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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

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To: Inspection

Attn: Internal Investigations

From: [Redacted]

Office of Chief Division Counsel

Contact: CDC [Redacted]

Approved By: [Redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Drafted By:

(U)

Case ID #: ~~(S)~~ 078-HQ-C1229736-VTO (Pending)
(S) [Redacted] (Closed)

DATE: 12-19-2007
CLASSIFIED BY: 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 12-19-2032

Title: (U) REPORT OF A POTENTIAL INTELLIGENCE
OVERSIGHT BOARD (IOB) MATTER
REGARDING INVESTIGATION CONDUCTED
BEYOND EXPIRATION OF PRELIMINARY
INVESTIGATION

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Synopsis: (U) Referral of potential IOB violation regarding
investigation conducted after expiration of Preliminary
Investigation (PI).

(U)

~~(S)~~

Derived From: G-3
Declassify On: 03/27/2032

Details: ~~(S)~~ By way of background information, during the
recent National Security Letter (NSL) audit of [Redacted]
Division, the Inspection Division audit team identified two
investigations involving possible IOB violations unrelated to the
issuing of NSLs [Redacted]

(S)

[Redacted] Review of this
matter by the auditors identified that investigation was
conducted during the second renewal period (beyond the initial
one-year period) without the PI extension having been approved by

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To: Inspection From: [REDACTED]
 Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/27/2007

FBIHQ. Investigative activities noted by the inspection team consisted of financial analysis and receipt of information resulting from outstanding NSLs.

(U) ~~(S)~~ [REDACTED] review of this finding confirmed that it failed to obtain FBIHQ approval for this PI for second renewal period (beyond the initial one-year period), as required by The Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (AGG) [REDACTED]. More specifically, the SSA and SAC approved the second this extension, however, due to an administrative error [REDACTED] failed to also obtain FBIHQ authority as required. Accordingly, any investigation conducted after the termination of the first renewal period would be in violation of the AGG governing such matters. However, it appears that the investigative activity taking place during the unauthorized PI period is insufficient to be considered an IOB violation.

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(U) ~~(S)~~ [REDACTED] review concluded that the investigative activity noted by the inspection team did not rise to the level of an IOB violation inasmuch as the financial analysis conducted (EC, dated 02/28/2005 [REDACTED] during the unauthorized period did not require that an authorized preliminary or full investigation to be open. (See, AGG, [REDACTED] [REDACTED]). In this instance, the records used for analysis were [REDACTED] [REDACTED]

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Accordingly, under the AGG the mere analysis of such Government records does not appear to require a preliminary or full investigation.

(U) ~~(S)~~ Likewise, it appears that merely receiving records from third party entities after the expiration of the PI-- pursuant to NSLs approved and served within the authorized period of the PI--does not violate the applicable AGG.

(U) ~~(S)~~ In conclusion, [REDACTED] review of this particular inspection team finding determined that [REDACTED] financial analysis conducted in this matter, nor the receiving of information as a result of NSLs already approved and served, amount to a violation of the AGG. Therefore, while [REDACTED] administratively erred by failing to seek FBIHQ approval of the PI extension past one-year, this failure does not appear to rise to the level of an IOB violation for the reasons stated above.

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To: Inspection From: [redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/27/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For whatever action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For whatever action deemed appropriate.

Set Lead 3: (Info)

[redacted]

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AT [redacted]

(U) Read and clear.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: Priority

Date: 03/27/2007

To: General Counsel

Attn: NSLB

Inspection Division

Attn: Internal Investigations
Section

From:

[Redacted]

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Contact: SA [Redacted]

Approved By:

[Redacted]

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

Drafted By:

DATE: 01-07-2008
CLASSIFIED BY 65179 DMH/KSR/JU
REASON: 1.4 (C)
DECLASSIFY ON: 01-07-2033

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

(U) 278-[Redacted]-C71404

(S) [Redacted] (Closed)

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b7E

Title: (U) POTENTIAL INTELLIGENCE OVERSIGHT BOARD (IOB)
VIOLATION
[Redacted] DIVISION

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Synopsis: (U) Report of Potential IOB violation for [Redacted]
Division.

Enclosure(s): (U) Email correspondence between [Redacted] and writer
regarding removal of subject from VGTOF.

Details: (S) [Redacted]

[Redacted]

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(U) [Redacted] Investigation determined captioned subject
relocated to FBI [Redacted] territory. Serial 6, 11/17/2004,
sets a lead to [Redacted] to locate and interview subject. In
response, [Redacted] notified writer telephonically that subject
was receiving mail at an address in [Redacted] but that subject
had not been located. Serial 16 of captioned case reported the
investigative results and requested the case be transferred to
[Redacted] on 05/11/2005. Serial 17 reported closing of captioned

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To: General Counsel From: [REDACTED]
 Re: 278-HQ-C1229736-VI, 03/27/2007

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case [REDACTED] in accordance with ITOS 1 315 closing policy in order for case to be reopened by [REDACTED] Serial 17 was sent after conferring with SSA [REDACTED] regarding the appropriate steps to allow the case to be transferred. Both serials set leads to [REDACTED] to assume investigative responsibilities.

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(U) ~~(S)~~ Writer was notified by [REDACTED] that subject could not be removed [REDACTED] as requested by writer because the requirements for removal had not been met. Writer subsequently learned that [REDACTED] located and interviewed the subject on 11/10/2005, and based on that interview, decided not to initiate a Preliminary Investigation. Serial 23, 03/31/2006, requests interview results from [REDACTED] in order for writer to provide necessary documentation to [REDACTED] for removal of subject [REDACTED] Serial 24 documents the results of [REDACTED] interview and [REDACTED] determination that no nexus to terrorism exists.

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(U) The enclosure provides background information regarding writer's attempts to close the captioned case and the delay encountered while trying to remove the subject from VGTOF.

(U) This report is made past deadline due to discovery of possible IOB violation by recent NSL audit. Writer was unaware of any potential IOB violation because writer attempted to close and transfer the case to [REDACTED] per the current 315 policy. Writer took no further investigative action other than to request results of [REDACTED] previous interview in order to satisfy the administrative requirements to close the case.

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To: General Counsel From:
Re: 278-HQ-C1229736-VI, 03/17/2007

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LEAD(s) :

Set Lead 1: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

For information and action deemed appropriate.

Set Lead 2: (Discretionary)

INSPECTION

AT WASHINGTON, DC

For information and action deemed appropriate.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: Internal Investigations Sec
Attn: National Security Law Branch

From: [Redacted]

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Contact: SA [Redacted]

Approved By: [Redacted]

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

Drafted By: [Redacted]

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Case ID #: (U) 278-HQ-C1229736-VIO (Pending)
(U) 278-[Redacted]-C184511 (Pending)
(S) [Redacted] (Closed)

DATE: 01-07-2006
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-07-2033

Title: (U) REPORT OF POTENTIAL IOB MATTER

Synopsis: (U) To report a potential IOB matter based on an administrative error in the authority cited in the body of a National Security Letter (NSL) issued on 12/02/2004.

(U) ~~(S)~~

~~Derived From:~~ G-3
~~Declassify On:~~ 03/22/2032

Reference: (U) 278-HQ-C1229736

(U) ~~(S)~~ **Details:** Following the INSD/IIS NSL Compliance audit that was completed on 3/19/2007, this communication reports a potential IOB matter that was identified. The potential IOB violation concerned an administrative error in the authority cited on a National Security Letter (NSL).

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(S) A NSL was issued on December 2, 2004, case file [Redacted]. At the time of the potential violation, Special Agent (SA) [Redacted] was the case agent for [Redacted] but, SA [Redacted] prepared and executed the NSL for each case. At the time of the potential [Redacted]

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To: Inspection From: [redacted]
Re: (U) 278-HQ-C1229736-VIO, 03/12/2007

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(S) [redacted] violation, the squad supervisor was SSA [redacted]
[redacted] is a naturalized United States person (OSPER).

(S) [redacted]
[redacted] a naturalized U.S.
person, was predicated upon information provided by the [redacted]
Division. [redacted] advised that [redacted]
[redacted] Activities such as these are a direct violation of U.S.
laws. [redacted]

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[redacted]

(U) ~~(S)~~ The potential IOB violation occurred on December
2, 2004, when SA [redacted] drafted an EC and NSL, and
subsequently forwarded the approved NSL to a business to acquire
subscriber and detailed billing records. [redacted]

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[redacted]

The approved
NSL cited Title 12, (U.S.C.), Section 3414(a)(5) (as amended,
October 26, 2001) but, the proper citation should have stated
Title 18, United States Code (U.S.C.), Section 2709.

(U) ~~(S)~~ [redacted]
[redacted]

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(U) ~~(S)~~ Attached to this communication is a copy of the
compliance checklist completed by AIIP [redacted]

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To: Inspection From: [REDACTED] b2
Re: (U) 278-HQ-C1229736-VIO, 03/12/2007 b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLB is requested to review the conduct described to determine if the reported error or violation requires notification to the IOB.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: Internal Investigations Sec
Attn: National Security Law Branch

From: [Redacted]

Contact: SA [Redacted]

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Approved By: [Redacted]

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Drafted By:

DATE: 01-07-2008
CLASSIFIED BY: 65179 DMH/KSR/JW
REASON: 1.4.(C)
DECLASSIFY ON: 01-07-2033

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Case ID #: (U) 278-HQ-C1229736-VIO (Pending)
(U) 278-[Redacted]-C184511 (Pending)
(S) [Redacted] (Closed)

Title: (U) REPORT OF POTENTIAL IOB MATTER

Synopsis: (U) To report a potential IOB matter based on an administrative error in the authority cited in the body of a National Security Letter issued on 08/31/2004.

(U) ~~(S)~~ **Derived From:** G-3
Declassify On: 03/22/2032

Reference: (U) 278-HQ-C1229736

(U) ~~(S)~~ **Details:** Following the INSD/IIS NSL Compliance audit that was completed on 3/19/2007, this communication reports a potential IOB matter that was identified. The potential IOB violation concerned an administrative error in the authority cited on a National Security Letter (NSL).

(S) A NSL was issued on August 31, 2004, case file [Redacted]. At the time of the potential violation, Special Agent (SA) [Redacted] was the case agent. At the time of the potential violation, the squad supervisor was SSA [Redacted].

[Redacted] are naturalized United States persons (USPER).

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To: Inspection From: [redacted]
Re: (U) 278-HQ-C1229736-VIO, 03/22/2007

(S) [redacted]
[redacted] a naturalized U.S.
person, was opened. The investigation was predicated upon
information provided by the [redacted] Division. [redacted]
[redacted]
[redacted] Activities such as these are a direct
violation of U.S. laws

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[redacted]

(S)

~~(S)~~ The potential IOB violation occurred on August 31,
2004, when the case agent drafted an EC and NSL, and subsequently
forwarded, the approved NSL to a business to acquire financial
records of [redacted]. The cover EC to FBIHQ, serial 7, properly
documented the type of NSL (RFEA). [redacted]

[redacted]

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within a 1A envelope as a part of this case. Upon notification
by FBI Assistant Inspector-In-Place (AIIP) [redacted]
following the March 19, 2007, the INSD/IIS NSL Compliance audit,
this office acknowledged the potential IOB violation prompting
this report of a potential IOB matter.

(U) ~~(S)~~ Attached to this communication is a copy of the
compliance checklist completed by AIIP [redacted]

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To: Inspection From:
Re: (U) 278-HQ-C1229736-VIO, 03/22/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLB is requested to review the conduct described to determine if the reported error or violation requires notification to the IOB.

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DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

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FD-962 (Rev. 03-21-2005)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/20/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLB, Room 7975

From: [Redacted]

Legal
Contact: [Redacted]

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Approved By: [Redacted]
Drafted By: [Redacted]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10
(S) [Redacted]

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Title: (U) INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error.

