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FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 09/01/2004

To: General Counsel

Attn: National Security Law Branch
Room 7975

From: [Redacted]

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Contact: [Redacted]

Approved By: [Redacted]

DATE: 08 21 2007
CLASSIFIED BY 65179 DMH/KSR/GB
REASON: 1.4 (c)
DECLASSIFY ON: 08-21-2032

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Drafted By: [Redacted]

vmc

Case ID #: (U) 278-HQ-C1229736-VIO 573
(U) 278-[Redacted]-C63856-VIO 5

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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Title: (U) PRESIDENT'S INTELLIGENCE OVERSIGHT
BOARD (IOB);
POTENTIAL IOB ERROR OR VIOLATION

(S) [Redacted]

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Synopsis: (U) Report from [Redacted] of potential IOB violation.

(U) ~~(S)~~

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

Reference: (S)

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(U) Enclosure(s): ~~(S)~~ Enclosed for OGC/NSLB are copies of the
above-referenced serials, and a copy of the 06/17/2004 Memo from
[Redacted] Division.

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(U) Details: ~~(S)~~ This EC reports a potential IOB matter to OGC/NSLB,
as instructed per EC dated 03/08/2004, see 66F-HQ-A1247863 Serial
149. Immediately upon discovering this potential IOB violation

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To: General Counsel From: [redacted] b2
Re: (U) 278-HQ-C1229736-VIO, 09/01/2004 b7E

on 08/19/2004, [redacted] notified Unit Chief [redacted] OGC/NSLB.

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(S) 1. Substantive Investigation: [redacted]

2. Subject: [redacted]

3. Subject's Status: [redacted]

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(S) 4. Controlling Legal Authority: [redacted]

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5. Statement of Error Committed: On 08/19/2004, FBI [redacted] Division, received a Memo dated 06/17/2004 from a [redacted] [redacted] Division Investigative Analyst (IA). The Memo indicated that the National Security Letter (NSL) which [redacted] had requested that [redacted] deliver to [redacted] required a change in verbiage.

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Upon reviewing the NSL request (see serial 73) and cover EC (see serial 76), [redacted] determined that the Paralegal Specialist who drafted the request for Case Agent SA [redacted] had inadvertently cited to Title 15, United States Code (U.S.C.), Section (§) 1681v of the Fair Credit Reporting Act (FCRA) instead of § 1681u. In accordance with Public Law 107-56 (USA Patriot Act) and FBI policy, the use of § 1681v to obtain consumer reports is limited to international terrorism (IT) investigations. However, as indicated previously, the request made by [redacted] which prompted [redacted] notification was in an FCI matter [redacted] immediately discontinued further processing of the request to [redacted]. In the same EC, [redacted] also had requested that [redacted] Division deliver an NSL to [redacted] and [redacted] Division deliver an NSL to [redacted] also based upon § 1681v. Therefore, [redacted] immediately attempted to discontinue these leads which inadvertently cited to § 1681v.

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Unfortunately, both [redacted] and [redacted] Divisions had already delivered the NSLs and provided the results to [redacted] (see Serial [redacted] and Serial [redacted]). The results in their entirety from both [redacted] and [redacted] were immediately sealed and are enclosed.

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To: General Counsel From: [redacted]
Re: (U) 278-HQ-C1229736-VIO, 09/01/2004

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After further discussion with SA [redacted] the current Case Agent, it was learned that upon her receipt of the results from [redacted] a copy of the results were disseminated to Task Force member [redacted] a member of the FBI [redacted] Division's Foreign Counterintelligence Task Force. Contact was immediately made with [redacted] on 08/19/2004 and he was instructed to return all resulting documentation provided to him by SA [redacted] returned this documentation on 08/20/2004, advising that he had not utilized this information. This documentation was immediately sealed on 08/20/2004 and is enclosed.

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A review of the [redacted] Legal Unit's entire NSL file and Automated Case Support (ACS) since the enactment of Public Law 107-56 revealed that 15 U.S.C. § 1681v has not been cited in any other FCI investigation.

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To: General Counsel From: b2
Re: (U) 278-HQ-C1229736-VIO, 09/01/2004 b7E

LEAD(s):

Set Lead 1: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For information of OGC/NSLB and for any further action deemed appropriate by OGC/NSLB.

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NSL VIO-24293

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/21/2004

To: [Redacted]
General Counsel
Counterintelligence

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Attn: [Redacted] RA
Attn: [Redacted]
Attn: [Redacted]
Attn: NSLB, Room 7975
Attn: CD-1

From: [Redacted]
SAC [Redacted]
Contact: SA [Redacted]

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Approved By: [Redacted]

15/5/04

DATE: 08-21-2007
CLASSIFIED BY 65179 DMH/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 08-21-2032

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Drafted By: [Redacted]:gpg

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Case ID #: (S) [Redacted]

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(U) (S) 66F-HQ-C1213150-NSL (Pending) 3000
(S) 66F-[Redacted]-C212092-NSL (Pending) 430

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Title: (S) [Redacted]

ALL INFORMATION CONTAINED
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Synopsis: (U) This EC approves the issuance of three (3) credit report National Security Letters (NSLs) pursuant to 15 U.S.C. § 1681v; sets a lead and provides reporting data to NSLB; and transmits the NSL to the [Redacted] and [Redacted] Divisions for delivery to [Redacted] and [Redacted] respectively.

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(U) ~~(S)~~

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

(S) ~~(U)~~ [Redacted]

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Enclosure(s): (U) Enclosed for delivery by the [Redacted] Division at [Redacted] RA, [Redacted] Division, and [Redacted] Division, are one original and one copy each of an NSL dated 05/21/2004, requesting a consumer report regarding the subject, from each of the following institutions, respectively:

1. [Redacted]

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To: [redacted] From: [redacted]
Re: (S) [redacted] 05/21/2004

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2. [redacted] and [redacted]

3. [redacted]

Details: (S) [redacted]

[Large redacted block]

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(U) On 08/27/2003, the Director designated the official signing the enclosed letters as authorized to make the required certification.

(U) ~~(S)~~ This electronic communication documents the SAC's approval and certification of the enclosed NSLs. For mandatory reporting purposes, the enclosed NSLs each seek a consumer report on one (1) individual.

(U) A representative of the [redacted] RA, [redacted] Division, and [redacted] Division each, who has liaison with [redacted] and [redacted] respectively, should deliver the letter enclosed with its EC, and each representative should remind [redacted] and [redacted] each that under 15 U.S.C. § 1681v(c), they are prohibited from disclosing that the FBI has made a request for a consumer report from their agency. In addition, [redacted] and [redacted] are prohibited from including in any consumer report, any information that would indicate that the FBI has sought or obtained such information.

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(U) Arrangements should be made with [redacted] and [redacted] each to provide the consumer report from its agency personally to a representative of your office. Neither [redacted] nor [redacted] should send the

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To: [redacted] From: [redacted]
Re: (S) [redacted] 05/21/2004

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consumer report through the mail nor utilize the name of the
subject in any telephone calls to your office. Neither [redacted]
[redacted] nor [redacted] should contact FBIHQ directly in any
manner.

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(U) Any questions regarding the above can be directed
to the [redacted] Division, [redacted] Attn: SA [redacted] [redacted]
[redacted].

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To: [redacted] From: [redacted]
Re: (S) [redacted] 05/21/2004

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LEAD(s):

Set Lead 1: (Action)

[redacted]

AT [redacted]

(U) Deliver the enclosed NSL to [redacted]. Upon receipt, it is requested the consumer report be submitted to the [redacted] Division, [redacted].
Attn: SA [redacted]

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Set Lead 2: (Action)

[redacted]

AT [redacted]

(U) Deliver the enclosed NSL to [redacted]. Upon receipt, it is requested the consumer report be submitted to the [redacted] Division, [redacted].
Attn: SA [redacted]

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Set Lead 3: (Action)

[redacted]

AT [redacted]

(U) Deliver the enclosed NSL to [redacted]. Upon receipt, it is requested the consumer report be submitted to the [redacted] Division, [redacted]. Attn: SA [redacted].

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Set Lead 4: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLB is requested to record the appropriate information needed to fulfill the Congressional reporting requirement for NSLs.

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To: [redacted] From: [redacted]
Re: (S) [redacted] 05/21/2004

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Set Lead 5: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) Attn: Counterintelligence, CD-1. For information only. Read and clear.

