

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-26-2007 BY 65179/DMH/KSR/RW

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**EXECUTIVE ORDER NO. 12334 OF PRESIDENT'S INTELLIGENCE
OVERSIGHT BOARD**

(December 4, 1981, 46 F.R. 59955)

By the authority vested in me as President by the Constitution and statutes of the United States of America, and in order to enhance the security of the United States by assuring the legality of activities of the Intelligence Community, it is hereby ordered as follows:

Section 1. There is hereby established within the White House Office, Executive Office of the President, the President's Intelligence Oversight Board, which shall be composed of three members. One member, appointed from among the membership of the President's Foreign Intelligence Advisory Board, shall be designated by the President as Chairman. Members of the Board shall serve at the pleasure of the President and shall be appointed by the President from among trustworthy and distinguished citizens outside the Government who are qualified on the basis of achievement, experience and independence. The Board shall utilize such full-time staff and consultants as authorized by the President.

Sec. 2. The Board Shall:

- (a) Inform the President of intelligence activities that any member of the Board believes are in violation of the Constitution or laws of the United States. Executive orders, or Presidential directives;
- (b) Forward to the Attorney General reports received concerning intelligence activities that the Board believes may be unlawful;
- (c) Review the internal guidelines of each agency within the Intelligence Community concerning the lawfulness of intelligence activities;
- (d) Review the practices and procedures of the Inspectors General and General Counsel of the Intelligence Community for discovering and reporting intelligence activities that may be unlawful or contrary to Executive order or Presidential directive; and
- (e) Conduct such investigations as the Board deems necessary to carry out its functions under this Order.

Sec. 3. The Board shall, when required by this Order, report directly to the President. The Board shall consider and take appropriate action with respect to matters identified by the Director of Central Intelligence, the Central Intelligence Agency or other agencies of the Intelligence Community. With respect to matters deemed appropriate by the President, the Board shall advise and make appropriate recommendations to the Director of Central Intelligence, the Central Intelligence Agency, and other agencies of the Intelligence Community

Sec. 4. The heads of departments and agencies of the Intelligence Community shall, to the extent permitted by law, provide the Board with all information necessary to carry out its responsibilities. Inspectors General and General Counsel of the Intelligence Community shall, to the extent permitted by law, report to the Board concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive.

Sec. 5. Information made available to the Board shall be given all necessary security protection in accordance with applicable laws and regulations. Each member of the Board, each member of the Board's staff, and each of the Board's consultants shall execute an agreement never to reveal any classified information obtained by virtue of his or her service with the Board except to the President or to such persons as the President may designate.

NSL 010 24016

EXECUTIVE ORDER NO. 12334

1084

Sec. 6. Members of the Board shall serve without compensation, but may receive transportation expense, and per diem allowance as authorized by law. Staff and consultants to the Board shall receive pay and allowances as authorized by the President.

RONALD REAGAN.

NSL VIO-24647

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**EXECUTIVE ORDER NO. 12863, PRESIDENT'S FOREIGN INTELLIGENCE
ADVISORY BOARD**

(September 13, 1993, 58 F.R. 48441)

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to enhance the security of the United States by improving the quality and effectiveness of intelligence available to the United States, and to assure the legality of activities of the Intelligence Community, it is ordered as follows:

Part I. Assessment of Intelligence Activities

Section 1.1. There is hereby established within the White House Office, Executive Office of the President, the President's Foreign Intelligence Advisory Board (PFIAB). The PFIAB shall consist of not more than 16 members, who shall serve at the pleasure of the President and shall be appointed by the President from among trustworthy and distinguished citizens outside the Government who are qualified on the basis of achievement, experience and independence. The President shall establish the terms of the members upon their appointment. To the extent practicable, one-third of the PFIAB at any one time shall be comprised of members whose term of service does not exceed 2 years. The President shall designate a Chairman and Vice Chairman from among the members. The PFIAB shall utilize full-time staff and consultants as authorized by the President. Such staff shall be headed by an Executive Director, appointed by the President.

Sec. 1.2. The PFIAB shall assess the quality, quantity, and adequacy of intelligence collection, of analysis and estimates, and of counterintelligence and other intelligence activities. The PFIAB shall have the authority to review continually the performance of all agencies of the Federal Government that are engaged in the collection, evaluation, or production of intelligence or the execution of intelligence policy. The PFIAB shall further be authorized to assess the adequacy of management, personnel and organization in the intelligence agencies. The heads of departments and agencies of the Federal Government, to the extent permitted by law, shall provide the PFIAB with access to all information that the PFIAB deems necessary to carry out its responsibilities.

Sec. 1.3. The PFIAB shall report directly to the President and advise him concerning the objectives, conduct, management and coordination of the various activities of the agencies of the Intelligence Community. The PFIAB shall report periodically, but at least semiannually, concerning its findings and appraisals and shall make appropriate recommendations for the improvement and enhancement of the intelligence efforts of the United States.

