

~~SECRET~~

To: Inspection From: [redacted]  
Re: (U) [redacted] 09/25/2002

b2

b7E

[redacted]

(S)

b1  
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b6  
b7C  
b7E

(X) SA [redacted] discovered this matter on [redacted]

b2  
b6  
b7C  
b6  
b7C

(U) SA [redacted] is a very productive agent. But his experience in IT matters is limited. He only started working IT cases just after 09/11/2001. Further, he never received formal training in IT matters.

(U) SA [redacted] misunderstanding concerning the [redacted] is not acceptable, but understandable. He is now acutely aware of [redacted]. Accordingly, the SAC, [redacted] recommends that no administrative action be taken against SA [redacted]

b2  
b7E  
b6  
b7C

~~SECRET~~

~~SECRET~~

To: Inspection From: [redacted]  
Re: (U) [redacted] 09/25/2002

b2  
b7E

LEAD(s) :

Set Lead 1:

INSPECTION

AT WASHINGTON, DC

(U) For appropriate action.

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/17/2002

To: Director's Office  
General Counsel

Attn: Robert J. Jordan,  
OPR, Rm. 7129  
Kenneth L. Wainstein,  
National Security Law Unit,  
Rm. 7975

From: Inspection  
Inspection Management Unit/Room 7837  
Contact: [Redacted]

Approved By: [Redacted] *DJ/mbl* b2  
Drafted By: [Redacted] *vam* b6  
Case ID #: ~~(S)~~ [Redacted] *(Pending)* b7C  
b7E

Title: ~~(S)~~ A/SSA [Redacted]  
SA [Redacted]  
[Redacted] *DI-VISION*  
IOB  
2002 [Redacted]

*LOB Matters*

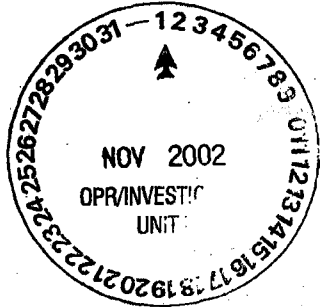
Synopsis: (S) Request of the Office of the General Counsel (OGC) to review the facts of a possible Intelligence Oversight Board (IOB) violation.

b1  
b2  
b7E  
b7A

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

Reference: ~~(S)~~ [Redacted] b2  
b7E

[Redacted Box] (S)



~~SECRET~~

*103-HQ-O-U-17A*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-21-2031

*uploaded 10/21/02*

~~SECRET~~

To: Director's Office From: Inspection  
Re: ~~(S)~~ [redacted] 10/17/2002

b2

b1  
b2  
b7E

b1  
b6  
b7C

b2  
(S)

~~(S)~~ SAC, [redacted] recommended no administrative  
action be taken. SA [redacted] was subsequently made aware of [redacted]  
[redacted]

b2

b6

b7C

b7E

~~SECRET~~

~~SECRET~~

To: Director's Office From: Inspection  
Re: ~~(S)~~ [REDACTED] 10/17/2002 b2

LEAD(s):

Set Lead 1: (Adm)

GENERAL COUNSEL

AT WASHINGTON, D.C.

~~(S)~~ Upon review of the attached EC, determine whether the information is a reportable IOB violation. If it is determined, a reportable IOB violation exists, prepare an appropriate letter and LHM from Assistant Director Lynn A. Hunt, INSD and Chief Counsel Kenneth L. Wainstein, OGC, forwarding matter to the IOB.

Set Lead 2: (Adm)

DIRECTOR'S OFFICE

AT WASHINGTON, D.C.

~~(S)~~ Attached EC is provided to OPR pursuant to the NFIP Manual, Part 1, Section 6-7.5. OPR is requested to review information to determine whether disciplinary action is warranted.

