

March 8, 2006
BY COURIER

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

DECLASSIFIED BY 68179/DHM/KSE/jhf
ON 12-14-2007

Dear Mr. Friedman:

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

b2

This 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)

Enclosure

1 - 278-HQ-C1229736-VIO - 1228

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived from: G-3
Declassify on: X25-1~~

~~SECRET~~

NSL VIO-23338

- 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 A. 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	_____	Off. of Public &	_____
Deputy Director	_____	Info. Res.	_____	Personnel	_____
				Cong. Affs.	_____

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INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

(U)

[redacted] DIVISION
IOB MATTER 2006 [redacted] (U)

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~~(S)~~ The [redacted] Division reported this potential IOB matter involving unauthorized surveillance.

(S) [redacted] who was and remains a "United States person" as that term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA). During the course of the investigation [redacted] issued two NSLs, [redacted] pursuant to the Electronic Communications Privacy Act, 18 U.S.C. § 2709. The subject NSL requested subscriber and transactional records for email account: [redacted]

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(S) [redacted] responded to the two NSLs by transmitting information responsive to both on a single compact disk (CD). Subsequently [redacted] determined that the CD contained full email content for both accounts. Pursuant to the direction of NSLB, SA [redacted] sealed and sequestered in A1 envelopes the CD, along with all paper copies of its contents.

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(S) [redacted] advised regarding overproduction and requested verification of compliance with the limits of National Security Letters. In the interest of administrative purity, on December 10, 2005 [redacted] served [redacted] with another NSL, requesting subscriber and transactional records for email account [redacted]. On January 3, 2006 [redacted] transmitted a CD to the FBI [redacted] Office. Once again information responsive to multiple NSLs was included on the CD.

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(U) ~~(S)~~ On January 6, 2006, after having the information separated by email account/NSL, [redacted] determined that once again [redacted] had provided full email content. Based upon advice of CDC [redacted] and NSLB SSA [redacted] and SA [redacted] took corrective action and ensured that the CDs, along with all paper copies of their contents, were sealed and sequestered in 1A envelopes.

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(U) ~~(S)~~ Despite the fact that [redacted] limited the scope of the subject NSL to subscriber information [redacted] provided content information concerning an e-mail account. Thus, the FBI unintentionally received that content information not contemplated by the NSL. Such viewing of stored electronic communications and/or electronic surveillance was not authorized under the Electronic Communications Privacy Act, Foreign Intelligence Surveillance Act and/or E.O. 12333. Under these circumstances, it is OGC's opinion that the error, although inadvertent, must be reported to IOB.

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

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

DATE: 12-14-2007
CLASSIFIED BY: 65179/DNH/KSR/jhc
REASON: 1.4 (c, d)
DECLASSIFY ON: 12-14-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~ NSL VIO-23340

March 15, 2006

BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20503

Dear Mr. Friedman:

This letter forwards for your information a self-explanatory enclosure entitled, "Intelligence Oversight Board (IOB) Matter, IOB 2006 (U)

b2

The enclosure 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. (U)

Enclosure

1 - 278-HQ-C1229736-VIO - 1230

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived from: Multiple Sources
Declassify on: February 27, 2031~~

~~SECRET~~

- 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-23341

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.

Sincerely,

Julie F. Thomas
Deputy General Counsel

- 1 - The Honorable Alberto R. Gonzalez
Attorney General
U.S. Department of Justice
Room 5111
- 1 - Mr. James A. Baker III
Counsel for Intelligence Policy and Review
U.S. Department of Justice
Room 6000

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

~~SECRET~~

~~SECRET~~

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

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b7E

(U) (S) The [redacted] Field Office of the Federal Bureau of Investigation has reported an error in conjunction with that division's full field investigation of [redacted]. In this regard, in response to a National Security Letter (NSL) to [redacted] [redacted] erroneously provided financial records which were unrelated to the subject of the NSL, which were associated with a [redacted] customer who may be a United States person.

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(U) This matter has been reported to the FBI's Office of Professional Responsibility for appropriate action.

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

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 12-31-2007
CLASSIFIED BY 65179/DMH/KSR/JHF
REASON: 1.4 (c)
DECLASSIFY ON: 12-31-2033

~~SECRET~~

NSL VIO-23343

February 27, 2006
BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20503

DECLASSIFIED BY 65179/DMH/KSR/1HE
ON 12-14-2007

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

This 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)

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived from: G-3
Declassify on: X25-1~~

