



U.S. Department of Justice Office of the Inspector General

Report to Congress on Implementation of Section 1001 of the USA PATRIOT Act

(as required by Section 1001(3) of Public Law 107-56)

September 2015

Section 1001 of the USA PATRIOT Act (Patriot Act), Public Law 107-56, directs the Office of the Inspector General (OIG) of the U.S. Department of Justice (DOJ or Department) to undertake a series of actions related to claims of civil rights or civil liberties violations allegedly committed by DOJ employees. It also requires the OIG to provide semiannual reports to Congress on the implementation of the OIG's responsibilities under Section 1001. This report summarizes the OIG's Section 1001-related activities from January 1, 2015, through June 30, 2015.

I. INTRODUCTION

The OIG is an independent entity within the DOJ that reports to both the Attorney General and Congress. The OIG's mission is to investigate allegations of waste, fraud, and abuse in DOJ programs and personnel, and to promote economy and efficiency in DOJ operations.

The OIG has jurisdiction to review programs and personnel in all DOJ components, including the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Federal Bureau of Prisons (BOP), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the U.S. Marshals Service (USMS), and the U.S. Attorneys' Offices.¹

The OIG consists of the Immediate Office of the Inspector General and the following divisions and offices:

- **Audit Division** conducts independent audits of Department programs, computer systems, financial statements, and DOJ-awarded grants and contracts.
- **Evaluation and Inspections Division** conducts program and management reviews that involve on-site inspection, statistical analysis, and other techniques to review Department programs and activities.
- **Investigations Division** investigates allegations of bribery, fraud, abuse, civil rights violations, and violations of other criminal laws and administrative procedures that govern Department employees, contractors, and grantees.

¹ The OIG has authority to investigate allegations of criminal wrongdoing or administrative misconduct by any Department employee, except for "allegations of misconduct involving Department attorneys, investigators, or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice." 5 U.S.C. App. 3 § 8E(b)(2)-(3).

- **Oversight and Review Division** blends the skills of attorneys, investigators, and program analysts to investigate or review high profile or sensitive matters involving Department programs or employees.
- **Management and Planning Division** provides planning, budget, finance, personnel, training, procurement, automated data processing, computer network communications, and general support services for the OIG.
- **Office of General Counsel** provides legal advice to OIG management and staff. In addition, the office drafts memoranda on issues of law; prepares administrative subpoenas; represents the OIG in personnel, contractual, and legal matters; and responds to Freedom of Information Act requests.

The OIG has a staff of more than 400 employees, about half of whom are based in Washington, D.C., while the rest work from 16 Investigations Division field and area offices and 6 Audit Division regional offices located throughout the country.

II. SECTION 1001 OF THE PATRIOT ACT

Section 1001 of the Patriot Act provides the following:

The Inspector General of the Department of Justice shall designate one official who shall –

- (1) review information and receive complaints alleging abuses of civil rights and civil liberties by employees and officials of the Department of Justice;
- (2) make public through the Internet, radio, television, and newspaper advertisements information on the responsibilities and functions of, and how to contact, the official; and
- (3) submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate on a semi-annual basis a report on the implementation of this subsection and detailing any abuses described in paragraph (1), including a description of the use of funds appropriations used to carry out this subsection.

III. CIVIL RIGHTS AND CIVIL LIBERTIES COMPLAINTS

Section 1001 requires the OIG to “review information and receive complaints alleging abuses of civil rights and civil liberties by employees and officials of the Department of Justice.”

The OIG’s Investigations Division manages the OIG’s Section 1001 investigative responsibilities. The two units with primary responsibility for coordinating these activities are Operations Branch I and Operations Branch II, each of which is directed by a Special Agent in Charge and two Assistant Special Agents in Charge (ASAC).² In addition, these units are supported by Investigative Specialists and other staff assigned to the Investigative Support Branch, who divide their time between Section 1001 and other responsibilities.

