November 14, 2002

Hofmann-IOB-2363

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	on is a	self-e	<pre>kplanatory</pre>
letterhead	memorand	lum (LHM)	_ entitled	"Intel:	Ligence	Oversight
Board (IOB.	) Matter,		Div:	ision an	nd the [	
	Di	.vision,	IOB Matter	2002-52	2 . " (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

National Sec

Director's Office

Off, of Public & Cong. Affs.
Training
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	1 1 1	 Mr. Mr. Mr. OPR	 ztein 2002	<b>52</b> )			· ·		DETA	ASSIF CHED SIFIE	FROM	WHEN CLOSU	RE ·
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MAIL ROOM I

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

Director's Office and OGC, dated 10/04/02 and titled b2  [;] [;] Division[;] b6  IOB 2002 52." In this case, LHM was b7c submitted late. The FBIHQ, failed to b7E catch the omission. As a result, OIPR was precluded from conducting meaningful oversight and review of an ongoing
IOB 2002 52." In this case, LHM was b7c submitted late. The FBIHQ, failed to b7E catch the omission. As a result, OIPR was precluded from conducting meaningful oversight and review of an ongoing
submitted late. The FBIHQ, failed to b7E catch the omission. As a result, OIPR was precluded from conducting meaningful oversight and review of an ongoing
catch the omission. As a result, OIPR was precluded from conducting meaningful oversight and review of an ongoing
conducting meaningful oversight and review of an ongoing
involving a U.S. person. This is a matter
reportable to the IOB.
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Director Gen. Counsel Off. of Public 3
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Hofmann-IOB-2364

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WHERE SHOWN OTHERWISE

DATE: 07-02-2010

CLASSIFIED BY 65179/DMH/plj/lcw

**REASON:** 1.4 (c)

DECLASSIFY ON: 07-02-2035



INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

DIVISION AND THE

DIVISION

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	IOB MATTER 2002-52 (U)	
أمسا		
(X)	Investigation of this matter has determined that in	
/	conducting a of	-
	the Federal Bureau of Investigation (FBI) failed to meet the	•
	annual reporting requirements prescribed inof	. *
	the Attorney General Guidelines for FBI Foreign Intelligence	.*
	Collection and Foreign Counterintelligence Investigations (FCIG).	
• .	In this regard, on the Division	,
-	('") opened aon the	
	subject, which subsequently was converted to a	b1 b2
	on Because the subject was (and remains) a	b6
	"United States person" as that term is used in	. Б7С
•	<u> </u>	b7E ·
	continuation of the investigation required that	
	and the Division, FBI Headquarters,	•
	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, s	•
•	letterhead memorandum was submitted late to the	•
	Office of Intelligence Policy and Review (OIPR), Department of	
	Justice (DOJ) The error went undetected by	Section .
. :	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. (2)	
•	Tesponsibility (p)	Apm
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	APPROVED: Crim Inst. Inspection Training	<b></b>
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: Hofmann-IOB-2365

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, IOB Matter 2002-56."

(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

National-Sec.

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& Cong. Affs.
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Director's Office

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1 - Mr. <u>Wainstein</u>	
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1 - Mr. DETACHED	- NOM
1 - OPR (IOB 2002 56) CLASSIFI	ED ENCLOS
Dep. Dir. 1 Mr.	, .
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Hofmann-IOB-2366

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. (U)

Sincerely,

Patrick W. Kelley Deputy General Counsel

NOTE: This case was referred to OGC by EC from INSD to the Director's Office and OGC, dated 10/17/02 and titled '	
[;] [;] Division[;] IOB 2002 56." In this case, failed to	b2 b6 b70
submit to Headquarters a timely request to extend	b71
The errors	
of oversight and administration are reportable to the IOB.	•

APPROVED: Crim. Inv. Inspection Training ...

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Finance National Sec. Affairs ...

Director Gen. Counter(VV) CPR Off. of Public & ...