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NSL VIO-24298

FEDERAL BUREAU OF INVESTIGATION

Precedence: IMMEDIATE

Date: 3/16/2006

To: All Field Offices

Attn: ADIC;

Counterterrorism

Counterintelligence

Cyber

SAC;
CDC;
FCI/IT Supervisors
AD Hulon;
DADs;
Section Chiefs
Acting AD Berezny;
DADs;
Section Chiefs
AD Reigel
DADs
Section Chiefs

From: General Counsel
National Security Law Branch, LX-1 Room 3S100
Contact: [redacted] [redacted]

Approved By: Caproni Valerie E
Thomas Julie F

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-21-2007 BY 65179 DMH/KSR/JB

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Drafted By: [redacted] [redacted]

Case ID #: 319X-HQ-A1487720-OGC

Title: LEGAL ADVICE AND OPINIONS;
NATIONAL SECURITY LETTERS
IMPROPER COLLECTION

Synopsis: Provides guidance as to the procedures that should be filed in the event that the issuance of a National Security Letters (NSLs) results in the improper collection of information.

Details:

BACKGROUND:

The FBI issues NSLs pursuant to the Fair Credit Reporting Act, 15 U.S.C. §§ 1681u and 1681v, the Electronic Communications Privacy Act, 18 U.S.C. § 2709, and the Right to Financial Privacy Act, 12 U.S.C. § 3414.

On occasion, an NSL requests information to which the FBI is not entitled. The cause is most often a mistake in the information that is presented by the FBI to the recipient, by way of a mistake in the writing of the telephone number or financial

To: All Field Offices

From: General Counsel

Re: 319X-HQ-A1487720-OGC

3/16/2006

account number. It may also be because the information presented to the recipient was stale and not sufficiently verified in a timely manner prior to issuance of the NSL. Whatever its miscue, the FBI occasionally obtains information in response to an NSL ("NSL return information") that is not relevant to an authorized national security investigation, as required by the NSL statutes.

It also may happen that the FBI receives information to which it is not entitled because of a mistake by the recipient in providing the NSL return information. The mistake may take the form of NSL return information concerning a telephone number, account number, or subject which is different from that which was the subject of the request.

To date, there has not been a consistent policy as to how to handle situations in which the FBI obtains NSL information to which it is not entitled (hereinafter "improper collections") under the operative statute. Some field offices have returned the information to the recipient, some have destroyed the information, some have sealed the information and held onto it, and some have sealed the information and transmitted it to OIPR.

PURPOSE OF NEW PROCEDURES

Through this EC, the Office of The General Counsel, National Security Law Branch (OGC/NSLB) will attempt to define a consistent policy as to how these matters should be handled.

First, it should be noted that all of the above-described methods of handling improper collections are legal. There are no constraints imposed by the law as to how this information should be handled, except for the obvious fact that the information should not be used or disseminated.

Second, the procedures that we are adopting are designed for two purposes. One is to assure that the improperly collected material is not subject to being searched or retrieved or in any other way used or disseminated by the FBI. That would mean that the material is not searchable or retrievable or in any way available for use or dissemination unless the material is in a form which makes it clear that it was not properly obtained. The second purpose is to assure that there is a record of what occurred.¹

¹ While complete destruction of all documents might seem to be the best way in which to overcome the improper collection problem, in that it rids all systems of any indication that the information ever existed, it also leaves no

To: All Field Offices

From: General Counsel

Re: 319X-HQ-A1487720-OGC

3/16/2006

PROCEDURES TO BE FOLLOWED RE: IMPROPER COLLECTION

The following procedures should be adopted in the event that the FBI obtains material pursuant to an NSL that is not relevant to a national security investigation.

1) The improperly collected material should be sealed immediately upon discovery.

2) The improperly collected material should be sealed and returned to the office of the Chief Division Counsel (CDC). It is the responsibility of the CDC to dispose of the material. The CDC should return the material to the NSL recipient with a cover letter explaining why the material is being returned. If the recipient was at fault, the letter should make that clear so that the recipient can avoid the problem in the future.

3) If the problem arose from information mistakenly used in the NSL, the documents that were generated in issuing the NSL, including the approving EC and the NSL itself,² should not be uploaded into any database. If uploaded, they should be permanently charged out of the database. None of the documents created prior to the discovery of the error should be searchable or retrievable, or in any way available for use or dissemination, if they contain the information that was mistakenly used in the NSL.

4) The NSL return information -- e.g., toll records, email records, subscriber information, financial records, credit report information, credit reports - should not be input into any database. If input, the information should be deleted from those databases. None of the return information should be searchable or retrievable, or in any way available for use or dissemination.

5) There must be a document generated that explains the circumstance of the improper collection. Regardless of whether the improper collection arose from an FBI error or recipient error or a combination of the two, the documentation should take the form of an EC reporting a possible IOB violations. That

record of what happened and raises suspicions that will generally be far worse than what actually happened.

² In addition, there may be an EC generated by the field office which received the information and transmitted it to the requesting office, and that EC may contain the mistaken telephone number, email account, financial account number, subscriber information, toll records, financial records, and/or credit information. That EC must also be permanently charged out of any database.

To: All Field Offices

From: General Counsel

Re: 319X-HQ-A1487720-OGC

3/16/2006

document should explain the circumstances of the improper collection, the disposition of the improperly collected material, as well as the steps taken to assure that the improper material is not searchable or retrievable or in any way available for use or dissemination by the FBI. This document may contain the telephone number or account number mistakenly used in the NSL, since that document will serve as a record of the improper collection. If this document is uploaded into a database, a search using the mistaken information as the search term will only reveal the mistaken information in the context of this document, which will set forth the fact that the information was mistakenly used in the NSL. So persons who access the information will be on notice not to use the information but there will be a record of the improper collection.

If the CDC concludes that the improper collection was not due to any negligence, fault, mistake, etc. of the FBI, and OGC concurs, then OGC will decline to report the matter to the IOB. Per an agreement with the IOB, a record of (non-FISA)NSL-related improper collections not the fault of the FBI will be maintained by OGC in the form of the EC reporting a possible violation and an OGC declination. Obviously, if there was some malfeasance by the FBI, then the matter will be reported to the IOB.

There is not necessarily a bright line test as to whether there was any fault at issue that caused an improper collection or to whom to attribute such fault. For instance, the information in the NSL may be somewhat dated - there is no defined test as to how near in time to issuance of an NSL that the information contained therein should have been checked or rechecked. Thus, if NSL return information comes back on an account that, as it turns out, no longer belongs to the target, there may be some question as to whether the FBI was at fault. In such questionable situations, OGC will look at all the circumstances to determine whether to report the collection to the IOB. On the other hand, if information is received through an NSL that does not belong to the presumed account holder but the FBI took all possible steps to assure that the information was accurate and updated, the collection should be reported as a possible IOB but OGC will likely decline to report it.

There are situations in which the FBI may receive more information than it requested in its NSL but which receipt need not be reported as a possible IOB violation. For instance, an NSL recipient may deem it more efficient, in terms of manpower devoted to producing the information, to provide information over a longer period of time than requested. Or an NSL recipient may deem it more efficient to provide information about the requested

To: All Field Offices From: General Counsel

Re: 319X-HQ-A1487720-OGC 3/16/2006

account and related accounts than to segregate information about the one requested account. In those situations, if the case agent is able to assert the relevance of the additional information, he or she should send an NSL to the recipient to cover the additional information. If the case agent is unable to assert the relevance, the additional material should be returned to the provider with a cover letter of explanation. However, an EC reporting a possible IOB violation is not necessary.

USE OF NAMES OF PERSONS IN EC

Lastly, in an EC reporting a possible IOB violation it is not necessary to name the involved persons in the title of the document. Further, if the CDC concludes that there was no error by the FBI, there is no need to name the involved persons in the document. If OGC disagrees with the CDC, it may ask for the additional information. But if it concurs, there will be no need for the persons to be named at all.