~~(G-3)~~ Derived From: G-3
Declassify On: 03/11/2032

Details:

(S) 1. [Redacted]

case agent is SA [Redacted] and the supervisor is SSA [Redacted]

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(S) 2. [Redacted] a U.S. Person.

(U) ~~(S)~~ 3. Possible IOB Error: inadvertent overcollection

(S) [Redacted]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(U) ~~(S)~~ On 10/31/2005, a FCRA National Security Letter was issued to [Redacted]

[Redacted] The case agent properly requested the consumer identification information and financial institution listings for the main subject, pursuant to 15 USC 1681u (a) and (b). On 11/07/2005, the case agent was not aware that he obtained and extra information.

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To: Inspection From: [REDACTED]
Re: (X) 278-HQ-C1029736-VIO, 03/20/2007

On 03/07/2007, the [REDACTED] Division completed a review of all of the division's counterintelligence NSLs and determined that in the instant case, [REDACTED] had sent a full credit report when only a partial credit report was requested. FBIHQ was alerted of the situation via e-mail on 03/07/2007.

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To: Inspection From:
Re: ~~NS~~ 278-HQ-C1229736-VTO, 03/20/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

FD-962 (Rev. 03-21-2005)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLE, Room 7975

From: [Redacted]
Legal Unit / [Redacted]
Contact: CDC [Redacted]

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Approved By: [Redacted]
Drafted By: [Redacted]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10

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Title: (U) [Redacted]
TFO [Redacted]
SSA [Redacted]
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

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(U) ~~(S)~~ Synopsis: ~~(S)~~ To report possible IOB error.

(U) ~~(S)~~ Derived From : G-3
Declassify On: X1

Details:

(S) 1. A preliminary Counterterrorism investigation, [Redacted]
[Redacted] initiated by [Redacted] on [Redacted]

(S) 2. [Redacted] a non-U.S. Person.

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(U) ~~(S)~~ 3. Possible IOB Error:

(S) The Attorney General's Guidelines Provision: Part V,
Paragraph 12.

[Redacted]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(U) ~~(S)~~ Overcollection of financial records obtained via an NSL. In
the course of this CT PL, an NSL [Redacted]
[Redacted] for financial records of subject for
the period January 1, 2001 to present (serial 13). The requested
records were received on 12/08/2004 and have been retained in the 1A

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Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/21/2007

section of the file. These records include documentation on transactions beginning 12/10/2001; 21 days prior to the start of the date range requested. This error was discovered during the March 2007 NSL Audit.

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To: Inspection From: [Redacted]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/21/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

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FD-962 (Rev. 03-21-200)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/20/2007

To: Inspection
General Counsel

Attn: IIS, Room 11861
Attn: NSLE, Room 7975

From: [Redacted]

Legal Unit /
Contact: CDC

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Approved By: [Redacted]

Drafted By: [Redacted]

(U) Case ID #: ~~(S)~~ 273-HQ-C1229736-V10

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Title: (U) [Redacted]

SSA [Redacted]
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error.

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(U) ~~(S)~~ Derived From : G-3
Declassify On: X1

Details:

(S) 1. A full Counterterrorism investigation Case ID [Redacted] initiated by [Redacted]

(S) 2. [Redacted] owned by two U.S. Persons.

(U) ~~(S)~~ 3. Possible IOB Error:

(S) The Attorney General's Guidelines Provision: Part V, Paragraph 12.

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(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(U) ~~(S)~~ Overcollection of telephone toll records obtained via an NSL. [Redacted]

for subscriber and toll information for three (3) phone numbers associated with subject (serial 273-HQ-C1229736-V10) for all three numbers for the time period [Redacted]. The requested records were received on or about 05/13/2005 and have been retained in the 1A section of the file. Review of these records

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(U)

To: Inspection From: [Redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/20/2007

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during the March 2007 NSL Audit revealed that a portion of the records received cover a time period outside the date range requested in the NSL.

<u>Target Number</u>	<u>Records Provided For</u>	<u>Result</u>
(S)	[Redacted]	(Requested)

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To: Inspection From:
Re: ~~NSL~~ 078-HQ-C1229735-VIO, 03/20/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLB, Room 7975

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From: [Redacted]

Legal Unit / [Redacted]
Contact: ASAC [Redacted]

Approved By: [Redacted]
Drafted By: [Redacted]

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(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10

Title: (U) [Redacted]
SA [Redacted] CTD
SSA [Redacted]

INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

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(U) ~~(S)~~ Synopsis: ~~(S)~~ To report possible IOB error.

(U) ~~(S)~~ Derived From : G-3
Declassify On: X1

Details:

(S) 1. [Redacted] A full Counterintelligence investigation, Case ID [Redacted] initiated by [Redacted]

(S) 2. [Redacted] a non-U.S. Person.

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(U) ~~(S)~~ 3. Possible IOB Error:

(S) The Attorney General's Guidelines Provision: Part V, Paragraph 12

[Redacted]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(U) ~~(S)~~ Overcollection of telephone toll records obtained via an NSL. An ECPA NSL dated 09/02/2003 was issued to [Redacted] for [Redacted] subscriber information and toll records for two (2) telephone numbers [Redacted] for the period [Redacted] to the present (serial 145). The requested records were received on 12/17/2003 and have been retained in the 1A section of the file. Review of these records during the March 2007 NSL Audit revealed records were provided for the billing cycle dated [Redacted]

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(U)

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To: Inspection From: [REDACTED]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/11/2007

[REDACTED] which included data as early as [REDACTED] resulting in an overcollection of approximately 10 days.

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(U)

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To: Inspection From: [REDACTED]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/21/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLE, Room 7975

b2
b7E
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b7C

From: [Redacted]

Legal Unit / [Redacted]

Contact: CDC [Redacted]

Approved By: [Redacted]

Drafted By: [Redacted]

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b7D
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b7C

(U)

Case ID #: ~~(S)~~ 278-HQ-C1229736-V10

Title: (U) [Redacted]

SA [Redacted]

SSA [Redacted]

INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U)

Synopsis: ~~(S)~~ To report possible IOB error.

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b7C

(U)

~~(S)~~

Derived From : G-3

Declassify On: X1

Details:

(S) 1. A preliminary Counterintelligence investigation, Case ID [Redacted] initiated by [Redacted]

(S) 2. [Redacted] a U.S. Person.

(U) ~~(S)~~

3. Possible IOB Error:

b1
b2
b7E

(S) The Attorney General's Guidelines Provision: Part V, Paragraph 12

[Redacted]

(U)

~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) Receipt and retention of a full credit report obtained utilizing an NSL in a CI investigation. [Redacted]

b1
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b7C

on [Redacted] requesting limited consumer information [Redacted]. The requested records were received from [Redacted] on 10/03/2006 and were in the form of a full credit report.

~~SECRET~~

~~SECRET~~

(U)

To: Inspection From: [REDACTED]
Re: (X) 278-HQ-C1229736-VIO, 03/11/2007

The full credit report was found in the 1A section of the file by the [REDACTED] Division, [REDACTED] Resident Agency, during the course of the March 2007 NSL Audit.

b2
b7E

~~SECRET~~

~~SECRET~~

(U)

To: Inspection From: [REDACTED]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/11/2007

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b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

~~SECRET~~

(Rev. 01-31-2003) ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: General Counsel

Attn: NSLB

From:

[Redacted]

Contact: SSA

[Redacted]

b2
b7E
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b7C

Approved By:

[Redacted]

Drafted By:

(U)

(U) Case ID #: ~~(S)~~ 278-HQ-C1029736-VIO (Pending)
~~(S)~~ 278- [Redacted] /5423 (Pending)

b2
b7E

(U)

~~(S)~~ Title: POTENTIAL INTELLIGENCE OVERSIGHT
BOARD MATTER

(U)

~~(S)~~ Synopsis: To report a potential IOB matter.

(U)

~~(S)~~ Derived From : G-3
Declassify On: X1

b1

Reference: (S) [Redacted]

Enclosure(s): (U) Enclosed for NSLB is the RFPA NSL attachment referred to in this EC.

(U)

~~(S)~~ Details: Pursuant to an office-wide review of documentation received in response to Fair Credit Reporting Act (FCRA) National Security Letters (NSLs), it was discovered that credit report information was received by SA [Redacted] connection with the issuance of a RFPA NSL for financial records. While this referral does not meet the parameters of information sought under referenced serial, it was, however, discovered in the process of that review. And, pursuant to a telephone conversation on March 19, 2007, between [Redacted] CDC [Redacted] and AGC [Redacted] [Redacted] it was determined that receipt of this information should be submitted as a potential IOB matter.

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(S) This potential matter occurred in pending case, [Redacted] a USPER.

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~~SECRET~~

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(U) To: General Counsel From: [redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/11/2007

(S)

[Large redacted block]

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(S) SA [redacted] drafted an NSL dated August 18, 2004, addressed to [redacted] pursuant to Title 18, U.S.C., Section 3414(a)(5) directing them to produce all financial records pertaining [redacted]

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[redacted] This NSL contained an attachment, supplied by NSLB, describing the type of information to be considered a financial record. Under the category of Loan Records, is included "credit and background investigations".

(U) ~~(S)~~ On October 22, 2004, records were received pursuant to the aforementioned NSL. Included in the loan records was an [redacted] credit report, dated September 6, 2002, detailing the subject's credit history, balance information and scores. This document was not prepared in connection with this specific NSL request and was not utilized in support of, or in connection with, any further investigative activity.

b4
b7D

(U) ~~(S)~~ It is also noted that under the International Terrorism nexus cited above, SA [redacted] may have been entitled to request and receive full credit information, had he been inclined to request it.

b6
b7C

(U) ~~(S)~~ Pursuant to this referral, and consistent with the direction of referenced EC, the applicable pages of the credit report have been sequestered and are being maintained in the custody of the [redacted] Chief Division Counsel.

b2
b7E

~~SECRET~~

(U)

~~SECRET~~

b2
b7E

To: General Counsel From: [redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/11/2007

LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

~~(U)~~ NSLB is requested to review above referral for a determination whether to report this matter to IOB. [redacted] is also requesting guidance as to whether it is appropriate to continue utilizing the aforementioned NSLB attachment.

080ptp01.ec

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b2
b7E

~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(Rev. 01-31-2003)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: General Counsel

Attn: NSL/CTLU I
IOB VIOLATIONS
Room 7975

From: [Redacted]

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b7E
b6
b7C

Contact: [Redacted]
CDC

Approved By: [Redacted]
Drafted By: [Redacted]

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b7C
b7A

(S) Case ID #: (U) [Redacted] (Pending)
[Redacted] 5384-VIO (Pending)
278-HQ-C1229736-VIO (Pending)

Title: (S) [Redacted]

(U) Synopsis: (S) To advise of potential IOB violation based on the unauthorized receipt of a credit history pursuant to a National Security Letter issued under the captioned matter and served on [Redacted]

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b7D

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b7E
b7A

(U) (S) Derived From: G-3
Declassify On: X1

(S) (U) [Redacted]

(U) Enclosure(s): (S) Credit history provided to by [Redacted] to the FBI (placed in a 1A envelope).

b4
b7D

Details: (S) [Redacted] EC and NSL dated 11/30/2006. On this date, SAC [Redacted] authorized a National Security Letter under 15 U.S.C.S 1681(U) under the captioned matter. A copy of the NSL is enclosed with this communication.

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(S)

~~SECRET~~

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b7C
b7A

To: General Counsel From: [redacted]
Re: (X) [redacted] 03/13/2007

(S) On 01/19/2007, [redacted] provided a copy of a credit report [redacted]

Enclosed for NSLB is a copy of the report that [redacted] provided to FBI [redacted]. On the same date, [redacted] Division forwarded the credit report to [redacted] and covered [redacted] lead under [redacted]

(S) Pursuant to an EC dated 03/05/2007 from Counterintelligence (Division 5) to all field office under [redacted] [redacted] conducted a review of its 1681(U) NSL requests in order to determine whether [redacted] had received full credit history information outside the scope of the statutory authorized disclosure.