Sec. 1.4. The PFIAB shall consider and recommend appropriate action with respect to matters, identified to the PFIAB by the Director of Central Intelligence, the Central Intelligence Agency, or other Government agencies engaged in intelligence or related activities, in which the advice of the PFIAB will further the effectiveness of the national intelligence effort. With respect to matters deemed appropriate by the President, the PFIAB shall advise and make recommendations to the Director of Central Intelligence, the Central Intelligence Agency, and other Government agencies engaged in intelligence and related activities, concerning ways to achieve increased effectiveness in meeting national intelligence needs.

Part II. Oversight of Intelligence Activities

Sec. 2.1. The Intelligence Oversight Board (IOB) is hereby established as a standing committee of the PFIAB. The IOB shall consist of no more than four members appointed from among the membership of the PFIAB by the Chairman of the PFIAB. The Chairman of the IOB shall be appointed by the Chairman of the PFIAB. The Chairman of the PFIAB may also serve as the Chairman of the IOB.

The IOB shall utilize such full-time staff and consultants as authorized by the Chairman of the PFIAB.

Sec. 2.2. The IOB shall:

(a) prepare for the President reports of intelligence activities that the IOB believes may be unlawful or contrary to Executive order or Presidential directive;

(b) forward to the Attorney General reports received concerning intelligence activities that the IOB believes may be unlawful or contrary to Executive order or Presidential directive;

(c) review the internal guidelines of each agency within the Intelligence Community that concern the lawfulness of intelligence activities;

(d) review the practices and procedures of the Inspectors General and General Counsel of the Intelligence Community for discovering and reporting intelligence activities that may be unlawful or contrary to Executive order or Presidential directive; and

(e) conduct such investigations as the IOB deems necessary to carry out its functions under this order.

Sec. 2.3. The IOB shall, when required by this order, report to the President through the Chairman of the PFIAB. The IOB shall consider and take appropriate action with respect to matters identified by the Director of Central Intelligence, the Central Intelligence Agency or other agencies of the Intelligence Community. With respect to matters deemed appropriate by the President, the IOB shall advise and make appropriate recommendations to the Director of Central Intelligence, the Central Intelligence Agency and other agencies of the Intelligence Community.

Sec. 2.4. The heads of departments and agencies of the Intelligence Community, to the extent permitted by law, shall provide the IOB with all information that the IOB deems necessary to carry out its responsibilities. Inspectors General and General Counsel of the Intelligence Community, to the extent permitted by law, shall report to the IOB, at least on a quarterly basis and from time to time as necessary or appropriate, concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive.

Part III. General Provisions

Sec. 3.1. Information made available to the PFIAB, or members of the PFIAB acting in their IOB capacity; shall be given all necessary security protection in accordance with applicable laws and regulations. Each member of the PFIAB, each member of the PFIAB's staff and each of the PFIAB's consultants shall execute an agreement never to reveal any classified information obtained by virtue of his or her services with the PFIAB except to the President or to such persons as the President may designate.

Sec. 3.2. Members of the PFIAB shall serve without compensation but may receive transportation expenses and per diem allowance as authorized by law. Staff and consultants to the PFIAB shall receive pay and allowances as authorized by the President.

Sec. 3.3. Executive Order No. 12334 of December 4, 1981, as amended, and Executive Order No. 12537 of October 28, 1985, as amended, are revoked.

WILLIAM J. CLINTON

PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

Executive Order 12863 of September 13, 1993

58 Fed. Reg. 48441

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to enhance the security of the United States by improving the quality and effectiveness of intelligence available to the United States, and to assure the legality of activities of the Intelligence Community, it is ordered as follows:

Part I. Assessment of Intelligence Activities

Section 1.1. There is hereby established within the White House Office, Executive Office of the President, the President's Foreign Intelligence Advisory Board (PFIAB). The PFIAB shall consist of not more than 16 members, who shall serve at the pleasure of the President and shall be appointed by the President from among trustworthy and distinguished citizens outside the Government who are qualified on the basis of achievement, experience and independence. The President shall establish the terms of the members upon their appointment. To the extent practicable, one-third of the PFIAB at any one time shall be comprised of members whose term of service does not exceed 2 years. The President shall designate a Chairman and Vice Chairman from among the members. The PFIAB shall utilize full-time staff and consultants as authorized by the President. Such staff shall be headed by an Executive Director, appointed by the President.

Sec. 1.2. The PFIAB shall assess the quality, quantity, and adequacy of intelligence collection, of analysis and estimates, and of counterintelligence and other intelligence activities. The PFIAB shall have the authority to review continually the performance of all agencies of the Federal Government that are engaged in the collection, evaluation, or production of intelligence or the execution of intelligence policy. The PFIAB shall further be authorized to assess the adequacy of management, personnel and organization in the intelligence agencies. The heads of departments and agencies of the Federal Government, to the extent permitted by law, shall provide the PFIAB with access to all information that the PFIAB deems necessary to carry out its responsibilities.

Sec. 1.3. The PFIAB shall report directly to the President and advise him concerning the objectives, conduct, management and coordination of the various activities of the agencies of the Intelligence Community. The PFIAB shall report periodically, but at least semiannually, concerning its findings and appraisals and shall make appropriate recommendations for the improvement and enhancement of the intelligence efforts of the United States.