The Investigations Division receives civil rights and civil liberties complaints via mail, e-mail, telephone, and facsimile. Upon receipt, Division ASACs review the complaints and assign an initial disposition to each matter, and Investigative Specialists enter the complaints alleging a violation within the investigative jurisdiction of the OIG or another federal agency into an OIG database. Serious civil rights and civil liberties allegations relating to actions of DOJ employees or contractors are typically assigned to an OIG Investigations Division field office, where special agents conduct investigations of criminal violations and administrative misconduct.³ Occasionally, complaints are assigned to the OIG’s Oversight and Review Division for investigation.

Given the number of complaints the OIG receives compared to its limited resources, the OIG does not investigate all allegations of misconduct against DOJ employees. The OIG refers many complaints involving DOJ employees to internal affairs offices in DOJ components such as the FBI Inspection Division, the DEA Office of Professional Responsibility, and the BOP Office of Internal Affairs. In certain referrals, the OIG requires the components to report the results of their investigations to the OIG. In most cases, the OIG notifies the complainant of the referral.

² These units also coordinate the OIG’s review of allegations of misconduct by Department employees: the Operations Branch I has primary responsibility for matters involving the BOP, USMS, and the U.S. Attorney’s Offices; the Operations Branch II has primary responsibility for matters involving the FBI, DEA, and ATF.

³ The OIG can pursue an allegation either criminally or administratively. Many OIG investigations begin with allegations of criminal activity but, as is the case for any law enforcement agency, do not result in prosecution. When this occurs, the OIG may continue the investigation and treat the matter as a case for potential administrative discipline. The OIG’s ability to handle matters criminally or administratively helps to ensure that a matter can be pursued administratively even if a prosecutor declines to prosecute a matter.

Many complaints the OIG receives involve matters outside its jurisdiction, and when those matters identify a specific issue for investigation, the OIG forwards them to the appropriate investigative entity. For example, complaints of mistreatment by airport security staff or by the Border Patrol are sent to the Department of Homeland Security OIG. The DOJ OIG also has forwarded complaints to the Offices of Inspectors General at the Department of Health and Human Services, the Department of Veterans Affairs, and the Department of Education. Allegations related to the authority of a DOJ attorney to litigate, investigate, or provide legal advice are referred to the DOJ Office of Professional Responsibility. Allegations related solely to state and local law enforcement or government officials that raise a federal civil rights concern are forwarded to the DOJ Civil Rights Division.

When an allegation received from any source involves a potential violation of federal civil rights statutes by a DOJ employee, the OIG discusses the complaint with the DOJ Civil Rights Division for possible prosecution. In some cases, the Civil Rights Division accepts the case and requests additional investigation by either the OIG or the FBI. In other cases, the Civil Rights Division declines prosecution and either the OIG or the appropriate DOJ internal affairs office reviews the case for possible administrative misconduct.

A. Complaints Processed During This Reporting Period

Between January 1, 2015, and June 30, 2015, the period covered by this report, the OIG processed **506** new civil rights or civil liberties complaints.⁴

Of these complaints, **442** did not fall within the OIG's jurisdiction or did not warrant further investigation. The vast majority (386) of these complaints involved allegations against agencies or entities outside the DOJ, including other federal agencies, local governments, or private businesses. When possible, the OIG referred those complaints to the appropriate entity or advised complainants of the entity with jurisdiction over their allegations. Some complaints (56) raised allegations that were not suitable for investigation by the OIG and could not be referred to another agency for investigation, generally because the complaints failed to identify a subject or agency.

The OIG found that the remaining **64** of the 506 complaints it received involved DOJ employees or DOJ components and included allegations that required further review. The OIG determined that **55** of these complaints raised management issues generally unrelated to the OIG's Section 1001 duties and, consequently, referred these complaints to DOJ components for

⁴ These complaints include all matters in which the complainant made any mention of a civil rights or civil liberties violation, even if the allegation was not within the OIG's jurisdiction.

appropriate handling. Examples of complaints in this category included allegations by federal prisoners about the general prison conditions, and by others that the FBI did not initiate an investigation into particular allegations.