CONCLUSION

Any questions regarding this communication may be directed to Assistant General Counsel [redacted] at [redacted]

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To: All Field Offices

From: General Counsel

Re: 319X-HQ-A1487720-OGC

3/16/2006

LEAD(s):

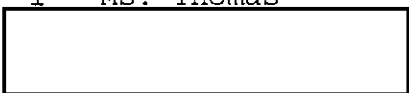
Set Lead 1: (Adm)

ALL RECEIVING OFFICES

Distribute to all supervisory personnel involved in the investigation of international terrorism, counterintelligence, and cyber cases:

1 - Ms. Caproni

1 - Ms. Thomas



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NSLB-Internal Work Product
Do not distribute outside NSLB

Memorandum

~~SECRET~~



To : NSLB Attorneys Date ~~10/02/2006~~ 11/06/2006
From : Julie F. Thomas
Deputy General Counsel DATE: 08-21-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 08-21-2032
Subject : Guidance for Drafting IOB Opinions

(U) This memorandum will provide guidance to NSLB ⁱⁿ ~~when~~ determining whether a potential IOB matter is reportable or nonreportable and in drafting of IOB opinions.¹ Of course, each IOB matter is fact specific, and it may be necessary, on occasion, to deviate from this guidance. However, this guidance should be applied in most situations. Attached to this ~~memorandum~~ ^{IOB} are the following documents: (1) an EC dated ~~09/12/2006~~ ^{10/02/2006} to all divisions setting forth the revised procedures for the submission of reports of potential ~~intelligence oversight board~~ ^{IOB} matters (~~09/12/2006~~ ^{10/02/2006} EC); (2) sample IOB opinion for nonreportable IOB matter; and (3) sample IOB opinion for reportable IOB matter, including an LHM and letter to the IOB. This memorandum does not discuss ^{IOB} what potential IOB matters are reportable to OGC. Rather, the ~~09/12/2006~~ ^{10/02/2006} EC sets forth such matters and should be referenced when advising the field as to what must be reported to OGC/INSD.

I. DETERMINING WHETHER THE POTENTIAL IOB MATTER IS REPORTABLE OR NONREPORTABLE



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¹ The U.S. Department of Justice, Office of the Inspector General's (OIG) Report to Congress on Implementation of Section 1001 of the USA PATRIOT Act, dated 03/08/2006, included a section ~~on~~ reviewing the FBI's reporting of potential IOB violations. In that report, OIG noted that "it appeared that some factually similar incidents led to reports to the IOB, while others did not." OIG intends to continue monitoring our IOB process, therefore, it is imperative that our IOB opinions are consistent.

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NSL VIO-24305

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, ~~10/02/2006~~
11/06/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/02/2006

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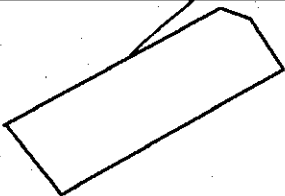
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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NSL VIO-24308

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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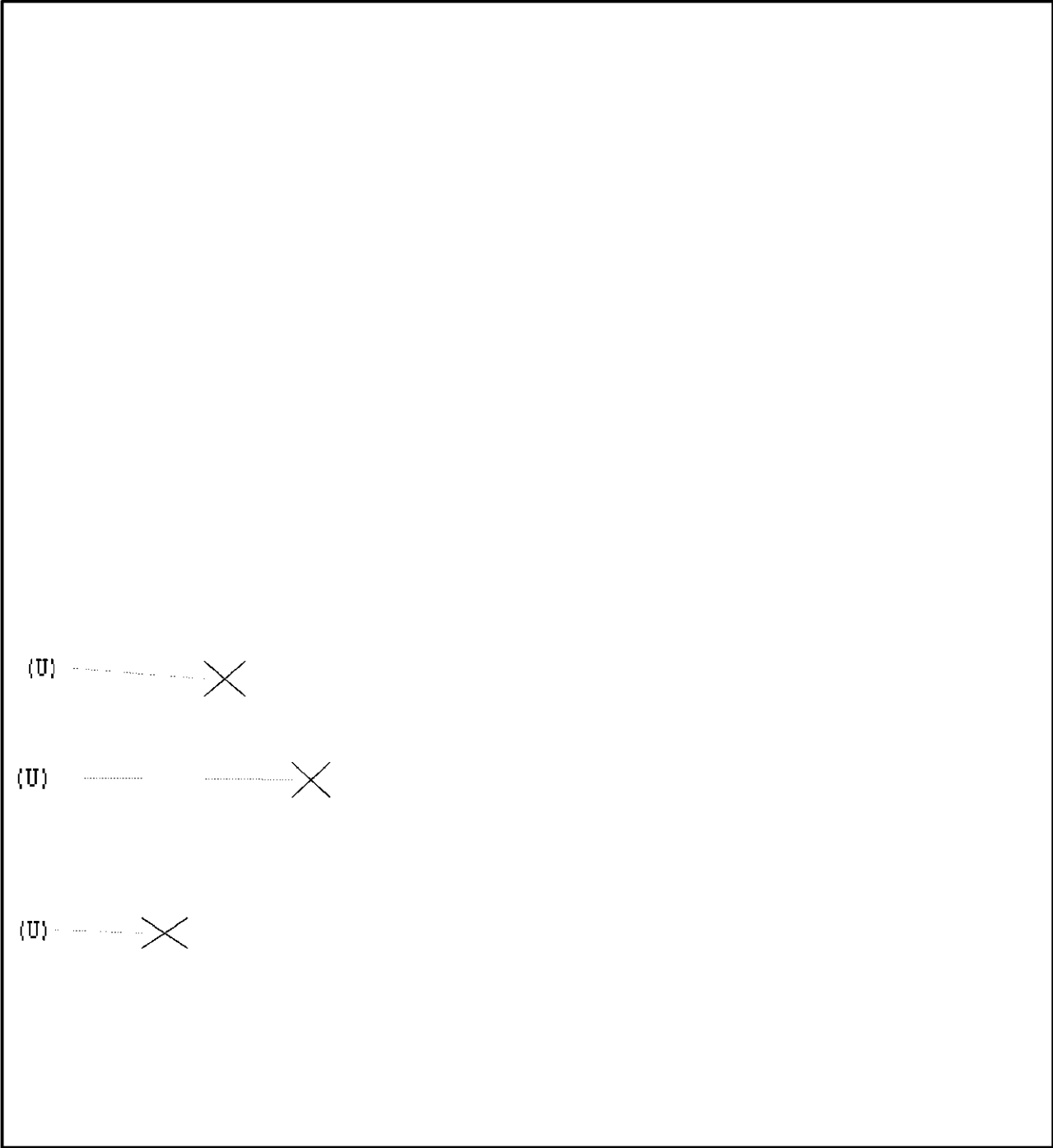
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006