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b7D

(U) (X) On 03/12/2007, [redacted] discovered the credit report provided by [redacted] to [redacted] contained information not authorized under Title 15. The contents of the enclosed credit report have not been entered into any FBI system of records. Furthermore, the detailed credit history contained herein has not been utilized in any follow up investigation.

(U) (X) Reference an 03/12/2007 e-mail from OGC Attorney [redacted] to a number of CDCs in the FBI, [redacted] notes that it may be one of twenty (20) field offices that have received unauthorized disclosures from [redacted]

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(U) (X) [redacted] CDC requests that NSLB provide an opinion as to whether this unauthorized collection constitutes an IOE violation.

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b7E

~~SECRET~~

(S)

~~SECRET~~

To: General Counsel From: [redacted]
Re: (S) [redacted] 03/13/2007

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b7A

LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(Rev. 01-31-20)

~~SECRET~~/ORCON/NOFORN

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: AD, Inspection Division
General Counsel
Counterintelligence

Attn: IIS
Attn: NSLP
Attn: CD-4C, Room 4833
SSA [Redacted]

Attn: ADC [Redacted]

From: [Redacted]

Contact: [Redacted]

Approved By: [Redacted]

b2
b7E
b6
b7C

Drafted By: [Redacted]

Case ID #: (S) 278-HO-C1229736-VIO
[Redacted]

(Pending) b1
(Pending) b2
b7E
b7A

Title: (S) REPORT OF A
POTENTIAL IOB MATTER;
[Redacted]

b1
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b7E
b7A

Synopsis: (S) Communication to report a potential IOB Matter in
the [Redacted] investigation.

(U) ~~(S)~~

~~Derived From~~ : G-3
~~Declassify On~~ : X1

Details: (S//OC/NE) [Redacted]

[Redacted]

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b7E
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b7C
b7A

~~SECRET~~/ORCON/NOFORN

~~SECRET~~/ORCON/NOFORN

b2
b7E

To: AD, Inspection Division From: [redacted]
Re: 078-HQ-C1229736-VIO, 03/26/2007

(S)

[redacted]

b1
b7A

(X) On August 16, 2006, [redacted] drafted a National Security Letter (NSL) request under Executive Order 12333 and Title 15, United States Code (U.S.C.), Section 1681u (Fair Credit Reporting Act) for [redacted] to provide the following information pertaining to the subject of the [redacted] investigation.

b1
b2
b7E
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b7D

(S)

Personal Identifying Information

- a. Any names associated with this consumer,
- b. Any current or former addresses,
- c. Any current or former places of employment

Identity of Financial Institutions

Including names and addresses of any financial institutions (as defined by 12 U.S.C. §3401) for records that indicate this consumer maintains or has maintained an account.

(U) On October 27, 2006, [redacted] received from the [redacted] Division of the FBI a response to a [redacted] Credit Bureau NSL. The [redacted] information was reviewed by the case agent [redacted] and placed in the file. Upon further review, it appears the carrier provided information beyond the scope of the NSL, resulting in unintentional acquisition of data by the Federal Bureau of Investigation.

b2
b7E
b4
b7D

(U) SA [redacted] discussed this matter with SSA [redacted] and ADC [redacted]. The only agents that reviewed the [redacted] information was SA [redacted] and ADC [redacted]. The information in question was secured by the case agent, SA [redacted] and the information was not used in furtherance of the investigation. On March 26, 2007, SA [redacted] relinquished the information to ADC [redacted] in order for the information to be sequestered until a final determination is made concerning the report in question.

b4
b7D
b6
b7C

~~SECRET~~/ORCON/NOFORN

~~SECRET~~/ORCON/NOFORN

b2
b7E

To: AD, Inspection Division From: [redacted]
Re: 278-HQ-C1229736-VIO, 03/26/2007

Set Lead 1: (Info)

ASSISTANT DIRECTOR, INSPECTION DIVISION

AT WASHINGTON, DC

(U) IIS, Read and clear.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) OGC/NSLB, distribute this electronic communication to appropriate offices.

Set Lead 3: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) At CD-4C, Read and Clear.

Set Lead 4: (Info)

[redacted]

b2
b7E

AT [redacted]

(U) [redacted] Read and clear.

◆◆

~~SECRET~~/ORCON/NOFORN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
(Rev. 01-31-2007) WHERE SHOWN OTHERWISE

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: AD, Inspection Division
General Counsel
Counterintelligence

Attn: IIS
Attn: NSLP
Attn: CD-4C, Room 4833
SSA [redacted]

Attn: ADC [redacted]

From: [redacted]

Contact: [redacted]

b2
b7E
b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

(U) ~~(S)~~ **Case ID #:** [redacted] 278-HO-C1229736-VIO (Pending)
65A [redacted] C233785-TOB (Pending)
65D [redacted] 233499

b1
b2
b7E

Title: (S) REPORT OF A
POTENTIAL IOB MATTER;
[redacted]

Synopsis: (S) Communication to report a potential IOB Matter in
the [redacted] (65D [redacted] 233499) investigation.

b1
b2
b7E

(U) ~~(S)~~ **Derived From:** G-3
Declassify On: X1

Details: (S) [redacted]

[redacted]

~~SECRET~~

b1
b2
b7E

~~SECRET~~

b2
b7E

To: AD, Inspection Division From: [redacted]
Re: 278-HQ-C1229736-V10, 03/26/2007

(S) [redacted]
[redacted]
[redacted]
[redacted]

b1
b6
b7C
b2
b7E

(U) On September 18, 2006, [redacted] drafted a National Security Letter (NSL) request under Executive Order 12833 and Title 15, United States Code (U.S.C.), Section 1681u (Fair Credit Reporting Act) for [redacted] to provide the following information pertaining to the subject of the [redacted] investigation.

b1
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b7D

Personal Identifying Information

- a. Any names associated with this consumer,
- b. Any current or former addresses,
- c. Any current or former places of employment

Identity of Financial Institutions

Including names and addresses of any financial institutions (as defined by 12 U.S.C. §3401) for records that indicate this consumer maintains or has maintained an account.

(U) On October 27, 2006, [redacted] received from the [redacted] Division of the FBI a response to a [redacted] Credit Bureau NSL. The [redacted] information was reviewed by the case agent [redacted] and placed in the file. Upon further review, it appears the carrier provided information beyond the scope of the NSL, resulting in unintentional acquisition of data by the Federal Bureau of Investigation.

b2
b7E
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(U) SA [redacted] discussed this matter with SSA [redacted] and ADC [redacted]. The only agents that reviewed the [redacted] information was SA [redacted] and ADC [redacted]. The information in question was secured by the case agent, SA [redacted] and the information was not used in furtherance of the investigation. On March 26, 2007, SA [redacted] relinquished the information to ADC [redacted] in order for the information to be sequestered until a final determination is made concerning the report in question.

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b7D
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b7C

~~SECRET~~

~~SECRET~~

To: AD, Inspection Division From: [redacted]
Re: 278-HQ-C1229736-V10, 03/26/2007

b2
b7E

Set Lead 1: (Info)

ASSISTANT DIRECTOR, INSPECTION DIVISION

AT WASHINGTON, DC

(U) IIS, Read and clear.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) OGC/NSLB, distribute this electronic communication to appropriate offices.

Set Lead 3: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) At CD-4C, Read and Clear.

Set Lead 4: (Info)

[redacted]

b2
b7E

AT

[redacted]

(U) [redacted] Read and clear.

◆◆

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: AD, Inspection Division
General Counsel

Attn: IIS

Attn: NSLP

Attn: ADC

From:

[Redacted]

Contact: SA [Redacted]

Approved By:

[Redacted]

Drafted By:

(U) Case ID #: (X) 278-HO-C1229736-VIO (Pending)
(U) (S) 65A [Redacted] C233785-IOB (Pending)

b2
b7E

(U) Title: (X) REPORT OF A POTENTIAL IOB MATTER

Synopsis: (S) Communication to report a potential IOB Matter in the [Redacted] (65A [Redacted] 233678) investigation.

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(U) (X) Derived From: G-3
Declassify On: X1

Details: (S)

[Redacted]

a U.S. person, predicated on information developed through [Redacted] provided by the Federal Bureau of Investigation (FBI) information. The case remains open.

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(S) (X) On September 28, 2006, [Redacted] drafted a National Security Letter (NSL) request under Executive Order 12333 and Title 15, United States Code (U.S.C.), Section 1681u (Fair Credit Reporting Act) for [Redacted] to provide the following information pertaining to the subject of the [Redacted]

[Redacted]

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b7D

~~SECRET~~

~~SECRET~~

b2
b7E

To: AD, Inspection Division From: [redacted]
Re: 278-HQ-C1229736-V10, 03/21/2007

Personal Identifying Information

- a. Any names associated with this consumer,
- b. Any current or former addresses,
- c. Any current or former places of employment

Identity of Financial Institutions

Including names and addresses of any financial institutions (as defined by 12 U.S.C. §3401) for records that indicate this consumer maintains or has maintained an account.

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(U) On approximately November 06, 2006, [redacted] received from ISS [redacted] of the [redacted] Division of the FBI a response to a [redacted] Credit Bureau NSL. The [redacted] information was reviewed by Special Agent (SA) [redacted] SA [redacted] and Supervisory SA (SSA) [redacted] before being submitted to the [redacted] case file. A copy of the [redacted] information was sent to FBIHQ, CD-4D SSA [redacted] whose unit was conducting a financial analysis of subject [redacted] in [redacted]

(S)

(U) In response to a directive to review all files by SSA [redacted] SA [redacted] reviewed the [redacted] file on March 14, 2007. During SA [redacted] file review, serials 51 and 52 of the sub NSL were noted to be contain a possible IOB violation. SA [redacted] determined [redacted] provided account information to include account balance and credit limit. In addition, [redacted] provided information regarding account payment status.

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(U) SA [redacted] immediately charged the serials out of the file and sequestered them for review by [redacted] Division Counsel. The only individuals that reviewed the [redacted] information were SA [redacted] SA [redacted] SA [redacted] SSA [redacted] Deputy General Counsel (DGC) Julie Thomas, and Intelligence Analyst (IA) [redacted]. The information in question was secured by the case agent, SA [redacted] and the information was not used in furtherance of the investigation. On March 21, 2007, SA [redacted] relinquished the information to ADC [redacted] in order for the information to be sequestered until a final determination is made concerning the report in question.

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~~SECRET~~

~~SECRET~~

To: AD, Inspection Division From: [redacted]
Re: 278-HQ-C1229736-V10, 03/21/2007

b2
b7E

Set Lead 1: (Info)

ASSISTANT DIRECTOR, INSPECTION DIVISION

AT WASHINGTON, DC

(U) At IIS, read and clear.

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) General Counsel is requested to review this matter and provide guidance as to the disposition of the sequestered materials.

Set Lead 2: (Info)

[redacted]

AT [redacted]

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b7E

(U) At [redacted] read and clear.

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~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/19/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLE
Attn: CDC

From:

Contact: SSA

Approved By:

b2
b7E
b6
b7C

Drafted By:

Case ID #: (S) 278-HQ-C1229736-VIO (Pending)

Title: (S) REPORT OF A POTENTIAL IOB MATTER

Synopsis: (S) Reporting of a potential IOB matter.

Derived From : G-3
Declassify On: 25X1

Details: (S) [redacted] is an FCI squad established to address counterintelligence threats from a variety of foreign governments.

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[redacted] The case is captioned as follows.

(S)

(U) (S) The resulting investigation developed information which provided the identity of a named subject which fit the identified profile of the unknown agent, including access to classified information.