The OIG identified a total of **9** complaints warranting further investigation to determine whether Section 1001-related abuses occurred. The OIG referred these 9 complaints to the appropriate DOJ components for further investigation. The next section of this report describes the substance of these 9 complaints. Notably, none of the complaints processed during this reporting period specifically alleged misconduct by DOJ employees relating to the use of authorities contained in the Patriot Act.

The following is a synopsis of the new complaints processed during this reporting period involving DOJ employees or components, including allegations requiring further review:

Complaints processed	506
Complaints not within OIG's jurisdiction or not warranting further review	442
Total complaints within OIG's jurisdiction warranting review	64
Management issues referred to DOJ components for handling	55
Possible Section 1001 complaints warranting investigation by OIG	0
Possible Section 1001 complaints warranting investigation by DOJ components	9

B. Section 1001 Complaints

1. Investigations Opened During This Reporting Period

During this reporting period, the OIG referred **9** Section 1001-related complaints to the BOP for investigation, 7 of which remain pending. The OIG has requested that, upon completion of the investigation of each referred complaint, BOP provide the OIG a copy of the investigative report.

a. Continuing BOP Investigations

- A BOP inmate alleged that a correctional counselor made an insulting remark about his religious headgear and initiated a confrontation about his religion while shouting obscenities at the inmate.
- A BOP inmate alleged that while being transported to an outside hospital, a correctional officer threatened him and called him religiously derogatory names; another correctional officer left him outside in the cold for 10-15 minutes, denied him use of the bathroom, and inappropriately squeezed his handcuff; and a third correctional officer made reference to killing him.
- A BOP inmate alleged that after he refused orders to “cuff up” and instead laid down on the floor of his cell, correctional officers entered the cell and began kicking him in the side and stomach while calling him a derogatory racial and religious name. The inmate further alleged that he was subsequently placed in the Special Housing Unit (SHU), where he was denied medical care and placed in restraints for an extended period of time.
- A BOP inmate alleged that a correctional officer yelled, used obscenities, and made insulting comments about the inmate’s hijab during a medical trip.
- A BOP inmate alleged that a staff member accused him of being in ISIS and Al-Qaeda. When the inmate explained to the staff member that he is a Sikh, the staff member became more verbally aggressive towards him.
- A BOP inmate alleged that multiple correctional officers have threatened, abused, and discriminated against him because he is Muslim by, among other things: encouraging other inmates to attack him; depriving him of food, showers, and recreation; making threatening and derogatory comments about Muslims; pushing and tripping him so he would fall down the stairs; and applying restraints too tightly.
- A BOP inmate alleged that a BOP staff member made religiously derogatory statements to him and another inmate, and threatened to move the inmates to the SHU or transfer them to prisons farther from their families, for reading the Koran in the prison library.

b. Completed BOP Investigations

- A BOP inmate alleged that the Religious Services Department in a BOP facility had misappropriated funds, shown bias in the distribution of funds to various faith groups, and hindered the practices of Sunni Muslim inmates. BOP interviewed the inmate, who stated that he had spoken with BOP's regional staff and no longer believed that he was being treated with bias. Additionally, BOP's regional staff conducted a review of the facility's Religious Services Department and found no evidence of misconduct or inappropriate allocation of funds. BOP determined the allegations were not substantiated and closed its investigation.
- A BOP inmate alleged that when he told the Warden that his mental treatment needs were not being met by Psychology Services and that he was feeling suicidal, the Warden responded by encouraging and offering to facilitate the suicide so that there would be "one less Muslim I have to deal with." The inmate claimed that a staff psychologist had witnessed the exchange, but when interviewed by the BOP, the psychologist stated that he did not hear the Warden make the alleged statements and did not remember the Warden speaking to the inmate on the date in question. BOP also interviewed the Warden, who denied the allegations. BOP determined the allegations were not substantiated and closed its investigation.

