



U.S. Department of Justice
Federal Bureau of Investigation

168

~~SECRET~~

Washington, D. C. 20535-0001

December 19, 2003

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

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, [redacted] Federal Bureau of Investigation Headquarters (FBI HQ), 2003-64"

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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. (U)

Enclosure

1 - Mr. Kelley

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1 - [redacted]

① 278-HQ-C1229736-VIO-285

Pull out

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived from : G-3~~

~~SECRET~~ Hofmann-IOB-103

~~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

- 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

~~SECRET~~

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

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FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ) (U)
2003-64

- (S) Investigation of this IOB matter has determined that, on [redacted] the [redacted] Division [redacted] initiated [redacted] of [redacted] who is a "United States person" [redacted]
- (S) Term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA).¹ Thus, continuation of the investigation required that [redacted] and [redacted] [redacted] comply with the reporting requirements of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). [redacted] and [redacted] failed to forward the 90-day LHM to the Office of Intelligence Policy and Review (OIPR), Department of Justice (DOJ), as required. On [redacted] [redacted] forwarded the annual LHM to [redacted] then sent the LHM to the National Security Law Branch for delivery to OIPR. This matter has been referred to the FBI's Office of Professional Responsibility for action deemed appropriate (X).
- (U)

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

*Pwr
DGC/OGC*

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: L.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

- (U) (S) 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 permanent residence (as defined in Section 101(a)(20) of the Immigration and Naturalization Act..." See also [redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.

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Hofmann-IOB-105

January 13, 2004
BY COURIER

45

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 self-explanatory enclosure entitled, "Intelligence Oversight Board (IOB) Matter, IOB 2003 97." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Classified by: 39645 NSA/OGC
Reason: 1.5(c)
Declassify on: X25-1~~

- 1 - Mr. Kelley *PAC*
- 1 - *(1)* 1 - IOB Library
- 1 - *(1)* -278-HQ-C1229736-VIO - 301

ALL, NSUS. CTU @ 12/18/03

~~SECRET~~

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Hofmann-IOB-106

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

~~SECRET~~

- 2 -

Hofmann-IOB-107

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB 2003 97 (U)

(S) Investigation of this IOB matter has determined that, a [redacted] of [redacted] 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),¹ was opened by the [redacted] Field Office of the Federal Bureau of Investigation ("FBI") on [redacted]. The initiation and continuation of [redacted] required that the [redacted] Field Office and [redacted] comply with the requirements of Executive Order 12863 and the FCIG. However, the [redacted] Field Office did not submit an initial 90-day letterhead memorandum to [redacted] until [redacted]. [redacted] submitted the initial 90-day letterhead memorandum on [redacted] 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.

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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~~

~~SECRET~~

(U) _____
(S) A "United States person" is defined in [redacted] of the FCIG as "an individual who is . . . [a] United States citizen . . . or . . . [b] a permanent resident alien"

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Hofmann-IOB-108

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~~SECRET~~

BY COURIER

163

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board February 2, 2004
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, [redacted] Federal Bureau of Investigation Headquarters (FBI HQ), 2003-96." (U)

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

Enclosure

- 1 - Mr. Pistole
 - 1 - OPR (IOB 2003-96).
 - 1 - [redacted]
 - ① - 278-HQ-C1229736-VIO - 319
- KWE:kwe (5) *KWE*

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~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~SECRET~~

Hofmann-IOB-109

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

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

APPROVED:

Crim. Inv.	Inspection	Training
CJS	Intelligence	Off. Sec.
Finance	Legal Sec.	Admin.
Director	Gen. Counsel	Off. of Cong. & Public Affs.
Deputy Director	Info. Res.	Personnel
		Comp. Affs.

PKW
pac
NSLB, PKW/KWC, 12/1/83
AKC, NSLB

~~SECRET~~

Hofmann-IOB-110

~~SECRET~~

~~INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER~~

[REDACTED]
FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBI HQ) (U)
2003-96

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(S) Investigation of this IOB matter has determined that, on [REDACTED] the [REDACTED] Division [REDACTED] initiated a [REDACTED] on [REDACTED]. Because the subject was and remains a "United States person" as that term is used in Section 101(i) of FISA¹, [REDACTED] and [REDACTED] [REDACTED] were required to comply with the requirements of Executive Order 12863 and the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). Consistent with those requirements, [REDACTED] prepared and submitted to FBI Headquarters on [REDACTED] an initial 90-day letterhead memorandum (LHM) setting forth the basis for its initiation of [REDACTED] of the subject. (S)

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(U) Due to administrative error, [REDACTED] failed to forward [REDACTED] 90-day LHM to the Office of Intelligence Policy and Review (OIPR), Department of Justice (DOJ), as required. The error went undetected until [REDACTED] when [REDACTED] 90-day LHM was forwarded to the National Security Law Unit, FBIHQ, for submission to OIPR. This error was further compounded by the failure of [REDACTED] to report this matter to the FBI's Office of the General Counsel as a potential IOB violation until [REDACTED]. Failure to forward the 90-day LHM was inconsistent with the oversight requirements prescribed in the FCIG, necessitating this report to the Intelligence Oversight Board. (S)

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

~~SECRET~~

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¹ (U) The Foreign Intelligence Surveillance Act (FISA) is codified at 50 U.S.C. § 1801 et seq.

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

February 2, 2004

163

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, [redacted] Federal Bureau of Investigation Headquarters (FBIHQ), 2003-153."

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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. (U)

Enclosure

1 - [redacted]
1 - 278-HQ-C1229736-VIO-321

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~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Derived from : G-3
Declassify on: K1~~

~~SECRET~~ Hofmann-IOB-112

~~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

APPROVED: Grim. Inv. _____ Inspection _____ Training _____
 GCS _____ Laboratory _____ Off. of SED _____
 Exec. _____ _____ _____
Director _____ Gen. Counsel *PWK* _____ _____
Deputy Director _____ Info. Res. _____ Personnel _____ Corp. Affs. _____

- 2 -

~~SECRET~~

Hofmann-IOB-113

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

[Redacted]

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FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ)
2003-153 (U)

(S) Investigation of this IOB matter has determined that,
on [Redacted], the [Redacted] Division [Redacted]
initiated a [Redacted] on [Redacted]

(S) [Redacted] who is a "United States person" as that term
is used in Section 101(i) of the Foreign Intelligence
Surveillance Act of 1978 (FISA).¹ Thus, continuation of the
investigation required that [Redacted] and [Redacted]
[Redacted] comply with the reporting
requirements of the Attorney General Guidelines for FBI Foreign
Intelligence Collection and Foreign Counterintelligence
Investigations (FCIG). Due to an administrative error, [Redacted]
[Redacted] failed to submit an initial 90-day letterhead memorandum
(LHM) setting forth the basis for its initiation of a [Redacted]
[Redacted] of the subject, as required by the FCIG. The error
went undetected until [Redacted] when the National Security
Law Unit, FBIHQ, notified [Redacted] of the possible IOB violation
after receiving the Annual Letterhead Memorandum on this case
from [Redacted]. This matter has been referred to the FBI's
Office of Professional Responsibility for action deemed
appropriate (S).

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

~~SECRET~~

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

(U) ~~(S)~~ 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
permanent residence (as defined in section 101(a)(20) of the Immigration and
Naturalization Act)" See also [Redacted] of the Attorney General
Guidelines for FBI Foreign Intelligence Collection and Foreign Counter-
intelligence Investigations.