◆◆

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/26/2002

To:  Inspection

Attn:  Inspection Management Unit  
Room 7837

From:

[Redacted]

Squad 14 - Special Agent in Charge (SAC)

Contact:

[Redacted]

Approved By:

[Redacted] *Kim*

b2

b6

Drafted By:

[Redacted] *jhb*

b7C

b7E

Case ID #:

(U)

[Redacted]

(Pending)

71760

Title:

(U)

SPECIAL AGENT (SA)

[Redacted] DIVISION;  
POSSIBLE IOB MATTER

2002

Synopsis: (U) This communication reports a possible Intelligence Oversight Board (IOB) matter.

b2

b6

b7C

b7E

~~(S)~~

~~Derived From: G-3~~

~~Declassify On: X1~~

Details:

(U)

SA

[Redacted]

is assigned to the

Division. His work centers on international terrorism

(IT).

b1

b2

b6

b7C

b7E

b7A

[Redacted] ~~(S)~~

[Redacted] ~~(S)~~

b1

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b7E

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~~SECRET~~

OYA 278 HQ new/10/16/02

AM

DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-21-2031

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

[Redacted]

b2

~~SECRET~~

To: Inspection From: [redacted]  
Re: (U) [redacted] 09/26/2002

b2  
b7E

b1  
b2  
b7E  
b7A

[redacted] (S)

[redacted] X

b1  
b2  
b7A

[redacted] X

(S)  
b1  
b6  
b7C  
b2  
b7E

~~(S)~~ SA [redacted] discovered this matter on 09/23/2002. b6  
b7C

(U) SA [redacted] is a very productive agent. But his experience in IT matters is limited. He only started working IT cases full time just after 09/11/2001. SA [redacted] never received formal training in IT matters, and has limited experience with assets. Further, he was assigned to a [redacted] in support of the [redacted] during this time

b2  
b7E  
b6

Finally, there was a lack of administrative controls to remind SA [redacted] of the requirement to [redacted]

b7C

(U) SA [redacted] is not acceptable. But it is understandable. He is now acutely aware of [redacted]. Accordingly, the SAC, [redacted] recommends that no administrative action be taken against SA [redacted]

b2  
b6  
b7C  
b7E

~~SECRET~~

~~SECRET~~

To: Inspection From: [REDACTED]  
Re: (U) [REDACTED] 09/26/2002

b2  
b7E

LEAD(s):

Set Lead 1:

INSPECTION

AT WASHINGTON, DC

(U) For appropriate action.

◆◆

~~SECRET~~



~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 11/01/2002

To: Director's Office  
General Counsel

Attn: Robert J. Jordan,  
OPR, Rm. 7129  
Kenneth L. Wainstein,  
National Security Law Unit,  
Rm. 7975

From: Inspection  
Inspection Management Unit/Room 7837  
Contact: [Redacted]

Approved By: [Redacted]  
Drafted By: [Redacted] vam

b2  
b6  
b7C  
b7E

*JOB  
Matters*

Case ID #: ~~(S)~~ [Redacted] (Pending)

Title: ~~(S)~~ SA [Redacted]  
SA [Redacted]  
SA [Redacted]  
[Redacted] DIVISION  
IOB  
2002 [Redacted]

Synopsis: ~~(S)~~ Request of the Office of the General Counsel (OGC) to review the facts of a possible Intelligence Oversight Board (IOB) violation.

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

b2  
b7E

*263-H)-0-0-71B*

Reference: ~~(U)~~ ~~(S)~~ [Redacted]

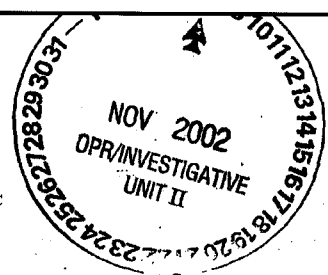
[Large Redacted Area]

~~SECRET~~

b1

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-21-2031



~~SECRET~~

To: Director's Office From: Inspection b2  
Re: ~~(S)~~ [redacted] 11/01/2002

b1  
b2  
b6  
b7C  
b7E

[redacted]

b1  
b2  
b7E

[redacted] X

[redacted] X

b1  
b2  
b6  
b7C  
b7E

~~(S)~~ On [redacted] the investigation was reinitiated and assigned to SA [redacted]. On [redacted] upon review of the file, the newly assigned supervisor, SSA [redacted] determined a year-2002 annual LHM was not submitted. No active investigation was conducted prior to reassignment of case to SA [redacted]

b2  
b7E  
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b7C

(S)

[redacted]

(S)

b1  
b2  
b7E

~~SECRET~~

~~SECRET~~

To: Director's Office From: Inspection  
Re: ~~(S)~~ [REDACTED] 11/01/2002

b2

LEAD(s):

Set Lead 1: (Adm)

GENERAL COUNSEL

AT WASHINGTON, D.C.

