sensitive circumstances requires immediate contact with the FBIHQ substantive desk for DOJ approval. The 6 sensitive circumstances do not apply to the use of telephonic consensual monitoring or CCTV video only.			

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12. Synopsis of Case: (Attach additional page if necessary)  
ACORN was involved in massive voter registration fraud in the St. Louis Metropolitan area. [redacted] can record conversations with [redacted], who is alleged to have participated in the fraud.

UPLOADED TO ADJIS/EF  
BY SA 7/20/2007 jlv

13. CDC (If Applicable) Signature _____ Date: _____ 14. SAC/ASAC Signature <u>Thomas B. Noble</u> Date: <u>7/5/07</u>	FBIHQ Approval 15. Unit Chief (If Sensitive Circumstances Exist) Signature _____ Date: _____
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