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103

February 4, 2004

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 self-explanatory enclosure entitled, "Intelligence Oversight Board (IOB) Matter, IOB 2003 90." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Classified by: 39645, NSA/OGC
Reason: 1.5(C)
Declassify on: X25-1~~

- Dep. Dir. _____
- ADD Adm. _____
- ADD Inv. _____
- Asst. Dir.:
- Adm. Servs. _____ 1
- Crim. Inv. _____ 1
- Ident. _____ 1
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Plan. Mgt. _____
- Tech. Servs. _____
- Training _____
- Cong. Affs. Off. _____
- Off. of EEO _____
- Off. Liaison & Int. Affs. _____
- Off. of Public Affs. _____
- Telephone Rm. _____
- Director's Sec'y _____

1 - Mr. Kelley 1 - [redacted] MC
 1 - Mr. Curran 1 - IOB Library
 1 - [redacted] 278-HQ-C1229736-VIO - 324

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*Free doc/NOB 1/26/04
AVL, NSU, CTR, E*

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Director	Gen. Counsel	Info. Sec.	Inspection	Training
Asst. Dir.:	Adm. Servs.	Crim. Inv.	Ident.	Intell.
Lab.	Legal Coun.	Plan. Mgt.	Tech. Servs.	Training
Off. of EEO	Off. of Public Affs.	Off. Liaison & Int. Affs.	Director's Sec'y	MAIL ROOM <input type="checkbox"/>

~~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 for Intelligence Policy and Review
U.S. Department of Justice
Room [6000]

~~SECRET~~

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Hofmann-IOB-116

DATE: 06-29-2010

CLASSIFIED BY 65179 DMH/plj

REASON: 1.4 (c)

DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB 2003 90 (U)

(S) Investigation of this IOB matter has determined that, a [redacted] of [redacted]
 (S) [redacted] 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),¹
 was opened by the [redacted] Field Office of the Federal Bureau of Investigation ("FBI") on [redacted]
 [redacted]. The initiation and continuation of [redacted] required that the [redacted] Field Office and [redacted]
 [redacted] comply with the requirements of Executive Order 12863 and
 the FCIG. The [redacted] Field Office submitted an initial 90-day letterhead memorandum to [redacted]
 [redacted] on [redacted] but [redacted] did
 not submit the initial 90-day letterhead memorandum to the FBI's National Security Law Unit for
 dissemination to the Office of Intelligence Policy and Review (OIPR) of the United States
 Department of Justice until [redacted]. 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.

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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~~

~~SECRET~~

(U) _____
 (S) A "United States person" is defined in [redacted] of the FCIG as "an individual
 who is ... [a] United States citizen ... or ... [b] a permanent resident alien ..."

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Hofmann-IOB-117

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

163

February 4, 2004

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, [redacted] 2003-122." (U)

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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. Szady
- 1 - [redacted]
- 1 - Mr. Kelley
- 1 - Mr. Curran
- 1 - [redacted]

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~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

1 - OPR
① 278-HQ-C1229736-VIO - 327

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

~~SECRET~~

Hofmann-IOB-118

~~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

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

PK
WS
12-22-03
01-05-04

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INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

[Redacted]

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2003-122 (U)

(S) Investigation of this IOB matter has determined that, on [Redacted], the [Redacted] Division opened a [Redacted] [Redacted] on [Redacted] 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).¹ Thus, the continuation of the investigation required that [Redacted] and [Redacted]

[Redacted] -- comply with the requirements of Executive Order 12863 and the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG).² Consistent with those requirements, [Redacted] prepared and submitted an initial 90-day letterhead memorandum (LHM) on [Redacted] [Redacted] setting forth the basis for its initiation of a [Redacted] [Redacted] of the subject. [Redacted]

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failed to forward [Redacted] 90-day LHM to the FBI's Office of the General Counsel's National Security Law Branch (NSLB) for filing with the Office of Intelligence Policy and Review (OIPR), Department of Justice (DOJ), as required. The error went undetected until [Redacted] when the NSLB contacted [Redacted] to inform them that the NSLB had no record of a 90-day LHM. [Redacted]

[Redacted] has since filed the LHM with OIPR [Redacted], as required. This matter has also been referred to the FBI's Office of Professional Responsibility for action deemed appropriate. ~~SI~~

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

APPROVED:

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

See 1/20/04

¹ (U) The FISA is codified at 50 U.S.C. § 1801 et seq.

² (U) Since that time, the Attorney General has issued new guidelines for FBI National Security Investigations and Foreign Intelligence Collection, dated October 31, 2003. However, since the actions occurred prior to the issuance of the new guidelines, the old guidelines are cited herein.

February 4, 2004

35

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure, entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, 2004-06."

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b7E

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. 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. Pistole
- 1 - [redacted]
- 1 - [redacted]
- 1 - [redacted]
- 1 - OPR

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~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. Counsel _____
- Asst. Dir.: _____
- Admin. Serv. _____
- Crim. Inv. _____
- CIIS _____
- Finance _____
- Info. Res. _____
- Lab. _____
- National Sec. _____
- OPR _____
- Off. of Public & Cong. Affs. _____
- Training _____
- Off. of EBOA _____
- Director's Office _____

① - 218-HQ-C1229736-V70-332

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

~~SECRET~~

Hofmann-IOB-121

~~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,

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 for Intelligence Policy, OIPR
U.S. Department of Justice

JFC OGC/sec ↓

APPROVED: _____

Adm. Serv.	Gen. Counsel	Metrol. Sec.
CJS	Int. Sec.	OS/ISA
Crim. Inv.	Int. Aff.	Off. of Cong. & Public Affairs
Director	Int. Sec.	Rec. Mgmt.
Deputy Director	Finance	Training

~~SECRET~~

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ) (U)
2004-06

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(S) Investigation of this IOB matter has revealed that on [redacted] the [redacted] Division initiated a [redacted] of [redacted] a United States person. Due to administrative error, [redacted] failed to forward the 90 day LHM, due on [redacted] to the National Security Law Branch (NSLB), OGC, for submission to the Office of Intelligence Policy and Review (OIPR), Department of Justice (DOJ), as required by the FCIG. This error was not noted until [redacted] when the [redacted] forwarded the annual LHM to NSLB. As a result of the error, OIPR was not advised of the status of the ongoing investigation for approximately one year.

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A copy of this submission to the IOB has been provided to the FBI's Executive Assistant Director for Counterterrorism/Counterintelligence and to the Office of Professional Responsibility for action as deemed appropriate.
(U)

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

~~SECRET~~

*see doc
NSLB 1/28/04*

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

Hofmann-IOB-123

February 4, 2004

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 self-explanatory enclosure entitled, "Intelligence Oversight Board (IOB) Matter, IOB 2003 131." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Classified by: 39645 NSA/OGC
Reason: 1.5(c)
Declassify on: X25-1~~

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

1 - Mr. Kelley 1 - IOB Library
1 - [redacted] 278-HQ-C1229736-VIO-334

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b7c

~~SECRET~~

Hofmann-IOB-124

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

APPROVED: *JAC 1/27/03*

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

b7c b7d

~~SECRET~~
-2-

Hofmann-IOB-125

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 07-28-2010
CLASSIFIED BY 65179/DMH/PLJ/sdb
REASON: 1.4 (c)
DECLASSIFY ON: 07-28-2035

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB 2003 131 (U)

(S) Inquiry has determined that the Federal Bureau of
Investigation (FBI) [redacted]

[Large redacted area]

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b1

dissemination to the intelligence community was [redacted] ~~(S)~~

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

06C
77C 1/27/04

APPROVED:

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

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

~~SECRET~~

Hofmann-IOB-126

DECLASSIFIED BY 65179 DMH/plj
ON 06-30-2010

35

February 5, 2004
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 145." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

① 278-40-C1229726 -V70-336

- Dep. Dir. _____
- ADD Adm. _____
- ADD Inv. _____
- Asst. Dir.:
- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Cong. Affs. Off. _____
- Off. of EEO _____
- Off. Liaison & Int. Affs. _____
- Off. of Public Affs. _____
- Telephone Rm. _____
- Director's Sec'y _____

Handwritten initials/signature

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

~~SECRET~~

Hofmann-IOB-127

MAIL ROOM

~~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 Baker
Counsel for Intelligence Policy, OIPR
U.S. Department of Justice

~~SECRET~~

Hofmann-IOB-128

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB 2003 145 (U)

(S) Investigation of this IOB matter has determined that, on [redacted], the [redacted] Field Office of the Federal Bureau of Investigation ("FBI") requested initiation of a [redacted] [redacted] of [redacted] 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).¹ Thus the initiation and continuation of [redacted] required FBI [redacted] and [redacted] [redacted] to comply with the requirements of Executive Order 12863 and the FCIG. FBI [redacted] submitted its initial 90-day letterhead memorandum and two subsequent annual memoranda in a timely fashion. However, after the investigation was transferred to FBI [redacted], the annual memorandum was filed approximately fifteen months later than required. As a result of the delinquent LHM, OIPR was not properly advised of the initiation of [redacted] in accordance with [redacted] of the FCIG. This delayed reporting clearly 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. This matter has been referred to the FBI's Office of Professional Responsibility for review and action deemed appropriate.