~~(S)~~ Upon review of the attached EC, determine whether the information is a reportable IOB violation. If it is determined, a reportable IOB violation exists, prepare an appropriate letter and LHM from Assistant Director Lynn A. Hunt, INSD and Chief Counsel Kenneth L. Wainstein, OGC, forwarding matter to the IOB.

Set Lead 2: (Adm)

DIRECTOR'S OFFICE

AT WASHINGTON, D.C.

~~(S)~~ Attached EC is provided to OPR pursuant to the NFIP Manual, Part 1, Section 6-7.5. OPR is requested to review information to determine whether disciplinary action is warranted.

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/09/2002

To: ✓ Inspection

Attn: ✓ Inspection Management Unit  
Room 7837

From:

[Redacted]

Squad 14 - Special Agent in Charge (SAC)

Contact:

[Redacted]

Approved By:

[Redacted]

b2

b6

Drafted By:

jbb ✓

b7C

Case ID #: (U)

[Redacted]

(Pending)

b7E

Title: (U)

SPECIAL AGENT (SA)

SA

SA

[Redacted]

TITLE

DIVISION;

POSSIBLE IOB MATTER

2002

b1

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b7E

Synopsis: (U) This communication reports a possible Intelligence Oversight Board (IOB) matter.

(S)

Derived From : G-3

Declassify On: X1

[Redacted Block]

X

(S)

[Redacted Block]

X

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(S)

OVA 278-HQ-NEW/10/09/02  
HM

~~SECRET~~

[Redacted]

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-21-2031

b2

~~SECRET~~

To: Inspection From: [redacted]  
Re: (U) [redacted] 10/09/2002

b2  
b7E

(U) On 06/30/2001, SA [redacted] retired from the  
FBI.

b6  
b7C

~~(S)~~ On 10/22/2001, the [redacted] Division placed  
this case in "Pending Inactive" status because of the exigencies  
of the PENTTBOMB investigation. No annual LHM was submitted for  
2002.

b2  
b7E

(U) On 02/15/2002, SSA [redacted] retired from the  
FBI. SA [redacted] became the Acting SSA for [redacted]

(U) On 08/20/2002, this case was reassigned to SA  
[redacted]

b6  
b7C

~~(S)~~ On 08/26/2002, SSA [redacted] became supervisor  
of [redacted]. On 10/08/2002, SSA [redacted] discovered that the 2002  
annual LHM had not been submitted for this case. After  
consultation with the National Security Law Unit, Office of The  
General Counsel, it was determined that this failure to report  
may be an IOB violation.

~~(S)~~ SAs [redacted] are accomplished,  
productive agents. It was believed that placing this case in  
"Pending Inactive" status obviated the need for an annual LHM.  
Accordingly, none was submitted for 2002. But importantly, the  
file shows that [redacted] conducted no active investigation in  
this case after the file was placed in "Pending Inactive" status.

b2  
b6  
b7C  
b7E

~~(S)~~ [redacted]

(S)

b1  
b2  
b7E

~~SECRET~~

~~SECRET~~

To: Inspection From: [redacted]  
Re: (U) [redacted] 10/09/2002

b2  
b7E

LEAD(s):

Set Lead 1:

INSPECTION

AT WASHINGTON, DC

(U) For appropriate action.

◆◆

~~SECRET~~

~~SECRET~~

IOB Matters

December 3, 2002

BY COURIER

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

Dear General Scowcroft:

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

b2  
b7E

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

763-HD-a-u-77C

Enclosure

- 1 - Mr. Wainstein
- 1 - Mr. D'Amuro

- 1 - [redacted]
- 1 - OPR (IOB 2002-[redacted])
- 1 - [redacted]

b2  
b6  
b7C

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~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-21-2031



MAIL ROOM

FBI/DOJ

~~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

NOTE:

[Redacted area]

(S)  
(S)