- Director _____
- Adm. _____
- IT/CI _____
- Crim. _____
- Intell. _____
- ES _____
- Ext. Serv. _____
- Ident. _____
- Intell. _____
- Terrorism _____
- Lab. Inv. _____
- Legal Coun. _____
- Rec. _____
- Res. _____
- Sec. _____
- Tech. _____
- Training _____
- Off. of Cong. Affs. _____
- Off. of the Gen. _____
- Comm. _____
- Off. of Intell. _____
- Pub. Affs. _____
- Off. of Prof. Resp. _____
- Mgmt. _____
- Ident. _____
- Intell. _____
- EOA _____

Enclosure

- 1 - Ms. Thomas *[Handwritten initials]*
- 1 - [redacted]
- 1 - 278-HQ-CI229736-VIO - 1223
- 1 - Inspection (IOB 2006-[redacted])

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NSL VIO-23344

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

Enclosure

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

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

NSL VIO-23345

December 29, 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/KSE/jhf
ON 12-14-2007

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-2014

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived From: G-3
Declassify On: 1/02/2017~~

- 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-23347

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
National Security Division
U.S. Department of Justice
Room 6150

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

~~SECRET~~

NSL VIO-23348

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

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

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(S) By Electronic Communication (EC) dated July 17, 2006, [redacted] Division [redacted] notified FBI Headquarters (FBIHQ) of an inadvertent acquisition of toll record information associated with unknown individuals in the course of a national security investigation. [redacted]

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(S) [redacted] as that term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA).¹

(S) [redacted] issued a National Security Letter (NSL) pursuant to the Electronic Communications Privacy Act, 18 U.S.C. § 2709² for toll record information associated with the target. The error occurred after the initial records were received from [redacted]

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(S) [redacted] The results listed a telephone number ending with the [redacted] being subscribed to by the target. However, when the NSL result letter was scanned with new software, an errant spreadsheet was produced.

(S) The spreadsheet indicated that the target had subscribed to seven sequential telephone numbers. The inadvertent

~~Derived From : G-3
Declassify On: 12/29/2016~~

(S) [redacted]

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¹ (U) A "United States person" (USP) is defined in Section 101(i) of the Foreign Intelligence Surveillance Act (FISA) (codified at 50 U.S.C. § 1801 et seq.) as "a citizen of the United States [or] an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Naturalization Act)" See also Section II.W of The Attorney General's Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.

² The statute permits the FBI to request subscriber information and telephone toll billing records that are "relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided 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."

³ (U) In order to avoid any further dissemination of the incorrect telephone numbers, the phone numbers referenced in this EC will only list the last four digits.

~~SECRET~~

(S)

~~SECRET~~

[redacted] A follow-up
NSL was then addressed to [redacted] requesting toll billing
information for these seven errant telephone numbers. [redacted]
provided the requested information which was initially uploaded
into FBI computer systems.

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(U) Immediately upon discovery, the errors were remedied
by [redacted] All references to the errant telephone numbers have
been removed from FBI computer systems. To prevent future errors,
additional quality control steps and software training have been
added to the telephone record scanning process. The
above-referenced telephone records were some of the first scanned
records.

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(U)

~~(S)~~ Section V.11., Investigative Techniques, of The
Attorney General's Guidelines for FBI National Security
Investigations and Foreign Intelligence Collection (NSIG) provides
that National Security Letters may be issued in conformity with
statutory requirements, including 18 U.S.C. § 2709. Title 18,
U.S.C. § 2709 provides that the FBI may seek toll billing
information from telephone carriers that is relevant to an
authorized national security investigation. Clearly, the
information obtained by the FBI was not relevant to an authorized
national security investigation because there was an errant request
for unsubstantiated telephone numbers. Thus, the FBI received
telephone toll billing records concerning telephone numbers that
were not under investigation nor related to an investigation.
Therefore, the information was improperly collected, although
unintentionally so, in violation of the NSIG and ECPA.

(U) Clearly, the rights of the target were not infringed
because he was not the subject of the improperly collected
information. It is unknown whether this information was gathered
about United States Persons or not, inasmuch as there has been no
review of the information. Nonetheless, based on the fact that
information which may be about United States persons was
improperly, although inadvertently, collected, and in accordance
with the reporting requirements of Section 2.4 of E.O. 12863, this
matter is being to the IOB.

⁴ (U) See, id.

~~SECRET~~

DECLASSIFIED BY 65179/DMH/KSR/jhe
ON 12-14-2007

November 3, 2006

BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20503

Dear Mr. Friedman:

This letter forwards for your information a self-explanatory enclosure entitled, "Intelligence Oversight Board (IOB) Matter, IOB 2006 [redacted] (U)

b2

The enclosure 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. (U)

Enclosure

1 - 278-HQ-C1229736-VIO-1852

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived from: Multiple Sources
Declassify on: November 3, 2031~~

~~SECRET~~

- 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-23351

FBI/DOJ

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.