2. Pending Investigations Opened During Previous Reporting Periods

a. OIG Investigation

The OIG's investigation into the following complaint, which was previously referred to and investigated by the BOP, remains open.

- A Muslim inmate alleged that two BOP correctional officers called him a "Muslim terrorist" and a "terrorist bomber"; that he suffered physical abuse when an unidentified officer assaulted him while he was in full restraints; and that his wheelchair was not properly secured when he was transported to a hospital in a government vehicle, resulting in physical injury. This matter was initially referred to BOP for investigation. However, BOP was unable to interview the complainant and an inmate identified by the complainant as a witness before their release from BOP custody. The OIG is now conducting this

investigation, and interviews of individuals with relevant information are ongoing.

b. Complaints Referred to BOP

The OIG referred the following 4 complaints to the BOP for investigation during a prior reporting period; the investigations remain open. The OIG has requested that BOP provide a copy of its investigative report upon completion of the investigation of each referred complaint.

- A BOP inmate alleged that after he filed a grievance against a BOP chaplain for allegedly interfering with his right to practice the Islamic faith, the chaplain then accused the inmate of “starting a terrorist cell,” resulting in the inmate being placed in segregated housing. The inmate also alleged that after filing another grievance alleging retaliation, he was again sent to segregated housing. Additionally, the inmate alleged that after an internal investigation at the prison determined that the allegations against him were false, the BOP took no action against the staff and instead transferred the inmate twice, leaving him thousands of miles from his family.
- A Muslim inmate alleged that after requesting a reason for being ordered to submit to a visual search a BOP correctional officer pushed him to the ground and subsequently pushed his face into a fence. The inmate further alleged that the correctional officer referred to him using a racial slur and made other derogatory and threatening statements about Muslims.
- A Muslim inmate alleged that a correctional officer threatened to bring a gun into a BOP facility to kill the inmate, referred to the inmate using racial slurs, and made reference to his dislike of black Muslims.
- A BOP inmate alleged that during Ramadan two correctional officers intentionally delivered his breakfast two hours late, made derogatory comments against Muslims, threw milk on him, and destroyed his property, including Islamic literature.

3. Previously Opened Investigations Completed During This Reporting Period

The BOP completed investigations of 6 Section 1001-related complaints that were referred by the OIG in prior reporting periods. Additionally, the FBI and DEA each completed separate investigations

into 1 Section 1001-related complaint that was referred by the OIG in a prior reporting period. The BOP, FBI, and DEA each provided the OIG with copies of their investigative reports upon completion of their investigations.

a. BOP Investigations

- A BOP inmate alleged that, during a search of his cell, two correctional officers assaulted him, used a racial slur, and made a derogatory statement against Muslims. During an interview with the BOP, the inmate repeated the allegations, stated that the assault against him was verbal, and explained that the incident had occurred after the correctional officers removed property from his cell. He refused to make a written statement or sign an affidavit. The BOP interviewed the correctional officers, who each recalled removing items from the inmate's cell but denied the inmate's allegations. The BOP's review of the prison's logs indicated that the inmate's cell was searched and that trash was removed from the cell. BOP determined the allegations were not substantiated and closed its investigation.
- A BOP inmate alleged that several correctional officers referred to him using a racial and ethnic slur, and threatened to kill him because he asked why his food tray was not delivered on time. BOP interviewed the correctional officers named by the inmate, and they all denied the allegations and denied hearing any of the other correctional officers speak to the inmate in an unprofessional manner. BOP determined the allegations were not substantiated and closed its investigation.
- An inmate alleged that, based on racial animus, a BOP employee made disrespectful and highly offensive comments that other inmates could hear in an effort to humiliate and provoke the inmate. The inmate also alleged that the employee refused to report an injury to the inmate's wrists caused by handcuffs. BOP interviewed the inmate, who repeated the allegations, stated that the incident took place while he was being escorted to his cell, and identified another inmate who may have witnessed the incident. That inmate was interviewed, but he stated that he did not recall the incident. BOP also interviewed the staff who were assigned as Escort Officers on the date in question, and they all denied the allegations. BOP determined the allegations were not substantiated and closed its investigation.

