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DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT' WHERE SHOWN OTHERWISE

January 19, 2001

BY COURIER

Honorable Warren B. Rudman Acting Chairman Intelligence Oversight Board Old Executive Office Building Washington, D.C.

Dear Senator Rudman: .

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter. and the IOB Matter 2000-19." (U)

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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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

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1) - INSD (1-278-HQ-C1229736-2)

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Off, of EEOA ____
Director's Office

Classified by: 39645, NSA/OGC Reason : 1.5(c) Declassify on: X1

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Hofmann-IOB-1116

MAIL ROOM II

FREVOOR

Honorable Warren B. Rudman

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,

Larry R. Parkinson General Counsel

David R. Knowleon - Assistant Director Inspection Division

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DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

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The Division of the Federal Bureau of Investigation (FBI) has reported that, owing to the receipt of incorrect from the sought and obtained permission to conduct believed to be by the subject. The discovered on was immediately terminated, and transferred to a which was then forwarded via FBI Headquarters and the Office of Intelligence Policy and Review, Department of Justice, for destruction. None of the originally recorded	01 02 04 06 07C 07D 07E
This mistake, coupled with incomplete reporting, delayed the submission of this case to the IOB for six months, which is contrary to FBI regulations and procedures. APPROVED: CIAL INV. Inspection Training Inspection I	02 07E Mu <u>t</u>
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Hofmann-IOB-1118

DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

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DECLASSIFY ON: 07-06-2035



Federal Bureau of Investigation

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Washington, D. C. 20535-0001

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

November 26, 2002

BY COURIER

General Brent Scowcroft (USAF Retired) Chairman Intelligence Oversight Board Old Executive Office Building Washington, D.C.

Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM). entitled "Intelligence Oversight Division, IOB Matter 2002-46." Board (IOB) Matter, (Ü)

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted.

Enclosure

UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

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1 - OPR (IOB 2002-46)- INSD (1-278-HQ-1397468)

1 - NSLU Library

- Ms. Kelley

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Counsel

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& Cong. Affs. Off, of EEDA Director's Office

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General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

	NOTE: This matter was referred to OGC by EC from INSD to the Director's Office (OPP) and OGC, dated 0/2472002 and titled:
(S) ····	IOB Matter 2002-46." In this regard, the
1~1	Division reinitiated an investigation of as a
	on The Division
	submitted the 90-day LHM to the Headquarters substantive unit on
	The unit received the LHM on but
,	subsequently misplaced it. Concern over the 90-day LHM did not
	surface until the Headquarters unit received the annual LHM, one
	year later, and realized that it had no record of the case in the
	unit files. Eventually, a copy of the missing LHM was found in a
	unit folder. In late the unit provided OGC with a
	copy of the 90-day LHM. The failure to submit the required LHM is
	legally significant, requiring submission of this matter to IOB.
	(8)

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DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION
IOB MATTER 2002-46 (U)

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9 (Inquiry has determined that in conducting a
š)	of a United States person, the Federal
•	Bureau of Investigation (FBI) failed to meet the reporting
	requirements prescribed in of the <u>Attorney General</u>
	Guidelines for FBI Foreign Intelligence Collection and Foreign
	<u>Counterintelligence Investigations (FCIG)</u> . In this regard: the
	Division reinitiated an investigation of as a
	on The Division
	submitted the 90-day letterhead memorandum (LHM) to
	on The unit received
	the LHM on but subsequently misplaced it. Concern
	over the 90-day LHM did not surface until the Headquarters unit
	regard the applied till not seen later and realigned that it had
	received the annual LHM, one year later, and realized that it had
	no record of the case in the unit files. Eventually, a copy of
	the missing LHM was found in a unit folder. In late
	the unit provided OGC with a copy of the 90-day LHM. Because the
	'subject was (and remains) a "United States person" as that term
	is used in Section 101(i) of the <u>Foreign Intelligence</u>
	Surveillance Act of 1978 (FISA), the Division and
	the Headquarters unit were required to comply with the FCIG.
	Failure to submit the 90-day LHM had the effect of precluding
	OIPR from conducting timely and meaningful oversight and review
	of the investigation. This matter has been reported to the FBI's
	Office of Professional Responsibility for action deemed
	appropriate.

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DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-06-2010

December 3, 2002

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Old Executive Office Building
Washington, D.C.

Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter. Division and the IOB Matter 2002-545 (U)

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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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

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Dep. Dir.
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General Brent Scowcroft (USAF Retired)

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,

Patrick W. Kelley Deputy General Counsel

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 07-06-2010

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REASON: 1.4 (C)

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	IOB MATTER 2002-51 (U)	
	•	
-	Investigation of this matter has determined that	
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	the Federal Bureau of Investigation (FBI) failed to meet the	
	annual reporting requirements prescribed in of,	
	the Attorney General Guidelines for FBI Foreign Intelligence	
	Collection and Foreign Counterintelligence Investigations (FCIG).	
	In this regard, on the Division	
Ī	opened a on the	
-	subject which subsequently was converted to a	lb1
	on <u>closed once.</u> and then reopened as	lb2
	on Recause the subject was	ါဝင်
•	(and remains)	b7C
	Section 101(i) of the Foreign Intelligence Surveillance Act of	b7E
•	1978 (FISA), continuation of the investigation required that	
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	comply with the reporting require-	
	ments of Executive Order 12863 and the FCIG. Due to apparent	
_	administrative error on the part of the assigned case agent,	
<u>l</u>	required annual letterhead memorandum was	
	submitted six months late to the Office of Intelligence Policy	
	and Review (OIPR), Department of Justice. The error went	
	undetected by As a result,	_
	OIPR was precluded from conducting meaningful oversight and	•
	review of an ongoing of a U.S. person during	
	the period in question. The matter has been reported to the	
	FBI's Office of Professional Responsibility.	
	Crim, link Inspection Training	•
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REASON: 1.4 (C)

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DECLASSIFY ON: 07-06-2035

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Washington, D. C. 20535-0001

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE December 3, 2002

The Department of Justice

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Old Executive Office Building
Washington, D.C.