Sec. 1.4. The PFIAB shall consider and recommend appropriate action with respect to matters, identified to the PFIAB by the Director of Central Intelligence, the Central Intelligence Agency, or other Government agencies engaged in intelligence or related activities, in which the advice of the PFIAB will further the effectiveness of the national intelligence effort. With respect to matters deemed appropriate by the President, the

PFIAB shall advise and make recommendations to the Director of Central Intelligence, the Central Intelligence Agency, and other Government agencies engaged in intelligence and related activities, concerning ways to achieve increased effectiveness in meeting national intelligence needs.

Part II. Oversight of Intelligence Activities

Sec. 2.1. ~~The Intelligence Oversight Board (IOB)~~ is hereby established as a standing committee of the PFIAB. The IOB shall consist of no more than four members appointed from among the membership of the PFIAB by the Chairman of the PFIAB. The Chairman of the IOB shall be appointed by the Chairman of the PFIAB. The Chairman of the PFIAB may also serve as the Chairman of the IOB. The IOB shall utilize such full-time staff and consultants as authorized by the Chairman of the PFIAB.

Sec. 2.2. The IOB shall:

(a) prepare for the President reports of intelligence activities that the IOB believes may be unlawful or contrary to Executive order or Presidential directive;

(b) forward to the Attorney General reports received concerning intelligence activities that the IOB believes may be unlawful or contrary to Executive order or Presidential directive;

(c) review the internal guidelines of each agency within the Intelligence Community that concern the lawfulness of intelligence activities;

(d) review the practices and procedures of the Inspectors General and General Counsel of the Intelligence Community for discovering and reporting intelligence activities that may be unlawful or contrary to Executive order or Presidential directive; and

(e) conduct such investigations as the IOB deems necessary to carry out its functions under this order.

Sec. 2.3. The IOB shall, when required by this order, report to the President through the Chairman of the PFIAB. The IOB shall consider and take appropriate action with respect to matters identified by the Director of Central Intelligence, the Central Intelligence Agency or other agencies of the Intelligence Community. With respect to matters deemed appropriate by the President, the IOB shall advise and make appropriate recommendations to the Director of Central Intelligence, the Central Intelligence Agency and other agencies of the Intelligence Community.

Sec. 2.4. The heads of departments and agencies of the Intelligence Community, to the extent permitted by law, shall provide the IOB with all information that the IOB deems necessary to carry out its responsibilities. ~~Inspectors General and General Counsel~~ of the Intelligence Community, to the extent permitted by law, shall report to the IOB, at least on a quarterly basis and from time to time as necessary or appropriate, concerning intelligence

activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive.

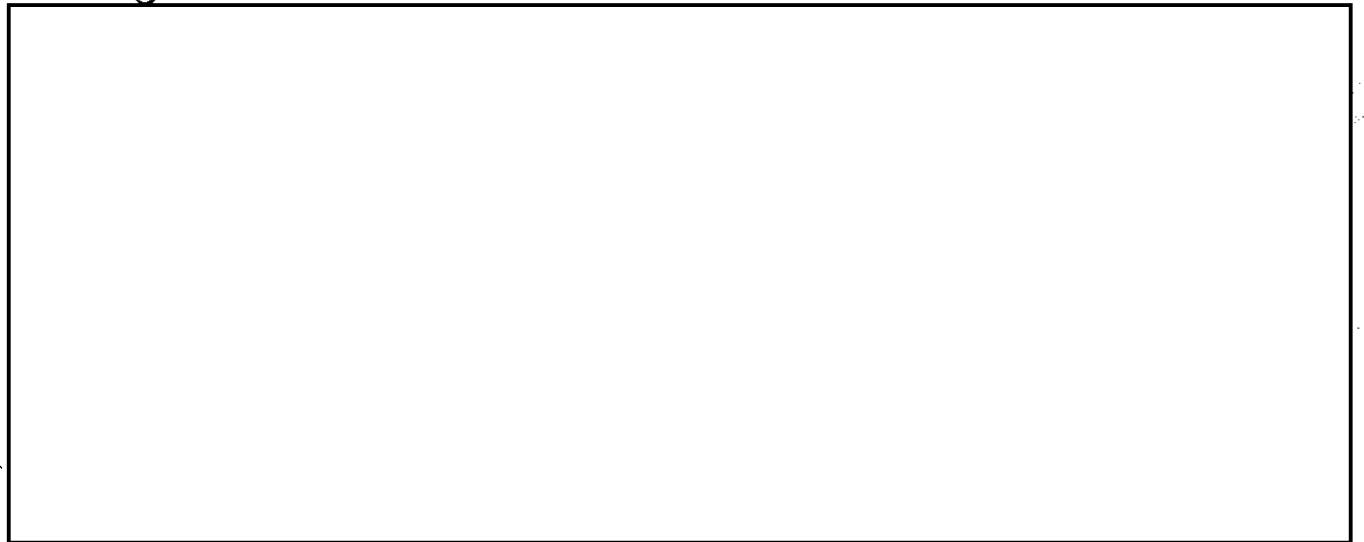
Part III. General Provisions

Sec. 3.1. Information made available to the PFIAB, or members of the PFIAB acting in their IOB capacity, shall be given all necessary security protection in accordance with applicable laws and regulations. Each member of the PFIAB, each member of the PFIAB's staff and each of the PFIAB's consultants shall execute an agreement never to reveal any classified information obtained by virtue of his or her services with the PFIAB except to the President or to such persons as the President may designate.

