FD-759 (Rev. 5-25-95)

Date: 7/31/98

To: Director, FBI ( )
Attn: CID, NIPC-CTD Section

From: SAC, CINCINNATI (288-CI-68562) (P)

For FBI Field Office use only
CM#:

Title:
UNSUB(S);
USAP
INSTITUTE OF TECHNOLOGY,
HACKING ATTACK OO

Notification of SAC Authority Granted for Use of CONSENSUAL Monitoring Equipment
(Check only ONE)
- ☒ **Routine Use**
- ☐ **Emergency Use-Sensitive Circumstances (cannot exceed 30 days & may be extended only by FBIHQ).**

b7E

This form must be typewritten & submitted within 10 working days of the date authority is granted as shown in Item 5 below.

1. Reason for Proposed Use: (Check)
☐ Corroborate Testimony ☐ Protect Consenting Party ☐ Protect Government Property ☒ Collect Evidence
☐ Other (Specify)

2. Type of Equipment: (Check)
☐ Transmitter/Receiver ☐ Concealed Recorder
☐ CCTV/Audio & Video ☐ CCTV Video only
☐ Microphone ☐ Telephone
☒ Other (Specify) Network Monitor

3. Consenting Party (Identify ONLY on Field Office Copy)
☒ Nonconfidential Party
☐ Confidential Source
☐ Cooperative Witness

4. Interceptee(s): (Include Title if Public Official)
University of Cincinnati, College of Engineering & Computer Science
& others as yet unknown.

5. Duration of proposed use:
Authorized On:
☒ For the duration of investigation
☐ For 30 days (Emergency NTCM usage)
Expiring On:

6. Equipment Concealed:
☐ In a Motel Rm. ☐ In a Telephone
☐ In a Residence ☐ On a Person
☐ In a Vehicle
☒ Other (Specify) Secured Network Room

7. City & State where Equipment will be used: Cincinnati, Ohio

8. The following mandatory requirements have been met:
☒ Consenting party has agreed to testify;
☒ Consenting party has executed a consent form; &
☒ Recording/transmitting device will be activated only when consenting party is present.

9. Government Attorney in judicial district where monitoring and/or recording will take place has been contacted; foresees no entrapment; & concurs in the use of the technique.
☒ Yes ☐ No Date of Contact: 7/7/98
Identity of Gov't Atty: AUSA [redacted] b6 b7C
Judicial District: Southern District of Ohio

10. Violation(s): Title(s) 18 Sec(s) 1030 USC

11. DOJ notification required ☐ Yes ☒ No. If "Yes" check reason below:
NOTE: Requests for Routine NTCM usage involving any of the 7 sensitive circumstances requires a teletype to HQ prepared in the format described in the MIOG, Part II, Section 10-10.3 (8). Request for Emergency NTCM usage involving Item 6 below requires immediate contact with the FBIHQ substantive desk for DOJ approval. The 7 sensitive circumstances do not apply to the use of CCTV video only.
1. ☐ Interception 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. ☐ Interception relates to an investigation of any public official and the offense investigated is one involving bribery; conflict of interest; or extortion relating to the performance of his/her official duties.
3. ☐ Interception relates to an investigation of a Federal law enforcement official.
4. ☐ Consenting/nonconsenting party is a member of the diplomatic corps of a foreign country.
5. ☐ Consenting/nonconsenting party is or has been a member of the Witness Security Program and that fact is known to the agency involved or its officers.
6. ☐ **Consenting/nonconsenting party is in the custody of the Bureau of Prisons or the U.S. Marshals Service.**
7. ☐ 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.

12. Synopsis of Case: (Attach additional page if necessary)
Please see attached.

13. Justification statement necessitating emergency authorization:
☐ Emergency 30 day authorization granted due to imminent need (within 48 hours) for use of consensual monitoring device(s), which precluded the handling of this request in the usual manner.
☐ Other (Attach Additional Page to Specify)

Field Approval
14. CDC (If Sensitive Circumstances Exist)
Signature Date:
15. SAC
Signature [signature] Date: 7/7/98

FBIHQ Approval
16. Unit Chief (If Sensitive Circumstances Exist)
Signature Date:

1-Government Attorney's Office

Attn:

COPY 4

Referral/Consult

Background:

[redacted]

b. Governing Statutes:

(U) Title 18, United States Code (USC), Section 1030, Fraud and Related Activity in Connection with Computers

MISSION:

(U) ~~(S)~~ The primary mission of this operation will be to identify modus operandi, tradecraft and tools being utilized by this hacker. If possible, determine if the hacker is associated with a Foreign Intelligence Service and the extent of the FIS involvement and direction in his/her activity. If this is a FIS operation it would also provide extensive insight in to the conduct of FIS and their capabilities in attacking our information systems. Through these efforts we will identify the vulnerabilities which allowed this individual to gain access to the computer systems, thereby being able to anticipate and develop countermeasures to prevent this from taking place in the future. This would not only apply to the AFIT/WPAFB systems but to computer systems throughout the Department of Defense.

(U) A secondary objective of this investigation is to reduce, through prosecution, the hacking activities against military, commercial and private computer and network systems.