- An inmate alleged that a correctional officer made derogatory racial and religious statements about Muslims and arbitrarily refused to allow inmates to attend a special Muslim service. The inmate further alleged that the officer taunted the complainant about religious matters, made false allegations against the complainant, and confiscated his ID, which resulted in the inmate not being able to participate in programs or services. The BOP interviewed the inmate, who repeated the allegations. The BOP interviewed the correctional officer, who denied making derogatory, threatening, or abusive comments. He also stated that the inmate had been blocking the door and preventing the officer from securing it, and when the officer directed the inmate to move away from the door, the inmate began to yell and threaten the officer. The officer provided a copy of an incident report to the BOP. The BOP also interviewed another correctional officer referenced by the inmate, but that officer stated that he did not recall the incident. BOP determined the allegations were not substantiated and closed its investigation.
- An inmate alleged that a chaplain denied him and other Muslim inmates basic rights in violation of BOP policy, such as being able to pray at job sites and participating in religious cleansing rituals. The BOP interviewed the inmate, who repeated the allegations, alleged that the Chaplain had confiscated prison policy documents from him, and alleged that Hispanic inmates were provided more food than other inmates at the prison. The BOP interviewed the Chaplain, who denied preventing the inmate from participating in religious rituals and stated that the inmate chose not to participate. The Chaplain further stated that, at the time, inmates at the facility were not allowed to pray at jobsites or education classes, and were not entitled to the specific cleansing ritual the inmate had requested. The Chaplain also stated that he had confiscated from the inmate a copy of the Religious Services Technical Reference Manual, but said he did so because inmates were not allowed to possess it. The BOP's investigation confirmed the Chaplain's assertions about the prison's policies at the time. BOP was unable to identify evidence supporting the inmate's allegation about discriminatory provision of food, and the Food Services Administrator denied that any group of inmates is provided with more food than another. BOP determined the allegations were not substantiated and closed its investigation.

- A BOP inmate alleged that, while the inmate was recovering from surgery, a Health Services Administrator inappropriately searched his person while cursing at the inmate. The inmate further alleged that the Health Services Administrator deliberately and maliciously threw the inmate's Koran on the floor. The BOP interviewed the Health Services administrator, who admitted that he conducted a pat search of the inmate before he returned to his cell but denied that he threw the inmate's Koran on the floor or physically assaulted him. Two employees and an inmate who were present were also interviewed, and each denied seeing the Health Services Administrator throw the Koran on the floor or conduct anything other than a routine pat search. BOP also reviewed the inmate's medical record from an appointment later that day and found that it noted no complaints or treatments that would corroborate the inmate's allegation that he was assaulted. BOP determined the allegations were not substantiated and closed its investigation.

b. *FBI, DEA Investigations*

- A complainant alleged that the FBI and DEA racially profiled and targeted for investigation individuals at an Islamic center. The complainant further alleged that although federal agents claimed the investigation was related to drug offenses, they repeatedly questioned individuals about their national origin and ties to Pakistan. The OIG determined from public sources that subsequent to the submission of the above complaint, one of the individuals alleged to have been improperly targeted was indicted for drug offenses, fraud, and money laundering. He fled the country and is a fugitive from the indictment, believed to be residing in Pakistan. The DEA conducted a preliminary inquiry and, after interviewing the complainant, two agents identified by the complainant, two Assistant U.S. Attorneys who prosecuted the individual in question, a potential DEA witness, and several other government employees with knowledge of the case, determined there was no employee misconduct and no basis to initiate an investigation of any DEA employee and therefore closed its inquiry. The FBI reviewed the allegations and determined there was no misconduct by the agent.