Sec. 3.2. Members of the PFIAB shall serve without compensation but may receive transportation expenses and per diem allowance as authorized by law. Staff and consultants to the PFIAB shall receive pay and allowances as authorized by the President.

Sec. 3.3. Executive Order No. 12334 of December 4, 1981 [note to this section], as amended, and Executive Order No. 12537 of October 28, 1985 [50 USCS § 403], as amended, are revoked.

reported by substantive office
goes to both HQ + FO



Quarterly reporting to

b6
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Inspection

IOB report to Congress?



2544

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-26-2007 BY 65179/DMH/KSR/RW

CC - inspection
not lead

copy of original EC

OGC

THE WHITE HOUSE
WASHINGTON

Intelligence
Oversight Board

November 13, 2006

Dear Ms. Thomas:

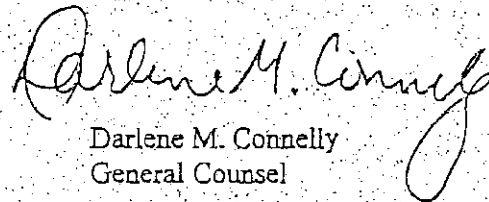
Thank you for your March 28, 2006 letter to the previous Intelligence Oversight Board (IOB) counsel seeking agreement on reporting procedures for third party errors in the collection of information pursuant to a National Security Letter (NSL). As you may know, a response to your proposal was placed on hold pending refinements to the IOB process. While final decisions are still pending, we are now able to respond to your proposal.

We agree that the third party errors you describe should continue to be reported to your office and effectively immediately, they do not have to be reported to the IOB. The procedures described in your letter for handling errors made by recipients in responding to NLSs are acceptable. Thank you for suggesting this important process change, which is not contrary to the letter or spirit of the Executive Order.

Please do not hesitate to contact me at (202) 395-9123 if you have any questions.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-24-2007 BY 65179/DMH/KSR/RW

Sincerely,



Darlene M. Connelly
General Counsel

Ms. Julie F. Thomas
Deputy General Counsel
National Security Law Branch
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

NSL VIO-24654

OIG IOB06 (12/19/06)-IT #2

FBI0000003

May 2, 2006

BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Room 50209
New Executive Office Building
725 17th Street, Northwest
Washington, D.C.

DECLASSIFIED BY 55179/DMH/KSR/RM
ON 07-26-2007

Dear Mr. Friedman:

Enclosed for your information is a self-explanatory memorandum entitled "Intelligence Oversight Board Matter 2006- (U) b2

The memorandum sets forth details of investigative activity which the FBI has determined was conducted contrary to the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations and/or laws, Executive Orders, or Presidential Directives which govern FBI foreign counterintelligence and international terrorism investigations. This matter has also been referred to our Internal Investigations Section, Inspection Division, for a determination of whether any administrative action is warranted.
(U)

Enclosure

1 - 278-HQ-C1229736-VIO-1347

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. Counsel _____
- Asst. Dir.:
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Insp. _____
- Lab. _____
- National Sec. _____
- Personnel _____
- Training _____
- Off. of EEOA _____
- Off. of Public & Cong. Affs. _____
- Director's Office _____

~~SECRET~~

NSL VIO-24655

MAIL ROOM

~~SECRET~~

Mr. Stephen Friedman

Should you or any member of your staff require additional information concerning this matter, an oral briefing will be arranged for you at your convenience. (U)

Sincerely,

Julie F. Thomas
Deputy General Counsel

- 1 - The Honorable Alberto R. Gonzales
Attorney General
U.S. Department of Justice
Room 5111

- 1 - Mr. James Baker
Counsel, Office of Intelligence Policy and Review
U.S. Department of Justice
Room 6150

APPROVED: Crim. Inv. _____ Inspection _____ Training _____
CJIS _____ Laboratory _____ Off. of EEO _____
Director _____ Financa _____ National Sec. _____ Affairs _____
Deputy Director _____ Gen. Counsel _____ OPR _____ Off. of Public & _____
Info. Res. _____ Personnel _____ Cong. Affs. _____

~~SECRET~~

NSL VIO-24656

June 29, 2006
BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
New Executive Office Building
Washington, DC

DECLASSIFIED BY 65179/DMH/KSE/RM
ON 07-26-2007

Dear Mr. Friedman:

Enclosed for your information is a self-explanatory
letterhead memorandum (LHM), entitled "Intelligence Oversight
Board (IOB) Matter, [redacted] DIVISION, IOB Matter 2006-[redacted]" (U)

b2
b7E

The LHM sets forth details of investigative activity which
the FBI has determined was conducted contrary to the Attorney
General's Guidelines for FBI National Security Investigations and
Foreign Intelligence Collection, and /or laws, Executive Orders,
or Presidential Directives that govern FBI foreign
counterintelligence and international terrorism investigations.
(U)