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b7E

*JWS*  
11/15/02

**APPROVED:**

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

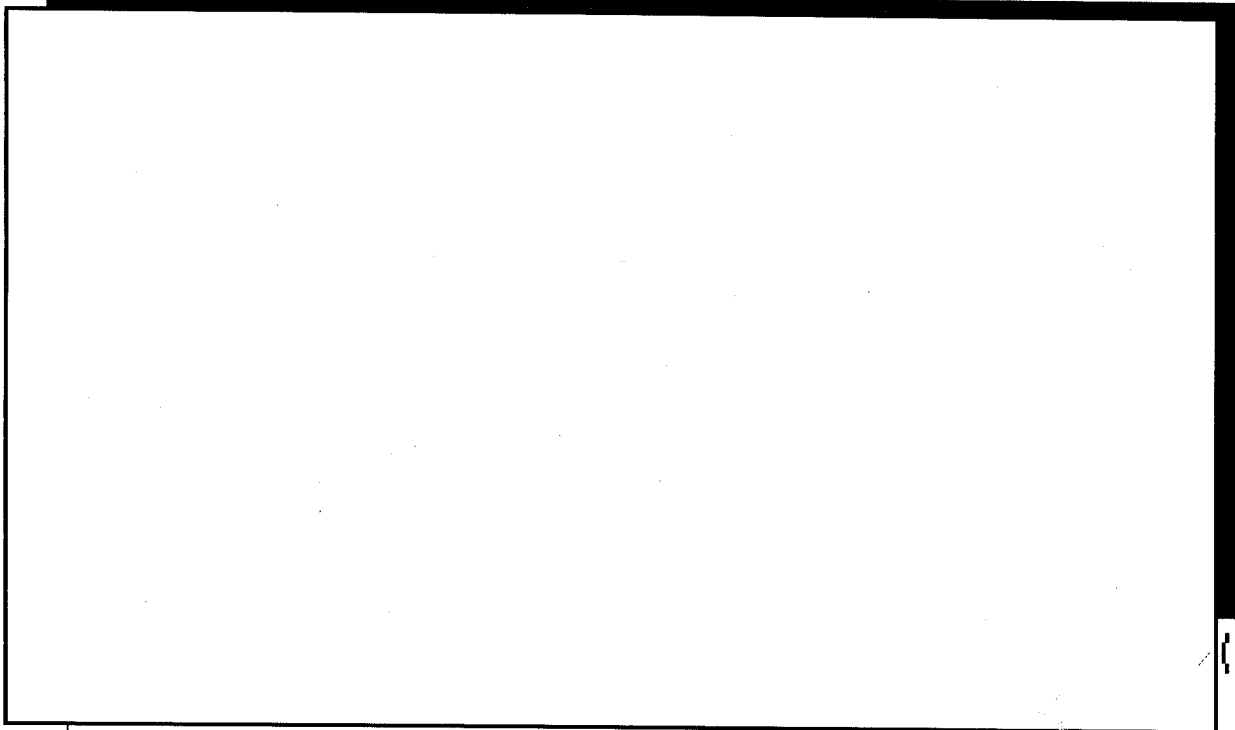
~~SECRET~~



~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER  
[REDACTED] DIVISION  
2002 [REDACTED] (U)

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b2  
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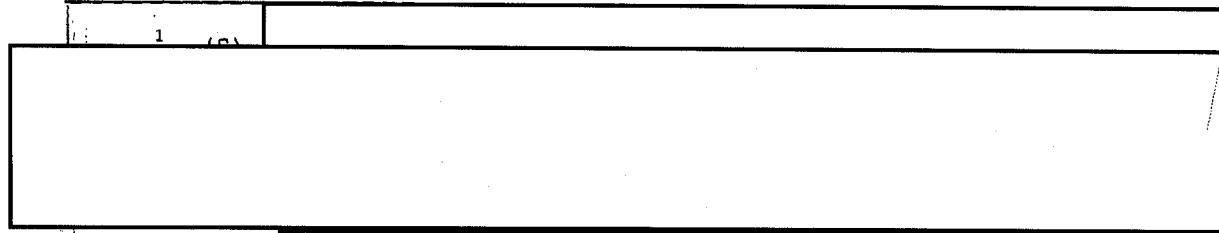
(S)  
(S)

*Jum*  
11/2/0

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

Derived from : G-3  
Declassify on: ~~Director~~ x1  
~~Deputy Director~~

~~SECRET~~



(S)

b1

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-21-2031

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/17/2002

To: Director's Office  
General Counsel

Attn: Robert J. Jordan,  
OPR, Rm. 7129  
Kenneth L. Wainstein,  
National Security Law Unit,  
Rm. 7975

From: Inspection  
Inspection Management Unit/Room 7837

Contact: [Redacted]

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: ~~(S)~~ [Redacted]

Title: ~~(S)~~ CHANGED  
CDC [Redacted]  
SSA [Redacted]  
SA [Redacted]

DIVISION

IOB  
2003 [Redacted]

b2  
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b7C  
b7E

*G*  
*IOB*  
*Mattcos*

Synopsis: ~~(S)~~ Request of the Office of the General Counsel (OGC) to review the facts of a possible Intelligence Oversight Board (IOB) violation.