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

(U) _____
¹(S) A "United States person" is defined in [redacted] of the FCIG as "an individual who is ... [a] United States citizen ... or ... [b] a permanent resident alien ..."

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b7E

~~SECRET~~

DECLASSIFIED BY 65179 DMH/plj
ON 06-30-2010

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, IOB Matter 2004-05." (U)

b2
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 [redacted]
- 1 - OPR
- ① - 278-HQ-C1229736-VIO-339

b6
b7C

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

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

~~SECRET~~ Hofmann-IOB-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,

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

APPROVED:

Lab JFC

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

- 2 -

~~SECRET~~

Hofmann-IOB-131

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[REDACTED] DIVISION
IOB MATTER 2004-05 (U)

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The [REDACTED] Division of the Federal Bureau of Investigation ("FBI") has reported that, as a consequence of an operational error, one of its Special Agents conducted an

(S) [REDACTED] captioned [REDACTED]. In this regard, before the search was conducted, the case agent correctly sought emergency court authorization through FBI Headquarters and the Office of the Attorney General of the United States to execute a [REDACTED] on the morning of [REDACTED].

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[REDACTED] During the period after the search was conducted and prior to its being authorized by the Attorney General, the [REDACTED] Division realized what had occurred, and the case agent was immediately contacted and instructed not to disclose the contents of the document to anyone and to destroy any copies of the searched document which had been made. This was done, and a different Special Agent was subsequently assigned to conduct a second search after the requisite search authority had been obtained. The circumstances surrounding the initial unauthorized search have been reported to the Office of Intelligence Policy and Review, Department of Justice, and to the FBI's Office of Professional Responsibility for appropriate disposition.

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

~~SECRET~~

Hofmann-IOB-132

DECLASSIFIED BY 65179 DMH/plj
ON 06-30-2010

February 5, 2004

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, IOB Matter 2004-04." (U)

b2
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 [redacted]
- 1 - OPR

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① 278-HQ-C1229736-VIO-341

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

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

~~SECRET~~

Hofmann IOB-133

~~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,

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

WS *per office*

APPROVED:	Crim. Inv. _____	Inspection _____	Training _____
	CJS _____	Laboratory _____	OM or EEO _____
	Finance _____	National Sec. _____	Att'ys _____
Director _____	Gen. Counsel _____	OPR _____	Off. of Pub. & _____
Deputy Director _____	Info. Res. _____	Personnel _____	Cong. Affs. _____

- 2 -

~~SECRET~~

Hofmann-IOB-134

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
IOB MATTER 2004-04 (U)

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(S) The Federal Bureau of Investigation ("FBI") has
(S) determined that in conducting a [redacted] on [redacted]
[redacted] a permanent resident alien, the FBI failed to comply
with the annual reporting requirement prescribed in [redacted]
of the Attorney General Guidelines for FBI Foreign Intelligence
Collection and Foreign Counterintelligence Investigations
(FCIG).¹ In this regard, on [redacted] the [redacted]
Division [redacted] on
the subject [redacted]. Because
the subject was (and remains) a "United States person"² as that
term is defined in Section 1801(i) of the Foreign Intelligence
Surveillance Act (FISA), continuation of the [redacted]
required that [redacted] comply with the reporting requirements of
Executive Order 12863 and the FCIG. Due to administrative error,
[redacted] failed to submit the annual letterhead memorandum (LHM)
due in [redacted] until [redacted]. This eight-month
delay precluded the Office of Intelligence Policy and Review,
Department of Justice, from exercising its responsibility for
oversight and review of an ongoing [redacted] of a
U.S. person. The matter has been reported to the FBI's Office
of Professional Responsibility for action deemed appropriate.
(S)

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APPROVED: Crim. Inv. _____ Inspection _____ Training _____
 CNS _____ Laboratory _____ Off. of EEO _____
Derived from: G-3 Finance _____ National Sec. _____ Affairs _____
Declassification: X1 Gen. Counsel [initials] CFR _____ Off. of Public & _____
 Deputy Director _____ Info. Res. _____ Personnel _____ Cong. Affs. _____

~~SECRET~~

1/25/04
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(U) ~~(S)~~ Although the FCIG were superseded on October 31, 2003 by the
Attorney General's Guidelines for FBI National Security Investigations and
Foreign Intelligence Collection (NSIG), "[a]ctivities commenced under the
FCIG [are 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.

(U) ~~(S)~~ A "United States person" is defined in Section 101(i) of the
FISA (codified at 50 U.S.C. § 1801 et seq.) as "a citizen of the United States
[or] an alien lawfully admitted for permanent residence (as defined in section
101(a)(20) of the Immigration and Naturalization Act)" See also
[redacted] of the FCIG.

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b7E

January 20, 2004

BY COURIER

190

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board Matter, IOB Matter 2004-11." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

Classified by: 39645, NSA/OGC
Reason: 1.5(c)
Declassify on: X25-1

- 1 - Mr. Curran
- 1 -
- 1 -
- 1 - IOB Library
- 1 - 278-HQ-C1229736-VIO-345
- Asst. Dir.:
- Admin. Ser. _____
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Lab. _____
- National Sec. _____
- OPR _____
- Off. of Public & Cong. Affs. _____
- Training _____
- Off. of EEOA _____
- Director's Office _____

JTC 06C/06C 1/28/04
ALL, 06C/NSL DICTU B
CMU, 06C/NSL/CTU II
1/15/04

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b7c

~~SECRET~~ Hofmann-IOB-136

~~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,

John F. Curran
Deputy General Counsel

- 1 - The Honorable John D. Ashcroft
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
- 1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~ Hofmann-IOB-137

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2004-11

(S) Investigation of this IOB matter has determined that on [redacted] the [redacted] Division initiated a [redacted] of [redacted] a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. Section 1801 et seq. Pursuant to [redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG), [redacted] was required to complete its [redacted] within 120 days of initiation or obtain an extension from the SAC, who is authorized to grant 90-day extensions for a period of up to one year. The [redacted] Division did not obtain the SAC's authorization to extend the [redacted] beyond the original 120-day period, which ended on [redacted] until [redacted] more than three months after the request was due.

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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~~

~~SECRET~~

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

*Joe OGC/DOC/1/2/04
AUL, OGC/NSUS/CTW/D
CWS, OGC/NSUS/CTW/D
1/15/04*

Hofmann-IOB-138

January 20, 2004

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. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board Matter, IOB Matter 2003-102." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

Classified by: 11109, ITOS1/CTD
Reason: 1.5(c)
Declassify on: X25-1

- 1 - Mr. Curran *JAC*
 - 1 - *AKC, OGC/NSIC/CTWII*
 - 1 - *CMW, OGC/NSIC/CTWII*
 - 1 - IOB Library *1/12/04*
- 9 - 278-HQ-C1229736-VIO - 348**
- Dep. Dir. _____
 - Chief of Staff _____
 - Off. of Gen. Counsel _____
 - Asst. Dir. _____
 - Admin. Serv. _____
 - Crim. Inv. _____
 - CJIS _____
 - Finance _____
 - Info. Res. _____
 - Lab. _____
 - National Sec. _____
 - OPR _____
 - Off. of Public & Cong. Affs. _____
 - Training _____
 - Off. of EEOA _____
 - Director's Office _____

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~~SECRET~~

Hofmann-IOB-139

~~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,

John F. Curran
Deputy General Counsel

- 1 - The Honorable John D. Ashcroft
Attorney General
U.S. Department of Justice
Room 5111
- 1 - Mr. James A. Baker
Counsel, Office of Intelligence Policy and Review
U.S. Department of Justice
- 1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~

Hofmann-IOB-140

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2003-102

(S) Investigation of this IOB matter has determined that on [redacted] the [redacted] Field Office initiated a [redacted] of [redacted] a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. Section 1801 et seq. Pursuant to [redacted] of the FCIG, each [redacted] of a U.S. person must be reported to OIPR within 90 days of initiation. The [redacted] Division did not forward the 90-day LHM to FBI headquarters for forwarding to OIPR until [redacted] four months after it was due.