Enclosures

- 1 - Ms. Julie E. Thomas
- 1 - [redacted]
- 1 - 278-HQ-C1229736-VIO - 1476
- 1 - Inspection (IOB 2006-[redacted])

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~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived from: G-3
Declassify on: 06/29/2016~~

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. Counsel _____
- Asst. Dir.:
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Insp. _____
- Lab. _____
- National Sec. _____
- Personnel _____
- Training _____
- Off. of EEOA _____
- Off. of Public & Cong. Affs. _____
- Director's Office _____

MAIL ROOM

NSL VIO-24658

Should you or any member of your staff require additional information concerning this matter, or oral briefing will be arranged for you at your convenience. (U)

Sincerely,

Julie F. Thomas
Deputy General Counsel

- 1 - The Honorable Alberto Gonzales
Attorney General
US Department of Justice
Room 5111

- 1 - Mr. James Baker
Counsel, Office of Intelligence Policy and Review
US Department of Justice
Room 6150

APPROVED:	Crim. Inv. _____	Inspection _____	Training _____
	CJIS _____	Laboratory _____	Off. of EEO _____
	Finance _____	National Sec. _____	Affairs _____
	Director _____	Gen. Counsel _____	Off. of Public & _____
	Deputy Director _____	Info. Res. _____	Personnel _____
			Cong. Affs. _____

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

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[redacted] DIVISION
IOB MATTER 2006-[redacted]

The Federal Bureau of Investigation's [redacted] Division
[redacted] reported this potential IOB matter involving

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

(S) [redacted] X

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(S) [redacted] X

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(S) [redacted] X

b1

From June 2, 2005 thru October 4, 2005, [redacted] did not have
a LS for the covered FISA account, because FBI Language Services
was unable to find a sufficient number of LSs who understood the

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~~SECRET~~

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-24660

DATE: 07-27-2007
CLASSIFIED BY 65179DMH/KSR/RW
REASON: 1.4 (c)
DECLASSIFY ON: 07-27-2032

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[Redacted]

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~~(S/NF)~~

SA [Redacted] transferred squads and SA [Redacted] became the new case agent. On October 5, 2005, SA [Redacted] was advised that

(S)

[Redacted]

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(S)

[Redacted]

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(S)

[Redacted]

b1
b6
b7C

~~(S/NF)~~

(S)

[Redacted]

b1
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b7C

(S)

[Redacted]

b1
b2
b7E

OGC has referred this matter to the FBI's Inspection Division for action deemed appropriate. (U)

May 16, 2006

BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Room 50209
New Executive Office Building
725 17th Street, Northwest
Washington, D.C.

DECLASSIFIED BY 65179/DMH/KSP/RW
ON 07-26-2007

Dear Mr. Friedman:

Enclosed for your information is a self-explanatory memorandum entitled "Intelligence Oversight Board Matter 2006 [redacted] (U)

b2

The memorandum sets forth details of investigative activity which the FBI has determined was conducted contrary to the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations and/or laws, Executive Orders, or Presidential Directives which govern FBI foreign counterintelligence and international terrorism investigations. This matter has also been referred to our Internal Investigations Section, Inspection Division, for a determination of whether any administrative action is warranted.
(U)

Enclosure

1 - 278-HQ-C1229736-VIO-1374

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

- Dep. Dir. _____
- Chief of _____
- Staff _____
- Off. of Gen. _____
- Counsel _____
- Asst. Dir.:
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Insp. _____
- Lab. _____
- National Sec. _____
- Personnel _____
- Training _____
- Off. of EEOA _____
- Off. of Public _____
- & Cong. Affs. _____
- Director's Office _____

~~SECRET~~

NSL VIO-24662

MAIL ROOM

~~SECRET~~

Mr. Stephen Friedman

Should you or any member of your staff require additional information concerning this matter, an oral briefing will be arranged for you at your convenience. (U)

Sincerely,

Julie F. Thomas
Deputy General Counsel

- 1 - The Honorable Alberto R. Gonzales
Attorney General
U.S. Department of Justice
Room 5111

- 1 - Mr. James Baker
Counsel, Office of Intelligence Policy and Review
U.S. Department of Justice
Room 6150

APPROVED:

Director	Crim. Inv.	Inspection	Training
Deputy Director	CJIS	Laboratory	Off. of EEO
	Finance	National Sec.	Affairs
	Gen. Counsel	Personnel	Off. of Public & Cong. Affs.
	Info. Res.		

[Handwritten signature/initials over the table]

~~SECRET~~

NSL VIO-24663

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER [REDACTED] b2
[REDACTED] FIELD OFFICE b7E
IOB MATTER 2006-[REDACTED] (U)

(U)

~~(S)~~ By electronic communication dated March 29, 2006, the Federal Bureau of Investigation (FBI) [REDACTED] Field Office reported that, on November 23, 2004, the FBI submitted a National Security Letter (NSL) seeking telephone toll billing records of a certain target to [REDACTED]. Due to a typographical error, the telephone number on the NSL was erroneously transcribed. On [REDACTED] the telephone records were opened and it was determined that they were not the target's records. The telephone records were destroyed without further review.