~~SECRET~~

~~SECRET~~

(U) ~~(S)~~
 To: Inspection From: [REDACTED]
 Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/19/2007

b2
 b7E

(U) ~~(S)~~ On 01/09/2007, Case Agent SA [REDACTED] submitted a limited consumer identifying information National Security Letter to [REDACTED] regarding the person of interest (a U.S. person) to his squad supervisor, SSA [REDACTED]. This letter was submitted pursuant to U.S. Code, section 1681u(a) and (b) of the Fair Credit Report Act (as amended on 10/26/2001), which authorized the FEI to obtain limited names and addresses of all financial institutions, and consumer identifying information limited to name, address, former addresses, places of employment, or former places of employment associated with this consumer. The letter submitted from [REDACTED] only requested the names, address, former addresses, places of employment, and former places of employment for the consumer. [REDACTED] letter did not request the names and addresses of all financial institutions of the consumer.

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(U) ~~(S)~~ On 03/19/2007, SA [REDACTED] received the results from [REDACTED]. The results included a full credit report regarding the person of interest resulting in an inadvertent over-collection of information. This information was not what SA [REDACTED] requested. Accordingly, [REDACTED] Division hereby reports this over-collection as a possible IOB violation.

[REDACTED]
 The results of the NSL request were sequestered with the Division's CDC.

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 b7A

~~SECRET~~

~~SECRET~~

(U)

To: Inspection From: [redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/19/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Discretionary)

INSPECTION

(U) AT WASHINGTON, DC

~~(S)~~ [redacted] is providing the above information regarding a potential IOB violation in compliance with current NSLB directives, for appropriate action.

b2
b7E

Set Lead 2: (Discretionary)

GENERAL COUNSEL

(U) AT WASHINGTON, DC

~~(S)~~ The Office of General Counsel is requested to review the circumstances regarding the possible IOE violation and to subsequently provide CDC [redacted] direction regarding the disposition of any records which were inadvertently collected.

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b2
b7E

~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JU
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2032

(Rev. 01-31-2003)

~~SECRET~~//20320316

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: Inspection Division
General Counsel
Counterintelligence

Attn: Internal Investigations Section
Attn: NSLB
Attn: CD-3C

From: [Redacted]

Contact: SA [Redacted]

b2
b7E
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b7C

Approved By: [Redacted]

(S)

Drafted By:

Case ID #: (U) 078-HQ-C1229736-VIO
(X) [Redacted] (Pending)

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b7E
b6
b7C
b7A

Title: (U) REPORT OF A POTENTIAL IOB MATTER

(S) [Redacted]

Synopsis: (U) To report a Potential Intelligence Oversight Board (PIOB) violation.

(U) Derived From: ~~FBI SCG-3~~
Declassify On: ~~03/16/2032~~

(S)

(X) [Redacted] (NONUSPER).

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Reference: (S) [Redacted]
(S) [Redacted]

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b7C
b7A

Details: (S) The substantive investigation in which the PIOB may have occurred is [Redacted] investigation [Redacted]. The current case agent for this investigation is Special Agent [Redacted] Special Agent [Redacted] supervisor is Supervisory Special Agent [Redacted].

~~SECRET~~//20320316

~~SECRET~~//20320316

To: Inspection Division From: [redacted]
Re: (U) 078-HQ-C1229736-VIO, 03/16/2007

b2
b7E

(U)

~~(S)~~ Toll billing records were received from [redacted] for the above captioned case pursuant to an approved National Security Letter (NSL) under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (Section 201 of the Electronic Communications Privacy Act of 1986) (as amended).

b4
b7D

(S) In the above referenced NSL, FBI [redacted] requested and received toll records [redacted]. However, toll records for [redacted] were also included with the requested records and are outside the scope of the approved NSL.

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(U) ~~(S)~~ FBI [redacted] requests direction from the appropriate authority on the disposition of those records that fall outside the scope of the approved NSL.

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b7E

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~~SECRET~~//20320316

To: Inspection Division From:
Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Discretionary)

INSPECTION

AT WASHINGTON, DC

(U) For action as deemed appropriate.

Set Lead 2: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action as deemed appropriate.

Set Lead 3: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) At CD-3C, read and clear.

◆◆

~~SECRET~~//20320316

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
(Rev. 01-31-2003) REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: NSLB
Inspection
Counterterrorism

Attn: UC [redacted]
Attn: IIS
Attn: ITOS 1, CONUS 2, Team 6

b2
b7E
b6
b7C

From: [redacted] JTTF

Contact: [redacted]

Approved By: [redacted]
Drafted By: [redacted]

b1
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b7E
b7A

Case ID #: (S) 278-HQ-C1229736-VIO (Pending)
(U) (S) 278- [redacted] A67604 (Pending)
(S) 278- [redacted] A67604-VIO (Pending)
(S) [redacted] (Pending)

Title: (U) INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER 2006 [redacted]

(U) Synopsis: (S) To provide documentation of the destruction of records received from [redacted]

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b7D

(U) (S) Derived From: FBI SCG G-3, Jan. 1997
Declassify On: 03/26/2032

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b7E

(S) [redacted]

(U) Reference: (S) 278-HQ-C1229736-VIO serial 1948

Details: (S) [redacted] reported a potential IOB violation to the Office of General Counsel (OGC) in 278-HQ-C1229736-VIO serial 1506. [redacted] provided toll records that were not requested pursuant to a National Security Letter (NSL) dated 06/08/2006. The NSL only requested subscriber information for the [redacted]

[redacted] The toll records relating to this number were sequestered. The NSL also requested that [redacted] provide toll records for [redacted] furnished toll records for a time period outside the scope of the request. (NOTE: These toll records were already obtained due to the issuance of a previous NSL). The additional toll records for [redacted] were also sequestered.

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~~SECRET~~

(U) ~~(S)~~ OGC advised in the above referenced serial that this matter is not required to be reported to the IOE and that the service provider should be contacted to determine if the sequestered records should be destroyed or returned. On 03/26/2007 [REDACTED] spoke with [REDACTED] at [REDACTED] and explained that additional toll records had been provided by [REDACTED] in response to a NSL. [REDACTED] advised that these additional records could be destroyed and need not be returned.

b4
b7D
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b7C

(S) On 03/27/2007 at 7:45am [REDACTED] destroyed the toll records [REDACTED]. The additional toll records for [REDACTED] were also destroyed. (These additional records were previously obtained through the issuance of a NSL and are stored in a separate 1-A envelope).

b1
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b7C
b7A~~SECRET~~

~~SECRET~~

LEAD(s) :

Set Lead 1: (Info)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLU, for information only.

Set Lead 2: (Info)

INSPECTION

AT WASHINGTON, DC

(U) IIS, for information only.

Set Lead 3: (Info)

COUNTERTERRORISM

AT WASHINGTON, DC

(U) ITOS I, CONUS II, Team 6 for information.

◆◆

~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4(C)
DECLASSIFY ON: 01-30-2033

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

To: Inspection
General Counsel

Attn: Internal Investigations
Sect.
Attn: Natl. Sec. Law Branch

From:

[Redacted]

Legal Unit

Contact:

CDC

[Redacted]

b2
b7E
b6
b7C

Approved By:

[Redacted]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)
(U) 278- [Redacted] C76506 (Pending)
(S) [Redacted] (Closed)

b1
b2
b7E

Title: (U) POTENTIAL INTELLIGENCE OVERSIGHT
BOARD (IOB) MATTER

Synopsis: (U) To report a potential IOB matter to the
Inspection Division and to the General Counsel.

(U) ~~(S)~~

~~Derived From :~~ G-3
~~Declassify On:~~ 03/27/2017

Details: (S)

[Redacted]
[Redacted] A parallel [Redacted]
Investigation was opened at the same time. On [Redacted] these
investigations were consolidated into a 315N investigation. The
investigation was opened by the [Redacted] SSA [Redacted]
and assigned to [Redacted] SA [Redacted]. The subject is
a U.S. Person [Redacted]
[Redacted]

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(U) ~~(S)~~ A National Security Letter (NSL), dated 04/11/2003,
was issued to [Redacted] for email subscriber and

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~~SECRET~~

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b7E

To: Inspection From: [redacted]
Re: (U) 278-HQ-C1229736-VIO, 03/17/2007

transactional records. The NSL specifically stated that the recipient should not provide content information to include subject lines and email content. A cursory review of the CD submitted by [redacted] in response to the NSL disclosed the inclusion of email subject lines and content. There is no indication in the file that any investigative personnel ever reviewed the material submitted by [redacted] or made any investigative use of the material.

b7D

(U) ~~(S)~~ A review of the case file [redacted] revealed that [redacted]

b2
b7E
b7D

[redacted] No annual LHM was ever prepared. The file was closed by EC dated 06/21/2005.

~~(S)~~ The file includes material indicating that the following investigative activity occurred between [redacted] when the annual LHM would have been due, and [redacted] when the investigation was closed: (1) An FD-302 concerning investigative activity on [redacted]

b1
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b7C

(S)

[redacted] No connection [redacted] is apparent on the FD-302 [redacted]

(U) This investigation was selected for review during the field-wide audit of National Security Letters conducted 03/16-21/2007 in [redacted] Inspector [redacted] noted the overproduction of material in response to the NSL to [redacted] and the lack of an annual LHM. The file was referred to the CDC on 03/19/2007 and a decision was made by the CDC to refer it as a possible IOE matter on 03/20/2007.

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~~SECRET~~

To: Inspection From: [REDACTED] b2
Re: (U) 278-HQ-C1229736-VIC, 03/27/2007 b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) Review this EC and take action as appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Review this EC and advise the Inspection Division, IIS on the referral of this matter as a potential IOB violation.

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(Rev. 01-31-2003) ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/28/2007

To: Inspection
General Counsel

Attn: Internal Investigations
Sect.
Attn: Natl. Sec. Law Branch

[Redacted]

Attn: [Redacted]

b2
b7E
b6
b7C

From:

[Redacted]

Legal Unit

Contact:

CDC [Redacted]

Approved By:

[Redacted]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)
(U) 278-[Redacted]-C76506 (Pending)
(S) [Redacted] (Closed)

b1
b2
b7E

Title: (U) POTENTIAL INTELLIGENCE OVERSIGHT
BOARD (TOB) MATTER

Synopsis: (U) To report a potential IOB matter to the
Inspection Division and to the General Counsel.

~~(U)~~ ~~(S)~~

~~Derived From:~~ G-3
~~Declassify On:~~ 03/28/2017

Details: (S)

[Redacted]
[Redacted]
[Redacted] The investigation was opened by the [Redacted]
[Redacted] SSA [Redacted] and assigned to SA [Redacted] the
subject as a U.S. Person [Redacted]
[Redacted]
[Redacted]

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In addition an opening LHM to Counterintelligence indicated that the

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~~SECRET~~

To: Inspection From: [REDACTED]
 Re: (U) 278-HQ-C1229736-VIO, 03/19/2007

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[REDACTED]

b6
 b7C

(S) A National Security Letter (NSL), dated 01/03/2006, was signed by the [REDACTED] SAC and directed to [REDACTED] seeking subscriber information and telephone toll records [REDACTED] for the current service from the inception of that service to, "the date of this letter." (serial NSL 6). There was no further definition of toll billing records contained in the NSL. This followed a report from the [REDACTED] that the [REDACTED] listed the [REDACTED] responded with account records for an individual, [REDACTED] the subject, who had subscribed to this telephone number since [REDACTED]. The records provided included toll billing records to [REDACTED]. Since the records did not relate to the subject no use was made of them and they were placed in the [REDACTED]. The subscriber's name was not indexed.

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 b7D

(S) A NSL, dated 10/11/2005, was signed by the [REDACTED] SAC and directed to [REDACTED] seeking subscriber and local and long distance toll records for [REDACTED] for the period 08/01/2004 to, "the date of this letter." (serial 38). This followed a review of whitepages.com which listed this telephone number as being subscribed by the subject at his residence. In response [REDACTED] forwarded international long distance telephone toll records including [REDACTED]. Two of the three international numbers called were listed earlier in the records. The case agent entered the numbers from the records into ACS and telephone applications. No further investigative use was made of these records.