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Hofmann-IOB-2367

	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER  DIVISION  2002-56 (U)	b2 b7E
	Investigation of this IOB matter has determined that, on, theDivision (\frac{\psi}{2})	
г	initiated a who was (and remains) a "United States person"	
L	as that term is used in	
Γ	. Thus, continuation of	b2
-	the required that comply with the requirements of	b7E
;	Executive Order 12863 and the Attorney General Guidelines for FBI	
	Foreign Intelligence Collection and Foreign Counterintelligence	•
	Investigations (FCIG). During a file review conducted by the	•
	case agent onit was determined that as a	
	consequence of administrative error, authority to continue the	
	had expired on and that the field division had	
_	not submitted	
[	nor had a request to extend thebeen	
	submitted for Headquarters' approval. During the period of the	
_	overrun,	
Ļ	This was contrary to the requirements of	
	the <u>FCIG</u> and administrative regulations promulgated by FBI	
	Headquarters. The matter has been reported to the FBI's Office	
•	of Professional Responsibility.	
		Jim
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	Training Inspection Training	
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	Denistred from G-3 Finance National Sec Affairs.	
	Official Gen. Counsel W. OPR. Off. Off. of Public &	
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. [	1 X A "United States person" is defined	
· [	A "United States person" is defined  seq.) as "a citizen of the United States [orl an alien lawfully admitted for	b2 b7F
. [	A "United States person" is defined  seq.) as "a citizen of the United States [or] an alien lawfully admitted for permanent residence (as defined in of the Immigration and	b2 b7E
· [	A "United States person" is defined  seq.) as "a citizen of the United States [or] an alien lawfully admitted for permanent residence (as defined in of the Immigration and Naturalization Act)" See also of the Attorney General	
· [	A "United States person" is defined  seq.) as "a citizen of the United States [or] an alien lawfully admitted for permanent residence (as defined if of the Immigration and Naturalization Act)" See also of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign	
. [	A "United States person" is defined  seq.) as "a citizen of the United States [or] an alien lawfully admitted for permanent residence (as defined in of the Immigration and Naturalization Act)" See also of the Attorney General	

LL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 07-02-2010 :

CLASSIFIED BY 65179/DMH/plj/1cw

REASON: 1.4 (c,d)

DECLASSIFY ON: 07-02-2035

December 3, 2002

BY COURIER

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

Dear General Scowcroft:

Off. of Public & Cong. All's. Off. of EEOA

Director's Office

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

Division,

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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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	1 .	- Mr.	Wainstein	•			
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	1	- Mr.		•	DET	ACHED FR	MC
Dep. Dîr.	1	- OPR	(IOB 2002-60)		CLA	SSIFIED :	ENCLOSURE
Chief of Staff_	4	- Mr.		•			, –
Off. of Gen. Counsel							
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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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DATE: 07-02-2010

CLASSIFIED BY 65179/DMH/plj/lcw

REASON: 1.4 (c,d) DECLASSIFY ON: 07-02-2035



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<b>)</b> .	IOB MATTER 2002-60 (U)	
	LOD THILDIN 2002 OU (U)	
	Investigation of this matter has determined that	
	theDivision ('") opened a	٠.
	on which subsequently was converted to a	
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•	the subject of the investigation was (and remains) a "United	. k
	States person" as that term is used in	) t
ſ	of the <u>Attorney General Guidelines for FBI Foreign Intel-</u>	. L
Ļ	ligence Collection and Foreign Counterintelligence Investigations	
	(FCIG) L. continuation of the investigation required that	
	and comply with	
	the reporting requirements of Executive Order 12863 and the FCIG.	
	Due to administrative error, failed to forward s	
	first annual letterhead memorandum (LHM), due on	
·L	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,	
ſ	as required by the FCIG. The error was not discovered until	•
	for review. As a result of the error, OIPR was not advised of	
	the status of the FBI's ongoing investigation for approximately	•
ſ	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.	. •
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DECLASSIFIED BY 65179 DMH/plj ON 07-09-2010

December 12, 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 Division, FBI Headquarters, IOB Matter 2002-72." (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

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1	- Mr	Kelley	•	
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MAIL ROOM I

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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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DATE: 07-02-2010