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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~~

~~SECRET~~

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

jre oge/dac

*Cms, oge/nsrb crm #
1/12/04*

Hofmann-IOB-141

All, nsrb/otw #

January 20, 2004

BY COURIER

190

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board Matter, IOB Matter 2003-88." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

Classified by: 11109, FOS1/CTD
Reason: 1.5(c)
Declassify on: X25-1

1 - Mr. Curran JPC b6c/obc 1/28/04
1 - [Redacted] AKL, NSUB/CTLU II
1 - [Redacted] CMW, obcl NSUB/CTLU II
1 - IOB Library
278-HQ-C1229736-VIO -352 1/12/04

b6
b7c

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

~~SECRET~~ Hofmann-IOB-142

~~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,

John F. Curran
Deputy General Counsel

- 1 - The Honorable John D. Ashcroft
Attorney General
U.S. Department of Justice
Room 5111
- 1 - Mr. James A. Baker
Counsel, Office of Intelligence Policy and Review
U.S. Department of Justice
- 1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~ Hofmann-IOB-143

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2003-88

(S)

Investigation of this IOB matter has determined that on [redacted], the [redacted] Field Office initiated a [redacted] of [redacted] a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. Section 1801 et seq. Pursuant to [redacted] of the FCIG, each [redacted] of a U.S. person must be reported to OIPR within 90 days of initiation. The [redacted] Division did not forward the 90-day LHM to FBI headquarters for forwarding to OIPR until [redacted] four months after it was due.

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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~~

~~SECRET~~

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

for OGC/SEC 1/28/04

CMW, OGC/NSA/CTU II 1/2/04

Hofmann-IOB-144

APL, NSA/CTU II

January 20, 2004

BY COURIER

190

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board Matter, IOB Matter 2003-80." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Classified by: 11109, ITOS1/CTD
Reason: 1.5(c)
Declassify on: X25-1~~

- 1 - Mr. Curran *see OIG/NSLB/DC 1/28/04*
 - 1 - *AKL, OIG/NSLB/CTD II*
 - 1 - *CMU, OIG/NSLB/CTD II*
 - 1 - IOB Library *1/12/04*
- 278-HQ-C1229736-VIO -354

b6
b7c

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. Counsel _____
- Asst. Dir.: 1 _____
- Admin. Serv. _____
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Lab. _____
- National Sec. _____
- OPR _____
- Off. of Public & Cong. Affs. _____
- Training _____
- Off. of EEOA _____
- Director's Office _____

~~SECRET~~ Hofmann-IOB-145

~~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,

John F. Curran
Deputy General Counsel

- 1 - The Honorable John D. Ashcroft
Attorney General
U.S. Department of Justice
Room 5111
- 1 - Mr. James A. Baker
Counsel, Office of Intelligence Policy and Review
U.S. Department of Justice
- 1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~ Hofmann-IOB-146

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2003-80

(S) Investigation of this IOB matter has determined that on [redacted], the [redacted] Field Office initiated a [redacted] of [redacted] a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. Section 1801 et seq. Pursuant to [redacted] of the FCIG, each [redacted] of a U.S. person must be reported to OIPR within 90 days of initiation. The [redacted] Division did not forward the 90-day LHM to FBI headquarters for forwarding to OIPR until [redacted] four months after it was due.

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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~~

~~SECRET~~

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

p7c doc/oc 11/28/04
CMW, oge/NSLB/CTW 11/28/04

Hofmann-IOB-147

AKC, CTW II

January 10, 2004

BY COURIER

190

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board Matter, IOB Matter 2002-69." (U)

The enclosure sets forth details of investigative activity which the FBI has determined was conducted contrary to the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. Section 1801 et seq., which governs FBI foreign counterintelligence and international terrorism investigations. (U)

Enclosure

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Classified by: 39645, NSA/OGC
Reason: 1.5(c)
Declassify on: X25-1~~

1 - Mr. Curran

1 - [Redacted]

1 - [Redacted]

1 - IOB Library

*etc 1/26/04
all, osc/wsm, c/ib, y
cmw, ogel/NSA/CTU/II*

278-HQ-C1229736-VIO - 358

b6
b7C

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

~~SECRET~~ Hofmann-IOB-148

~~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,

John F. Curran
Deputy General Counsel

1 - The Honorable John D. Ashcroft
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

1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~

Hofmann-IOB-149

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2002-69

(S) Investigation of this IOB matter has determined that, on [redacted] a [redacted] [redacted] was initiated of possible espionage by [redacted] a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA), 50 U.S.C. Section 1801 et seq. On [redacted] a federal grand jury subpoena was drafted [redacted] It was served on [redacted] [redacted] without prior authorization from the Attorney General. [redacted] [redacted] derived information may not be disclosed for law enforcement purposes or used in a criminal proceeding without prior authorization of the Attorney General. Pursuant to a memorandum of the Attorney General dated [redacted]

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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~~

~~SECRET~~

fzc OGC/OGC / 1/26/04

*CMW, OGC/NSIC/OTL II
1/8/04
AKL, OGC/NSIC 1/11/04*

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

Hofmann-IOB-150

January 10, 2007

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. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board Matter, IOB Matter 2002-78." (U)

The enclosure sets forth details of investigative activity which the FBI has determined was conducted contrary to the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. Section 1801 et seq., which governs FBI foreign counterintelligence and international terrorism investigations. (U)

Enclosure

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

Classified by: 39645, NSA/OGC
Reason: 1.5(c)
Declassify on: X25-1

1 - Mr. Curran *JAE 1/26/07*

1 - [Redacted] *AKL, NSUB/CTV02 1/11/07*

1 - [Redacted] *CMUO, OGC/NSUB/CTV02*

1 - IOB Library *1/15/07*

278-HQ-C1229736-VIO - 360

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b7c

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

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-151

~~SECRET~~

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. James Baker
Counsel
Office of Intelligence Policy and Review
U.S. Department of Justice
- 1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~

Hofmann-IOB-152

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2002-78

(S) Investigation of this IOB matter has determined that on [redacted] the [redacted] Division initiated a [redacted] of [redacted] a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA), 50 U.S.C. Section 1801 et seq. The [redacted] Division received authorization [redacted] to conduct [redacted] of [redacted].
(S) [redacted] The [redacted] authorizing [redacted] were of ninety-days duration [redacted] On [redacted] the FBI searched [redacted] residence. On [redacted] the [redacted] Division forwarded [redacted] to FBI headquarters, and on [redacted] FBI headquarters forwarded [redacted] to OIPR for filing. On [redacted] FBI headquarters asked OIPR to obtain another extension of [redacted] It did not request a renewal of the [redacted] order at that time. Sometime thereafter, the [redacted] Division encountered technical difficulties with its [redacted] and asked that the renewal request include approval for [redacted] residence so that when the necessary adjustments were made to [redacted] a [redacted] could be conducted. [redacted]

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When questioned, OIPR stated that there was not enough time to request renewal of [redacted] authorization by the [redacted] court deadline. On [redacted] the FBI provided OIPR with its recommended changes to [redacted] package. The following day, [redacted] OIPR forwarded a final package to FBI headquarters for signature by the Supervisory Special Agent and certification by the Director. Despite the fact that OIPR had previously stated that there was insufficient time to request authorization for [redacted] the final package included a request to continue the [redacted] authorization. FBI headquarters did not have sufficient time to forward the [redacted] declaration, by secure facsimile, to the [redacted] Division for review. Unbeknownst to the Supervisory Special Agent at headquarters who signed the [redacted] declaration, it included an incorrect statement that the FBI had not conducted a [redacted] during the prior 90-day authorization period and was, therefore, requesting an additional 90 days in which to conduct it.