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(U) ~~(S)~~ This investigation has been closed.

(U) This investigation was selected for review during the field-wide audit of National Security Letters conducted 03/16-21/2007 in [REDACTED]. Inspector [REDACTED] noted the overproduction of records. The file was referred to the CDC on 03/19/2007 and a decision was made by the CDC to refer it as a possible IOE matter on 03/20/2007.

LEAD(s) :

b2
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 b7C

Set Lead 1: (Action)

~~SECRET~~

~~SECRET~~

b2
b7E

To: Inspection From: [redacted]
Re: (U) 078-HQ-C1229736-VIO, 03/28/2007

INSPECTION

AT WASHINGTON, DC

(U) Review this EC and take action as appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Review this EC and advise the Inspection Division, IIS on the referral of this matter as a potential IOB violation.

Set Lead 3: (Action)

[redacted]

AT [redacted]

(S)

~~(X)~~ Return all records contained at [redacted] to [redacted]

[redacted]

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~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2038

~~SECRET~~

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: INSD

Attn: IIS

OGC

Attn: NSLB

Counterintelligence

Attn: CD-2E
A/UC

From:

[Redacted]

CD-20

Contact: SA

[Redacted]

Approved By:

[Redacted]

b2
b7E
b6
b7C

Drafted By:

Case ID #: 273-HQ-C1229736-VIO (Pending)

Title: REPORT OF A POTENTIAL IOB MATTER

Synopsis: (U) To report a potential Intelligence Oversight Board (IOB) matter in the case of financial National Security Letter (NSL) results.

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Reference: 273-HQ-C1229736-Serial 2570

(S)

[Redacted]

Administrative: (S) Information provided to the FBI by [Redacted] contained in [Redacted] have been provided to the CDC.

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Details: (S)

[Redacted]

[Redacted] and by definition an USPER. The case agent for [Redacted] is [Redacted] and the squad supervisor is [Redacted]

(S) On 12/20/2006 an NSL was drafted to be delivered to [Redacted] to obtain the names and addresses of all financial institutions at which [Redacted] maintains accounts pursuant to 18 U.S.C. 1681u(a). On or about 3/3/2007, the results of the NSL

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To: INSD From: [REDACTED] ~~SECRET~~
Re: 278-HQ-C1029736-VIO, 03/13/2007

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b7E

where provided to the writer and reviewed. Upon review, it was determined that [REDACTED] provided an entire credit report on the target.

b4
b7D

[REDACTED] (U) Based on what the NSL specifically requested from [REDACTED] it is clear that more information was provided beyond the request of the writer.

b4
b7D

(U) The results have been provided to the [REDACTED] CDC for sequestration pending final guidance from OGC upon review of this matter. No use of the information has been made.

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b7E

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~~SECRET~~

b2
b7E

To: INSD From: [REDACTED]
Re: 278-HQ-C1029736-VIO, 03/13/2007

LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

[REDACTED] requests OGC to review the potential IOB violation and if deemed appropriate, pass the information to the appropriate body to satisfy the necessary reporting requirements. Advise [REDACTED] as to the final disposition of results.

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~~SECRET~~

DATE: 02-04-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 02-04-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
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(Rev. 01-31-2003)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: General Counsel

Attn: National Security Law Branch
Counterterrorism Law Unit
Room 7975

Inspection Division

Internal Investigations
Section (IIS)

From:

[Redacted]

Contact:

[Redacted]

b2
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b7C

Approved By:

[Redacted]

Drafted By:

[Redacted]

b1
b2
b7E

Case ID #: (U) 278-HQ-C1220736-VIO

(U) 278-[Redacted]-053002

(S) [Redacted] (Closed)

Title: (U) REPORT OF POTENTIAL INTELLIGENCE
OVERSIGHT BOARD (IOB) MATTER

Synopsis: (U) Report of a potential IOB matter to the National Security Law Branch (NSLB), Counterterrorism Law Unit (CLU), and the Inspection Division (ID) Internal Investigations Section (IIS), as required in the February 10, 2005, Inspection Division's EC to All Divisions entitled "Revised Procedures for the Submission of Reports of Potential Intelligence Oversight Board (IOB) Matters".

(U) ~~(S)~~

~~Derived From : G-3
Declassify On: X1~~

Details: (U) As directed in the Inspection Division's EC dated February 10, 2005, the following is being reported to the NSLB, CLU, and to the ID, IIS, as a potential IOB matter:

(U) 1. Identification of the substantive investigation in which the questionable activity occurred.

~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

FD-962 (Rev. 03-21-2005)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLB, Room 7975

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From: [Redacted] RA
Contact: SA [Redacted]

Approved By: [Redacted]
Drafted By: [Redacted]

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(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO

(U) ~~(S)~~ [Redacted]
~~(S)~~ 278-HQ-C45386

Title: (U) SA [Redacted]
SSA [Redacted]
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error.

(U) ~~(S)~~ Derived From: FBI SCG G-3, January 1997
Declassify On: 03/27/2032

Details:

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(S) 1. [Redacted]

(S) 2. [Redacted] U.S. Person.

~~(S)~~ 3. Possible IOB Error:

(S) The Attorney General's Guidelines Provision: [Redacted]
[Redacted] beyond one-year be authorized by
FBIHQ

(S) [Redacted]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) The Attorney General Guidelines initiated on 10/31/2003 required that a Preliminary Inquiry (PI) extension beyond twelve months be authorized by FBIHQ. Reporting Agent sought SAC authority for the extension beyond one-year by EC dated 09/03/2004. FBIHQ was notified by an informational lead on this extension EC. [Redacted]

~~SECRET~~

b1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(Rev. 01-31-2003)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/23/2007

To: Inspection

Attn: Internal Investigations
Section

General Counsel

Attn: National Security Law Branch

From:

[Redacted]

Resident Agency

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b7E
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b7C

Contact: SA

[Redacted]

Approved By:

[Redacted]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)
(U) 278-[Redacted]-C136372 (Pending)

b2
b7E

Title: REPORT OF A POTENTIAL IOB MATTER

Synopsis: (U) Report potential IOB violation.

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(U)

~~(S)~~

~~Derived From : G-3
Declassify On: X1~~

(S)

Reference(s):

[Redacted]

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Details: (S) On 03/15/2006, pursuant to a National Security Letter (NSL) dated 03/29/2006, SA [Redacted] received subscriber information and toll records from [Redacted] for the subject of a [Redacted]

(U) ~~(S)~~ The telephone number had been previously identified as associated with the subject through telephone toll records of other subjects.

(U) ~~(S)~~ Before sending the toll records to be uploaded, SA [Redacted] reviewed them to ensure that they corresponded with the information requested in the aforementioned NSL. The NSL requested subscriber information and toll records for the telephone number from [Redacted] to the present (with "the

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To: Inspection From: [redacted]
Re: (U) 278-HQ-C1229736-VIO, 03/23/2007

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present" meaning the date records were pulled, which was 04/22/2006). The information [redacted] returned did correspond to the information requested.

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b7C

(U) ~~(S)~~ However, upon review of the toll records, SA [redacted] noted that the subscriber of the telephone numbers was not the subject nor related to the subject of this investigation. When SA [redacted] requested the NSL, he was unaware that the subject's phone number had been reassigned to another subscriber.

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(U) ~~(S)~~ The non-pertinent telephone records were not uploaded into [redacted] or photocopied. Under separate communication the non-pertinent telephone records were sequestered with Chief Division Counsel [redacted]

(U) ~~(S)~~ For reporting purposes, the case agent is SA [redacted] and the supervisor is SSA [redacted]

b6
b7C

~~SECRET~~

~~SECRET~~

To: Inspection From:
Re: (U) 278-HQ-C1229736-VIO, 03/23/2007

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b7E

Set Lead 1: (Discretionary)

INSPECTION

AT WASHINGTON, DC

(U) Review above-referenced facts and determine whether IOB violation exists.

Set Lead 2: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Review above-referenced facts and determine whether IOB violation exists.

◆◆

~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

FD-962 (Rev. 03-21-2001)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLB, Room 7975
Attn: CDC/Legal Unit

b2
b7E
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b7C

From:

Contact: SA [redacted]

Approved By:

[redacted]

Drafted By:

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(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VTO (Pending)
~~(S)~~ [redacted] (Pending)

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b7C
b7A

Title: (U) INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) ~~(S)~~ Synopsis: Report of a potential IOB matter.

(U) ~~(S)~~ Derived From : G-3
Declassify On: X1

Details:

(S) 1. [redacted]

(U) ~~(S)~~ 2. Case Agent: SA [redacted]
Supervisor: SSA [redacted]

(S) 3. [redacted] a U.S. Person.

(U) ~~(S)~~ 4. No Foreign Intelligence Surveillance Act (FISA) request has been submitted to Office of Intelligence Policy and Review, Department of Justice (OIPR).

(U) ~~(S)~~ 5. Possible IOB Error:

(S) [redacted]

(U) ~~(S)~~ Description of IOB Error (including any reporting delays):

~~SECRET~~

(U)

~~SECRET~~b2
b7E

To: Inspection From: [REDACTED]
 Re: (S) 278-HQ-C1229736-VIO, 03/16/2007

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b7C
b7A

(S) Captioned investigation was initiated on [REDACTED]. A National Security Letter (NSL) was approved by the [REDACTED] Division to be served on [REDACTED]. This NSL was for the name, address, length of service, and local and long distance toll billing records related to [REDACTED] of the FI subject [REDACTED] for the period of [REDACTED] until the present. On 03/07/2007, SA [REDACTED] received the results of the NSL. On 03/15/2007, SA [REDACTED] reviewed, in detail, the results of the NSL. SA [REDACTED] discovered that although the NSL requested local and long distance toll billing records from [REDACTED] until the present, [REDACTED] provided two billing statements which constitute an over collection. Specifically, [REDACTED] provided two billing statements for long distance records covering the time period [REDACTED]. It should be noted that only the billing statements were provided for these two billing cycles and the actual long distance toll records for said statements were not included. However, since the dates of the billing statements fall outside the scope of the dates requested by the NSL, it is being reported as a possible IOB violation.

(U) On 03/15/2007, SA [REDACTED] contacted [REDACTED] of [REDACTED] Office of Division Counsel to report the over collection. SA [REDACTED] was instructed to draft a communication reporting the possible violation and SA [REDACTED] was instructed to turn over the two billing statements in question to [REDACTED] for safekeeping. The billing statements were turned over to [REDACTED] on 03/15/2007.

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~~SECRET~~

~~SECRET~~

(U) To: Inspection From: [redacted] b2
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/16/2007 b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

~~SECRET~~

(Rev. 01-31-2003) ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~/NOFORN

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/14/2007

To: Inspection
General Counsel

Attn: ISS, Room 11361
Attn: NSLB, Room 7975
Attn: Legal Unit

From:

[Redacted]

[Redacted]

Contact: A/SSA

[Redacted]

b2
b7E
b6
b7C

Approved By:

[Redacted]

Drafted By:

b1
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b7E
b7A

(S)

Case ID #: (U) 278 HQ C1229736 (Pending)
[Redacted] (Pending)
65A [Redacted] (Closed)

Title: (U) REPORT OF A POTENTIAL IOB MATTER

(U) Synopsis: ~~(S)~~ Possible IOB error for non-compliance with a requirement of the Attorney General.

(U) ~~(S)~~ Derived From : G-3
Declassify On: X1

Details: (S)

65A [Redacted] and subsequently closed on [Redacted]
[Redacted] The assigned case agent was Special Agent [Redacted]
[Redacted] The Supervisory Special Agent was [Redacted] The subject of the investigation was a United States person.