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b7E
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b7D

(U)

~~(S)~~ Due to the incorrect number stated in the NSL, the FBI received telephone toll billing records pertaining to a telephone number that was neither under investigation nor related to an investigation. The error was discovered upon receipt of the information, and the records were neither reviewed nor used for any investigative purpose. Despite the inadvertent nature of the mistake, the fact remains that information was improperly collected on a telephone number unrelated to an investigation. The overcollection was a violation of Section V.12. of The Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection.¹ Thus, the matter is being reported to the IOB.

DECLASSIFIED BY 65179/DMH/KSP/PW
ON 03-20-2007

~~Derived from: G-3
Declassify on: X-1~~

~~SECRET~~

(U)

~~(S)~~ ¹ Section V.12. authorizes use of National Security Letters in conformity with 18 U.S.C. § 2709 (relating to subscriber information, toll billing records, and electronic communication transactional records). The statute requires that information sought is relevant to an authorized national security investigation.

NSL VIO-24664

June 16, 2006
BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, Northwest
Washington, D.C.

Dear Mr. Friedman:

Enclosed for your information is a self-explanatory b2
memorandum entitled "Intelligence Oversight Board Matter
2006- (U)

The memorandum sets forth details of investigative
activity which the FBI has determined was conducted contrary to
the Attorney General Guidelines for FBI Foreign Intelligence
Collection and Foreign Counterintelligence Investigations and/or
laws, Executive Orders, or Presidential Directives which govern
FBI foreign counterintelligence and international terrorism
investigations. This matter has also been referred to our
Internal Investigations Section, Inspection Division, for a
determination of whether any administrative action is warranted.
(U)

Enclosure

1 - 278-HQ-C1229736-VIO-1441

DECLASSIFIED BY 65179/DMH/KSR/RW
ON 07-27-2007

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. Counsel _____
- Asst. Dir.:
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Insp. _____
- Lab. _____
- National Sec. _____
- Personnel _____
- Training _____
- Off. of EEOA _____
- Off. of Public & Cong. Affs. _____
- Director's Office _____

~~SECRET~~

NSL VIO-24665

MAIL ROOM

FBI/DOJ

~~SECRET~~

Mr. Stephen Friedman

Should you or any member of your staff require additional information concerning this matter, an oral briefing will be arranged for you at your convenience. (U)

Sincerely,

Julie F. Thomas
Deputy General Counsel

- 1 - The Honorable Alberto R. Gonzales
Attorney General
U.S. Department of Justice
Room 5111

- 1 - Mr. James Baker
Counsel, Office of Intelligence Policy and Review
U.S. Department of Justice
Room 6150

APPROVED:	Crim. Inv. _____	Inspection _____	Training _____
	CJIS _____	Laboratory _____	Off. of EEO _____
	Finance _____	National Sec. _____	Affairs _____
	Director _____	Gen. Counsel _____	OPR _____
Deputy Director _____	Info. Res. _____	Personnel _____	Cong. Affs. _____

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NSL VIO-24666

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INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] FIELD OFFICE
IOB MATTER 2006-[redacted] (U)

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[redacted]

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[redacted]

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b7A

~~(S)~~ Under the Attorney General's Guidelines for FBI
National Security Investigations and Foreign Intelligence
Collection, effective October 31, 2003, [redacted]

(S)

[redacted]
Sections II C 3 and V 12. Here [redacted]

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(S)

[redacted] and the FBI issued an NSL on
February 6, 2006. It was improper for the FBI to issue the NSL,
and thus, the matter is being reported to the IOB.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~Derived from: G-3
Declassify on: 25X1~~

DATE: 07-27-2007
CLASSIFIED BY 65179/DNH/KSR/RW
REASON: 1.4 (c)
DECLASSIFY ON: 07-27-2032

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NSL VIO-24667

August 31, 2006

BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Room 50209
New Executive Office Building
725 17th Street, Northwest
Washington, D.C.

DECLASSIFIED BY 65179/DMH/KSR/RU
ON 07-27-2007

Dear Mr. Friedman:

Enclosed for your information is a self-explanatory b2 memorandum entitled "Intelligence Oversight Board Matter 2006- (U)

The memorandum sets forth details of investigative activity which the FBI has determined was conducted contrary to the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations and/or laws, Executive Orders, or Presidential Directives which govern FBI foreign counterintelligence and international terrorism investigations. This matter has also been referred to our Internal Investigations Section, Inspection Division, for a determination of whether any administrative action is warranted. (U)

Enclosure

1 - 278-HQ-C1229736-VIO-1609

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

NSL VIO-24668

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. Counsel _____
- Asst. Dir.:
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Insp. _____
- Lab. _____
- National Sec. _____
- Personnel _____
- Training _____
- Off. of EEOA _____
- Off. of Public & Cong. Affs. _____
- Director's Office _____