CLASSIFIED BY 65179/DMH/plj/1cw

REASON: 1.4 (c) DECLASSIFY ON: 07-02-2035



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•	DIVISION,	b7E
	FBI HEADQUARTERS	
:	IOB MATTER 2002-72 (U)	
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XX	As reported by the,	
	Headquarters. on	
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	. In each of the declarations that accompanied the	b2
	the Government described, the Government described	b6
	nts that took place on, and stated,	b7C b7E
in	pertinent part, that '	5.5
		,
	" This was incorrect. In fact,	
<i>ı</i> .		
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· <b> </b>		<b>.</b>
	Additionally, a footnote	
in	the Government's declaration indicated that	
Į		
Th.	s, too, was incorrect. As stated above,	,
	5, coo, was incorrect. As stated above,	7
	These errors, detected on	
we.	e repeated in all three declarations. They were reported	
, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	on and subsequently were briefed to	
	They have also been reported to the	<u>a</u>
FB	's Office of Professional Responsibility for action deemed	
	ropriate.	
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February 12, 2003

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, IOB Matter 2002-75." (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

1	÷	Mr.	Kelle	Эy	٠,
1	_	Mr.		$\Box$	
1	- <del>-</del>	Mr.			
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(1)	<del>, -</del>	Mr.			·
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Derived from : G-3 Declassify on: <u>X1</u>

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#### 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,

Patrick W. Kelley Deputy General Counsel

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DATE: 07-02-2010

CLASSIFIED BY 65179/DMH/plj/lcw

REASON: 1.4 (c)

DECLASSIFY ON: 07-02-2035

INTELLIGENCE	OVERSIGHT	BOARD	(IOB)	MATTER,
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TOI	A MATTER 20	002-75	(11)	

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The Federal Bureau of Investigation's Inspection
Division has determined that in conducting a
on the FBI failed to comply with 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 (\ ") opened a
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
and of the <u>FCIG</u> ,
continuation of the investigation required that comply
with the reporting requirements of Executive Order 12863 and the
<u>FCIG.</u> Due to administrative error, failed to submit the
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 ofs ongoing investigation involving a U.S.
person at any time following the submission of sinitial.
90-day LHM in The matter has been reported to the
FBI's Office of Professional Responsibility for action deemed
appropriate. (2)

Declassify on: X1

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DECLASSIFIED BY 65179 DMH/plj ON 07-12-2010

#### BY COURIER

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

Dear Mr. Langdon:

This letter forwards for your information a self-explanatory enclosure entitled, "Intelligence Oversight Board (IOB) Matter, IOB 2003 103." (U)

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

UNCLASSIEZED WHEN DETACHES FROM CLASSIFIED ENCLOSURE

Derived From: G-3
Declasify on: X25-1

1 - Ms. Thomas 1 - OPR (IOB 2003-103) 1 - Ms. Kelley 1 - 278-HQ-C1229736-VIO

1 - Mr. Hulon 1 - Mr.

b6 b7C



Mr. James Langdon

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 Gonzales Attorney General U.S. Department of Justice Room 5111
- 1 Mr. James Baker III
   Counsel
   Office of Intelligence Policy and Review
   U.S. Department of Justice
   Room 6000

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/plj

REASON: 1.4 (c)

DECLASSIFY ON: 07-12-2035



# INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER IOB 2003 103 (U)

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`(S) -		
(S) <sub></sub> -[	Investigation of this IOB matter has determined that, a who was a "United States person" as that term is used in the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG), was opened by the Field Office of the Federal Bureau of Investigation ("FBI") on The initiation and continuation of the required that the Field Office and Comply with the requirements of the FCIG. However, the Field Office did not submit an initial 90-day letterhead memorandum to Uniti Submitted the initial 90-day letterhead memorandum of for dissemination to the Office of Intelligence Policy and Review (OIPR) of the United States Department of Justice. As a result of the significantly delayed reporting of the initial 90-day letterhead memorandum, OIPR was precluded from exercising its responsibility for oversight and review of an ongoing foreign counterintelligence investigation of a U.S. person, contrary to the requirements of the FCIG.  This matter has been referred to the FBI's Inspection Division for action deemed appropriate.	b1 b2 b6 b7C b7E
(U) ···	Derived from: G-3 Declassify on: X25-1  SECRET  The Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG) did not take effect until October 31, 2003. A "United States person" is defined in of the FCIG as "an individual who is [a] United States citizen or [b] a permanent resident alien "Hofmann-IOB-2380	b2 b7 <b>E</b>