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

Previous Title: ~~(S)~~ (Title marked "Changed" to reflect inclusion of CDC [Redacted] Title previously carried as "SSA [Redacted]

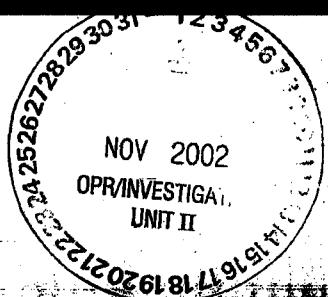
[Redacted] SA [Redacted] DIVISION;  
IOB MATTER.

b2  
b6  
b7C  
b7E

Details: ~~(S)~~ OGC is requested to review the facts of a possible IOB violation: Exceeding the authorized scope of an otherwise permitted activity.

[Redacted]

(S)  
(S) b1



~~SECRET~~  
DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-21-2031

*703 HD-d-22-80*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

*uploaded 10/21/02*

~~SECRET~~

To: Director's Office From: Inspection b2  
Re: ~~(S)~~ [redacted] 10/17/2002

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[redacted]

(S)

X

~~(S)~~

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[redacted]

(S)

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[redacted]

(S)

(S)

~~(S)~~

[redacted]

(S)

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~~SECRET~~

~~SECRET~~

To: Director's Office From: Inspection  
Re: ~~(S)~~ [REDACTED] 10/17/2002

b2

LEAD(s):

Set Lead 1: (Adm)

GENERAL COUNSEL

AT WASHINGTON, D.C.

~~(S)~~ Upon review of the attached EC, determine whether the information is a reportable IOB violation. If it is determined, a reportable IOB violation exists, prepare an appropriate letter and LHM from Assistant Director Lynn A. Hunt, INSD and Chief Counsel Kenneth L. Wainstein, OGC, forwarding matter to the IOB.

Set Lead 2: (Adm)

DIRECTOR'S OFFICE

AT WASHINGTON, D.C.

~~(S)~~ Attached EC is provided to OPR pursuant to the NFIP Manual, Part 1, Section 6-7.5. OPR is requested to review information to determine whether disciplinary action is warranted.

◆◆

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/07/2002

b6  
b7C

To: Inspection Division

Attn:

[Redacted]  
Inspection Management Unit  
Room 7837

Office of General Counsel

Attn:

[Redacted]  
National Security Law Unit  
Room 7975

From: Counterintelligence Division  
CD-1D, Room 4230

Contact: SSA [Redacted]

Approved By: Szady David W

Bereznay Timothy D

*DWS*  
*B*  
*10.8.02*

b2  
b6  
b7C  
b7E

Drafted By:

[Redacted] dlb

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

Title: (U)

SSA [Redacted]

SA [Redacted]

DIVISION  
IOB MATTER

*7 TITLE*

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Synopsis: (U) To provide reporting of a possible IOB violation.

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

[Redacted]

[Redacted]

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~~SECRET~~

OYA 278-HQ-NEW

*2<sup>nd</sup> for 2002/WM 10/16/02*

[Redacted]

b2

DATE: 02-21-2006  
CLASSIFIED BY: 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-21-2031

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

(S)

~~SECRET~~

To: Inspection Division From: Counterintelligence Division  
Re: (U) 278-HQ-C1229736-VIO, 10/07/2002

[Redacted]

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X [Redacted]

(S)

X [Redacted]

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X [Redacted]

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X [Redacted]

X [Redacted]

(S)

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b7E

(S)

~~SECRET~~

~~SECRET~~

To: Inspection Division From: Counterintelligence Division  
Re: (U) 278-HQ-C1229736-VIO, 10/07/2002

X

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(S)

X

b1

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 11/04/2002

To: Inspection

Attn: Inspection Management Unit

[Redacted] b6  
SSA [Redacted] b7C

Director's Office

Attn: Office of Professional Responsibility

From: General Counsel

National Security Affairs Branch/Room 7974 b2

Contact: Marion E. Bowman, [Redacted]

Approved By: Bowman Marion E.