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b7C

ns1-292707.wpd

~~SECRET~~/NOFORN

~~SECRET/NOFORN~~b2
b7ETo: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736, 03/14/2007

(U) ~~(S)~~ A FCRA Section 1681u(a) National Security Letter (NSL) was generated on 65A [REDACTED] 292707, serial 14, on 10/18/2005, for service on [REDACTED] credit agency. Subsequent results received from [REDACTED] on 12/27/2005 (serial 14) indicate that a full credit report on the subject was received. The information supplied by [REDACTED] exceeded the scope of the NSL served on [REDACTED]. The error was not realized until review of the file was conducted in response to the larger NSL issue which arose from the OIG inspection regarding NSL issuances.

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(U) ~~(S)~~ The file was noted by the [REDACTED] Legal Unit, circa 03/12/2007, as a case which had a FCRA generated in support of an investigation. The file was pulled on 03/14/2007, a review of the NSL was conducted, which resulted in the revelation of potential NSL-IOE violation.

b2
b7E

(U) ~~(S)~~ The regulation in question regarding the above noted NSL was as follows: A carrier or credit agency providing information beyond the scope of an NSL resulting in the unintentional acquisition of data.

(U) ~~(S)~~ The investigation was closed on [REDACTED]

b2
b7E~~SECRET/NOFORN~~

~~SECRET/NOFORN~~

To: Inspection From:
Re: (U) 278-HQ-C1229736, 03/14/2007

b2
b7E

LEAD (s):

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

~~SECRET/NOFORN~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

To: Inspection
General Counsel

Attn: IIS
Room 11861
Attn: NSLB
Room 7975

From: [Redacted]

Chief Division Counsel

Contact: [Redacted]

b2
b7E
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b7C

Approved By: [Redacted]

(U) Drafted By:

Case ID #: (S) 278-HQ-C1229736-VIO

(U) Title:

(S) Intelligence Oversight Board (IOB)

(U) Synopsis:

(S) To report potential IOB errors.

(U) (S)

Derived From: G-3
Declassify On: 25X1-Human

Details: I. (S) 1. [Redacted]

[Redacted]

b1
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b7D

(U) (S)

2. The subject in this case is a U.S. Person.

(U) (S)

3. The possible IOB error was an over-capture of information by the carrier.

(S) 4.

[Redacted]

[Redacted]

(S) 3. Description of IOB error: On 02/12/2006, a national security letter was drafted under case file # [Redacted] to [Redacted] for toll billing records in reference to telephone number [Redacted]. The case agent received the results, and upon inspection of the data (which was provided on a

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(U) ~~(S)~~
 To: Inspection From: [REDACTED]
 Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/27/2007

b2
 b7E

CD), discovered three additional numbers and their corresponding information. None of the information regarding the three additional telephone numbers was requested in the NSL. Because [REDACTED] it appears that the originally requested number is part of a "family plan" under which [REDACTED]. [REDACTED] The subject of the agent's investigation is correctly listed on the billing paperwork with the requested number. The subject apparently pays the bill for the requested number and the three associated, but unrequested numbers under one bill. After realizing there was an over-capture, the case agent provided the CDC with all the results and the associated paperwork received from [REDACTED] and it is currently sequestered in the CDC's safe.

b4
 b7D

(U) ~~(S)~~ 6. As the case agent immediately identified the over-capture, and brought it to the CDC's attention and the information received from the NSL is sequestered in the CDC's safe, SAC [REDACTED] recommends no formal administrative action be taken in this matter.

b2
 b7E

II (S) 1. [REDACTED] case ID # [REDACTED] was initiated by the [REDACTED] office [REDACTED]

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 b7E

(U) ~~(S)~~ 2. The subject in this case is a presumed U.S. Person.

(U) ~~(S)~~ 3. Possible IOB error: The potential IOB error in this case is an over-capture on the part of the carrier.

(S) 4. Description of IOB error: In reference to case file # [REDACTED] an NSL was drafted on 02/14/2007 requesting toll billing records for two telephone numbers. The telephone numbers on which the information was requested are [REDACTED] and [REDACTED]. There was no available information for telephone number [REDACTED]. The information received pertaining to [REDACTED] had the correct target's name and address associated with this number. The issue was that the telephone number [REDACTED] also listed a second telephone number which was not requested. This additional number appears to be a second telephone line which is paid for by the target through the originally requested number. Immediately upon discovery of this situation, all paperwork received from [REDACTED]

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~~SECRET~~

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b7E

(U) To: Inspection From: [redacted]
Re: (S) 278-HQ-C1229736-VIO, 03/17/2007

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b7D

[redacted] was provided to the CDC and is currently sequestered in the CDC's safe.

b2
b7E

(U) (S) 5. As the case agent immediately identified the carrier error and the resultant information is currently sequestered in the CDC's safe, SAC [redacted] recommends no formal administrative action be taken in this matter.

III. (S) 1. [redacted]

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b7E

(U) (S) 2. The subject of this case is a U.S. Person.

(U) (S) 3. Possible IOB error: Again, it is an over-capture on the part of the carrier.

(S) 4. Description of IOB error: With regard to case number [redacted] during the week of 03/19/2007, the case agent received the results of subscriber information from [redacted] for targeted number [redacted]. Within the said results, the telephone company provided more information that was requested. This unrequested information included the following: date of birth, social security account number and contact telephone number. After receiving, and prior to personally reviewing these results, a Headquarters NSL inspector requested to review them. They were provided to her and subsequently given back with no comments. Assuming there was no problem, the results were then analyzed and recorded in an EC. The EC was uploaded on the same day. Less than 24 hours later, I was advised by Acting Supervisory Special Agent [redacted] that the above information would possibly be considered an over-capture. The case agent immediately retrieved all pertinent documentation relating to this subscriber information and provided it to Acting Supervisory Special Agent [redacted] who sequestered them until he was able to sequester them in the CDC's safe. In addition, case agent had the [redacted] do a permanent serial charge out of the EC as well as related 542 and removed from the shared drive.

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(U) (S) 5. Again, as this is a carrier error, and not an error on the part of the case agent, SAC [redacted] recommends no formal administrative action be taken in this matter.

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b7E

(U)

~~SECRET~~

To: Inspection From: [REDACTED]
Re: (S) 278-HQ-C1229736-VIO, 03/27/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

FD-962 (Rev. 03-21-2005)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/23/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLB, Room 7975

From: [Redacted]

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b7E
b6
b7C

Contact: SA [Redacted]

Approved By: [Redacted]

Drafted By:

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO
~~(S)~~ 278-[Redacted]-A67604-VIO

b2
b7E

Title: (U) POTENTIAL INTELLIGENCE OVERSIGHT
BOARD (IOB) ERROR

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b2
b7E
b6
b7C

(U) Synopsis: ~~(S)~~ To report possible IOB error.

(U) ~~(S)~~ Derived From : G-3
~~(S)~~ Declassify On: 03/15/2017

Details:

(S) 1. [Redacted] initiated by [Redacted] on [Redacted]

(S) 2. [Redacted] a presumed U.S. Person.

(U) ~~(S)~~ 3. Possible IOB Error:

(S) NEIEM Section Reference: Section 2-17E.

[Redacted]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) Writer, SA [Redacted] was tasked with assisting the case agent, Joint Terrorism Task Force Officer [Redacted] in analyzing phone records previously obtained through the course of this investigation. Writer is supervised by SSRA [Redacted]. Writer prepared five (5) National Security Letters (NSLs) requesting subscriber information on fifteen telephone numbers identified through the course of the analysis. The NSLs were dated 02/08/2007.

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~~SECRET~~

(U)

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b7E

To: Inspection From: [redacted]
Re: (S) 278-HQ-C1229736-VIO, 03/23/2007

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b7D

(S) On 03/15/2007, while analyzing the results of the aforementioned NSLs, writer identified telephone number [redacted] and accompanying subscriber information and determined that it was not listed in the original phone records that predicated the NSLs. The subscriber information [redacted] was obtained from [redacted] [redacted] on or about 03/12/2007. Writer confirmed that he mistakenly included [redacted] in the NSL addressed to [redacted] on 02/08/2007.

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b7D

(S) Writer reviewed the original phone records on which the NSL to [redacted] was predicated and noted a similar telephone number, [redacted], however subscriber information for this telephone number was already available.

(S) The subscriber information records pertaining to [redacted] [redacted] was sequestered and turned over to the CDC to be maintained in a sealed condition.

b1

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~~SECRET~~

(U)

To: Inspection From: [REDACTED] b2
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/13/2007 b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: General Counsel
Inspection

Attn: NSLB, Room 7975
Attn: IIS, Room 11861

From:

[Redacted] RA, [Redacted]

Contact: SA [Redacted]

b2
b7E
b6
b7C

Approved By:

[Redacted]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

Title: (U) REPORT OF POTENTIAL
INTELLIGENCE OVERSIGHT
BOARD (IOB) ERROR;

Synopsis: (U) To report potential IOB error.

(U) ~~(S)~~

~~Derived From : G-3
Declassify On: X1~~

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b2
b7E
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b7C

Details: (S)

1. [Redacted] Case Number [Redacted] initiated by [Redacted]
on [Redacted]

(S) 2. [Redacted] a U.S. Person.

(U) ~~(S)~~ 3. Possible IOB error:

(U) ~~(S)~~ The Right of Financial Privacy Act, Title 12, USC
3414(a)(5).

(U) ~~(S)~~ 4. Description of IOB error (including any reporting
delays):

(U) ~~(S)~~ An audit of the file revealed that Case Agent
[Redacted] (retired) and SSRA [Redacted]
received information from [Redacted] prior to the issuance

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b7C

~~SECRET~~

To: General Counsel From: [REDACTED]
 Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

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(S)

of an NSL. On 06/23/2003, Case Agent [REDACTED] spoke with [REDACTED] [REDACTED] who advised that the bank recently closed the subject's account due to frequent [REDACTED] [REDACTED] (see serial 4). On 06/25/2003, (see serials 5 and 6), an NSL was directed to [REDACTED]. Audit team was concerned because nothing in file detailed exigent circumstances dictating receipt of records prior to the NSL issuance. However, information in the case file reveals that the case agent detailed "information furnished" and not records. The case agent further detailed the information in the EC. Pursuant to guidelines for conducting a Preliminary Inquiry, it is permissible to accept information voluntarily provided by government or private entities. The case was closed on [REDACTED]

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To: General Counsel From:
Re: (U) 278-HQ-C1229736-VIO, 03/26/2007

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b7E

LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

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~~SECRET~~

DATE: 01-30-2008
(Rev. 01-31-2003) CLASSIFIED BY: 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/19/2007

To: General Counsel
Inspection
Counterintelligence

Attn: NSLE
Attn: IIS
Attn: CD-2C, Room 4066
SSA
Attn: CDC

From:

Contact: SA

b2
b7E
b6
b7C

Approved By:

Drafted By:

b1
b2
b7E

Case ID #: (U) 278-HO-C1229736-VIO (Pending)
(U) 278- [redacted] C76104 (Pending)
(S) [redacted] (Pending)

Title: (U) REPORT OF A POTENTIAL IOB MATTER

b4
b7D

Synopsis: (U) IOB reporting of financial institution [redacted] error in response to NSL.

