Opinion from [ ] As long as we are using only a CIPAV, I am willing to say this is strictly unclass. b6
==Should the need arise for additional tools, we will certainly enter the classified realm.== Please pass this to SL b7C

[ ]

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(S) [   ]   b1

What the case agent and AUSA have put together is a search warrant that allows loading the computers with
the exploit and subsequent seizure of this same PPT&T data [   ] with a caveat that they will
return to the court with another application if this collection operation is to extend [   ] All
of this is based upon probable cause.

b2
b7E

I think it is awkward and will require more work for the CA and AUSA but it may work IF the court sees it for
what it really is. ==As a continuing search, it may fail, but as a search and subsequent PRT&T, it will work. I
recommend specifically notifying the court in the warrant and affidavit that this is a two step request, a search
(to get into the computer even though== at the time it is FBI property) and subsequent PRT&T. The search is
good for [   ] and the PRT&T can be good for up to [   ].

Ultimately, if the court signs the order, I think it is sufficient but issues are being generated unnecessarily.
This doesn't address the security classification issues raised below.

[ ]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel   b2
Federal Bureau of Investigation   b6
Ph - [   ]   b7C
Cell [   ]
Ph (Secure) - [   ]
Fax [   ]

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