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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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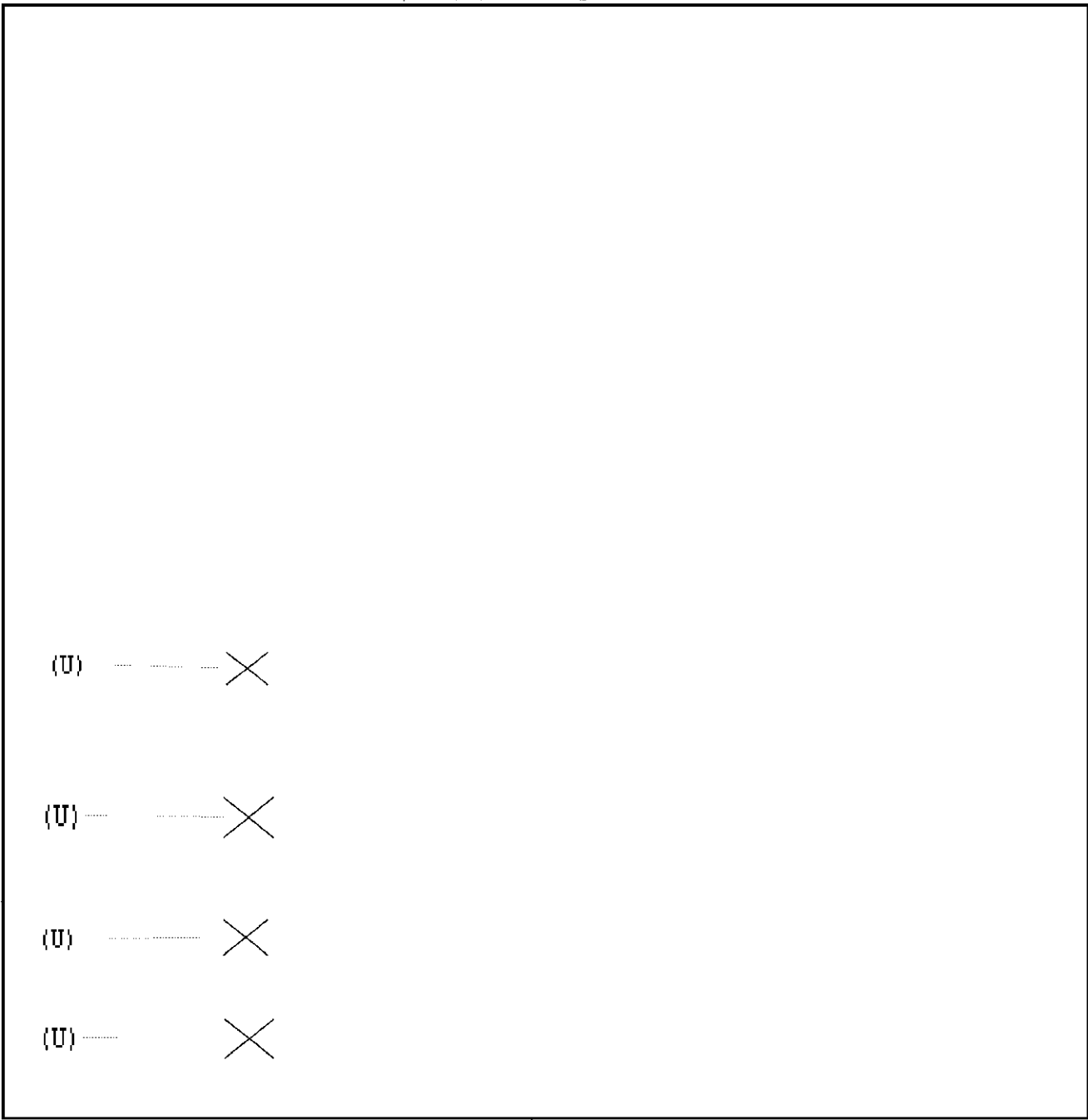
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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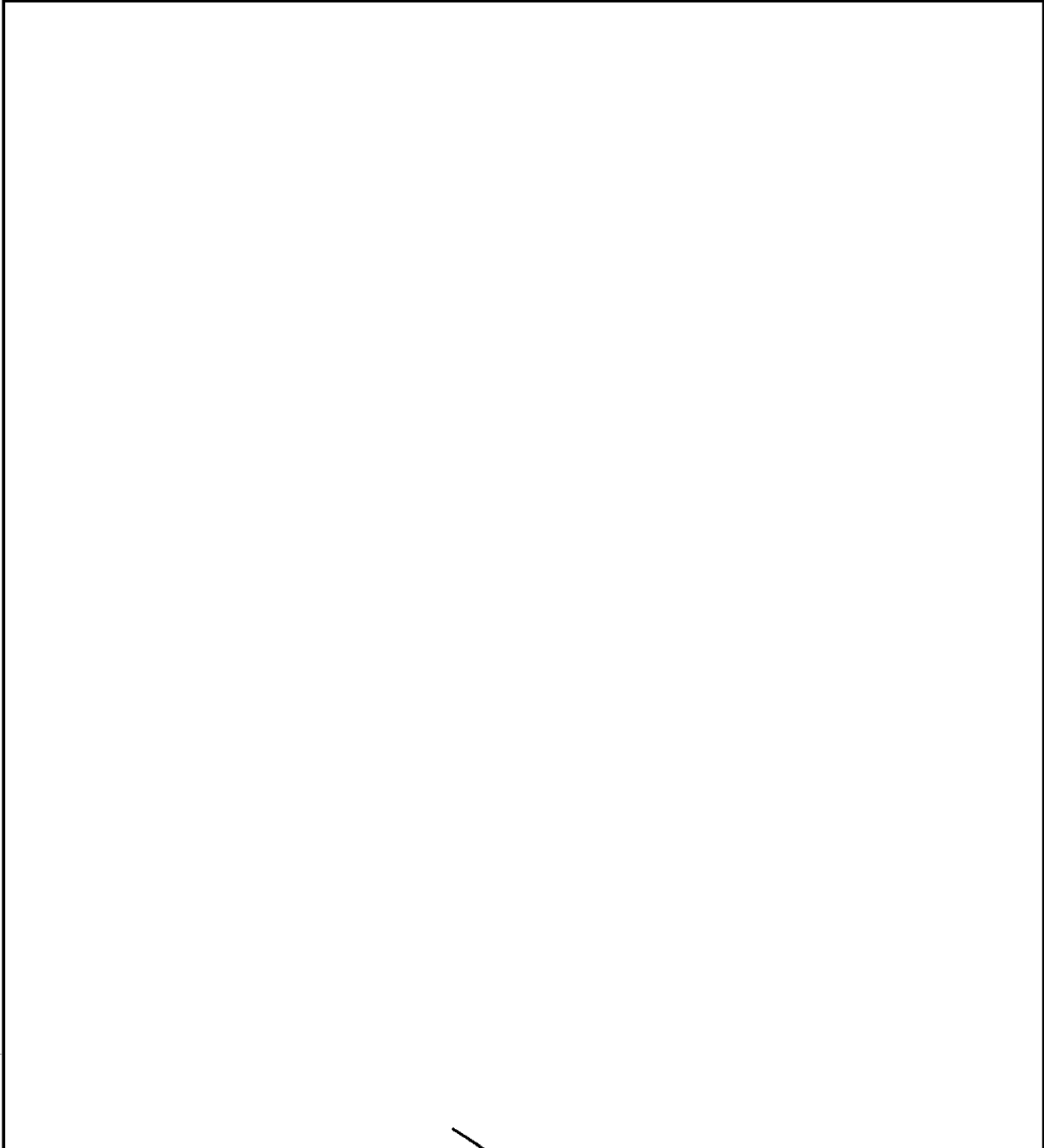
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006



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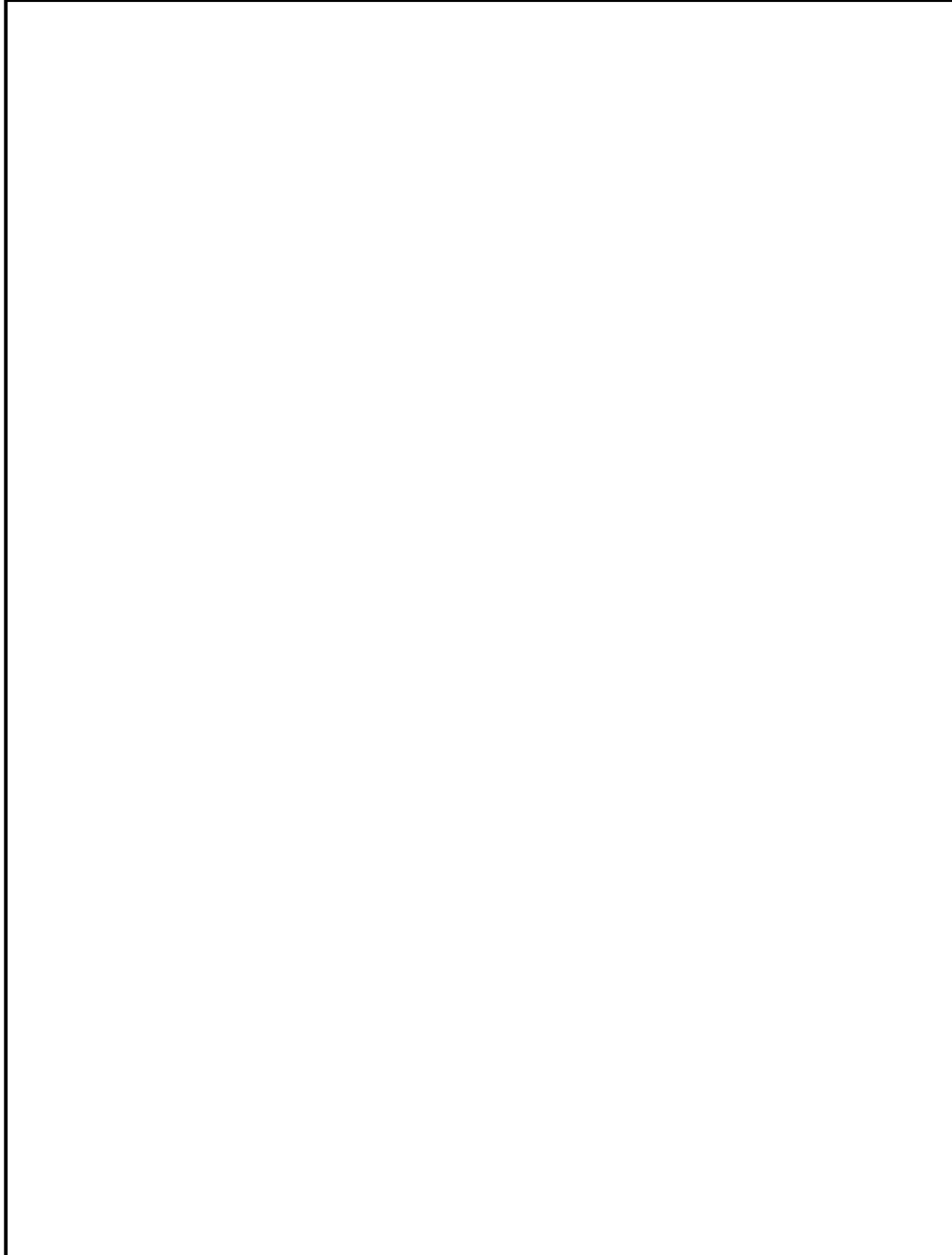
-15-