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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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		□(b)(7)(Ė)	□(k)(3)
		□(b)(7)(F)	<b>□(k)(4)</b>
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	request or the subject of your red Document(s) originated with and referred to that agency(ies) for re releasability of this information.	other government agency (O eview and you will be advise	GA). These docume d by the FBI as to the
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#### BY COURIER

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20503

Dear General Scowcroft:

Enclosed for your information is a self-explanatory memorandum, entitled "Intelligence Oversight Board (IOB) Matter, IOB 2003 92." (U)

This 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. (U)

#### Enclosure

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UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

Classified by: 39645, NSA/OGC

Reason:
Declassify on:

SECRET

Hofmann-IOB-2384



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,

John F. Curran 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



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE



DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

### INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER IOB 2003 92 (U)

Investigation of this IOB matter has determined that, on, theField Office of the Federal Bureau	
of Investigation ("FBI") requested initiation of a who was a "United States person" as that term is used in the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). Thus the initiation and continuation of the required the Field Office and comply with the requirements of Executive Order 12863 and the FCIG.	b1 b2 b6 b7C
submitted its initial 90-day letterhead memorandum nearly beyond it original due date. s error was compounded by the failure of the Division, to identify and report the potential IOB violation for a violation of As a result of the	b7E
delinquent LHM, OIPR was not properly advised of the initiation of the in accordance with of the FCIG. This delayed reporting clearly precluded OIPR from exercising its responsibility for oversight and review of an ongoing investigation of a U.S. person, contrary to the requirements of the FCIG. This matter has been referred to the FBI's Office of Professional Responsibility for review and action deemed appropriate.	
Derived from: G-3 Declarative on: X-1	
•	٠
A "United States person" is defined in of the FCIG as "an individual who is [a] United States citizen or [b] a permanent resident alien "	b2 b7 <b>E</b>

-3- Hofmann-IOB-2386

### **FEDERAL BUREAU OF INVESTIGATION** FOIA/PA DELETED PAGE INFORMATION SHEET

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DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-12-2010

#### BY 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, Counterintelligence Division, IOB Matter 2002-54" (U)

This 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. (U)

### Enclosure

1 - 278-HQ-1400427

1 - Ms. Kelley

UNCLASSIFIED WHEN DEPACHED FROM

Derived from: G-3 Declassify on: X 25-1

Case ID : 278-HQ-1400427

### 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.

Sincerely,

Patrick W. Kelley Deputy General Counsel

- 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-2397

## ---- Working Copy ----

# INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER COUNTERTERINTELLIGENCE DIVISION IOB MATTER 2002-54 (U)

	Inquiry has determined that in conducting a	
	of a United States person, 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	
١.	<u>Counterintelligence Investigations (FCIG). In this regard, the</u>	
۲.	Division ( ) opened a on	b1
	on Because the subject was (and	ь2
	remains) a "United States person" as that term is used in	ьб
	,	Ъ7С
	continuation of the investigation required that comply	b7E
	with the requirements of Executive Order 12863 and the FCIG. On	
	05/06/2002, authored and uploaded into the FBI Automated	
F	Case Support a copy of the annual leterhead memorandum (LHM).	
L	recalls receiving the LHM and	
	submitting it to the FBI's Office of the General Counsel for	
	dissemination to the Office of Intelligence Policy and Review	
	(OIPR), Department of Justice. OGC has no record of having	
	received the request. The failure to submit the required LHM was	
	legally significant as it precluded the OIPR from conducting	
	meaningful oversight and review of	
	involving a United States person, and therefore necessitates this	
	report to the Intelligence Oversight Board.	