[Redacted]

Drafted By:

b2  
b6  
b7C  
b7E

*IOB Matters*

Case ID #: ~~(S)~~ [Redacted]

Title: ~~(S)~~

~~CHANGED~~  
~~CDC~~ [Redacted]  
~~SSA~~ [Redacted]  
~~SA~~ [Redacted]  
[Redacted] DIVISION  
~~IOB~~  
~~2002~~ [Redacted]

Synopsis: ~~(S)~~ It is the opinion of the Office of the General Counsel (OGC) that this matter need not be reported to the Intelligence Oversight Board (IOB).

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

Reference: ~~(S)~~ [Redacted] b2

Administrative: (U) This communication contains one or more footnotes. To read the footnotes, download and print the document in WordPerfect 6.1.

*X-3-110 0-11-80A*

~~SECRET~~

DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-21-2031

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE



~~SECRET~~

To: Inspection From: General Counsel  
Re: ~~(S)~~ [redacted], 11/04/02

b2

**Details:** (U) Referenced communication from INSD to OGC, dated 10/17/02 (initially numbered "IOB 2003 [redacted]", requested that OGC review the facts of the captioned matter to determine whether it warrants reporting to the IOB. [redacted]

b2

Our analysis follows.

[Large redacted area with an 'X' mark at the top center]

(S)

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1 ~~(S)~~ See also EC from Counterintelligence Division (CD) to INSD and OGC, dated 10/07/02 and titled "SSA [redacted] (sic); SA [redacted] [redacted]; [redacted] Division[;] IOB" (hereinafter cited as "CD EC").

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- 2 (U) Referenced EC.
- 3 (U) Referenced EC; CD EC.
- 4 (U) CD EC.
- 5 (U) See referenced EC; CD EC.

~~SECRET~~

~~SECRET~~

To: Inspection From: General Counsel

Re: ~~(S)~~ [redacted], 11/04/02

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(U) INSD's request for our opinion indicates that

[redacted]

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[redacted] Based upon this perception of the law applicable, we were asked whether the error attributed to the CDC amounted to [redacted] which must be reported to the IOB.

(U) With regard to the necessity to report intelligence collection errors to the IOB, Section 2.4 of Executive Order (E.O.) 12863, dated 09/13/1993, mandates that Inspectors General and General Counsel of the Intelligence Community components (in the FBI, the Assistant Director, INSD, and the General Counsel, OGC, respectively) report to the IOB all information "concerning intelligence activities that they have reason to believe may be unlawful, unauthorized, or contrary to Executive order or Presidential directive." This language was adopted verbatim from E.O. 12334, dated 12/04/1981, when the IOB was known as the President's Intelligence Oversight Board.

[redacted]

(S)

<sup>6</sup> ~~(S)~~ We assume that INSD's conclusion is based on the "facts" and circumstances described to INSD by the Counterterrorism Division in the aforementioned EC. As discussed here, we do not concur in CD's conclusion with regard to the law applicable in this instance.

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To: Inspection From: General Counsel

Re: ~~(S)~~ [redacted], 11/04/02

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[redacted]

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(U) A copy of our opinion should be retained in the case file for review by Counsel to the IOB, if desired. No additional action is required.

~~SECRET~~

~~SECRET~~

To: Inspection From: General Counsel  
Re: (S) [redacted], 11/04/02

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Lead(s):

Set Lead 1:

INSPECTION DIVISION

AT WASHINGTON, DC

(U) For action consistent with our opinion.

Set Lead 2:

DIRECTOR'S OFFICE

AT OPR FO, DC

(U). Read and clear.

[redacted]  
IOB Library

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/23/2002

To: Director's Office  
General Counsel

Attn: Robert J. Jordan,  
OPR, Rm. 7129  
Kenneth L. Wainstein,  
National Security Law Unit,  
Rm. 7975

From: Inspection  
Inspection Management Unit/Room 7827  
Contact: [Redacted]

Approved By: [Redacted] *pc/mss*

Drafted By: [Redacted] *vam*

Case ID #: (S) [Redacted] (Pending)

Title: (S) SSA [Redacted]  
SA [Redacted]  
[Redacted] DIVISION  
IOB  
2003 [Redacted]

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*Q*  
*2078*  
*Matthew*

Synopsis: (S) Request of the Office of the General Counsel (OGC) to review the facts of a possible Intelligence Oversight Board (IOB) violation.