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

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

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

~~SECRET~~

*JPC 066 1/24/04
Cms, ogcl/ocsl/otulit
11/8/04*

Hoffmann-IOB-153

January 10, 2004

BY COURIER

190

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled
"Intelligence Oversight Board Matter, IOB Matter 2003-55." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

~~Classified by: 39645 NSA/OGC
Reason: 1.5(c)
Declassify on: X25-1~~

- 1 - Mr. Curran *for DDC/OGC 1/26/04*
 - 1 - *MU, OGC/USVS*
 - 1 - *MU, OGC/NSA/OTLU II*
 - 1 - IOB Library *1/2/04*
- 278-HQ-C1229736-VIO-362*

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- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. Counsel _____
- Asst. Dir. _____
- Admin. Serv. _____
- Crim. Inv. _____
- CIIS _____
- Finance _____
- Info. Res. _____
- Lab. _____
- National Sec. _____
- OPR _____
- Off. of Public & Cong. Affs. _____
- Training _____
- Off. of EEOA _____
- Director's Office _____

~~SECRET~~ Hofmann-IOB-154

~~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,

John F. Curran
Deputy General Counsel

1 - The Honorable John D. Ashcroft
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

1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~ Hofmann-IOB-155

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2002-55

(S) Investigation of this IOB matter has determined that, on [redacted] the [redacted] Division initiated a [redacted] of [redacted] who is a "U.S. person" as that term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA). Pursuant to [redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG),¹ notification of the investigation was due to the Office of Intelligence Policy and Review (OIPR) within 90 days of its initiation. On [redacted] [redacted], the [redacted] Division uploaded the required notification, a 90-day LHM, into the FBI's Automated Case Support (ACS). The 90-day LHM was directed to the Counterintelligence Division. According to the Counterintelligence Division's records, it did not receive a hardcopy of the 90-day LHM until [redacted] six months after it was uploaded into ACS, at which time it was forwarded to NSLB for forwarding to OIPR.

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Investigation of this matter has further determined that on [redacted] the [redacted] Division uploaded the required annual notification, the [redacted] LHM, into ACS. Pursuant to [redacted] of the FCIG, the FBI is required to furnish to the Attorney General or his designee a summary of each investigation at the end of each year the investigation continues. Although the Counterterrorism Division's records reveal that the [redacted] LHM was forwarded to NSLB soon after it was received in [redacted] NSLB has no record of receipt. Accordingly, the [redacted] LHM was not forwarded to the Attorney General of his designee when it was due.

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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~~

~~SECRET~~

*YTC dec/ogc 1/26/04
CWS, OGCI/NSLB/CIT/II
1/28/04*

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

¹ Although the FCIG was superseded on October 31, 2003 by the Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG), "activities commenced under the FCIG [are to be] continued and completed under the FCIG, notwithstanding the adoption of the NSIG." October 31, 2003 Memorandum of Attorney General John Ashcroft.

Hofmann-IOB-156

DECLASSIFIED BY 65179 DMH/plj
ON 06-30-2010

January 21, 2004

BY COURIER

117

General Brent Scowcroft (USAF Retired)
Chairman
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street, N.W.
Washington, D.C. 20530

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board Matter, IOB Matter 2004-20." (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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~
Classified by: 39645, NSA/OGC
Reason: 1.5(c)
Declassify on: X25-1

1 - Mr. Curran

1 - [Redacted]

1 - IOB Library

278-HQ-C1229736-VIO-364

*for doc/doc 1/28/04
Att. OGC/NSA/CIA/DOJ 1/16/04
CMA, OGC/NSA/OTLW 1/15/04*

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

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~~SECRET~~ Hofmann-IOB-157

~~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,

John F. Curran
Deputy General Counsel

- 1 - The Honorable John D. Ashcroft
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
- 1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
20 Massachusetts Ave., Suite 5100

- 2 -

~~SECRET~~

Hofmann-IOB-158

DATE: 06-30-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-30-2035

INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB MATTER 2004-20

(S) Investigation of this IOB matter has determined that on [redacted] the [redacted] Field Office initiated a [redacted] of [redacted] a "United States person" as that term is defined in Section 1801(i) of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. Section 1801 et seq. Pursuant to [redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG), the FBI is required to furnish to the Attorney General or his designee a summary of each investigation at the end of each year the investigation continues. The [redacted] Field Office did not submit an annual report for the year [redacted]

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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~~

~~SECRET~~

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

for OGC/DOC 1/23/04
CMO, OGC/NSL/CIA II
1/15/04

AKL NSC Hofmann-IOB-159

82

February 27, 2004

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, IOB Matter 2004-22." (U)

b2
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 [redacted]
- 1 - OPR
- 1 - 278-HQ-C1229736-VIO-380

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~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

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

~~SECRET~~ Hofmann-IOB-160

~~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,

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

JFK
2/13/04

APPROVED: *JAC 2/25/04*

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

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c, d)
DECLASSIFY ON: 06-29-2035

INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
IOB MATTER 2004-22 (U)

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(U) ~~(S)~~ The [redacted] Division [redacted] of the
Federal Bureau of Investigation ("FBI") has reported several
[redacted] errors in conjunction with that
(S) [redacted] division's ongoing [redacted] of the
[redacted] In
this regard, [redacted]

(S) [redacted]
(S) [redacted] subsequently determined that a typo-
graphical error was made when authority to continue coverage
(S) of [redacted] was sought via FBI Headquarters. [redacted]
intended for surveillance was [redacted] The error resulted
(S) in a series of [redacted]

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(S) [redacted] As soon as the error was realized on [redacted]
[redacted] was transferred from [redacted]
[redacted]
was forwarded to FBI Headquarters for submission to the Office of
Intelligence Policy and Review (OIPR), Department of Justice [redacted]
[redacted] for destruction.

(U) ~~(S)~~ The [redacted] did not end there, however.
[redacted] further reported that, on [redacted], [redacted]
learned that the recording system used by its contractor [redacted]
[redacted] failed to maintain the program changes initiated
by [redacted] Information Systems Administrator when the first
[redacted] was discovered on [redacted]. This resulted
in the collection of [redacted] additional unauthorized [redacted] between
[redacted] and [redacted]. This material was also
sequestered and submitted to OIPR and the [redacted] for destruction.

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b7E

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

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

f7c 2/25/04

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

Hofmann-IOB-162

*JMMS
2/17/04*

187

February 27, 2004

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, IOB Matter 2004-23." (U)

b2
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 - [redacted]
- 1 - OPR

b6
b7C

① - 278-HQ-C1229736-VIO-382

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

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

~~SECRET~~ Hofmann-IOB-163

~~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,

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

NAMS
2/13/04

APPROVED: *jc*

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

- 2 -

~~SECRET~~ Hofmann-IOB-164

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
IOB MATTER 2004-23 (U)

b2
b7E

(U) ~~(S)~~ The [redacted] Division [redacted] of the Federal Bureau of Investigation ("FBI") has reported that, as a consequence of an inadvertent oversight by a contract computer technician, [redacted] collected [redacted] beyond the period authorized for [redacted]

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(S) [redacted] in an ongoing [redacted] on [redacted] a "United States person" as that term is used in Section 101 of the Foreign Intelligence Surveillance Act (FISA).