Derived from + G-3 Declassify on: X 25-1

DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

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Hofmann-IOB-2398

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### FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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DECLASSIFIED BY 65179 DMH/plj ON 07-12-2010

### BY COURIER

General Brent Scowcroft (USAF Retired) Chairman Intelligence Oversight Board Room 5020 New Executive Office Building 725 17th Street, N.W. Washington, D.C. 20503

Dear General Scowcroft:

This letter forwards for your information a selfexplanatory enclosure entitled, "Intelligence Oversight Board (IOB) Matter, IOB 2003 65. (U)

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 - Mr. Curran 1 - Ms. 1 - Mr. 1 - 278-HQ-C1229736-VIO	d d	5 7C
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•	Classified by: 39645, NSA/OGC Reason: 1.5(c)	
Case ID : 278-HQ-C122973	Hofmann-IOB-2405462	

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### Declassify on: X25 1

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.

Sincerely,

John F. Curran 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
- 1 Mr. James A. Baker III
   Counsel, Office of Intelligence Policy and Review
  U.S. Department of Justice
   Room 6000

Hofmann-IOB-2406

### SPERST ---- Working Copy ----

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

IOB 2003 65 (U)

The second secon	
Investigation of this IOB matter has determined that a of , who is a "United	
States person" as that term is used in the Attorney General	
Guidelines for FBI Foreign Intelligence Collection and Foreign	
Counterintelligence Investigations (FCIG), 11 was opened by the	b1
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Investigation ("FBI") on The initiation and	b7C
continuation of the required that and	b7E
comply with the requirements of	DIE
Executive Order 12863 and the FCIG. The Office of Intelligence	
and Policy Review ("OIPR"), however, was not made aware of the	
opened investigation until on or about nearly	
after the initiation of the . As a result of the	
significantly delayed reporting of the initial 90-day letterhead	
memorandum, OIPR was precluded from exercising its responsibility	
for oversight and review of an ongoing foreign	
counterintelligence investigation of a U.S. person, contrary to	
the requirements of the FCIG.	

This matter has been referred to the FBI's Office of Professional Responsibility for action deemed appropriate.

Derived from: G 3 Declassify on: X25-1

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Hofmann-IOB-2407



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\*\*FOOTNOTES\*\*

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### FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

#### 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 letterhead memorandum (LHM) entitled Intelligence Oversight Board (IOB) Matter, Division, IOB Matter 2003-99." (U)	b2 b7 <b>E</b>
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 - Mr. Hulon	

1 - Mr. Hulon

1 - OPR (IOB 2003-99)

1 - Mrs.

UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENGLOSURE

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Case ID : 278-HQ-C1229736-VIO

SECRET

Serial: 712

Hofmann-IOB-2466

Page

Working Copy ----

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 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

	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION	b2 b7E
(5)	IOB MATTER 2003-99(U)	
,	. The Federal Bureau of Investigation ("FBI") has determined that in conducting a on the FBI failed to comply with the annual reporting	b1 b2 b6 b7C
	SECRET Hofmann-IOB-2467	b7E

b2

requirement prescribed in of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG).il´ In this regard, on, the Division opened a on the subject. Because the subject was (and remains) a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act (FISA), initiation of a required that comply with the reporting requirements of the FCIG submitted its initial 90-day letterhead memorandum (LHM) on beyond its	b2 b7E
original due date. The delayed reporting precluded OIPR from exercising its responsibility for oversight and review of an ongoing foreign counterintelligence investigation of a U.S. person, contrary to the requirements of the FCIG. The matter also has been reported to the FBIs Office of Professional Responsibility for action deemed appropriate.	

Derived from: 8-3 Declassify on: X25-1

#### \*\*FOOTNOTES\*\*

by the Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG), "ia ctivities commenced under the FCIG Tare to be continued and completed under the FCIG, notwithstanding the adoption of the NSIG." See Memorandum from Attorney General John Ashcroft to Robert S. Mueller, III, dated October 31, 2003.