OPLIN

Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (ICHM), entitled (Intelligence Oversight Board (IOB) Matter, Division, IOB Matter 2002-7." (0)

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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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

1 - Mr. Kellev 1 -1 -LDK: 10kxxx 1 - OPR (IOB 2002-7)

1 - INSD (1-278-HQ-1373044)

1 - NSLU Library

1 - Ms. Kelley

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FBI/DOJ

MAIL ROOM D

General Brent Scowcroft (USAF Retired)

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,

Patrick W. Kelley Deputy General Counsel

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DATE: 07-06-2010

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REASON: 1.4 (C)

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INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION IOB MATTER 2002-7 (U)

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/ 51	Inquiry has determined that in conducting a
, ~ ,	of a United States person, the Federal
	Bureau or Investigation (FBI) failed to meet the initial (90-day)
	and annual reporting requirements prescribed in of
	the Attorney General Guidelines for FBT Foreign Intelligence
	Collection and Foreign Counterintelligence Investigations (FCIG).
	In this regard, the Division opened a
•	on the subject in . The investigation was
	closed and later reopened in Because the subject was (and
	remains) a "United States person" as that term is used in Section
	101(i) of the Foreign Intelligence Surveillance Act of 1978
	the reopening of the investigation required that
	inform so as to ensure
	compliance with the FCIG. erred initially by failing to
	advise that it had reopened the
	mis initial error was compounded further by
	failing to submit the required 90-day letterhead
	memorandum (LHM), due on and the annual LHM due
	These documents were never submitted. This
	failure to submit the required LHMs was legally significant as it
	precluded the Office of Intelligence Policy and Review,
	Department of Justice, from conducting meaningful oversight and
	review ofongoing investigation involving a United States
	person. It is noted that the submission of this matter to the
	IOB was further delayed for several months by the FBI's National.
	Security Law Unit. The delayed reporting is directly
	attributable to other paramount operational requirements. This
	matter has been reported to the FBI's Office of Professional
	Responsibility for action deemed appropriate.

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DATE: 07-06-2010

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REASON: 1.4 (C, D)

DECLASSIFY ON: 07-06-2035

Intelligence Oversight Board Matter

December 3, 2002

BY COURIER

General Brent Scowcroft (USAF Retired) Chairman Intelligence Oversight Board . Old Executive Office Building Washington, D.C.

Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (IUM) ontitled "Intelligence Oversight Board (IOB) Matter.

IOB Matter 2002-60.

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted.

Enclosure

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National Sec OPR Off, of Public

& Cong. Affs. OM, OF EEOA

etor's Office

General Brent Scowcroft (USAF Retired)

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,

Patrick W. Kelley Deputy General Counsel

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.DATE: 07-06-2010

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REASON: 1.4 (C,D)
DECLASSIFY ON: 07-06-2035

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• •	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER,	b1
(S) ·		. 162 167E
•	IOB MATTER 2002-60	
(S) T	Investigation of this matter has determined that the Division opened a opened a opened a opened a on Because the subject of the investigation 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) and section II.W of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG), continuation of the investigation required that and the reporting requirements of Executive Order 12863 and the FCIG. Due to administrative error, failed to forward first annual letterhead memorandum (LHM), due on to the National Security Law Unit, Office of the General Counsel, FBI Headquarters, for submission to the Office of Intelligence Policy and Review (OIPR), Department of Justice, as required by the FCIG. The error was not discovered until when second annual LHM was submitted for review. As a result of the error, OIPR was not advised of the status of the FBI's ongoing investigation for approximately two years. This delay precluded OIPR from conducting meaningful review and oversight of this case. The matter has been reported to the FBI's Office of Professional Responsibility.	b1 b2 b70 b75
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	APTROBLES. CHSLaboratory	OHL of EEO Affairs
•	Director Gen Counsell VV UPR	Off. of Public & Coad. Affs.
(V)	A "United States person" is defined in section 101(i) of the Foreign Intelligence Surveillance Act (FISA) (codified at 50 U.S.C. \$ 1801 et seg.) 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	b2 - b7E

Hofmann-10B-1130

DATE: 07-06-2010
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: BY COURIER
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Honorable Warren B. Rudman VOAKNOUN SOBJECTO
Old Executive Office Building
Washington, D.C.
Dank Canahan Dudman
Dear Senator Rudman:
Enclosed for your information is a self-explanatory
letterhead memorandum (LHM), entitled "Intelligence Oversight 62
Board (IOB) Matter, Division, IOB Matter 2001-29." (U) 67
mbis time some fourth details of investmenting agriculture
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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any
administrative action is warranted. (U)
- (12
Enclosure # # # O - L - O
UNCLASSIFIED WHEN 167
1 - DETACHED PROM NOTE &
(1) - OPR (IOB 2001-29) CLASSIFIED ENCLOSURE
1 - INSD (278-HQ-C1229736-53 Serial 73)
JAW: jaw (7) $R3TR-0U$
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Off, of Gen. Counsel
Asst. Div:Admin. Set Classified by: 39645_Neh/OGC
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Honorable Warren B. Rudman

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,

Lárry R. Parkinson General Counsel

David R. Knowlton Assistant Director Inspection Division

NOTE: This matter was ref (OPR) by Rd from INSD date	erred to OGC and the <u>Director's Office</u> ed 6/04/01 and titled Intelligence Oversight
Board (IOB) Matter 2001-29	. In this regard, in conjunction with
	Due to operational error, facsimile
coverage continued until unauthorized take was sequence investigative action was from the unauthorized coverage.	has reported that the lestered for destruction, and that no taken based on the information received erage.