(U) ~~(S)~~ Derived From : G-3
Declassify On: 03/19/2032

Details: (S)

[redacted] ar USPER [redacted] The case is
filed [redacted] The case
agent is SA [redacted] and the case agent's supervisor
is SSA [redacted]

b1
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b7C

(U) ~~(S)~~ In an NSL dated 11/09/2006, writer requested
financial account information for the subject's account(s) from
[redacted] for the time period [redacted] to present. On
03/16/2007, writer received the results of said NSL. Upon review
of the account information, writer noticed that [redacted]
provided account information dating back to [redacted] (writer
believes that this occurred because [redacted] was the first day

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b7E

~~SECRET~~

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b7E

To: General Counsel From: [redacted]
Re: (S) [redacted] (Pending), 03/19/2007

of the credit cycle and the requested start date, [redacted]/2006, fell within that month's cycle.) b2
b7E

(U) UACB, writer will maintain the full results of the NSL in a 1A envelope in the case file. Writer will consider requesting financial records from inception of account to present to cover the period of time for which financial information was accidentally provided by [redacted] to writer. b4
b7D

(U) This matter is being reported within the mandatory 14 day period.

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~~SECRET~~

To: General Counsel From: [redacted]
Re: (S) [redacted] (Pending), 03/19/2007

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b7E

LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Information is being provided to NSLB for whatever action is deemed appropriate.

Set Lead 2: (Action)

INSPECTION

AT WASHINGTON, DC

(U) Information is being provided to IIS for whatever action is deemed appropriate.

Set Lead 3: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) At CE-2C: Read and clear.

Set Lead 4: (Action)

[redacted]

b2
b7E

AT [redacted]

(U) Information is being provided to CDC for whatever action is deemed appropriate.

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~~SECRET~~

DATE: 01-30-2008
(Rev. 01-31-2007) CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4(C)
DECLASSIFY ON: 01-30-2033

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WHERE SHOWN OTHERWISE

~~SECRET~~//20320319

FEDERAL BUREAU OF INVESTIGATION

Precedence: IMMEDIATE

Date: 03/19/2007

To: General Counsel
Counterintelligence
Inspection Division

Attn: [Redacted]
Attn: UC [Redacted] Counter-Espionage Law Unit
CD-4E, Room 4833
Attn: Internal Investigations

[Redacted]

From: [Redacted]

Contact: SA [Redacted]

b2
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b7C

Approved By: [Redacted]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

(S) [Redacted] (Pending)

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b7A

Title: (U) REPORT OF A POTENTIAL IOB MATTER

Reference: 278-HQ-C1229736 Serial 2570

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b7A

Synopsis: (S) This EC serves to report the inadvertent collection which has arisen from the request for electronic communications of subject [Redacted] ESPIONAGE MATTER, [Redacted]

(U) ~~(S)~~

Derived From : G-3
Declassify On: 03/19/2032

Administrative: (U) FISA WARNING STATEMENT-STATUTORY RESTRICTIONS:

(U) This document contains information that is Foreign Intelligence Surveillance Act (FISA) derived. Per 50 U.S.C. section 1806 (b) of the Foreign Intelligence Surveillance Act, recipients are reminded that this information, or any information derived from it,

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To: INSD From: [redacted]
Re: (S) [redacted] 03/19/2007

may only be used in a criminal proceeding with the advance authorization of the Attorney General. This information may not be disseminated to a foreign government without the authorization of the attorney general.

b1
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b7D

Enclosure(s): (S) A copy of the National Security Letter (NSL) requesting the transactional records of the captioned subject and a copy of the letter from [redacted] setting forth the subscriber information for [redacted]

Details: (S) An inadvertent administrative error has occurred in the collection of electronic communication transactional records of captioned subject [redacted] is providing the following information to INSD pursuant to referenced EC:

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(U) Substantive Investigation

(S) [redacted] ESPIONAGE MATTER

(S) [redacted] OC: DE Case ID: # [redacted]

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(S) The subject and target of the investigation in which the activity occurred is [redacted] a U.S. person who was born in the state of Michigan [redacted]

(S) [redacted] investigation continues as the case was converted to a [redacted]

(U) Controlling Legal Authority

(S) The FBI is conducting a [redacted] pursuant to the Attorney General Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG) (October 31, 2003) and under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (Section 201 of the Electronic Communications Privacy Act, as amended).

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(U) [redacted] On 06/05/06, an NSL was issued directing [redacted] to provide the FBI the names, addresses, length of service and electronic communications transactional records, to include existing transaction/activity logs and all electronic mail (e-mail) header

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To: INSD From: [redacted]
Re: (S) [redacted] 03/19/2007

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(S)

[redacted] information (not to include message content and/or subject fields) for [redacted] for the period of [redacted] to the present.

b2
b7E

(U)

~~(S)~~ Statement of Error

(S) An inadvertent administrative error has occurred on the part of [redacted] resulting in the collection of message content for e-mail address holder [redacted]

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(U) The following is a chronology of events leading to the discovery of the inadvertent error and the response of the [redacted] Division:

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(S) On June 5, 2006, the enclosed NSL dated June 5, 2006 was drafted by SA [redacted] FBI [redacted] and sent to FBI [redacted] specifically the [redacted] RA, directing [redacted] to provide transactional records for e-mail address holder [redacted]

The enclosed NSL requested the names, addresses, length of service and electronic communications transactional records, to include existing transaction/activity logs and all electronic mail (e-mail) header information. The NSL also directed [redacted] not to provide message content and/or subject fields¹. Specifically the first paragraph of the NSL reads, "Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (section 201 of the Electronic Communications Privacy Act, as amended), you are hereby directed to provide the Federal Bureau of Investigation (FBI) the names, addresses, and length of service and electronic communications transactional records, to include existing transaction/activity logs and all electronic mail (e-mail) header information (not to include message content and/or subject fields), for the below-listed e-mail address holder: [redacted]"

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(S) On July 5, 2006, [redacted]

[redacted] [redacted] and a letter to FBI [redacted] advised that the NSL was received by [redacted] on July 5, 2006 and assigned file number [redacted]

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¹ NSL dated June 5, 2006. to [redacted] from FB [redacted]
(See enclosures)

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b7C

~~SECRET~~//20320319b1
b2
b7ETo: INSD From: [REDACTED]
Re: (S) [REDACTED] 03/19/2007b1
b2
b7E
b4
b7D
b6
b7C

(S) On July 19, 2006, in an EC drafted by SA [REDACTED] FBI [REDACTED] RA), to FBI [REDACTED] SA [REDACTED] advised that [REDACTED] provided the results of the records search on e-mail address holder [REDACTED] to SA [REDACTED] SA [REDACTED] enclosed a CD believed to contain the header information only and advised that it was the responsibility of the receiving office to ensure the information contained in the CD was appropriate to, and in fulfillment of the NSL request.

(U) ~~(S)~~ On July 21, 2006 or July 24, 2006, SA [REDACTED] received the results of the records search and the CD. Due to her workload and several pressing investigative priorities, SA [REDACTED] did not examine the contents of the CD immediately upon receipt. She stored it in a locked desk drawer until August 11, 2006. b6 b7C

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b7C

(S) On August 11, 2006, SA [REDACTED] reviewed the CD for the first time since receiving it in July 2006. After inserting the CD into her computer, and opening it, SA [REDACTED] readily determined that in addition to containing the header information, the CD also contained the content of e-mail address [REDACTED] SA [REDACTED] immediately closed the file, removed the CD from the computer, and proceeded to turn the CD over to Chief Division Council (CDC) [REDACTED]. At no time were copies of the information on the CD made. CDC [REDACTED] promptly sequestered the CD in a locked cabinet in his office. SA [REDACTED] also notified her then supervisor, SSA [REDACTED].

(U) Upon the realization that an over-collection had occurred, the matter was documented in an EC and forwarded to the Substantive and Counter-espionage Law Units. However, it was later determined that the Inspection Division, inadvertently, was not notified.

~~SECRET~~//20320319

~~SECRET~~//20320319

To: INSP From: [redacted]
Re: (S) [redacted] 03/19/2007

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LEAD(S) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Please review to determine if this reported compliance matter requires notification of the IOB based on the requirements of EO 12863 and guidance previously provided by the IOB.

Set Lead 2: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) CD-4B: For information only.

Set Lead 3: (Info)

INSPECTION DIVISION

AT WASHINGTON, DC

(U) Internal Investigations Section: For information only.

◆◆

~~SECRET~~//20320319

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

FD-962 (Rev. 03-21-2005)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: IIS, Room 3041
Attn: NSLE, Room 7975

b2
b7E
b6
b7C

From: [Redacted]

Contact: SA [Redacted]

Approved By: [Redacted]

Drafted By:

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO

b1
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b4
b7D
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b7C

Title: (U) REPORT OF A POTENTIAL
INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

(U) Synopsis: ~~(S)~~ To report potential IOB matter.

(U) ~~(S)~~ Derived From: FBI SCG G-3, Jan. 1997
Declassify On: 03/22/2032

Details:

(S) 1. [Redacted] initiated by [Redacted]

(S) 2. [Redacted] a U.S. Person.

(U) ~~(S)~~ 3. Possible IOB Matter:

(S) The Attorney General's Guidelines Provision: National Security Letter (NSL) requesting financial records pursuant to Title 12 U.S.C. Section 3411(a)(5)

[Redacted]

(U) ~~(S)~~ 4. Description of IOB Matter (including any reporting delays).

(S) On 04/11/2005 SA [Redacted] issued a NSL to [Redacted] requesting financial records pertaining to [Redacted] from [Redacted] to present. The NSL cited this request was authorized by Executive Order 12833, and pursuant to Title

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~~SECRET~~

(U) To: Inspection From: [redacted]
Re: (X) 278-HQ-C1229736-VIO, 03/12/2007

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(S) 12. U.S.C., Section 3414(a)(5). The NSL is documented in

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(S) On 07/21/2005 SA [redacted] conducted a review of the records provided by [redacted] as documented in

(U) (X) [redacted] provided additional records documenting financial transactions prior to [redacted] which was outside of the requested time period of [redacted] to present on the NSL.

(U) (X) SA [redacted] documented information related to the additionally provided financial records in Serial 66.

b6
b7C

(U) (X) SA [redacted] did not use the additionally provided financial records to obtain additional NSL's, or conduct further investigative activity.

(U) (X) The additionally provided financial records have been removed from the case file, and sequestered by the [redacted] Chief Division Counsel (CDC).

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~~SECRET~~

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(U) To: Inspection From: [REDACTED]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/22/2007

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: IIS, Room 3041
Attn: NSLE, Room 7975

b2
b7E
b6
b7C

From: [Redacted]

Contact: SA [Redacted]

Approved By: [Redacted]

Drafted By:

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO

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b7E
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b7C

Title: (U) REPORT OF A POTENTIAL
INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

(U) Synopsis: ~~(S)~~ To report potential IOB matter.

(U) ~~(S)~~ Derived From: FBI SCG G-3, Jan. 1997
Declassify On: 03/22/2032

Details:

(S) 1. [Redacted] initiated by [Redacted]

(S) 2. [Redacted] a U.S. Person.

(U) ~~(S)~~ 3. Possible IOB Matter:

(S) The Attorney General's Guidelines Provision: National Security Letter (NSL) requesting toll billing records pursuant to Title 18 U.S.C., Section 2709.

[Redacted]

(U) ~~(S)~~ 4. Description of IOB Matter (including any reporting delays).

(S) On 08/16/2005 SA [Redacted] issued a NSL to [Redacted] requesting toll billing records pertaining [Redacted] from [Redacted] to present. The NSL cited this request was authorized by Executive Order 12333, and pursuant to Title

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(U) To: Inspection From: [redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/22/2007

(S) 18 U.S.C. Section 2709. The NSL is documented in [redacted]

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(S) On 05/17/2006 SA [redacted] conducted a review of the records provided by [redacted] as documented in [redacted]

(U) ~~(S)~~ [redacted] provided records which were based on the date of their billing cycle, beginning with the July 2003 statement. The account in question was opened [redacted] therefore the [redacted] statement included 21 calls from the month of June [redacted]. These records are included in the case file in Serial 111.

(U) ~~(S)~~ It is noted that the NSL issued in this present matter predated the attachment which presently accompanies NSL requests for toll billing records. [redacted]

b5

[redacted] Consequently, had the present matter occurred a short time later and after the implementation of the above-stated attachment, there would have been no obligation to report it as a potential IOB violation.