IV. OTHER ACTIVITIES RELATED TO POTENTIAL CIVIL RIGHTS AND CIVIL LIBERTIES ISSUES

The OIG conducts other reviews that go beyond the explicit requirements of Section 1001 in order to implement more fully its civil rights and civil liberties oversight responsibilities. The OIG has completed or is conducting several such reviews that relate to the OIG's duties under Section 1001. These reviews are discussed in this section of the report.

A. FBI's Use of Section 215 Orders: Assessment of Progress in Implementing Recommendations and Examination of Use in 2007 through 2009

The OIG completed a report examining the FBI's use of the investigative authority granted by Section 215 of the Patriot Act to obtain business records. The OIG provided a classified version of this report to Congress and to the DOJ, and also released a public version containing redactions of information the FBI and the Intelligence Community determined to be classified. The report reviewed the FBI's use of Section 215 authority from 2007 through 2009, and also examined the DOJ's and FBI's progress in addressing the recommendations contained in the OIG's 2008 report on the FBI's use of Section 215. This was the OIG's third report on this subject since 2007.

Section 215 allows the FBI to seek an order from the Foreign Intelligence Surveillance Court (FISA Court) to obtain "any tangible thing," including books, records, and other items, from any business, organization, or entity, provided the item or items are for an authorized investigation to protect against international terrorism or clandestine intelligence activities. As described in the public version of our report, the OIG found that from 2007 through 2009 the DOJ, on behalf of the FBI, submitted 51 Section 215 applications to the FISA Court. Each of the applications was approved.

The public version of the report further described how legislative and technological changes, including society's increased use of the Internet, have expanded the quality and quantity of electronic information available through this authority. We found that the FBI has broadened the scope of the materials it has sought, and that the materials produced in response to Section 215 orders range from hard copy reproductions of business ledgers and receipts to gigabytes of metadata and other electronic information. Moreover, Section 215 authority is not limited to requesting information related to the known subjects of specific underlying investigations, and we found that the authority has been used in investigations of groups comprised of unknown members and to obtain information in bulk concerning persons who are not the subjects of or associated with any FBI investigation. While the expanded uses of Section 215 orders can be important applications of this authority, we believe that they

require continued and significant oversight by appropriate entities, including the FISA Court and the DOJ's National Security Division.

The report also examined the DOJ's and FBI's progress in addressing the recommendations contained in the OIG's 2008 report on the FBI's use of Section 215. In our 2008 report, we recommended that the DOJ implement minimization procedures for the handling of non-publicly available information concerning U.S. persons produced in response to Section 215 orders, as required by the Patriot Reauthorization Act of 2005 (Reauthorization Act). We also recommended that the FBI develop procedures both for reviewing materials received in response to Section 215 orders to ensure that the materials do not contain information outside the scope of the FISA Court order, and for handling material that is produced in response to, but outside the scope of, a Section 215 order. Our latest report found that the DOJ and FBI have addressed all three of these recommendations.

However, our latest report also found that the DOJ should have met its statutory obligation to adopt minimization requirements considerably earlier than it did. The Reauthorization Act required that the DOJ adopt minimization procedures to govern the retention and dissemination of material produced pursuant to a Section 215 order by September 2006. Although the DOJ adopted "interim procedures" in September 2006, we found in our 2008 report that these procedures did not meet the requirements of the Reauthorization Act and recommended that the FBI develop final standard minimization procedures for business records that did meet the statute's requirements. The DOJ agreed to do so.