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION

IOB MATTER 2001-29(U)

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Depoy Director	into Pes	Personael	Cong. Alls	
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	THEFT	<u>. </u>		

DATE: 07-06-2010 CLASSIFIED BY 65179 DMH/PLJ/JN REASON: 1.4 (C) DECLASSIFY ON: 07-06-2035 October 7, 2002 ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY COURIER General Brent Scowcroft (USAF Retired) Chairman IOB Matters Intelligence Oversight Board Old Executive Office Building Washington, D.C. Dear General Scowcroft: Enclosed for your information is a self-explanatory letterhead memorandum (THM) entitled "Intelligence Oversight lo2 67E Division JIOB Matter 2002-38." Board (IOB) Matter, 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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. Enclosure bs UNCLASSIFIED WHEN b7C DETACHED FROM OPR (IOB 2002-38) Den. Dir. 39645 NSA70GC Classified by: Cân, lov. Reason: CJIS Declassify on: Info, Resi National Sec SECRET OPR Hofmann-IOB-1134 Off, of Public & Cong. Affs. Off, of EBOA 263-40-0-4-108 EPHANI Director's Office MAIL ROOM D

SECRET

General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

	the Director's Office and OGC. dated 09/05/02 and titled IOB 2002 38." In this case, has reported	ъ1 ъ2 ъ6 ъ7С
	that, owing to an apparent recording equipment programing error.	Ъ7E
(5) 🦏	<u></u>	
	none of which were transcribed, duplicated or transferred from the original electronic media. The error is, nonetheless, a reportable matter.	Maus
•		4 114 105
	APPROVED: Crim. Inv. Inspection 7 Training Laboratory 0ff. of EEO	
	Finance National Sec. Affeire Director Gen. Counsel / W OPR Off. of Public &	
	Deput Director Info. Res Personnel Cong. Alls	•
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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION IOB MATTER 2002-38 (U)

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Section 1805.	In this regard.	
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· 	As soon as the error was	_
	As soon as the error was copriate action was taken to ensure that the data	_
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were not trans	copriate action was taken to ensure that the data scribed, duplicated, or transferred from the cronic storage media. Additionally, the	J
were not trans	copriate action was taken to ensure that the data scribed, duplicated, or transferred from the cronic storage media. Additionally, the	_
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were not trans original elect	copriate action was taken to ensure that the data scribed, duplicated, or transferred from the cronic storage media. Additionally, the Nonetheless, the data sunauthorized, necessitating this report of the	
were not trans original elect	copriate action was taken to ensure that the data scribed, duplicated, or transferred from the cronic storage media. Additionally, the Nonetheless, the data sunauthorized, necessitating this report of the	
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Hofmann-IOB-1136

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DATE: 07-06-2010 CLASSIFIED BY 65179 DMH/PLJ/JN REASON: 1.4 (C,D) DECLASSIFY ON: 07-06-2035 ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE October 7, 2002 BY COURIER General Brent Scowcroft (USAF Retired) Chairman TOB Matter Intelligence Oversight Board Old Executive Office Building Washington, D.C. Dear General Scowcroft: Enclosed for your information is a helf-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, Division TOB Matter 2002-37." 52 b7E (Ü) 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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. Enclosure UNCLASSIFIED WHEN Szadv bã DETACHED FROM (TOB 2002~37) CLASSIFIED ENCLOSURE Dep. Dir.

Off, of Gen. Crim, Inv. CUIS lafa. Res. OPR Off. of Public & Cong Allia Training ...

Director's Office

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Chief of Staff

Declassify on: SECRET

Classified by:

Reason:

Hofmann-IOB-1137

39645 NSA/OGC

263-40-0-4-109



-SECRET

General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

(5) <	NOTE: This matter was referred to OGC by EC from INSD to the Director's Office and OGC. dated 09/04/02 and titled Division[:] IOB 2002 37." The case stems from an	b1
	of the	lb2 lb6 lb7C
(S)	The FBI had ended coverage on	b7E
	None of the contents of the coverage has ever been reviewed. Nonetheless, because the contents remain unknown, the data collected must be presumed to be those of a U.S. person, thus requiring a report of the unauthorized coverage to the IOB.	4 112/c 1/m/·
	APPROVED: Crim. Inspection Training Off. of EEO Finance Hational Sec. Affairs Director Gen. Counsel COPR Off. of Public & Deputy Director Info. Res. Personnel Cong. Affairs	
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ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C,D)

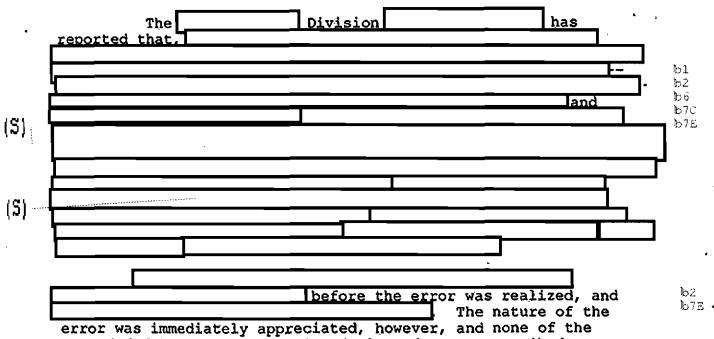
DECLASSIFY ON: 07-06-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER,

DIVISION

IOB MATTER 2002-37 (U)

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error was immediately appreciated, however, and none of the recorded data were ever reviewed, logged, or transcribed. nstead, the data were sequestered and forwarded to FBI Headquarters for submission to the Office of Intelligence Policy and Review, Department of Justice, for eventual destruction.

Classified by: 39645 NSA/OGC

Reason: 1.5(c)

Declassify on: X1

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Because the contents of the recordings remain unknown, the data collected without authority are presumed to be those of a United States person², thus requiring a report of these events to the IOB. (U)

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Hofmann-IOB-1140

DATE: 07-01-2010

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CLASSIFIED BY 65179 DMH/plj/lcw

REASON: 1.4 (c)

DECLASSIFY ON: 07-01-2035

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

February 14, 2002

BY COURIER

Honorable Warren B. Rudman Acting Chairman Intelligence Oversight Board Old Executive Office Building Washington, D.C.