(U) ~~(S)~~ On [redacted] authorized the continuation of [redacted] of the subject. Authority for that surveillance ended on [redacted]. On [redacted] the case agent realized [redacted] that additional [redacted] and [redacted] during the period between [redacted] and [redacted]. This collection was unauthorized. Once the error was realized, the complete electronic record [redacted] was transferred from [redacted] computerized recording equipment to a computer disk, and the disk and all associated copies of the documents were forwarded to FBI Headquarters for submission to the Office of Intelligence Policy and Review, Department of Justice [redacted] for eventual destruction. [redacted] later determined that this unauthorized collection occurred because [redacted] was being monitored by a contract employee using a separate piece of computerized equipment [redacted]. The error has been reported to the FBI's Office of Professional Responsibility for action deemed appropriate.

b2
b7E

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

JUN 15
2/13/04

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

2/27/04

February 27, 2004

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 Bureau of Investigation Headquarters (FBI HQ), 2003-159."

b2
b7E

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. (U)

Enclosure

1 - Mr. Pistole

1 -

① - 278-HQ-C1229736-VIO-384

b6
b7C

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

IPC Sec/06c

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

Hofmann-IOB-166

~~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,

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

- 2 -

~~SECRET~~

Hofmann-IOB-167

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

[Redacted]

FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ)
2003-159 (U)

b2
b7E

(S) Investigation of this IOB matter has determined that, on [Redacted] the [Redacted] Division [Redacted] initiated a [Redacted] of [Redacted] who is a "United States person" as that term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA).¹ Thus, continuation of the [Redacted] required that [Redacted] comply with the requirements of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). [Redacted] extended the [Redacted] on [Redacted], which then expired on [Redacted]. On [Redacted], [Redacted] sought FBI Headquarter's approval to extend the [Redacted] beyond one year. This extension request was submitted more than three months after the original due date of the extension request. This matter has been referred to the FBI's Office of Professional Responsibility for action deemed appropriate.

b1
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b7C
b7E

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

~~SECRET~~

for OGC/DC

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

(U) ~~(S)~~ 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 permanent residence (as defined in section 101(a)(20) of the Immigration and Naturalization Act)" See also [Redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.

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b7E

Nonmain IOB-158

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

2004

March 4, 2004

BY COURIER

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

Dear General Scowcroft:

Attached for your information is a self-explanatory enclosure, entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, IOB Matter 2003-12." (U)

b2
b7E

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. (U)

Enclosure

1 - [redacted]
① 278-HQ-C1229736-VIO - 386

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

b6
b7C

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

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

~~SECRET~~

Hofmann-IOB-169

~~SECRET~~

General Brent Scowcroft (USAF Retired)

~~SECRET~~

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,

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 Jerrett
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

APPROVED:

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

JACC also NSC/IC/O

~~SECRET~~

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
2003-12 (U)

b2
b7E

(S) Investigation of this IOB matter has determined that, on [redacted] the [redacted] Division of the Federal Bureau of Investigation ("FBI") initiated a [redacted] on [redacted] who was a "United States person" as that term is used in the then existing Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG).¹ Thus, continuation of [redacted] required that [redacted] comply with the requirements of Executive Order 12863 and the FCIG. However, due to several administrative errors, the [redacted] Division untimely and improperly extended [redacted] on several occasions. These administrative errors created significant periods of time in which proper oversight was not exercised. This activity was inconsistent with the oversight requirements prescribed in the FCIG, necessitating this report to the Intelligence Oversight Board. (S)

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

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

~~SECRET~~

APPROVED:

Director _____
Deputy Director _____

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

Handwritten: jae a/ao
NSIC/CICU
Signature

(U) ¹ ~~(S)~~ A "United States person" is defined in [redacted] of the FCIG as "an individual who is. . . [a] United States citizen . . . or . . . [b] a permanent resident alien" On 10/31/03, the FCIG were superseded by the Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG). However, because this potential error occurred while the FCIG were in effect, the potential error is analyzed within the context of the then existing FCIG.

b2
b7E

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

2004

March 4, 2004

BY COURIER

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

Dear General Scowcroft:

Attached for your information is a self-explanatory enclosure, entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division and Counterterrorism Division, 2002-74." (U)

b2
b7E

This enclosure sets forth details of investigative activity which the FBI has determined was conducted contrary to the then existing 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 - [redacted]
① 278-HQ-C1229736-VIO - 388

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

b6
b7C

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

~~Derived from : G-3
Declassify on: X25-1
SECRET
Hofmann-IOB-172~~

~~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,

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 Jerrett
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

JAC 2/20

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

*NSL/MC/LO
LW*

- 2 -

~~SECRET~~

Hofmann-IOB-173

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION AND
COUNTERTERRORISM DIVISION
2002-74 (U)

b2
b7E

(S) Investigation of this IOB matter has determined that,
on [redacted] the [redacted] Division obtained an order,
[redacted] who was
a "United States person" as that term is used in Foreign
Intelligence Surveillance Act of 1978 (FISA).¹ The declaration
provided by the FBI [redacted] for
[redacted] of the target provided incorrect
information. The declaration referred to a previously installed
audio [redacted] of other subjects at the same
location and specifically described how the surveillance is being
conducted. However, the technology to implement this
surveillance was never installed.² The inaccurate
representations in the declaration submitted [redacted] were
material misstatements of fact, contrary to the Executive Order
12333 and [redacted] thus requiring an IOB reporting. ~~187~~

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

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

~~SECRET~~ APPROVED:

NSL/CIC/D
fac/1/20
Crim. Inv. _____ Inspection _____ Training _____
CJIS _____ Laboratory _____ Off. of EEO _____
Finance _____ National Sec. _____ Affairs _____
Director _____ Gen. Counsel _____ OPR _____ Off. of Public & _____
Deputy Director _____ Info. Res. _____ Personnel _____ Cong. Affs. _____

¹ (U) The FISA is codified at 50 U.S.C. 1801 et seq. A "United States person" is defined in Section 101(i) of the FISA as: "a citizen of the United States, [or] an alien lawfully admitted for permanent residence"

² (U) The Office of Intelligence Policy and Review was timely notified of this error.

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

March 4, 2004

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 Bureau of Investigation Headquarters (FBI HQ), 2004-16."

b2
b7E

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. (U)

Enclosure

1 - Mr. Pistole

1 -

1 - 278-HQ-C1229736-VIO-390

b6
b7C

APPROVED:	Crim. Inv. _____	Inspection _____	Training _____
	GIS _____	Laboratory _____	Off. of SFO _____
	Finance _____	Ident. Sec. _____	Adm. _____
	Director _____	Gen. Counsel _____	Asst. Dir. of Public Aff. _____
Deputy Director _____	Info. Res. _____	Personnel _____	Comp. Affs. _____

jpc

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

Hofmann-IOB-175

~~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,

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

- 2 -

~~SECRET~~

Hofmann-IOB-176

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

[REDACTED]
FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ)
2004-16 (U)

Investigation of this IOB matter has determined that,
on [REDACTED] the [REDACTED] Division [REDACTED] initiated
(S) a [REDACTED] of [REDACTED] who is a "United
States person" as that term is used in Section 101(i) of the
Foreign Intelligence Surveillance Act of 1978 (FISA).¹ Thus,
continuation of the investigation required that [REDACTED] and [REDACTED]

[REDACTED]
[REDACTED] comply with the
reporting requirements of the Attorney General Guidelines for FBI
Foreign Intelligence Collection and Foreign Counterintelligence
Investigations (FCIG). On [REDACTED] [REDACTED] forwarded
the initial LHM to [REDACTED] inadvertently delayed
sending the LHM to the National Security Law Branch for delivery
to OIPR until [REDACTED] [REDACTED] alerted the National
Security Law Branch to the possible IOB violation on [REDACTED]
[REDACTED] This matter has been referred to the FBI's Office of
Professional Responsibility for action deemed appropriate (S).