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(S) Except for one phone number, [redacted] SA [redacted] did not use the additionally provided records to obtain additional NSL's or conduct additional investigative activity. SA [redacted] did not issue a additional NSL regarding [redacted] however did obtain additional information associated with the number from the [redacted]. Seven phone calls to/from [redacted] were documented in the records prior to [redacted] however there were 37 documented phone calls to/from [redacted] after [redacted]. SA [redacted] would have used [redacted] to conduct further investigative activity regardless of the additionally supplied records because it was documented 37 times after [redacted].

(U) ~~(S)~~ The additional records (21 calls) were uploaded into the [redacted] program of ACS. b2
b7E

(U) ~~(S)~~ The additional records (21 calls) prior to [redacted] have been removed from the case file, and sequestered by the [redacted] Chief Division Counsel (CDC).

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b2
b7E

(U)

~~SECRET~~

To: Inspection From: [REDACTED] b2
Re: ~~(S)~~ 078-HQ-C1229736-VIC, 03/22/2007 b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

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(Rev. 01-31-2003) ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLE
Attn: CDC

From: [Redacted]

b2
b7E
b6
b7C

Contact: SSA [Redacted]

Approved By: [Redacted]
Drafted By: [Redacted]

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

Title: (U) REPORT OF A POTENTIAL IOB MATTER

Synopsis: (U) EC provides details regarding a potential IOB matter.

(U) ~~(U)~~ ~~Derived From~~ : G-3
~~Declassify On~~: 03/09/2017

Reference: (U) EC dated 11/16/2006, file 278-HQ-C1229736.

b2
b7E
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b7C

(U) ~~(U)~~ ~~Details:~~ On 03/23/2007, [Redacted] SA [Redacted] informed his supervisor, SSA [Redacted] of a potential IOB violation related to a [Redacted] espionage investigation entitled [Redacted]. The subject of the investigation is a U.S. person.

[Redacted] The case is currently open. [Redacted]

[Redacted]

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To: Inspection From: [REDACTED]
 Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

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 b7E

(U) The potential violation occurred when a National Security Letter (NSL), dated 1/4/2006, was sent to [REDACTED]

[REDACTED]
 [REDACTED] The NSL was issued pursuant to Title 18, U.S.C., Section 1681u. The NSL specifically requested personal identifying information from [REDACTED] files relating to the consumer or consumer account but limited to names associated with the consumer, current or former addresses, and current or former places of employment. The NSL also requested the names and addresses of any financial institutions where [REDACTED] records indicate the consumer maintains or maintained an account.

b4
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 b7C

(U) In response to the National Security letter [REDACTED] sent a credit report regarding the subject of the case. When the credit report was received on 3/23/2006, it had been poorly redacted with a black pen and the case agent did not realize it was a full credit report and placed it into the case's 1A sub file. No additional leads or NSL's were sent out based on information provided in the credit report.

b4
 b7D

(U) ~~(S)~~ On 3/8/2007, when e-mails circulated related to the use of NSL's and the possibility [REDACTED] was sending out full credit reports, SA [REDACTED] recalled he had received a credit report from [REDACTED] in [REDACTED] investigation and reviewed his file. The report was reviewed by the writer who determined it to be a full credit report (albeit poorly redacted). The report was immediately placed into an envelope and provided to A/CDC [REDACTED] on 3/26/2007, where it was sequestered pending a determination from NSLB as to whether this matter constitutes an IOE violation.

b4
 b7D
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 b7C

~~SECRET~~

~~SECRET~~

To: Inspection From:
Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Info)

INSPECTION

AT ISS

(U) For information.

Set Lead 2: (Info)

GENERAL COUNSEL

AT NSLB

(U) General Counsel is requested to review this matter and provide guidance as to the disposition of the sequestered materials.

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLB

From: [Redacted]

Contact: SSA [Redacted]

b2
b7E
b6
b7C

Approved By: [Redacted]

Drafted By:

(U) Case ID #: ~~(S)~~ 078-HQ-C1229736-VTO (Pending)

Title: (U) REPORT POTENTIAL IOB MATTER

Synopsis: (U) To report potential IOB matter.

~~(U)~~ ~~(S)~~ Derived From : G-3
Declassify On: 03/22/2017

(U) ~~(S)~~ Details: ~~(S)~~ The following information is provided to OGC and the Inspection Division in order to examine the following potential IOB matter:

(S) A. Substantive Investigation: [Redacted]

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b7E

(U) ~~(S)~~ B. Names of relevant personnel:

(S) 315 Subject: [Redacted]
Case Agent: SA [Redacted]
SSA: SSA [Redacted]
SSA (Acting): [Redacted]

(U) ~~(S)~~ C. Identification of the Subject's status: Obtained US
Citizenship [Redacted]

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~~SECRET~~

(U)

b2
b7E

To: Inspection From: [redacted]
Re: (S) 278-HQ-C1239736-VIO, 03/22/2007

(U)

(S) D. Explanation of the error believed to have been committed:

b6
b7C

(U)

(S) (1) When error occurred: 06/27/2003
When error was brought to attention of SSA [redacted] 03/21/2007

(S) [redacted] Division [redacted] was instituted by SA [redacted]

[redacted] separate National Security Letters (NSLs) addressed to [redacted] requesting financial records [redacted] were signed by SAC [redacted] on 06/27/2003. No transmittal EC was drafted with the NSLs at the time of SAC signature. The NSLs were locally delivered to Bank representatives in [redacted]. On 07/03/2003, SSA [redacted] drafted and approved an EC sent to the attention of the Office of General Council (OGC) to ensure that OGC had the proper information to support Congressional Reporting requirements associated with the NSLs. Mitigating factors: It was believed that the transmittal EC was not necessary because service would be handled locally within the [redacted] Division, and NSLE reporting requirements were met with the subsequent EC.

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b7D
b6
b7C

(U)

(S) (2) Controlling law/regulation/NSIG Provision:

NFIE Manual Section 2-17

(U)

(S) (3) Status of the matter:

b1
b2
b7E

(S) Case ID: [redacted]
(S) Type: [redacted]
(S) Opened: [redacted]
(S) Closed: [redacted]
Current Status: Closed

~~SECRET~~

~~SECRET~~

(U)

To: Inspection From: [REDACTED]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/22/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action as deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action as deemed appropriate.

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~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
(Rev. 01-31-2003) REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLB

From: [Redacted]

Contact: SSA [Redacted]

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b7E
b6
b7C

Approved By: [Redacted]

Drafted By: [Redacted]

(U) Case ID #: ~~(S)~~ 078-HQ-C1229736-VTO (Pending)

Title: (U) REPORT POTENTIAL IOB MATTER

Synopsis: (U) To report potential IOB matter.

(U) ~~(S)~~ Derived From : G-3
Declassify On: 03/22/2017

(U) Details: ~~(S)~~ The following information is provided to OGC and the Inspection Division in order to examine the following potential IOB matter:

b1
b2
b7E

(S) A. Substantive Investigation: [Redacted]
Initiated by [Redacted]
Division [Redacted]

(S) B. Names of relevant personnel:

(S) 315 Subject: [Redacted]
Case Agent: SA [Redacted]
SSA: SSA [Redacted]

b1
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(S) C. Identification of the Subject's status: [Redacted]

b1
b6
b7C

~~SECRET~~

~~SECRET~~

(U)

To: Inspection From: [redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/22/2007

b2
b7E

(U)

~~(S)~~ D. Explanation of the error believed to have been committed:

b6
b7C

(U)

~~(S)~~ (1) When error occurred: 06/27/2003
When error was brought to attention
of SSA [redacted] 03/21/2007

(S) [redacted] Division [redacted] was instituted by SA [redacted] on [redacted] separate National Security Letters (NSLs) addressed to [redacted] requesting financial records [redacted] were signed by SAC [redacted] On 06/27/2003. No transmittal EC was drafted with the NSLs at the time of SAC signature. The NSLs were locally delivered to bank representatives in [redacted] On 07/03/2003, SSA [redacted] drafted and approved an EC sent to the attention of the Office of General Council (OGC) to ensure that OGC had the proper information to support Congressional Reporting requirements associated with the NSLs. Mitigating factors: It was believed that the transmittal EC was not necessary because service would be handled locally within the [redacted] Division, and NSL reporting requirements were met with the subsequent EC.

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b7C

(U)

~~(S)~~ (2) Controlling law/regulation/NSIG Provision:
NFIP Manual Section 2-17

(U)

~~(S)~~ (3) Status of the matter:

(S) Case ID: [redacted]
Type: [redacted]
Opened: [redacted]
Closed: [redacted]
Current Status: Closed

b1
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~~SECRET~~

(U)

To: Inspection From:
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/22/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action as deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action as deemed appropriate.

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~~SECRET~~

DATE: 01-30-2008
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 01-30-2038

(Rev. 01-31-2003)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLB

From: [Redacted]

b2
b7E
b6
b7C

Contact: SSA [Redacted]

Approved By: [Redacted]

Drafted By:

(U) Case ID #: ~~(S)~~ 078-HQ-C1229736-VTO (Pending)

Title: (U) REPORT POTENTIAL IOB MATTER

Synopsis: (U) To report potential IOB matter.

~~(U)~~ ~~(S)~~ Derived From : G-3
Declassify On: 03/22/2017

(U) Details: ~~(S)~~ The following information is provided to OGC and the Inspection Division in order to examine the following potential IOB matter:

b1
b2
b7E
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b7C

(S) A Substantive Investigation: [Redacted]
[Redacted] Division [Redacted] initiated by [Redacted]

(U) ~~(S)~~ B. Names of relevant personnel:

(S) 315 Subject: [Redacted]

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b7C

Case Agent: SA [Redacted]

SSA: SSA [Redacted]
SSA (Acting) [Redacted]

~~SECRET~~

~~SECRET~~

(U) To: Inspection From: [redacted]
Re: [redacted] 278-HQ-C1229736-VIO, 03/22/2007

b2
b7E

(U) [redacted] C. Identification of the Subject's status: [redacted]
and is a naturalized US citizen.

(U) [redacted] D. Explanation of the error believed to have been
committed:

b6
b7C

(U) [redacted] (1) When error occurred: 06/27/2003
When error was brought to attention
of SSA [redacted] 03/21/2007

[redacted] Division [redacted]
[redacted] was instituted by SA [redacted] on
[redacted] and subsequently [redacted]
on 12/23/2003. A National Security Letter (NSL) addressed to the
[redacted] requesting financial records on subject [redacted]
[redacted] was signed by SAC [redacted] On 06/27/2003. That
NSL dated 06/27/2003 also contained a request to [redacted]
for financial records associated with subjects of other
investigations.

[redacted] On the same date, 06/27/2003, SAC
[redacted] signed an additional NSL addressed to [redacted]
[redacted] No transmittal EC was drafted on either
NSL. The NSLs were locally delivered to [redacted] and
[redacted] representatives located in [redacted] On
07/03/2003, SSA [redacted] drafted and approved an EC sent to the
attention of the Office of General Council (OGC) to ensure that
OGC had the proper information to support Congressional Reporting
requirements associated with those two NSLs. Mitigating factors:
It was believed that the transmittal EC was not necessary because
service would be handled within the [redacted] Division, and NSLB
reporting requirements were met with the subsequent EC.

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b7C

(U) [redacted] (2) Controlling law/regulation/NSIG Provision:

NFIE Manual Section 2-17

b2
b7E

(U) [redacted] (3) Status of the matter:

(S) Case ID: [redacted]
(S) Type: [redacted]
Opened: [redacted]
Closed: [redacted]
(S) Current Status: Closed

b1
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b7E

~~SECRET~~

~~SECRET~~

(U)

To: Inspection From: [redacted]
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/22/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action as deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action as deemed appropriate.

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
FOIPA
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