Dear Senator Rudman:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, Division, 10B Matter 2001-69."

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

1	_	Mr. Parkinson				
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(1)	-	OPR (IOB 2001- INSD (1-278-HQ	·69)	,	CLASSIFZED	ENCLOSURE
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Honorable Warren B. Rudman

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,

Larry R. Parkinson General Counsel

David R. Knowlton Assistant Director Inspection Division

	NOTE: This matter was referred to OGC by EC from the Inspection
	Division to OGC and the Director's Office [OPR], dated 11/28/01
	and titled Intelligence
(S)	Oversight Board Matter 2001-69." In this regard, the
	Division has reported that, in the Acting SAC issued
	correspondence requesting the financial records of
	a suspected terrorist. That correspondence, sent by
ነውኑ /	facsimile to was incorrectly styled
וכן	
1 1	as a National Security Letter and recited the certification
	language
	as the legal authority to request the information. At the time
	the correspondence was sent, no legal authority existed for the
	Acting SAC to issue a National Security Letter.
	Acting Die to 188de a National Security Hotter. (Se
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DATE: 07-01-2010

CLASSIFIED BY 65179 DMH/plj/lcw

REASON: 1.4 (c)

DECLASSIFY ON: 07-01-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION
IOB MATTER 2001-69 (U)

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	The Federal Bureau of Investigation (FBI) has determined the Division obtained financial records
	pertaining to a suspected terrorist without proper authority.
·••·	In this regard, in in conjunction with an on-going
	international terrorism investigation of
	Division personnel prepared and issued requests for
	hotel records pertaining to the subject and his companion,
٠	and financial records pertaining to the subject.
	The latter request was sent by facsimile within hours of the
	attacks on the World Trade Center and the Pentagon to
	requesting bank and credit card records.
	Although the letters prepared by only "requested"
	information from the record-holders, those responsible for
	preparing the correspondence incorrectly styled them as National
	Security Letters (see 50 U.S.C. § 1851 and 12 U.S.C. § 3414) and
	recited the certification language
	as the legal authority to request
	the information. The letters were signed by the Acting Special
	Agent in Charge who, at that time, did not have legal authority
	to issue National Security Letters. This matter has been
	reported to the FBI's Office of Professional Responsibility for
	action deemed appropriate.

Classified by: $\frac{35645}{1.5(c)}$ NSA/OGC Reason: $\frac{1.5(c)}{1.5(c)}$ Declassify on: $\frac{X1}{1.5(c)}$

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DECLASSIFIED BY 65179 DMH/plj/lcw ON 07-01-2010

October 31, 2002

BY COURIER

General Brent Scowcroft (USAF Retired)

Chairman

Intelligence Oversight Board Old Executive Office Building Washington, D.C.

TOB MILL

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Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, Division, 208 Matter 2002-40."

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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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

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Dep. Dir
Dep. Dir Chief of Staff
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Counsel
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Director's Office

Classified W: 39645, NSA/OGC Reason: 1.5(c)
Declassify on: X1

SECTEM

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General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

NOTE: This matter was referred to OGC by EC from INSD to the Director's Office and OGC, dated 09/23/02 and titled	b 2
2002 40." In this case, failed to determine the correct of its intended surveillance target, which resulted in the unauthorized surveillance of unknown persons on As soon as the error was realized, all recordings, records and other information	b6 b7С b7E
related to were collected, sequestered, and subsequently forwarded to FBI Headquarters for submission and eventual destruction.	VW45 10/03/02
APPROVED: Crim. Inv. Inspection Training Off. of EEO Finance National Sec. Affairs Orector Ger Counsel OPR Off. of Public 4 Deputy Director Info Res Parsonnel Cong. Affa	
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CECRET Hofmann-IOB-1145	

DATE: 07-01-2010

CLASSIFIED BY 65179 DMH/plj/lcw

REASON: 1.4 (c)

DECLASSIFY ON: 07-01-2035 INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER 167E DIVISION IOB MATTER 2002-40 (U) Inquiry has determined that the Division of the Federal Bureau of Investigation (FBI) failed to determine the of its intended target of correct a U.S. person, which (S)in the unauthorized surveillance of unknown persons on In this regard, on b1 **b**2 **b**4 **b**6 b7C 1b7D b7E As soon as the error was discovered, all recordings, records and other information related to were collected, sequestered, and subsequently forwarded to FBI Headquarters for submission and eventual destruction. No investigative actions were taken based upon the recordings made in error. Classified 39645, NSA/OGO Reason: Declassify on: Crims lov. inspection Training CJIS. Laboratory Off. of EEO Finance. National Sec. Affairs Director. .Gen. Counsel OPR Hofmann-IOB-1146 Off, of Public & Deputy Director

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Personnel

Cong. Affs.





Federal Bureau of Investigation

DATE: 07-01-2010

CLASSIFIED BY 65179 DMH/plj/1cw

REASON: 1.4 (c)

October 31, 2002

Washington, D. C. 20535-0001

DECLASSIFY ON: 07-01-2035

BY COURIER

General Brent Scowcroft (USAF Retired) Chairman

Intelligence Oversight Board Old Executive Office Building

Washington, D.C.

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Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight (TOB) Matter,

FOB Matter 2002-22.

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

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UNCLASSIFIED WHEN FROM CLASSIFIED ENCLOSURE loδ **b**70

OPR (IOB 2002-22) 1 -

1 - INSD (278-HQ-1377570) Serial 2

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FBI/DOJ

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General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

1.50 (NOTE: This matter was referred to OGC by EC from INSD to the Director's Office and OGC. dated 05/31/02. The referenced EC
(S)	indicates that the Division opened a
1 ·- /	On Because the subject was (and
	remains) a
	the investigation required that and
	to submit an annual letterhead memorandum
	(<u>LHM</u>). The annual LHM (dated was received by the
	or, TheEC indicates that the the LHM was
	forwarded to the National Security Law Unit (NSLU) for OIPR on
	On received a memo from NSLU dated
	which advised that NSLU had no record of receiving
	annual LHM. As a result, the annual LHM was not
	filed with OIPR. Accordingly, this matter is being reported to the IOB.