Nevertheless, we found in our latest report that by mid-2009, the DOJ had not replaced the interim procedures, and FISA Court judges began to issue Supplemental Orders in Section 215 matters requiring the DOJ to report to the FISA Court on the implementation of the interim procedures. The Attorney General ultimately adopted final minimization procedures in March 2013. Given the significance of minimization procedures in the Reauthorization Act of 2005, the OIG's recommendation two years later, and the FISA Court's eventual issuance of the Supplemental Orders, we do not believe that the Department should have taken until 2013 to meet this statutory obligation. Our report also encouraged the DOJ and FBI to periodically evaluate the final procedures' implementation to determine whether additional revisions or training are appropriate.

B. A Review of the FBI's Use of Pen Registers and Trap and Trace Devices Under the Foreign Intelligence Surveillance Act in 2007 through 2009

The OIG released a classified report in May 2015 examining the FBI's use of pen registers and trap and trace devices – which we refer to collectively as

pen registers – under FISA. The classified report described the process that the FBI and the Department follow to file applications with the FISA Court for pen register orders and extensions of orders, and examined the FBI’s use of pen register authority from 2007 through 2009. The report also described the different types of pen registers that were used and the variety of information that was collected, as well as some of the technological and legal issues the Department and FBI faced with particular uses of pen register authority. In addition, the report described the investigative circumstances under which the authority is generally used and trends in its use. The FBI and the Intelligence Community determined that much of this information was classified or “for official use only,” and therefore could not be publicly released.

The OIG therefore publicly released a 5-page, unclassified Executive Summary of the report in June 2015. This Executive Summary provided a brief overview of the results of the OIG’s review that could be described publicly, including the methodology the OIG used to conduct the review and some legal background about pen registers. The summary also described some of the OIG’s findings from the classified report, specifically, the OIG’s findings regarding the FBI’s storage and handling of pen register information and the compliance process relating to the use of pen registers.

C. FBI’s Involvement in the National Security Agency’s Bulk Telephony Metadata Collection Program

The OIG is reviewing the FBI’s use of information derived from the National Security Agency’s (NSA) collection of telephony metadata obtained from certain telecommunications service providers under Section 215 of the Patriot Act. The review will examine the FBI’s procedures for receiving, processing, and disseminating leads the NSA develops from the metadata, and any changes that have been made to these procedures over time. The review will also examine how FBI field offices respond to leads, and the scope and type of information field offices collect as a result of any investigative activity that is initiated. In addition, the review will examine the role the leads have had in FBI counterterrorism efforts.

D. DEA’s Use of Administrative Subpoenas

The OIG is examining the DEA’s use of administrative subpoenas to obtain broad collections of data or information. The review will address the legal authority for the acquisition or use of these data collections; the existence and effectiveness of any policies and procedural safeguards established with respect to the collection, use, and retention of the data; the creation, dissemination, and usefulness of any products generated from the data; and the use of “parallel construction” or other techniques to protect the confidentiality of these programs.

E. FBI's Use of Section 215 Orders in 2012 through 2014

The OIG is examining the FBI's use of Section 215 authority under the Foreign Intelligence Surveillance Act (FISA) in 2012 through 2014. The current review will examine, among other things, the effectiveness of Section 215 as an investigative tool and the FBI's compliance with the minimization procedures the Department approved and implemented in 2013. This review is required under Section 108 the *Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015*, also referred to as the USA FREEDOM Act of 2015.

V. EXPENSE OF IMPLEMENTING SECTION 1001

Section 1001 requires the OIG to include in this report "a description of the use of funds appropriations used to carry out this subsection."

During this reporting period, the OIG spent approximately \$423,606 in personnel costs and \$3,723 in miscellaneous costs, for a total of \$427,329 to implement its responsibilities under Section 1001. The total personnel and miscellaneous costs reflect the time and funds spent by OIG special agents, attorneys, auditors, inspectors, program analysts, and paralegals who have worked directly on investigating Section 1001-related complaints, conducting special reviews, implementing the OIG's responsibilities under Section 1001, and overseeing such activities.