NSL VIO-24319

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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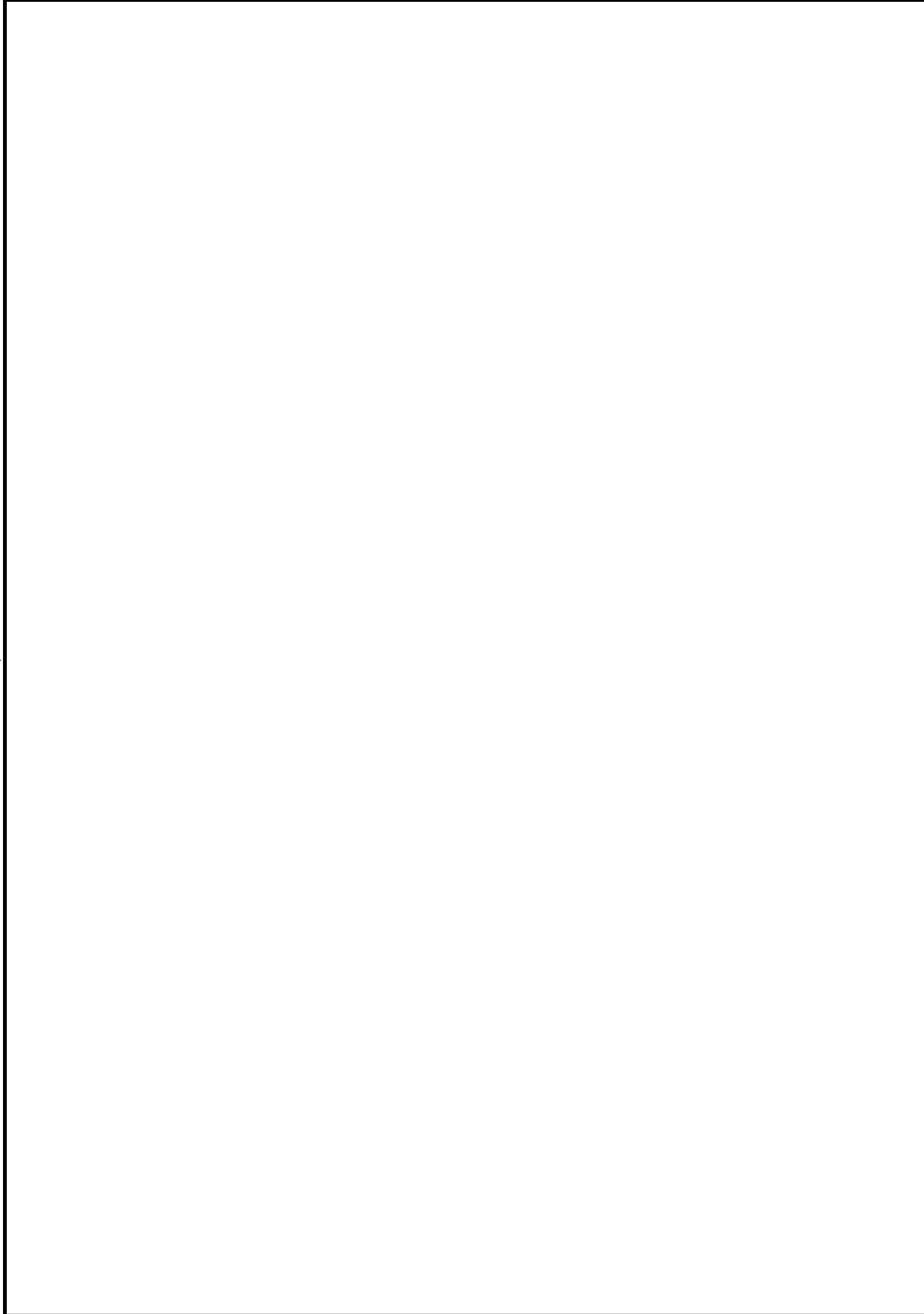
-16-

NSL VIO-24320

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006



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Memorandum

~~SECRET~~ ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE



To : NSLB Attorneys Date 10/11/2006

From : Julie F. Thomas DATE: 08-22-2007
Deputy General Counsel CLASSIFIED BY 65179 DMH/KSR/JE
REASON: 1.4 (c)

Subject: Guidance for Drafting IOB Opinions DECLASSIFY ON: 08-22-2032

(U) This memorandum will provide guidance to NSLB when determining whether a potential IOB matter is reportable or nonreportable and in drafting of IOB opinions.¹ Of course, each IOB matter is fact specific, and it may be necessary, on occasion, to deviate from this guidance. However, this guidance should be applied in most situations. Attached to this memorandum are the following documents: (1) an EC dated 10/04/2006 to all divisions setting forth the revised procedures for the submission of reports of potential intelligence oversight board matters (10/04/2006 EC); (2) sample IOB opinion for nonreportable IOB matter; and (3) sample IOB opinion for reportable IOB matter, including an LHM and letter to the IOB. This memorandum does not discuss what potential IOB matters are reportable to OGC. Rather, the 10/04/2006 EC sets forth such matters and should be referenced when advising the field as to what must be reported to OGC/INSD.



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¹ The U.S. Department of Justice, Office of the Inspector General's (OIG) Report to Congress on Implementation of Section 1001 of the USA PATRIOT Act, dated 03/08/2006, included a section on reviewing the FBI's reporting of potential IOB violations. In that report, OIG noted that "it appeared that some factually similar incidents led to reports to the IOB, while others did not." OIG intends to continue monitoring our IOB process, therefore, it is imperative that our IOB opinions are consistent.

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NSL VIO-24323

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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NSL VIO-24333