- 1 The Honorable John D. Ashcroft Attorney General U.S. Department of Justice Room 5111
- 1 Mr. H. Marshall Jarrett Counsel, Office of Professional Responsibility U.S. Department of Justice Room 4304

Hofmann-IOB-1148

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Director Deputy Director	George General Landon Res	Personnel	O.S. of Public & Cong. Affs



INTELLIGENCE	OVERSIGH	T BOARD	(IOB)	MATTER	
IOB	MATTER 2	2002-22	(U)		

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Inquiry has determined that in conducting a of Federal Bureau of Investigation (FBL) failed to meet the annual reporting requirement prescribed in of the <u>Attorney</u> General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). In this Division opened its regard, the on Because the subject was (and remains) a "United States person" as that term is used in Section 101(i) of b2 the <u>Foreign Intelligence Surveillance Act of 1978 (FISA)</u> 167E continuation of the investigation required that and comply with the requirements of the FCIG. submitted its annual letterhead memorandum (LHM) to as required on however, the National Security Law Unit (NSLU) On advising it that NSLU had not received the A review by indicated that uploa issued a memo to 🔲 annual LHM. the LHM in the Automated Case Support (ACS) system and set a lead for to forward the LHM to the Office of Intelligence Policy and Review (OIPR). ACS showed the lead to be "covered by however, no "hardcopy" could be located. NSLU has no record of having received the LHM. As a consequence, it was not forwarded and therefore, OIPR was precluded from exercising meaningful oversight and control of this ongoing investigation, which is contrary to the requirements of of the <u>FCIG</u>. (S)

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DECLASSIFIED BY 65179 DMH/plj ON 07-08-2010

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Federal Bureau of Investigation

-ODCRAFT

DATE: 07-02-2010

CLASSIFIED BY 65179/DMH/plj/lcw

REASON: 1.4 (c)

DECLASSIFY ON: 07-02-2035

Washington, D. C. 20535-0001

November 26, 2002

OB Malter Tung

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Old Executive Office Building

Washington, D.C.

Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, Counterintelligence Division, 10B Matter 2002-26." (U)

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

Dep. Dir. _____ Chief of Staff _ Off, of Gen.

Asst. Dir.: ____ Admin. Ser. Crim., Inv. _ CJIS ____ Finance

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& Cong. Affs.
Training _____
Off. of EEOA

Director's Office

UNCLASSIEVED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

1 - Mr. Szadv 1 - LDK:ldk 1 - OPR (IOB 2002-26) 1 - INSD (1-278-HO-13

1 - INSD (1-278-HQ-1379244) 1 - NSLU Library

1 - Ms. Kelley

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MAIL ROOM

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General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

(S) ~	NOTE: This matter was referred to OGC by E Director's Office (OPR) and OGC, dated 05/31	
ι~γ		_
	IOB Matter 2002-26. The this re	egard, the
,	Field Office opened a	on on
	On	received the 90-day
	LHM from the and provided it to the OGO	for dissemination to
	OIPR. The case agent prepared an elect	ronic version of the
	annual LHM on and directed	ed it to the attention
	of The unit never received a copy of	the document. The
	oversight was discovered by OGC when the ann	
	for The failure to submit the required	d LHM is legally
	significant, requiring submission of this ma	

inspection Training Laboratory Off. of EEO Affairs Oirector. Off. of Public & Deputy Director Cong. Afts.

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DATE: 07-01-2010

CLASSIFIED BY 65179 DMH/plj/lcw

REASON: 1.4 (c)

DECLASSIFY ON: 07-01-2035

	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER	lo2 lo7e
	IOB MATTER 2002-26 (U)	42 7 67
(S)	Inquiry has determined that in conducting a a United States person, the	
	Federal Bureau of Investigation (FBI) failed to meet the annual	
	reporting requirements prescribed in of the <u>Attorney</u> <u>General Guidelines for FBI Foreign Intelligence Collection and</u>	
	Foreign Counterintelligence Investigations (FCIG). In this	
101	regard, the Field Office opened a on On	
(S)	the	l b1
	received the 90-day letterhead memorandum (LHM) from the and provided it to the Office of the General Counsel (OGC) for	1b2 1b6
	dissemination to the Department of Justice, Office of	Љ7С
	Intelligence Policy and Review (OIPR). The case agent	b7Е
	prepared an electronic version of the annual LHM on and directed it to the attention of the Headquarters unit.	
	The unit never received a copy of the document. The oversight	
	was discovered by OGC when the annual LHM was submitted for	
	Because the subject 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), and the Headquarters unit	
	were required to comply with the <u>FCIG</u> . Failure to submit the	
	annual LHM had the effect of precluding OIPR from conducting	
	timely and meaningful oversight and review of the investigation. It is noted that the submission of this matter to the IOB was	
	further delayed for several months by the FBI's National Security	
	Law Unit due to operational demands. This matter has been	
	reported to the FBI's Office of Professional Responsibility for action deemed appropriate. (S)	

APPROVED:	Crico Insi	Inspection //x // Laboratory	Training Off. of EEO Affaire Off. of Pablic &
Deputy Director	Info Pro	Personal Homm	ann-10B-1152

DECLASSIFIED BY 65179 DMH/plj ON 07-08-2010

November 14, 2002

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Old Executive Office Building
Washington, D.C.

IOB Matter

Trung

Dear General Scowcroft:

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

b2 b7E

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Matter 2002-52."