Hofmann-IOB-2468



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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DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-12-2010

November 7, 2003

BY COURIER

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

Dear General Scowcroft:

This letter	forwards for your consideration a self-	b2
explanatory enclosure	entitled "Intelligence Oversight Board	b7E
(IOB) Matter,	Division, IOB Matter 2003-139." (U)	

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. As reflected by the enclosure, the error was atypical and beyond the direct control of the FBI. (U)

#### Enclosure

1 - Mr. Szady			3.6
1 - Mr. Kelley		UNCLASSIFIED WHEN	b6 b70
1) - Mr.		DETACHED FROM	DIC
1 - 278-HQ-C1229736-	, 1831	CLASSIFIED ENCLOSURE	

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SECRET Hofmann-IOB-2481

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#### 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,

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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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C,D)

DECLASSIFY ON: 07-12-2035

	DIVISION  IOB MATTER 2003-139 (U)	b2 b7 <b>E</b>
	The Division ('") of the Federal Bureau of Investigation (FBI) has reported that, owing to an error on the part of conducted	l
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	the communications were not actually monitored or reviewed by FBI personnel.	,
	Although this error is not directly attributable to conduct on the part of FBI personnel, the unauthorized surveillance is nevertheless a reportable matter under Section 2.2 of Executive Order 12863. (U)	,

Derived From Director
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Hofmann-IOB-2483

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# FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

	INTELLIGENCE OVERSIGHT BOARD (10B) MATTER  FIELD OFFICE  IOB MATTER 2003-114 (U)	.b2 .b7 <b>E</b>
	On, theField Office ("") of the Federal Bureau of Investigation learned that an error had occurred in establishing a previously authorized	]
(5)		b1 b2 b4 b6 b7c b7D b7E
(S) —		
	While the error is not attributable to FBI personnel, the resulting is a matter reportable under Executive Order 12863.	1 1146 9/23/0:
	APPROVED: CHS Inspection	
	Derived from G-3 Declassify on X1 SECRET	

Hofmann-IOB-2494

DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-12-2010

September 26, 2003

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 letterhead memorandum (LHM) entitled "Intelligence Oversight Board (IOB) Matter, Field Office, IOB Matter 2003-114." (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.

#### Enclosure

1 -	Mr.			
1 -	Mr.	Kelley	•	
1	Mr.		7	
<b>(1)</b> -	Mr.			
4 -	- a1	8-4Q-Ci	229736-	1806

CLASSIFIED ENCLOSURE

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Dep. Dir
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OIT, of EEOA
Director's Office

Derived from Declassify

Hofmann-IOB-2497

**FBVDOJ** 

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 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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# FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

7	Page(s) withheld entirely at t statements, where indicated,		or more of the following		
	Deletions were made pursua material available for release		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.  Page(s) contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).				
	Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.				
7	Page(s) were not considered for release as they are duplicative of <u>Hofmann-IOB-1082</u> through Hofmann-IOB-1084				
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DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-12-2010

September 8, 2003

BY COURIER

SECRET Hofmann-IOB-2502

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 letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, , Federal

b7E

b6 b7C

Bureau of Investigation Headquarters (FBIHQ), 2003-58."

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

National Sec.

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& Cong. Affs.
Training
Mf. of EEOA
Director's Office

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#### <del>-Secret</del>

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 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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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE



DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER	•
	b2	
	b7E	
	FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ) (U)	
	2003-58	
	Investigation of this IOB matter has determined that,	
	on, theDivision (\mathbb{\mod}\max\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
ˈS)	on who	
ı <b>r</b>	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). Thus, continuation of the investigation required	
	that and (" ")	
	comply with the reporting requirements of the Attorney General	-1
		2
		об
	requirements. prepared and submitted an initial 90-day	57C
	letterhead memorandum (LHM) on setting forth	57E
	the basis for its initiation of a of the	
	subject. Due to administrative error,	
	failed to forward s 90-day LHM to the	
	Office of Intelligence Policy and Review (OIPR), Department of	
	Justice (DOJ), as required. The error went undetected until	
	when s first annual LHM was forwarded to	•
	the National Security Law Unit, FBIHQ, for submission to OIPR.	
	This error was further compounded by the failure of to	
	report this matter to the FBI's Inspection Division as a	
	potential IOB violation until	
	A copy of this submission to the IOB has been provided	
	to the FBI's Executive Assistant Director for Counterterrorism/	
	Counterintelligence for action deemed appropriate. (U)	
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	711 1 1	
	A "United States person" is defined in Section 101(i) of the	. 1
•		>2 >7 <b>Ε</b>
	permanent residence (as defined in section 101(a) (20) of the Immigration and	, , <u></u>
	Naturalization Act) " <u>See also</u> of the <u>Attorney General</u>	
	Guidelines for FBI Foreign Intelligence Collection and Foreign Counter-	
	intelligence Investigations. Hofmann-IOB-2504	

ON 07-12-2010 Ъ6 b7C May 7, 2003 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 b2 letterhead memorandum (LHM), entitled "Intelligence Oversight b7E Field Office, IOB Matter 2003-53." Board (IOB) Matter, (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. (U) Enclosure - Mr bб Mr. UNCLASSIFIED WHEN b7C MΥ FROM (278-HO-1421581-2) Dep. Dir. Chief of Staf CLASSIBIED ENCLOSURE Mr Off. of Gen. Counsel Asst. Dir.: Admin Ser Crim., bry. CHS Finance Declaseify Info. Res. Lab. National Sec. OPR Off. of Public Hofmann-IOB-2505 & Cong. Affs. Training Off. of EEOA Director's Office FRUDOI MAIL ROOM II

DECLASSIFIED BY 65179 DMH/PLJ/JN

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)  $\dot{\cdot}$ 

Sincerely,

Patrick W. Kelley Acting General Counsel

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Director	Gen. Counsel PRV	National Sec	Off. of Public &
Deputy Director	Info Res	Personnel	Cong. Alts

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SECRET Hofmann-IOB-2506 INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

2003-53 (U)

FIELD OFFICE

DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-12-2010

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Investigation of this IOB matter has determined that,	
on, the Field Office ('') of the	
Federal Bureau of Investigation (MEDIN) initiated a	
on an 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). Thus, continuation of the required that	b2
comple with the requirements of Decoutive Order 19969 and the	62 67E
Attorney General Guidelines for FBI Foreign Intelligence	
Collection and Foreign Counterintelligence Investigations (FCIG).	
During a file review conducted by the case agent on	
it was determined that as a consequence of administrative	
error, authority to continue the had expired on	
and that at least during the period of the overrun	

Derived from + G-3
Declassify on: X1

<del>- Secret</del>

This activity was inconsistent with the oversight requirements

prescribed in the FCIG, necessitating this report to the

Intelligence Oversight Board.

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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 of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.

Hofmann-IOB-2507

DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-12-2010

#### 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 b2 letterhead memorandum (LHM), entitled "Intelligence Oversight b7E Board (IOB) Matter, Division, IOB Matter 2003-03." (U)

The 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. As reflected by the enclosure, the error was atypical and beyond the direct control of the FBI. (U)

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Pirector's Office			•	•	SENTE COL
	•	MAIL ROOM []	•		-,

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. (0)

Sincerely,

Patrick W. Kelley Deputy General Counsel

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Training\_ inspection. Crim. Inv. Off. of EEO Laboratory CHS National Sec. Affairs\_ Finance\_ Off. of Public & Gen. Counsel Director Cong. Alls. Personnel Info, Res. Deputy Director

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Hofmann-IOB-2509

### SECRET

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

	INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION IOB MATTER 2003-03 (U)	b2 b7 <b>E</b>
(S) -	This report of a foreign intelligence surveillance error is related to an FBI of a "United States person" as that term is used in the Foreign Intelligence Surveillance Act (FISA). A of the subject was initiated by the Division on	b1 b2 b4 b6 b7c b7D
	The carrier was immediately contacted and appropriate steps were taken by the FBI and to sequester the unauthorized take for eventual destruction.	.b7E
	Declassify on: VI  SECTION TO SEC	02/20/6
	Director Gen. Counsel OFR Off. of Public Deputy Director Info: Res Personnel Cong. Affs  2/2003	c š
	(U) 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 of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.	b2 b7E
	Hofmann-IOB-2510	