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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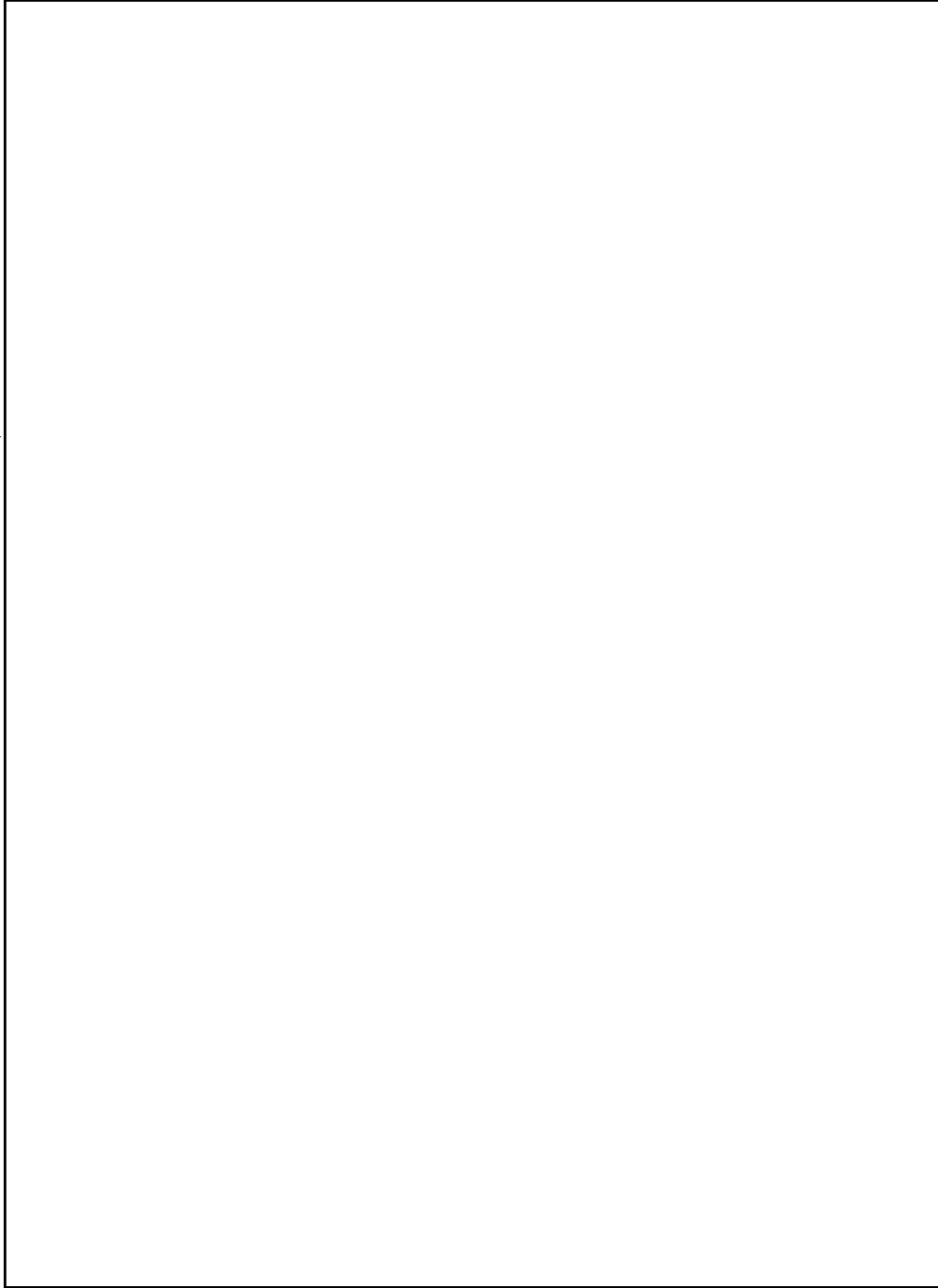
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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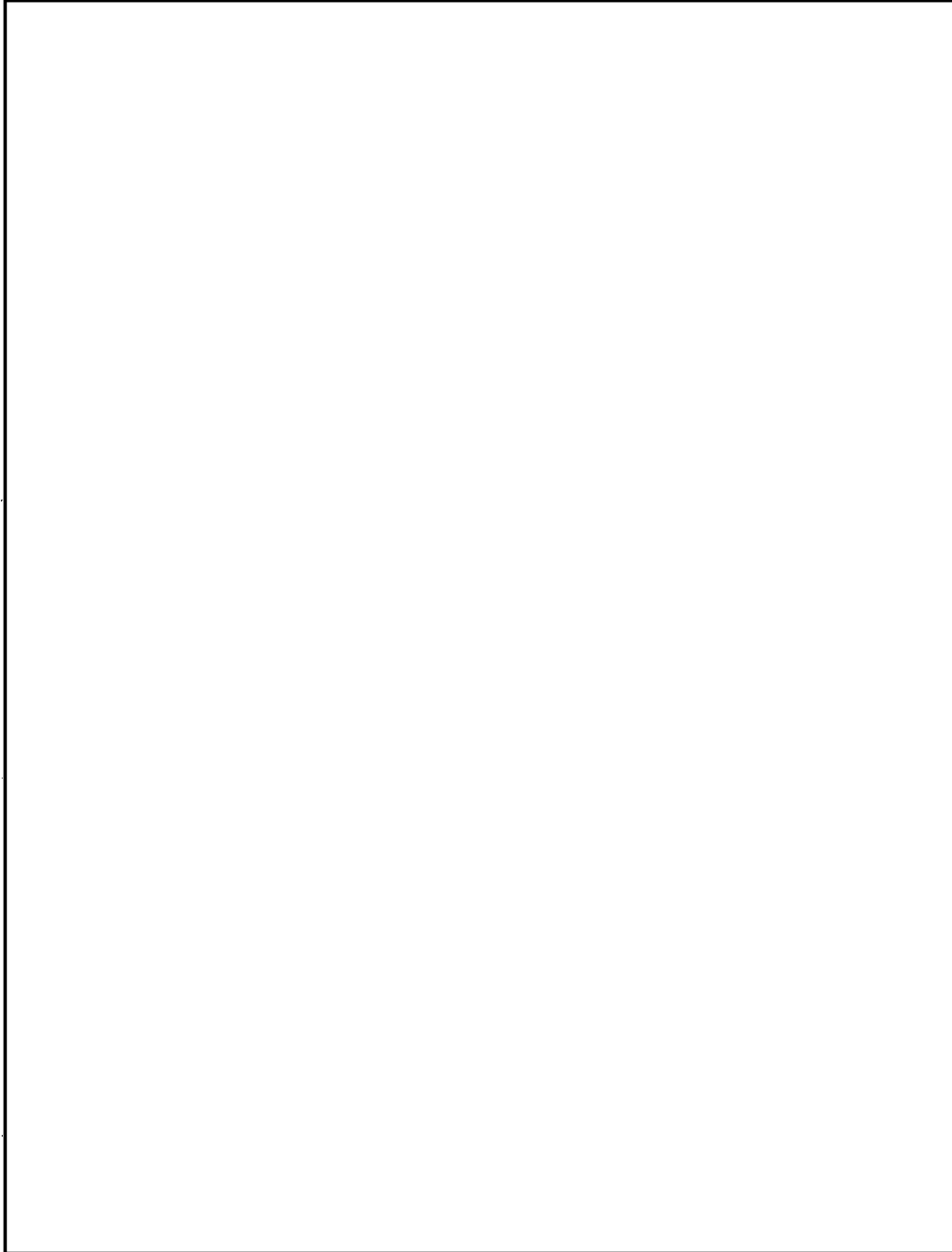


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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