Enclosure

1 1 TED WHEN-1 FROM DETACHED OPR (IOB 2002 ENCLOSURE 1 52) Dep. Dir. Chief of Staff Off. of Gen. Counsel Asst. Dir.: Admin, Sec Crim_ luv. Derived CHS Finance Declassify Info, Res. National Sec. OPR Off. of Public Hofmann-IOB-1153 & Cong. Affs.

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263-40-0-4-

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General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

NOTE: This case was referred to OGC		b2 b6
Director's Office and OGC, dated 10/0		b7C
IOB 2002 52." In this case,	<u>third annual</u> LAM was	lo7E
submitted seven months late. The catch the omission. As a result, OII	failed to	
conducting meaningful oversight and		
involving a U.S. person	n. This is a matter	1hus
reportable to the IOB.		_
	Training.	0 24 0
APPROV	ED: Crim. Inv. Inspection Training Laboratory On. of EEO	-
	Finance National Sec. Affairs	-
OfficeCor	Gen Counsel /C OFA OH, of Pacific 3 or Into Res Personnel Cong. Afts	•
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DATE: 07-01-2010 CLASSIFIED BY 65179 DMH/plj/lcw REASON: 1.4 (c) DECLASSIFY ON: 07-01-2035 ALL INFORMATION CONTAINED HEREIM IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE INTELLIGENCE OVERSIGHT BOARD (IOB) harring b7E IOB MATTER 2002-52 (U) Investigation of this matter has determined that in onducting a ______ of _____ conducting a the Federal Bureau of Investigation (FBI) failed to meet the annual reporting requirements prescribed in the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). In this regard, on the Division opened a which subsequently was converted to a subject, lb1Because the subject was (and remains) on 102 "United States person" as that term is used in 3 df 67C b7E continuation of the investigation required that and the comply with the reporting requirements of Executive Order 12863 and the FCIG. Due to apparent administrative error on the part of the assigned case agent, third annual letterhead memorandum was submitted seven months late to the Office of Intelligence Policy and Review (OIPR), Department of Justice (DOJ) The error went undetected by As a result, OIPR was precluded from conducting meaningful oversight and review of an ongoing of a U.S. person during the period in question. The matter has been reported to the FBI's Office of Professional Responsibility. Apm. 10 124 10 Crim, Inv. inspection Training CJIS Laboratory___ Offi, of EEO Finance___ National Sec._ Affairs Derived frameter G-3 __Gen_Counsel__/___OPR____ Off. of Public & Declassif Democratic .Info. Res.___ __Personnel_ Cong Afts SEC. SEL

DECLASSIFIED BY 65179 DMH/plj/lcw ON 07-01-2010

October 04, 2002

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Old Executive Office Building
Washington, D.C.

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Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, Division 10B Matter 2002-41."

(U)

b2 b7E

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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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

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A Cong. All's Training Off. of EEOA		Hofmann-IOB-1156
Director's Office		263-40-0-4-1711
	MAIL ROOM 🗆	263-40-0-4-130

SECRET

General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

NOTE: This matter was referred Director's Office and OGC, dated				b2 b6
IOB 2002 41." In this case.			71	b7c b7s
authority. As soon as the error properly sequestered for eventua		ized, the	•	10104/02
	APPROVED:	Crim. Inv	Inspection Z Laboratory National Sec	Training Off, of EEO Affairs
	Director Deputy Director		OPRPersonnel	Off. of Public & Coag. Alts
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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 07-01-2010

CLASSIFIED BY 65179 DMH/plj/lcw

REASON: 1.4 (c)

DECLASSIFY ON: 07-01-2035

SECRET

	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION IOB MATTER 2002-41 (U)	b 2 b7Е
101	Investigation has determined that, as a consequence of technical errors, on the Division of the Federal Bureau of Investigation (FBI) initiated an unintended, but nevertheless In this regard, on	
(S)		101 102 104 1070 107E
	Once the error was realized, appropriate action was immediately taken to sequester the unauthorized material for eventual destruction. None of the contents of the was ever read, further recorded or disseminated. The error was also promptly reported	
	APPROVED: Crim. Inv. Inspection Training Matter Inspection Training	
	Director Gest Squases Liv OPA Off, of Full & Beputy Director Affordes Personnel Cong. Alls 1018/52 Classified 3: 39645, NSA/OGC	
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DECLASSIFIED BY 65179 DMH/plj/lcw , on 07-01-2010

October 31, 2002

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Old Executive Office Building
Washington, D.C.

Job Ma. Has

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Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled Intelligence Oversight Board (IOB) Matter, Division FOB Matter 2002-47." (U)

b2 b7E

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

1 -1 -1 -OPR (IOB 2002 47)

Unclassified when Detached from Classified Enclosure

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Dep. Dir.
Chief of Staff
Off. of Gen.
Counsel
Asst, Dir.:
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Director's Office

Derived from: G-3 Declassify on: X1

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General Brent Scowcroft (USAF Retired)

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,

Kenneth L. Wainstein General Counsel

Lynne A. Hunt Assistant Director Inspection Division

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Director's Office and OGC,	red to OGC by EC from INSD to the dated 10/04/02 and titled IOB 2002 a consequence of a communications on of an	64 66 67C 67D 67E
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DATE: 07-01-2010

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REASON: 1.4 (c)

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INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
DIVISION
IOB MATTER 2002-47 (U)

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FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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U.S. Department of Justice

Federal Bureau of Investigation

CHORET.

Washington, D. C. 20535-0001

February 11, 2004

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, Northwest
Washington, D.C.