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b7E

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

~~SECRET~~

APPROVED: [Signature]
Crim. Inv. _____ Inspection _____ Training _____
C.I.S. _____ Laboratory _____ Off. of EEO _____
Finance _____ National Sec. _____ Affairs _____
Director _____ Gen. Counsel _____ CPA _____ Off. of Public & _____
Deputy Director _____ Info. Res. _____ Personnel _____ Cong. Affs. _____

(U) 1 (S) 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
permanent residence (as defined in section 101(a)(20) of the Immigration and
Naturalization Act)" See also [REDACTED] of the Attorney General
Guidelines for FBI Foreign Intelligence Collection and Foreign Counter-
intelligence Investigations.
Norman IOB 177

b2
b7E



U.S. Department of Justice

Federal Bureau of Investigation

~~SECRET~~

Washington, D. C. 20535-0001

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

March 9, 2004

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 "SSA [redacted] SA [redacted] [redacted] Division, IOB, 2003-142."

b6
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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. (U)

Enclosure

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

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b7C

1 - [redacted]
① 218-HQ-C1229736-V70-392

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

Derived from: G-3
Declassify on: X1

~~SECRET~~ Hofmann-IOB-178

~~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
Attn: Chief, Office of Intelligence Policy and Review
- 1 - Mr. H. Marshall Jarrett
Counsel, Office of Professional Responsibility
U.S. Department of Justice
Room 4304

~~SECRET~~

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ)
2003-142 (U)

b2
b7E

(S) Investigation of this IOB matter has determined that, on [redacted] the [redacted] Division [redacted] initiated a [redacted] of [redacted] who is a "United States person," as that term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA).¹ Thus, continuation of the investigation required that [redacted] comply with the requirements of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG) by applying for an extension when it expired on [redacted]. [redacted] failed to renew [redacted] as required, and contacted a source for information during the period of three months after expiration, before [redacted] was renewed on [redacted]. This matter has been referred to the FBI's Office of Professional Responsibility for action deemed appropriate (S).

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b7E

(U)

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

APPROVED:

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

(U) (S) 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 permanent residence (as defined in Section 101(a)(20) of the Immigration and Naturalization Act...." See also [redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.

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b7E

Hofmann-IOB-180

March 10, 2004

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, [redacted] Federal Bureau of Investigation Headquarters (FBI HQ), 2004-07."

b2
b7E

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. (U)

Enclosure

1 - Mr. Curran

1 - [redacted]

① - 278-HQ-C1229736-VIO-395

b6
b7C

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

- 1 -

Hofmann-IOB-181

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. _____
- Counsel _____
- Asst. Dir.:
- Admin. Ser. _____
- Crim. Inv. _____
- CIIS _____
- Finance _____
- Info. Res. _____
- Lab. _____
- National Sec. _____
- OPR _____
- Off. of Public & Cong. Affs. _____
- Training _____
- Off. of EEDA _____
- Director's Office _____

~~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
Attn: Chief, Office of Intelligence Policy and Review
- 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

APPROVED:

Crim. Inv.	_____	Inspection	_____	Training	_____
CJS	_____	Secretary	_____	Off. of EEO	_____
Exec	_____	Adm. Serv.	_____	Affairs	_____
Director	_____	Gen. Counsel	_____	Off. of Public &	_____
Deputy Director	_____	Info. Res.	_____	Cong. Affs.	_____

etc

~~SECRET~~

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

b2
b7E

FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ) (U)
2004-07

(S) Investigation of this IOB matter has determined that, on [redacted], the [redacted] Division [redacted] initiated a [redacted] of [redacted] who is a "United States person" as that term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA).¹ Thus, continuation of the investigation required that [redacted] and [redacted] [redacted] comply with the reporting requirements of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). [redacted] and [redacted] failed to forward the 90-day LHM to the Office of Intelligence Policy and Review (OIPR), Department of Justice (DOJ), as required. On [redacted] [redacted] forwarded the annual LHM to [redacted] inadvertently did not forward the LHM to NSLB until [redacted]. This matter has been referred to the FBI's Office of Professional Responsibility for action deemed appropriate (S).

b1
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b7E

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

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

(U) (S) 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 permanent residence (as defined in Section 101(a)(20) of the Immigration and Naturalization Act..." See also [redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.

b2
b7E

March 25, 2004

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, [redacted] Federal Bureau of Investigation Headquarters (FBI HQ), 2004-09."

b2
b7E

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. (U)

Enclosure

1 - Mr. Pistole

1 - [redacted]

1 - [redacted]

① - 278-HQ-C1229736-VIO - 410

b6
b7C

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

Hofmann-IOB-184

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

~~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,

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

APPROVED: *JF*

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

- 2 -

~~SECRET~~

Hofmann-IOB-185

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER

[Redacted]

FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ)
2004-09 (U)

b2
b7E

(S) Investigation of this IOB matter has determined that, on [Redacted], the [Redacted] Division [Redacted] initiated a [Redacted] of [Redacted] who is a "United States person" as that term is used in Section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (FISA).¹ Thus, continuation of the investigation required that [Redacted] and [Redacted] [Redacted] [Redacted] comply with the reporting requirements of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG). [Redacted] and [Redacted] failed to timely forward the 90-day LHM to the Office of Intelligence Policy and Review (OIPR), Department of Justice (DOJ), as required. On [Redacted] [Redacted] forwarded the 90-day LHM to [Redacted] more than 180 days after opening the investigation. [Redacted] inadvertently delayed sending the LHM to the National Security Law Branch for delivery to OIPR until [Redacted]. It was at this point that the reporting error was detected. On [Redacted] the National Security Law Branch, FBIHQ, notified [Redacted] of the possible IOB violation. This matter has been referred to the FBI's Office of Professional Responsibility for action deemed appropriate (S).

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b7C
b7E

(U)

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

~~SECRET~~

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

(U)

¹ (S) 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 permanent residence (as defined in section 101(a)(20) of the Immigration and Naturalization Act)" See also [Redacted] of the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations.

b2
b7E

Norman IOB 100

March 25, 2004
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 148." (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 - [Redacted]
- 1 - [Redacted]
- 1 - 278-HQ-C1229736-VIO-412

b6
b7c

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

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

Hofmann-IOB-187

~~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 Baker
Counsel for Intelligence Policy, OIPR
U.S. Department of Justice

APPROVED: *JFC*

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

~~SECRET~~

Hofmann-IOB-188

1

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
IOB 2003 148 (U)

(S) Investigation of this IOB matter has determined that, on [redacted] the [redacted] Field Office of the Federal Bureau of Investigation ("FBI") requested initiation of a [redacted] of [redacted] 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).¹ Thus the initiation and continuation of [redacted] required FBI [redacted] and [redacted] to comply with the requirements of Executive Order 12863 and the FCIG. FBI [redacted] failed to submit the required initial 90-day letterhead memorandum and one subsequent annual memoranda in a timely fashion. However, when the failure was brought to the attention of FBI [redacted] the annual memorandum was filed approximately eighteen months later than required. As a result of the delinquent LHM, OIPR was not properly advised of the initiation of [redacted] in accordance with [redacted] of the FCIG. This delayed reporting clearly 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. This matter has been referred to the FBI's Office of Professional Responsibility for review and action deemed appropriate.

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b7E

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

(U) ~~(S)~~ A "United States person" is defined in [redacted] of the FCIG as "an individual who is . . . [a] United States citizen . . . or . . . [b] a permanent resident alien"

b2
b7E

Hofmann-IOB-189

March 31, 2004
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

1 -
1 -
①



278-HQ-C1229736-VIO - 416

b6
b7c

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

~~SECRET~~

Hofmann-IOB-190

- Dep. Dir. _____
- Chief of Staff _____
- Off. of Gen. _____
- Counsel _____
- Asst. Dir.:
- Admin. Ser. _____
- Crim. Inv. _____
- CJIS _____
- Finance _____
- Info. Res. _____
- Lab. _____
- National Sec. _____
- OPR _____
- Off. of Public & Cong. Affs. _____
- Training _____
- Off. of EBOA _____
- Director'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.