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

Reference: (S) 278-HQ-C1229736-VIO Serial 35

Details: (S) OGC is requested to review the facts of a possible IOB violation: Exceeding the authorized duration of a valid Foreign Intelligence Surveillance Court (FISC) order.

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[Redacted]

NOV 2002  
OPR/INVESTIGATIVE  
UNIT II

~~SECRET~~

DATE: 02-21-2006  
CLASSIFIED BY 6517/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-21-2031

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ALL INFORMATION  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

*278-0-11-81*

*uploaded 10/24/02*

*10/2003*

~~SECRET~~

To: Director's Office From: Inspection  
Re: ~~(S)~~ [redacted] 10/23/2002 b2

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(S)

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[redacted]

(S)

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(S)

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[redacted]

(S)

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[redacted]

(S)

~~SECRET~~

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To: Director's Office From: Inspection  
Re: ~~(S)~~ [redacted] 10/23/2002

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[redacted]

(S)

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~~SECRET~~

To: Director's Office From: Inspection  
Re: ~~(S)~~ [REDACTED] 10/23/2002

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LEAD(s) :

Set Lead 1: (Adm)

GENERAL COUNSEL

AT WASHINGTON, D.C.

~~(S)~~ Upon review of the attached EC, determine whether the information is a reportable IOB violation. If it is determined, a reportable IOB violation exists, prepare an appropriate letter and LHM from Assistant Director Lynn A. Hunt, INSD and Chief Counsel Kenneth L. Wainstein, OGC, forwarding matter to the IOB.

Set Lead 2: (Adm)

DIRECTOR'S OFFICE

AT WASHINGTON, D.C.

~~(S)~~ Attached EC is provided to OPR pursuant to the NFIP Manual, Part 1, Section 6-7.5. OPR is requested to review information to determine whether disciplinary action is warranted.

◆◆

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FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 10/16/2002

To: ✓ Inspection

Attn: IMU, Room 7837  
SSA [redacted]

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General Counsel

NSLU, Room 7975

From: [redacted]

CI-1

Contact: SSA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

rd

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Case ID #: (U) 278-HQ-C1229736-VIO (Pending)-35  
(U) [redacted] 66-4183 (Closed)

Title: (U)

SSA [redacted]  
SA [redacted]

DIVISION

~~JOB MATED~~  
2003 [redacted]

TITLE

Synopsis: (U) Reporting of [redacted] Division IOB violation which occurred on 10/9/02 and was discovered on 10/10/02 involving [redacted]

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~~(S)~~

~~Classified By: 970, CI-1/Boston  
Reason: 1.5(c)  
Declassify On: X1~~

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Reference: (U) 278-HQ-C1229736 Serial 1347

[Large redacted box with an 'X' mark]

(S)

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O + A 278 [redacted]

10/22/02/AM

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To: Inspection From:   
Re: (U) 278-HQ-C1229736-VIO, 10/16/2002

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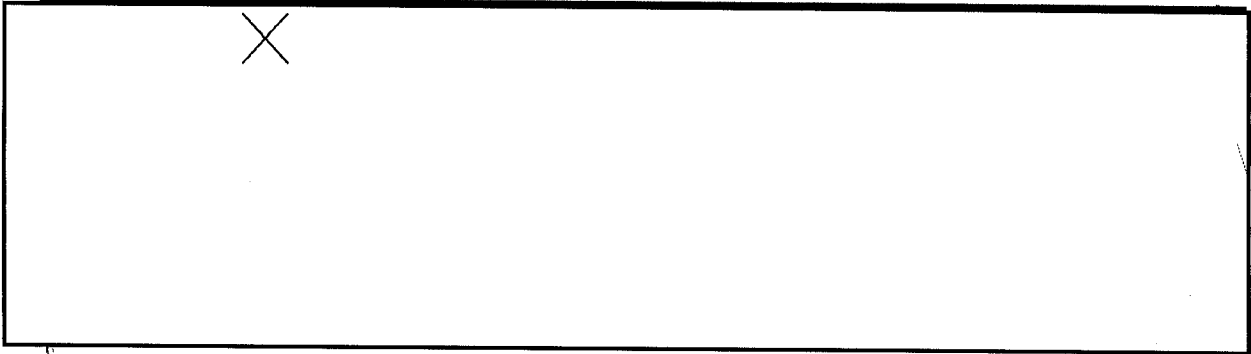
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To: Inspection From:   
Re: (U) 278-HQ-C1229736-VIO, 10/16/2002 b2  
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To: Inspection From:   
Re: (U) 278-HQ-C1229736-VIO, 10/16/2002

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LEAD(s):

Set Lead 1: (Adm)

ALL RECEIVING OFFICES

(U) Read and clear.