DECLASSIFIED BY 65179 DMH/PLJ/JN

ON 07-06-2010

Dear General Scowcroft:

Enclosed for your information is a self-explanatory memorandum. entitled "Intelligence Oversight Board (IOB) Matter,

Division, IOB Matter 2003-10." (U)

b2 b7Е

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

-UNCLASSIFIED WHEN DETACHED FROM CHASSIFIED EXCLOSURE

1 - Mr. Szady

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- Ms. Kelley

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MAIL ROOM

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General Brent Scowcroft (USAF Retired)

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,

Patrick W. Kelley
Deputy General Counsel

1 - Honorable John D. Ashcroft
Attorney General
U.S. Department of Justice
Room 5111

1 - Mr. H. Marshall Jarrett Counsel, Office of Professional Responsibility U.S. Department of Justice Room 4303

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INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

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REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

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U.S. Department of Justice

Federal Bureau of Investigation

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Washington, D. C. 20535-0001

DECLASSIFIED BY 65179 DMH/PLJ/JN:ember 9, 2003 ON 07-06-2010 DI COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, Northwest
Washington, D.C.

Dear General Scowcroft:

Enclosed for your information is a self-explanatory memorandum, entitled "Intelligence Oversight Board (IOB) Matter, Division, IOB Matter 2002-39." (U)

b2 b7E

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

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MAIL ROOM D

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General Brent Scowcroft (USAF Retired)

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,

Patrick W. Kelley Deputy General Counsel

- 1 The Honorable John D. Ashcroft
 Attorney General
 U.S. Department of Justice
 Room 5111
- 1 Mr. H. Marshall Jarrett
 Counsel, Office of Professional Responsibility
 U.S. Department of Justice
 Room 4304

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CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION IOB MATTER 2002-39 (U)	b2 b7Е
Inquiry has determined that in conducting a find of a United States person, the Federal Bureau of Investigation (FBI) failed to meet the reporting requirements prescribed in find of the Attorney General Guidelines for FBI Foreign Intelligence Collection and	151 156 157C
Foreign Counterintelligence Investigations (FCIG). In this regard, the Division opened a on Because the subject was (and remains) a "United States person" as that term is used in Section 101(i) of the	
investigation required that comply with the requirements of Executive Order 12863 and the FCIG. The case agent failed to submit the annual LHM in due to his Division's pressing investigative work into the 9/11 terrorist attacks. The LHM was subsequently completed by the field on Failure to submit the annual LHM was inconsistent with the oversight requirements prescribed in the FCIG, necessitating this report to the Intelligence Oversight Board.	152 157€
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U.S. Department of Justice

Federal Bureau of Investigation

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Washington, D. C. 20535-0001

February 11, 2004

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, Northwest
Washington, D.C.

DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-06-2010

Dear General Scowcroft:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, Division, IOB Matter 2002-65."

(U)

b2 b7E

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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

1 - Mr. Szady T)- OPR (IOB 2002-65) 1 - 278-HQ- **240-1682-4** --_1 - Ms. Kelley

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General Brent Scowcroft (USAF Retired)

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,

Patrick W. Kelley Deputy General Counsel

1 - Honorable John D. Ashcroft
Attorney General
U.S. Department of Justice
Room 5111

1 - Mr. H. Marshall Jarrett Counsel, Office of Professional Responsibility U.S. Department of Justice Room 4303

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DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

•	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION IOB MATTER 2002-65 (U)	Љ2 Ъ7Е
(S) (S)	Inquiry has determined that in conducting a of a United States person, the Federal Bureau of Investigation (FBI) failed to meet the reporting requirements prescribed in of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). In this regard, the Division opened a on on on No 90-day LHM was submitted by following the initiation of the did submit an annual LHM on but has no record of having received it. In no annual LHM was submitted. In submitted an annual LHM to Headquarters dated Because the subject 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), the Division was required to comply with the FCIG. Failure to submit the 90-day and annual LHMs was inconsistent with the oversight requirements prescribed in the FCIG, necessitating this report to the Intelligence Oversight Board.	61 66 670 62 67E
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FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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			ernment agency(ies). You will be ation following our consultation					
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3	Page(s) were not considered for release as they are duplicative of Hofmann-IOB-168							
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DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-06-2010

February 12, 2003

BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Old Executive Office Building
Washington, D.C.

TOB Malter

Dear General Scowcroft:

	Enclosed	for	your	information	n is	a self.	-explanator	У
letterhead	d memorano	dum	(LHM),	entitled	"Inte	elligend	ce Oversigh	t
Board (IO	B) Matter,	, [Division,	IOB	Matter	2002-75."	(U)

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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. This matter has also been referred to our Office of Professional Responsibility for a determination of whether any administrative action is warranted. (U)

Enclosure

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1	_	Mr.			
(i)	_	OPR	(IOB	200	2-75)
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UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

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Chief of Staff
Off. of Gen.
Counsel
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National Sec.
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Director's Office

Dep. Dir.

Derived from: G-3 Declassify on: <u>X1</u>

SECKET

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MAIL ROOM II

Performance matter- Noopa Action

263-HQ-0-SUBLL

SHORET_

General Brent Scowcroft (USAF Retired)

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,

Patrick W. Kelley Deputy General Counsel

APPROVED: Crim. Inv. Inspection Training Off. of EEO

Finance Finance Fational Sec. Affairs

Director Gen. Courset W. OPR Off. of Public & Deputy Director Off. Res. Personnel Cong. Affs.

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SECRET .