MAIL ROOM

~~SECRET~~

Mr. Stephen Friedman

Should you or any member of your staff require additional information concerning this matter, an oral briefing will be arranged for you at your convenience. (U)

Sincerely,

Julie F. Thomas
Deputy General Counsel

- 1 - The Honorable Alberto R. Gonzales
Attorney General
U.S. Department of Justice
Room 5111

- 1 - Mr. James Baker
Counsel, Office of Intelligence Policy and Review
U.S. Department of Justice
Room 6150

APPROVED: Crim. Inv. _____ Inspection _____ Training _____
CJIS _____ Laboratory _____ Off. of EEO _____
Finance _____ National Sec. _____ Affairs _____
Director _____ Gen. Counsel _____ CFR _____ Off. of Public & _____
Deputy Director _____ Info. Res. _____ Personnel _____ Cong. Affs. _____

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NSL VIO-24669

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[REDACTED] FIELD OFFICE
IOB MATTER 2006-[REDACTED] (U)

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(U) ~~(S)~~ By electronic communication dated April 18, 2006, the Federal Bureau of Investigation (FBI) [REDACTED] Field Office reported that on three separate occasions, during the time period of [REDACTED] to [REDACTED] the [REDACTED] Field Office inappropriately utilized a National Security Letter (NSL). The [REDACTED] Field Office drafted an NSL requesting transactional records and all images uploaded. [REDACTED]

b2
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[REDACTED] However, because the information that is allowed to be obtained pursuant to an NSL is very specific, and "all images uploaded" is not specifically allowed pursuant to an NSL, the [REDACTED] Field Office erroneously utilized the NSL. The information that was obtained beyond the scope of the NSL shall be sequestered. The inappropriate utilization of the NSL was in violation of V.12. of The Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection.¹ Thus, the matter is being reported to the IOB.

DECLASSIFIED BY 65179/DMH/KSR/RW
ON 08-24-2007

~~Derived from: G-3
Declassify on: X-1~~

~~SECRET~~

(U)

~~(S)~~ Section V.12. authorizes use of National Security Letters in conformity with 18 U.S.C. 2709 (relating to subscriber information, toll billing records, and electronic communication transactional records). The statute requires that information sought is relevant to an authorized national security investigation.

~~SECRET~~

NSL VIO-24670

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/10/2006

To: Counterintelligence
General Counsel
Inspection

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b7C

Attn: CD-2C, SSA [redacted]
Attn: NSLB
Attn: IIS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted]

Contact: SA [redacted]

Approved By: [redacted]

DATE: 07-26-2007
CLASSIFIED BY: 65179/DNH/RSE/RM
REASON: 1.4 (c,d)
DECLASSIFY ON: 07-26-2032

Drafted By: [redacted]

Case ID #: (S) [redacted]

(S) 278-HQ-C1229736-VIO (Pending), 1201

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Title: (S) [redacted]

(U) ~~(S)~~ Synopsis: (S) To advise FBIHQ of facts that could conceivably be reportable to the IOB. The [redacted] Division sent an NSL requesting billing and subscriber records for a cellular phone believed to be owned by the subject, however in addition, the company returned the records of the two (2) prior subscribers for that telephone number. [redacted] is forwarding the facts surrounding this incident to FBIHQ to determine whether there is a reportable IOB violation.

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(U)

~~(S)~~ Derived From : G-3
Declassify On: 02/10/2031

(S)

(S) [redacted]
[redacted]

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(U)

Enclosure(s): (S) A copy of the original National Security Letter cover EC; a copy of the National Security Letter; and a copy of the EC documenting the collection of records from [redacted] and submission of results to the file.

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~~SECRET~~

NSL VIO-24671

[redacted]

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~~SECRET~~

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To: Counterintelligence From: [redacted]
Re: (S) [redacted] 02/10/2006

(S) Details: ~~(S)~~ On 11/14/2005 SA [redacted] requested a National Security Letter (NSL) to be drafted for the "subscriber name, address, length of service, and local and [redacted]"
[redacted]

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(S) ~~(S)~~ On 12/07/2005, an NSL was sent to [redacted] Division to deliver to [redacted]. The NSL advised "Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (as amended, October 26, 2001), you are hereby directed to provide the Federal Bureau of Investigation (FBI) the name, address, length of service, and all local and long distance toll records for the following telephone number: [redacted]"
[redacted]

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(S) ~~(S)~~ On December 21, 2005, [redacted] forwarded the results to FBI [redacted] which were placed into [redacted]. Upon the records' arrival to [redacted] Division, SA [redacted] reviewed the cover EC and the documents and discovered that the records included not only the billing records for the subject, who was the current subscriber for the number, but also the billing records for the two (2) prior subscribers.

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(U) ~~(S)~~ SA [redacted] consulted with CDC [redacted] who advised that the records of the previous two subscribers should be sealed in an envelope until determination was made as to whether this needed to be referred to FBIHQ. On January 20, 2006, SA [redacted] sealed the documents in an envelope. Subsequently, SSA [redacted] advised SA [redacted] that CDC [redacted] had recommended that this matter should be referred to FBIHQ to determine if this is an IOB violation and that the documents in question should be sealed.