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 for Intelligence Policy, OIPR
U.S. Department of Justice

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

Hofmann-IOB-191

DATE: 06-29-2010
CLASSIFIED BY 65179 DMH/plj
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

~~SECRET~~

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

(S)

Investigation of this IOB matter has determined that, on [redacted] the [redacted] Field Office of the Federal Bureau of Investigation ("FBI") requested initiation of a [redacted] of [redacted] 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).¹ Thus the initiation and continuation of [redacted] required the [redacted] Field Office and [redacted] comply with the requirements of Executive Order 12863 and the FCIG. [redacted] Field Office submitted its initial 90-day letterhead memorandum nearly four months beyond its original due date. [redacted] error was compounded by the failure of the [redacted] to identify and report the potential IOB violation for four months, a violation of [redacted] of the FBI's National Foreign Intelligence Program Manual. As a result of the delinquent LHM, OIPR was not properly advised of the initiation of [redacted] in accordance with [redacted] of the FCIG. This delayed reporting clearly 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. This matter has been referred to the FBI's Office of Professional Responsibility for review and action deemed appropriate.

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

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

(U)

¹ (S) A "United States person" is defined in [redacted] of the FCIG as "an individual who is ... [a] United States citizen ... or ... [b] a permanent resident alien ..."

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b7E

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

March 25, 2004

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, IOB Matter 2004-31." (U)

b2
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 [redacted]
- 1 - OPR

b6
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① - 278-HQ-C1229736-VIO - 418

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

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

Derived from : G-3
Declassify on: X1

~~SECRET~~ Hofmann-IOB-193

~~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,

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

JFCC
3/12/89

JFCC

APPROVED:

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

~~SECRET~~

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
2004-31 (U)

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b7E

(U) ~~(S)~~ The FBI's [redacted] Division [redacted] determined during a [redacted] file review that the division had initiated an investigation on [redacted] a United States person¹, without opening a [redacted] as required by the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (1999) FCIG², or submitting to [redacted] FBI Headquarters, the opening communication required by [redacted] [redacted] of the FBI's National Foreign Intelligence Program Manual (NFIPM). [redacted] further reported the division had determined that no approval to operate [redacted] had been sought from the division's Special Agent in Charge, that no [redacted] background investigation had been documented in the case file, and that [redacted] had not been recorded as required by the NFIPM. Additionally, when the case file review was conducted on [redacted] no mention of the aforementioned discrepancies had been noted. The [redacted] Division's handling of [redacted] investigation has been reported to the FBI's Office of Professional Responsibility for action deemed appropriate.

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b7E

Derived from	APPROVED:	Crim. Inv.	Inspection	Training
Declassify on:	X1	C.I.S.	Laboratory	Off. of EEO
		Finance	National Sec.	Affairs
		Director	OPR	Off. of Public &
		Supervisor	Info. Res.	Personnel
				Cong. Affs.

(U) ¹ ~~(S)~~ 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 permanent residence (as defined in section 101(a)(20) of the Immigration and Naturalization Act)" See also [redacted] of the FCIG (1999) and Section I.C of the Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (2003).

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(U) ² ~~(S)~~ Although the FCIG were superceded on October 31, 2003 by the Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection ("NSIG"), "[a]ctivities commenced under the FCIG [are 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.

JAMS
3/12/07

DECLASSIFIED BY 65179 DMH/plj
ON 06-29-2010

April 2, 2004

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 information a self-explanatory enclosure entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, [redacted] Resident Agency, 2004-14." (U)

b2
b7E

The enclosure sets forth details of investigative activity which the FBI has determined was conducted contrary to the Attorney General Guidelines for 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 - [redacted]
- 1 - Mr. Curran
- 1 - [redacted]
- ① - 278-HQ-C1229736-VIO - 421

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

b6
b7C

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

~~SECRET~~ Hofmann-IOB-196

~~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,

John F. Curran
Deputy General Counsel

APPROVED: *JFC*

Adm. Serv.	Gen. Counsel	National Sec.
CJIS	Info. Res.	OESDA
Crim. Inv.	Inspection	OSCA
Director	Inv. Serv.	OSI
Deputy Director	Finance	Training

- 2 -

Hofmann - IOB - 197

~~SECRET~~

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
[redacted] RESIDENT AGENCY
IOB MATTER 2004-14 (U)

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b7E

Inquiry has determined that in conducting a [redacted] of a non-United States person, the Federal Bureau of Investigation (FBI) inadvertently collected information on [redacted] from a [redacted] investigation that were unrelated to the [redacted] authorized under the Attorney General Guidelines for National Security Investigations and Foreign Intelligence Collection (NSIG). In this regard, the [redacted] Resident Agency obtained authorization [redacted] to initiate [redacted] on [redacted]. On [redacted], the language specialist in FBIHQ notified the [redacted] RA case agent that she had not been receiving [redacted]. Inquiry by the [redacted] case agent on [redacted] determined that a [redacted]

[redacted] Thereafter, on [redacted], the FBIHQ language specialist once again contacted the [redacted] case agent, this time to indicate that [redacted] received as those of the target. On [redacted], [redacted] technical specialists indicated that a review of [redacted] had revealed that [redacted]

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The inadvertent mistake resulted in the collection of [redacted] of the criminal target. Appropriate steps were immediately taken to correct the problem and to sequester the [redacted] for eventual destruction. However, because the information collected was not authorized to be collected pursuant to a [redacted]

(U) [redacted] this matter is being reported to the Intelligence Oversight Board. (S)

Derived from : G-3
Declassify on: X1

~~SECRET~~

APPROVED: [redacted] *for*
Adm. Serv. _____ Gen. Counsel _____ National Sec. _____
C.I.S. _____ Info. Insp. _____ [redacted] _____
Crim. Inv. _____ Insp. _____ _____
Director _____ Cont. Serv. _____ Int. Sec. _____
Deputy Director _____ Finance _____ Laboratory _____

DECLASSIFIED BY 65179/DMH/PLJ/sdb
ON 06-29-2010

June 16, 2004

BY COURIER

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

Dear General Scowcroft:

This letter forwards for your information a self-explanatory enclosure, entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division, 2004-53."

b2
b7E

This enclosure sets forth details of investigative activity which the FBI has determined was conducted contrary to laws 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. Pistole
- 1 - [redacted]
- 1 - [redacted]
- 1 - [redacted]
- 1 - OPR

~~UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE~~

b6
b7C

① 278-HQ-C1229136-VJO-477

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

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

~~SECRET~~

Hofmann-IOB-199

~~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,

John F. Curran
Deputy General Counsel

- 1 - The Honorable John D. Ashcroft
Attorney General
U.S. Department of Justice
Room 5111
- 1 - Mr. James Baker
Counsel for Intelligence Policy, OIPR
U.S. Department of Justice

JFC

APPROVED:

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

- 2 -

~~SECRET~~

Hofmann-IOB-200

DATE: 06-29-2010
CLASSIFIED BY 65179/DMH/PLJ/sdb
REASON: 1.4 (c)
DECLASSIFY ON: 06-29-2035

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

(S)

(S) INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[redacted] DIVISION
FEDERAL BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ) (U)
2004-53

b2
b7E

(S)

Investigation of this IOB matter has revealed that the [redacted] Office instituted a [redacted] of [redacted] on [redacted]. Subsequently, authority was obtained under the Foreign Intelligence Surveillance Act (FISA) to conduct [redacted] used by [redacted]

(S)

As a result of this investigation, criminal charges were filed in the [redacted] against [redacted] and attorney [redacted].

(S)

During discovery proceedings, the government turned over approximately [redacted] intercepts to the defense. On [redacted], it was learned that [redacted] pertaining to unrelated [redacted] may have been provided to defense counsel as a result of a technical error. Among the files that were inadvertently provided to the defense were classified files from [redacted]

(S)

of [redacted] and [redacted] targets. The District Court has issued an order requiring the defense to return the discs to the government and not disclose the contents of the files. (S)

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A copy of this submission to the IOB has been provided to the FBI's Executive Assistant Director for Counterterrorism/Counterintelligence and to the Office of Professional Responsibility for action as deemed appropriate.
(U)

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

~~SECRET~~

[Handwritten Signature]

APPROVED:

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