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 07-06-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-06-2035

b2 INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER, b7E DIVISION, IOB MATTER 2002-75 (U)

(S) <	The Federal Bureau of Investigation's Inspection Division has determined that in conducting a	
1 1	on the FBI failed to comply with the annual reporting	
	requirements prescribed in of the <u>Attorney General</u>	
	Guidelines for FBI Foreign Intelligence Collection and Foreign	jo i
	Counterintelligence Investigations (FCIG). In this regard, on)b6
ies l	the Division (opened a	1 670
(S) -	on That inquiry was converted to a	
	on Because the subject of	
	the investigation 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) and of the FCIG,	
	continuation of the investigation required that comply	
	with the reporting requirements of Executive Order 12863 and the	lb2
	FCIG. Due to administrative error, failed to submit the	b7E
_	annual letterhead memoranda (LHM) required in	
	The case was closed in As a	
	consequence of these reporting errors, the Office of Intelligence	
	Policy and Review, Department of Justice, was not advised of the	
	status of ongoing investigation involving a U.S.	
	person at any time following the submission ofinitial.	
	90-day LHM in The matter has been reported to the	
	FBI's Office of Professional Responsibility for action deemed	
	appropriate.	
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3	Page(s) were not considered for release as they are duplicative of Hofmann-IOB-193			

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FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

Page(s) withheld entirely at this location in the file. One or more of the following

Section 552		Section 552
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DATE: 07-01-2010

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REASON: 1.4 (C)

DECLASSIFY ON: 07-01-2035

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Page 1

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED EXCEPT

WHERE SHOWN OTHERWISE

BY COURIER

General Brent Scowcroft (USAF Retired) Chairman Intelligence Oversight Board New Executive Office Building Washington, D.C.

Dear General Scowcroft:

Enclosed for your information is a self-explanatory enclosure, entitled "Intelligence Oversight Board (IOB) Matter, Federal

b2 167E

Bureau of Investigation Headquarters (FBI HQ), 2004-56."

This 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.

Enclosure

1	_	Ms.	Thomas	_
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UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

Derived from :

General Brent Scowcroft (USAF Retired)

Case ID : 278-HQ-C1229736-VIO

Serial: 627

Hofmann-IOB-1225

Page

2

, 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 John D. Ashcroft Attorney General U.S. Department of Justice Room 5111
- 1 Mr. James A. Baker
 Counsel for Office of Intelligence Policy and Review
 U.S. Department of Justice
 Room 6150

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ) . 2004-56 (U)

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	Investigation of this IOB matter has determined that,
on	the Division initiated a
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Hofmann-IOB-1226

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discovered the problem it immediately took steps to	•
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sequester the unauthorized data collection to prevent its use or	b7E
<u>further dissemination.</u>	
In accordance with the reporting requirements of	
Section 2.4 of Executive Order 12863, the error must be reported	
to the IOB.	

Derived from . 0.3 Declassify on: X25-1

Hofmann-IOB-1227

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3	Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion. Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.			
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FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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3	Page(s) were not considered for release through Hofmann-IOB-323	se as they are dup	olicative of <u>Hofmann-IOB-321</u>
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Hofmann-IOB-1237 through Hofmann-IOB-1239

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Hofmann-IOB-1245 through Hoffman-IOB-1248 (two pages of Hofmann-IOB-311)

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Hofmann-IOB-1252 through Hoffman-IOB-1254



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	Section 5	52	Section 552a
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	□(b)(2)	□(b)(7)(B)	□(j)(1)
	□(b)(3)		□(k)(1)
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FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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Section 5	52	Section 552a
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3	Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.				
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3	Page(s) were not considered for release through Hofmann-IOB-335	e as they are o	duplicative of <u>Hofmann-IOB-333</u>		
	Page(s) withheld for the following reason	on(s):_			
Hofmann	≅ The following number(s) is (are) to be -IOB-1267 through Hoffman-IOB-		rence regarding these pages :		

3	Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.		
	Deletions were made pursuant to the material available for release to you		icated below with no segregable
	Section 552		Section 552a
	□(b)(1) □(b)(2) □(b)(3)	□(b)(7)(A) □(b)(7)(B) □(b)(7)(C) □(b)(7)(D) □(b)(7)(E)	□(d)(5) □(j)(1) □(k)(1) □(k)(2) □(k)(3)
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3	Page(s) were not considered for release through Hofmann-IOB-338	se as they are dup	olicative of <u>Hofmann-IOB-336</u>
	Page(s) withheld for the following reas	on(s)	
<u>Hofmann</u>	□ The following number(s) is (are) to b □ IOB-1270 through Hofmann-IOB		nce regarding these pages :

	Deletions were made purs material available for relea	uant to the exemptions indicated	l below with no segrega
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3	advised by the FBI as to the r the other agency(ies). Page(s) withheld inasmuch a be advised as to the dispositi	s a final release determination had not a later date. for release as they are duplicative.	illowing our consultation

Hofmann-IOB-1273 through Hoffman-IOB-1275

Section 5	552	Section 552a
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Hofmann-IOB-1276 through Hoffman-IOB-1278

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3	Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.		
	Deletions were made pursuant to the material available for release to you		ed below with no segregable
	Section 552		Section 552a
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	☐ Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only. Document(s) originated with another government agency (OGA). These documents were referred to that agency(ies) for review and you will be advised by the FBI as to the releasability of this information.		
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3	Page(s) were not considered for release through Hofmann-IOB-347	se as they are duplica	tive of <u>Hofmann-IOB-345</u>
	Page(s) withheld for the following reas	on(s):_	
	⊼ The following number(s) is (are) to be	e used for reference r	egarding these pages :

Moreover in the following number(s) is (are) to be used for reference regarding these pages Hofman-IOB-1279 through Hoffman-IOB-1281

FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

4	Page(s) withheld entirely at this loca statements, where indicated, explain		One or more of the following
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		uant to the exemptions indicated	d below with no segregable
	material available for relea	se to you.	
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Hofmann-IOB-1286 through Hoffman-IOB-1288

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3	Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.		
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3	Page(s) were not considered for releated through Hofmann-IOB-2730	ase as they are duplicat	ive of <u>Hofmann-IOB-2728</u>
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<u>Hofmann</u>	☑ The following number(s) is (are) to □-IOB-1289 through Hofmann-IOI		egarding these pages :



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FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

Section 552		Section 552a
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□ The following number(s) is (are) to be used for reference regarding these pages:

Hofmann-IOB-1292 through Hoffman-IOB-1294



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FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

statements, where indicated, explain this deletion.

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	Section 552		Section 552a
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	□(b)(3)	□(b)(7)(C)	□(k)(1)
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			□(k)(3)
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	□(b)(4)	□(b)(8)	□(k)(5)
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