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(U) ~~(S)~~ This sealed envelope will be placed into the file pending further instructions.

~~SECRET~~

~~SECRET~~

To: Counterintelligence From: [redacted]
Re: (S) [redacted] 02/10/2006

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LEAD(s):

Set Lead 1: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) ~~(S)~~ Read and clear.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) ~~(S)~~ NSLB is requested to advise [redacted] on the appropriate handling procedures of the records received that were outside the scope of the NSL. b2 b7E

Set Lead 3: (Info)

IIS

AT INSD

(U) ~~(S)~~ Read and clear.

◆◆

~~SECRET~~

~~SECRET~~

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to
File No.

[Redacted]

December 7, 2005

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[Redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 07-27-2007
CLASSIFIED BY: 65179/DMH/KSF/RW
REASON: 1.4 (c)
DECLASSIFY ON: 07-27-2032

Dear [Redacted]

(U)

~~(S)~~ Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 18, United States Code (U.S.C.), Section 2709 (as amended October 26, 2001), you are hereby directed to provide to the Federal Bureau of Investigation (FBI) the name, address, length of service, and all local and long distance toll records for the following telephone number:

(S)

[Redacted]

b1

(U) In accordance with Title 18, U.S.C., Section 2709(b), I certify that the name, address, length of service, and local and long distance toll information sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, and that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States.

b1

b2

1 - Addressee

1 -

(S)

[Redacted]

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2957

1 - 66F

[Redacted]

C101278-ECPA NSLS

~~Derived From: G-3~~

~~Declassify On: X1~~

KAM:kam

~~SECRET~~

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NSL VIO-24674

(S)

[Redacted]

~~SECRET~~

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[REDACTED]

(U) You are further advised that Title 18, U.S.C., Section 2709(c), prohibits any officer, employee or agent of yours from disclosing to any person that the FBI has sought or obtained access to information or records under these provisions.

(U) You are requested to provide records to the [REDACTED] Field Office of the FBI within five business days from the date of receipt of this letter. Any questions you have regarding this request should be directed only to the [REDACTED] Field Office. Due to security considerations, you should neither send the records through the mail nor disclose the substance of this request in any telephone conversation.

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(U) Your cooperation in this matter is greatly appreciated.

Sincerely,

[REDACTED]
Special Agent In Charge

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b7E

~~SECRET 2~~

NSL VIO-24675

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 01/18/2007

To: Inspection

Attn: Chief Inspector

[Redacted]

From: Office of the General Counsel
National Security Law Branch/CILU/Room 7947

Contact: AGC [Redacted] 202-324-[Redacted]

Approved By: Caproni Valerie E. [Signature]
Thomas Julie F. [Signature]

b2
b6
b7C

DECLASSIFIED BY 65179/TMH/KSE/RW
ON 07-24-2007

[Redacted]

Drafted By:

Case ID #: 278-HQ-C1229736

Title: RESPONSE TO THE REQUEST FROM THE INSPECTION DIVISION,
OFFICE OF INSPECTIONS, TO UPDATE THE INSPECTION
DIVISION'S "INTELLIGENCE OVERSIGHT BOARD" AUDIT PLANS

Synopsis: The attachments to this electronic communication (EC) include revisions to the Inspection Division's (INSD's) Intelligence Oversight Board (IOB) audit plans. These revisions were made in response to a request from INSD for the Office of the General Counsel (OGC) to update INSD's IOB audit plans.

Details: On 07/13/2006, INSD, Office of Inspections, sent a memorandum to the Office of the General Counsel. In the memorandum, INSD stated that on an annual basis, INSD reviews and updates all audit plans. INSD requested that OGC review the audit plans relating to the IOB process and make appropriate changes. Specifically, INSD requested that OGC revise the following three documents: (1) Field Division Inspection, Field Division Interrogatory, Intelligence Oversight Board; (2) Field Division Inspection, Intelligence Oversight Board, Audit Program; and (3) Field Division Inspection, Intelligence Oversight Board, Checklist (INSD documents).

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURES~~

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

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To: Inspection From: Office of the General Counsel
Re: 278-HQ-C1229736, 01/18/2007

Because OGC was in the process of revising the procedures for the submission of reports of potential IOB matters, OGC requested that it respond to INSD's request after the new IOB procedures were finalized. INSD agreed that the IOB policy should be completed before the INSD documents were revised.

On 11/28/2006, the revised IOB policy was finalized and uploaded into ACS as Case Identification Number 278 HQ C1229736, Serial 2570. Based upon the new IOB policy, OGC revised the INSD documents. Both the original and revised INSD documents are attached to this EC.

~~SECRET~~

~~SECRET~~

To: Inspection From: Office of the General Counsel
Re: 278-HQ-C1229736, 01/18/2007

LEAD(s) :

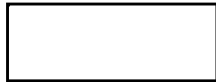
Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

For action deemed appropriate.

cc: Ms. Caproni
Ms. Thomas



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b7C

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 69
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Page 3 ~ b5
Page 4 ~ b2, b5, b7E
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Page 51 ~ b2, b5, b6, b7C
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