DECLASSIFIED BY 65179 DMH/PLJ/JN ON 07-12-2010

February 26, 2003

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, Division, IOB
Matter 2003-01." (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. Counsel Asst. Dir.:		Mr. SSA OPR	Kelley Szady (IOB 2003-01)	unclassified when detached from classified enclosure	
Admin. Ser. Crim Inv. CJIS Finance Info: Res. Lab.				Derived from + G-3 Declassify on: X1	
National Sec. OPR OPR Off, of Public & Cong. Affs. Training Off, of EEOA Director's Office	_			<del>母母已程</del> Hofmann-IOB-2511	

FBI/DOI

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#### 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,

Patrick W. Kelley Deputy General Counsel

APPROVED:	CJIS		Off. of EEO
Director Deputy Director	Finance Gen. Counsel Info. Res	Mational Sec.  OPR  Personnel	Affairs Off. of Public & Cong. Affs

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ligence Investigations.



DATE: 07-12-2010

CLASSIFIED BY 65179 DMH/PLJ/JN

b7E

REASON: 1.4 (C)

DECLASSIFY ON: 07-12-2035

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER b2 DIVISION b?E DIVISION IOB MATTER 2003-01 (U) This report of a foreign intelligence surveillance angentially related to an FBI (S) b1 .a "United States person" as that term is used b2 in b6 b7C (X) b2 b7D b7E Follow-on steps have been taken by FBI Headquarters to ensure that the "take" and all related material will be submitted to , via the Office of Intelligence Policy and Review, Department of Justice, for destruction. Derived from : G-3 Declassify on: (0) ----1--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 seq.) as "a citizen of the United States [or] an alien lawfully admitted for b2

Hofmann-IOB-2513

permanent residence (as defined in section 101(a)(20) of the Immigration and Naturalization Act) . . . . " <u>See also</u> of the <u>Attorney General</u> <u>Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintel</u>

#### BY COURIER

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

Dear General Scowcroft:

This lett	cer forwards	for your infor	mation a self-
explanatory enclosi	<u>ire enti</u> tled	"Intelligence	Oversight Board
(IOB) Matter,	Divis	sion, IOB Matte	er 2004-42." (U)

b7E

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

#### Enclosure

1 - Mr. Szady 1 - Mr. Curran 1 - SSA | 1 - OPR 1 - 278-HQ-C1229736-VIO

UNCLASSIFIED WHEN DETACHED FROM CLASSIFIED ENCLOSURE

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)

Hofmann-IOB-2514

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b7C



### General Brent Scowcroft (USAF Retired)

Sincerely,

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

DATE: 07-06-2010 ALL INFORMATION CONTAINED CLASSIFIED BY 65179/DMH/PLJ/gdb HEREIN IS UNCLASSIFIED EXCEPT REASON: 1.4 (c) WHERE SHOWN OTHERWISE DECLASSIFY ON: 07-06-2035 (U) b2 b7E INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER DIVISION 2004-42 (U) ) Division of the Federal Bureau of Investigation has reported a period of b2 b7E (S)b1 (S) 🦏 b6 b7C (ន) ្រ b2 b7E (U)Approximately two months later, b2 b7E Derived from: G-3 Declassify on: X1 Hofmann-IOB-2516

3	Page(s) withheld entirely at this statements, where indicated, ex		ne or more of the following
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	Section 552		Section 552a
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Holmann-10B-2517 through Hollman-10B-2519

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Hofmann-IOB-2526 through Hoffman-IOB-2528

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Hofmann-IOB-2529 through Hoffman-IOB-2531



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Hofmann-IOB-2535 through Hoffman-IOB-2537

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# FEDERAL BUREAU OF INVESTIGATION FOIA/PA DELETED PAGE INFORMATION SHEET

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