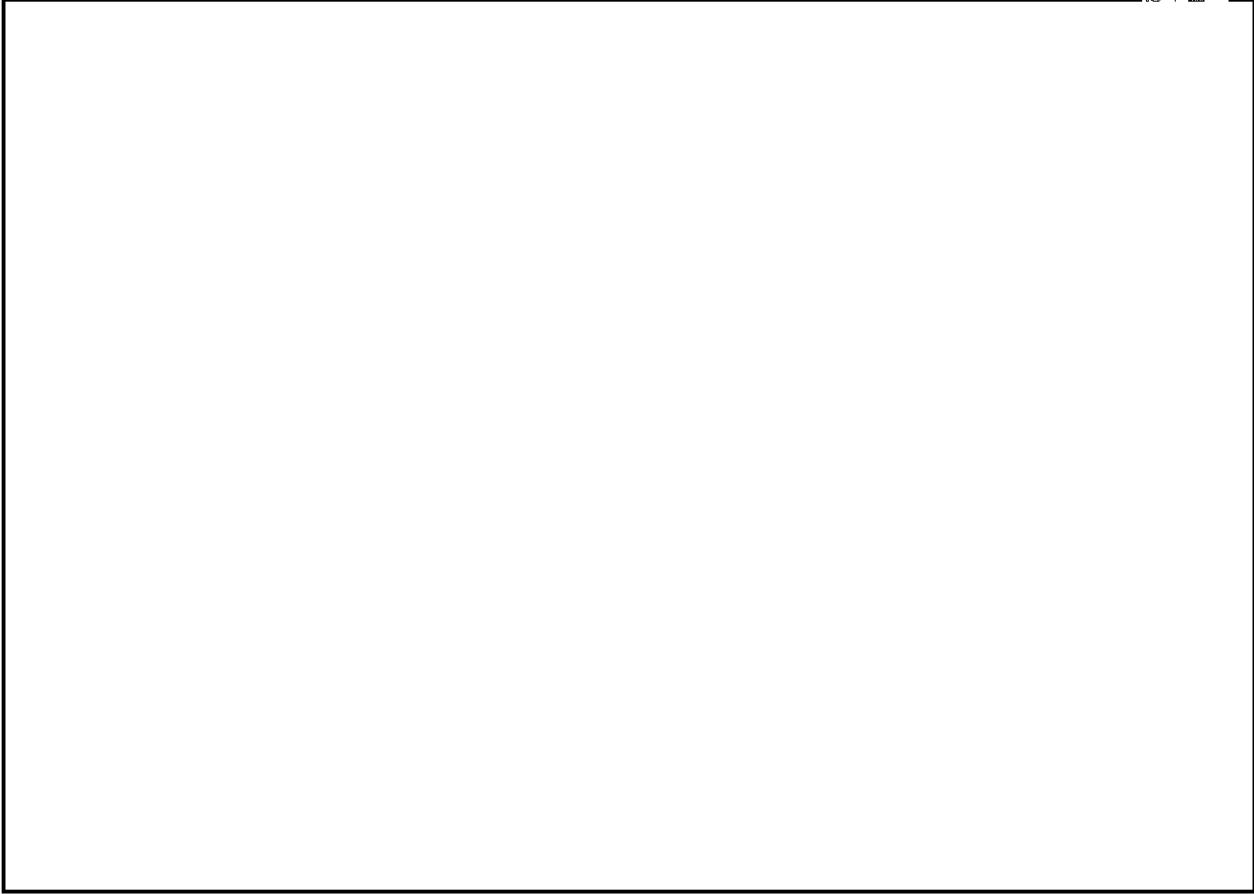


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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 10/11/2006

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DRAFT

(Rev. 01-31-2003)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/01/2004

To: All Divisions

Attn: ADIC/SAC
Chief Division Counsel
FBIHQ, Manuals Desk

From: Inspection Division
Internal Investigations Section
Contact: Toni Mari Fogle, Ext. [redacted]

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b7C
b2

Approved By: [redacted]

Drafted By: [redacted]

DECLASSIFIED BY 65179 DMH/KSR/AB
ON 08-22-2007

Case ID #: (U) 66F-HQ-A1247863-149
(U) 66F-HQ-A1192082-547
(U) HQ 66-A19202-21
(U) 66F-HQ-C1384970-7648

Title: (U) REVISED PROCEDURES FOR THE SUBMISSION
OF REPORTS OF POTENTIAL INTELLIGENCE
OVERSIGHT BOARD (IOB) MATTERS

Synopsis: (U) [redacted]

(U) ~~Derived From : G-1~~
~~Declassify On: X25-1~~

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Details: (U) [redacted]

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To: All Divisions From: Inspection Division
Re: (U) 66F-HQ-A1247863 , 10/01/2004

PENDING CHANGES TO THE
NATIONAL FOREIGN INTELLIGENCE PROGRAM MANUAL (NFIPM)

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(U) ~~(S)~~

[Redacted]

A. (U) Background.

[Redacted]

(U)

[Redacted]

B. (U) Obligation to Report Potential IOB Matters.

[Redacted]

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To: All Divisions From: Inspection Division
Re: (U) 66F-HQ-A1247863 , 10/01/2004

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C. (U) Reporting Procedures.

(U)

D. (U) Quarterly Reports.

E. (U) Action by Inspection Division (INSD).


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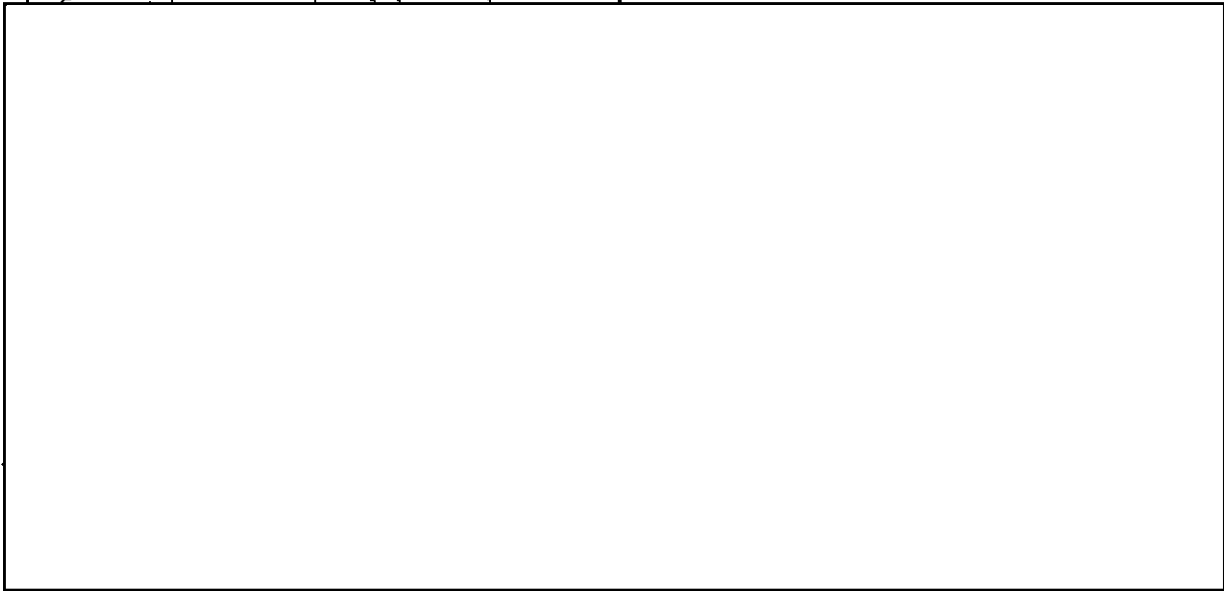
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To: All Divisions From: Inspection Division
Re: (U) 66F-HQ-A1247863 , 10/01/2004

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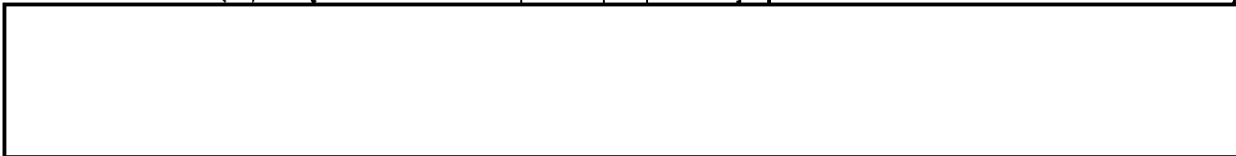


F. (U) Action by OGC. 



Policy and Review, DCS.

(U) [Moved: See paragraph H.] 



(U) G. ~~(S)~~ Reportable Matters. Examples of potential IOB matters which must be reported to INSD and OGC include:

1. (U) Activities believed to be unlawful or contrary to Executive Orders or Presidential directives. (See, generally, Executive Order 12863.)

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To: All Divisions From: Inspection Division
Re: (U) 66F-HQ-A1247863 , 10/01/2004

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2. (U) Suspected violations of the Constitution.

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(U) -----	X

(U) ----- H. ~~(S)~~ Nonreportable Matters.