Sincerely,

Julie F. Thomas
Deputy General Counsel

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

- 1 - Mr. James A. Baker III
Counsel for Intelligence Policy and Review
U.S. Department of Justice
Room 6000

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

~~SECRET~~

~~SECRET~~

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

(U)

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~~(S)~~ The [REDACTED] Field Office [REDACTED] of the Federal Bureau of Investigation has reported an unintentional acquisition of FISA take on the wrong target, after learning through the issuance of a legitimate NSL of a change in subscriber. In this regard, unknown to the FBI at the time, the target terminated his account with [REDACTED] on August 26, 2005. Thus, between [REDACTED] continued to erroneously monitor this account although a new, presumably U.S. person, had taken over the account.

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(U) This matter has been reported to the FBI's Inspection Division for appropriate action.

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

~~SECRET~~

DECLASSIFIED BY 65179/DMM/KSR/jhe
ON 12-14-2007

~~SECRET~~

NSL VIO-23353

October 3, 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/JHE
ON 12-14-2007

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-1792

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

NSL VIO-23354

- 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 _____
	SJS _____	Laboratory _____	Off. of EEO _____
	Finance _____	National Sec. _____	Affairs _____
	Director _____	Gen. Counsel _____	OPR _____
Deputy Director _____	Info. Res. _____	Personnel _____	Off. of Public & Cong. Affs. _____

~~SECRET~~

NSL VIO-23355

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD MATTER

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

(S)

(U) ~~(S)~~ By electronic communication dated August 19, 2006, the Federal Bureau of Investigation (FBI) [redacted] Field Office, reported a possible Intelligence Oversight Board (IOB) matter. [redacted]

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[redacted]

(S)

~~(S)~~ On 08/16/2005, after receiving the requested information from [redacted] the case agent noticed a typographical error in the issuance of the NSL. The NSL [redacted]

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[redacted] As a result of the typographical error, the agent received information for an individual other than [redacted]

(S)

(U)

~~(S)~~ Upon discovering the error, the case agent immediately sequestered and destroyed the CD of information submitted by [redacted] After attending NSLB training earlier this year, she reported the incident and requested a legal review.

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(U)

~~(S)~~ Here, a typographical error on the FBI resulted in an accidental overcollection of information. Based upon our analysis, in accordance with the reporting requirements of Section 2.4 of Executive Order 12863, the carrier's mistake must be reported to the IOB.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 12-14-2007
CLASSIFIED BY: 65179/DMH/KSR/jhf
REASON: 1.4 (c, d)
DECLASSIFY ON: 12-14-2032

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

~~SECRET~~

~~SECRET~~ NSL VIO-23356

DECLASSIFIED BY 65179/DMH/KSE/JHF
ON 12-20-2007

February 27, 2006

BY COURIER

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
Eisenhower Executive Office Building
Washington, D.C.

Dear Mr. Friedman:

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

b2

This LHM 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. (U)

Enclosure

1 - Ms. Thomas
1 [redacted] (278-HQ-C1229736-VIO)

493
~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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- 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 _____

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

~~SECRET~~

NSL VIO-23369

MAIL ROOM

FBI/DO

~~SECRET~~

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

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b7E

(S) ~~(S)~~ The Federal Bureau of Investigation ("FBI") has determined that [redacted]

[redacted] the FBI improperly used a National Security Letter (NSL) to obtain subscriber information and telephone toll billing records on a telephone number which was not related to the investigation. The overcollection was due to a mistake in the NSL in identifying the telephone number of

(S) [redacted] whose number was intended to be the subject of the request. The overcollection was a violation of Section V.11. of The Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG).¹ In this regard [redacted]

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(S) [redacted]

During the course of the investigation, [redacted] issued a National Security Letter (NSL) pursuant to the Electronic Communications Privacy Act, 18 U.S.C. § 2709, to a telephone carrier for the telephone subscriber and toll billing records of a telephone number intended to be identified as that of the target. Instead, one of the numbers within the telephone number was incorrectly written; thus, the information returned from the carrier was subscriber information and the telephone toll billing records of a wholly unrelated telephone number. The error was discovered upon receipt of the information, and the records were not 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. Thus, the matter is being reported to the IOB.

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

SECRET

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

(U)

*LJK
BTL/H
2/17/04*

¹ ~~(S)~~ Section V.11. 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.

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

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

Total Deleted Page(s) ~ 85

- Page 10 ~ Duplicate
- Page 22 ~ Duplicate
- Page 23 ~ Duplicate
- Page 24 ~ Duplicate
- Page 25 ~ Duplicate
- Page 26 ~ Duplicate
- Page 27 ~ Duplicate
- Page 28 ~ Duplicate
- Page 29 ~ Duplicate
- Page 30 ~ Duplicate
- Page 31 ~ Duplicate
- Page 32 ~ Duplicate
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