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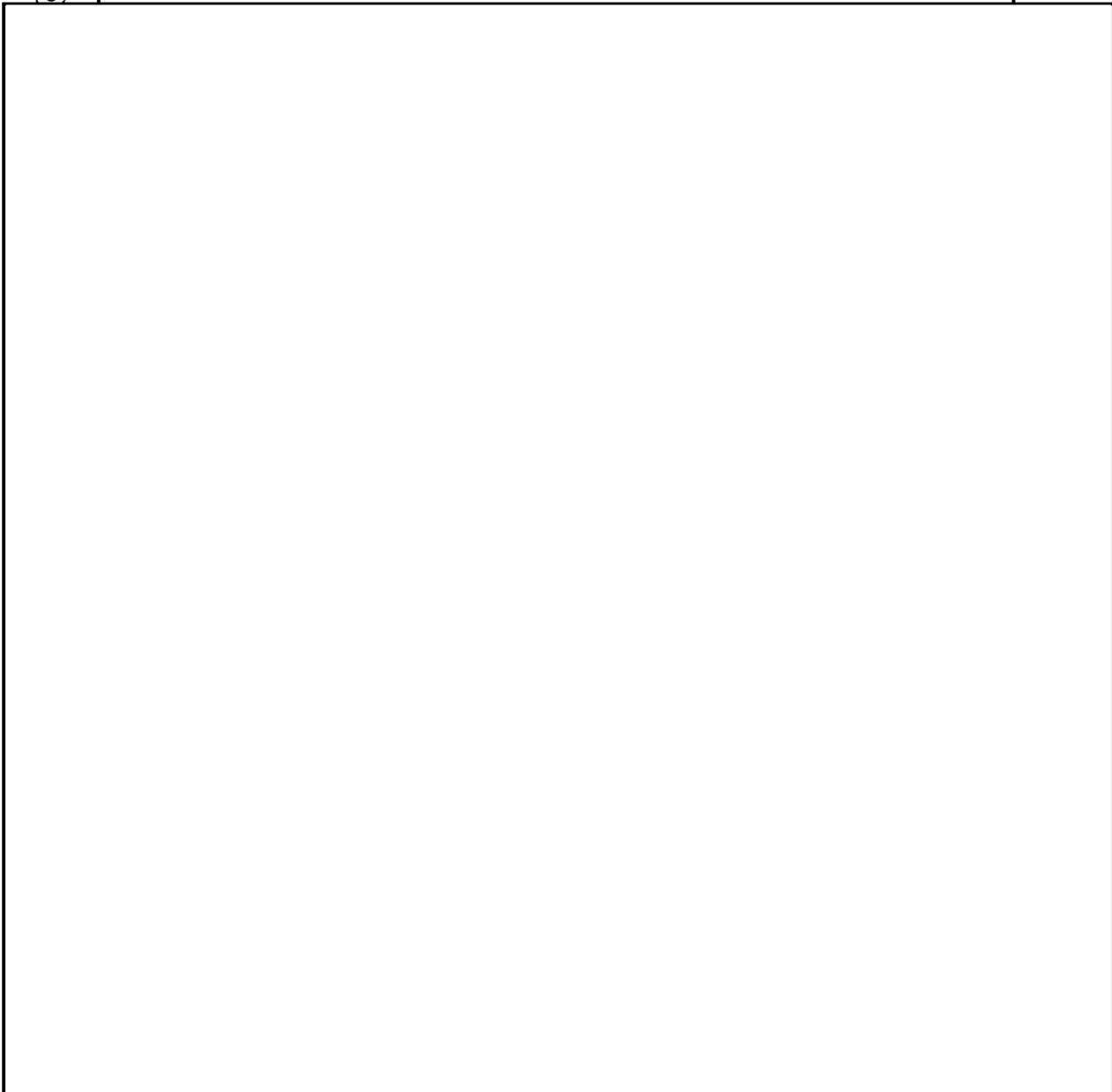
To: All Divisions From: Inspection Division
Re: (U) 66F-HQ-A1247863 , 10/01/2004

IOB, together with a copy of the opinion concerning the basis for the determination that IOB notification was not required.

PENDING CHANGES TO THE MANUAL OF ADMINISTRATIVE OPERATIONS AND PROCEDURES (MAOP)

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(U)

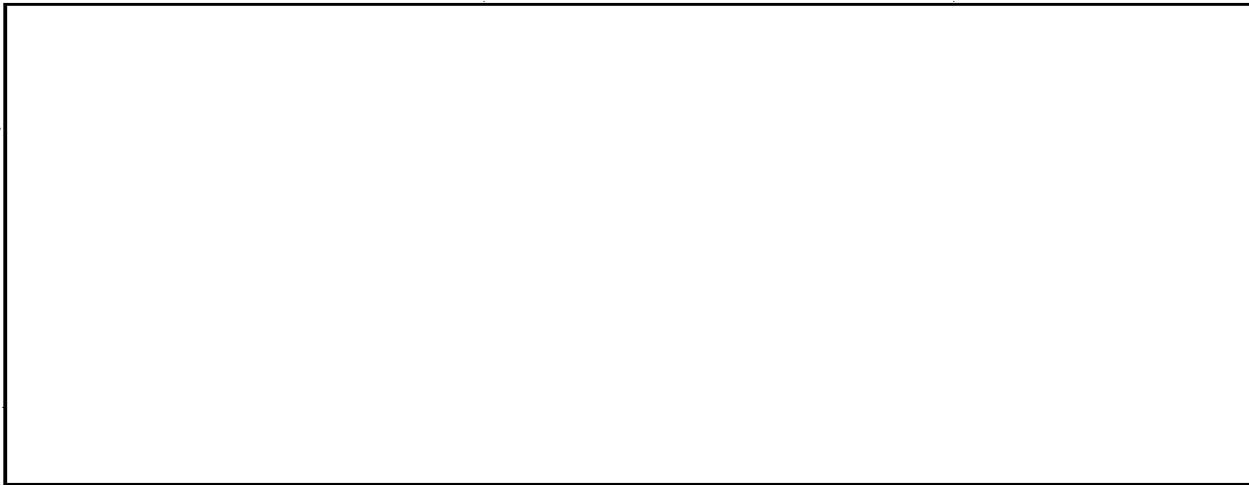


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To: All Divisions From: Inspection Division
Re: (U) 66F-HQ-A1247863 , 10/01/2004

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(4) Questions concerning the IOB process or reporting procedures should be directed to NSLB, OGC, or IIS, INSD.

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To: All Divisions From: Inspection Division
Re: (U) 66F-HQ-A1247863 , 10/01/2004

LEAD(s):

Set Lead 1: (Action)

ALL RECEIVING OFFICES

(U) Disseminate to all division personnel.

- 1 - A-AD Thompson, Rm. 7825
- 1 - A-AD Adams, Rm. 7125
- 1 - Ms. Caproni, Rm. 7427
- 1 - Mr. Curran, Rm. 7427
- 1 - [redacted] Rm. 7975 b6
- 1 - [redacted] Rm. 7975 b7C
- 1 - [redacted] Rm. 7975
- 1 - [redacted]
- 1 - [redacted]
- 1 - NSLB Library

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Office of the General Counsel
 Counterterrorism Law Unit I
 Internal Routing/Action Slip

TO	RM	NAME/TITLE	TO	RM	NAME/TITLE
	7427	Ms. Caproni		7326	Investigative Law Unit
				7328	Administrative Law Unit
				7328	Procurement Law Unit
	7427	Mr. Kelley		7877	Technology Law Unit
	7975	Mr. Bowman		7947	Civil Litigation Unit I
X	7427	Mr. Curran <i>JAC 9/13/04</i>		7947	Civil Litigation Unit II
	7427	Ms. Gulyassy		7947	Employment Law Unit I
				7947	Employment Law Unit II
				7947	NSLPT
	NAT	Legal Forfeiture Unit		7947	CTLU I
	QUAN	Legal Instruction Unit		7947	CTUL II
		Civil Discovery Review Unit		7947	CILU
	CJIS	Access Integrity Unit		1B046	FISA Unit

FOR:

	Appropriate Action		Comment		Note and Return
	Approval		Coordination		Per Conversation
X	As Requested		File		Signature/Initial
	Circulate		For Your Information		Other:
	Clearance	X	May We Discuss		

John,

Attached is the draft EC regarding changes within the IOB process.
 and I are available to discuss at your convenience. Thanks.

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ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 08-22-2007 BY 65179 DMH/KSR/JB

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FROM: <i>flm</i>	Room NSL VIO-24348 7975	Phone 	Date 09/12/04
--	-------------------------------	---	------------------

[redacted] (OGC) (FBI)

From: [redacted] (OGC) (FBI)
Sent: [redacted]
To: [redacted] (OGC) (FBI) [redacted] (OGC) (FBI) b6
Subject: RE: [redacted] (OGC) (FBI) b7C

UNCLASSIFIED
NON-RECORD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-22-2007 BY 65179 DMH/KSP/JE

[redacted]

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-----Original Message-----

From: [redacted] (OGC) (FBI)
Sent: [redacted]
To: [redacted] (OGC) (FBI) [redacted] (OGC) (FBI) b6
Subject: RE: [redacted] (OGC) (FBI) b7C

UNCLASSIFIED
NON-RECORD

[redacted]

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-----Original Message-----

From: [redacted] (OGC) (FBI) b6
Sent: [redacted] PM b7C
To: [redacted] (OGC) (FBI)
Cc: [redacted] (OGC) (FBI)
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

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Thanks. [redacted]

-----Original Message-----

From: [redacted] (OGC) (FBI)
Sent: [redacted]
To: [redacted] (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD



Thanks!



-----Original Message-----

From: [redacted] (OGC) (FBI)
Sent: [redacted]
To: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Cc: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)
Subject:

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UNCLASSIFIED
NON-RECORD

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