◆◆

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/28/2002

To: Inspection  
General Counsel  
✓ Director's Office

Attn: Inspection Management Unit  
[Redacted] NSLU

OPR

From: [Redacted]  
Squad 3/3 JTF  
Contact: SA [Redacted]

Approved By:

[Redacted Signature]

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IOB Matters

Drafted By:

Case ID #: (U) 278-HO-C1229736-1615

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Title: (U) INTELLIGENCE OVERSIGHT BOARD (IOB) MATTERS

Synopsis: (U) To advise receiving offices of a possible violation of the Intelligence Oversight Board.

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

[Redacted Block] (S)

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[Redacted Block] (S)

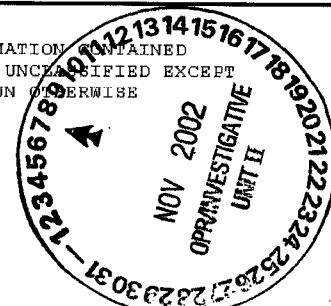
[Redacted Block] (S)

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ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

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DATE: 02-21-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-21-2031



~~SECRET~~

To: Inspection From: [redacted]  
Re: (U) 278-HQ-C1229736, 10/28/2002 b2

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[redacted]

(U) The case agent in this matter was SA [redacted] (retired), and the supervisor at the time of this violation was SSA [redacted] SSA [redacted] transferred from the Division on August 24, 2001.

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To: Inspection From:   
Re: (U) 278-HQ-C1229736, 10/28/2002

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**LEAD(s):**

**Set Lead 1: (Adm)**

ALL RECEIVING OFFICES

(U) Read and clear.

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(01/26/1998)

BYKNE

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**FEDERAL BUREAU OF INVESTIGATION**

Precedence: ROUTINE

Date: 12/20/2000

To: Inspection

Attn: Inspection Management Unit

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Director's Office

Attn: Office of Professional Responsibility

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Counterterrorism

Attn: AGC [redacted] ITOS

From: General Counsel

National Security Affairs/Room 7974

Contact: Marion E. Bowman, Ext. [redacted]

*IOB Matter*

b2

Approved By: Bowman, Marion E.

[redacted signature box]

*(1)*

Drafted By:

[redacted]

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Case ID #: ~~(S)~~ 278-HQ-C1229736-2-4

Title: (U)

SSA [redacted]  
SA [redacted]  
[redacted] DIVISION  
INTELLIGENCE OVERSIGHT BOARD (IOB)  
MATTER 2000 [redacted]

Synopsis: ~~(S)~~ It is the opinion of the Office of General Counsel (OGC) that this matter must be reported to the Intelligence Oversight Board (IOB) and to the Office of Professional Responsibility (OPR), FBIHQ. OGC will prepare a cover letter and a letterhead memorandum for the General Counsel and the Assistant Director, Inspection Division, to report this matter to the IOB. Submission of this matter to the OPR is a matter within the cognizance of the Inspection Management Unit (IMU).

~~(S) Classified By: 39645, NSA/OGC  
Reason: 1.5(c)  
Declassify On: X1~~

~~SECRET~~

*278-HQ-C1229736-2*

*263-HQ-O-SUBV-82A*



~~SECRET~~

To: Inspection From: General Counsel  
Re: ~~(S)~~ 278-HQ-C1229736-2; 12/20/2000

Reference: ~~(S)~~ 278-HQ-C1229736-2

**Administrative:** (U) This communication contains one or more footnotes. To read the footnotes, download and print the document in WordPerfect 6.1.

**Details:** (U) Referenced communication from the Inspection Division (INSD) to OGC, dated 12/14/00, requested that OGC review the facts of the captioned matter and determine whether it warrants reporting to the IOB. In our opinion, it does. Our analysis follows.<sup>1</sup>

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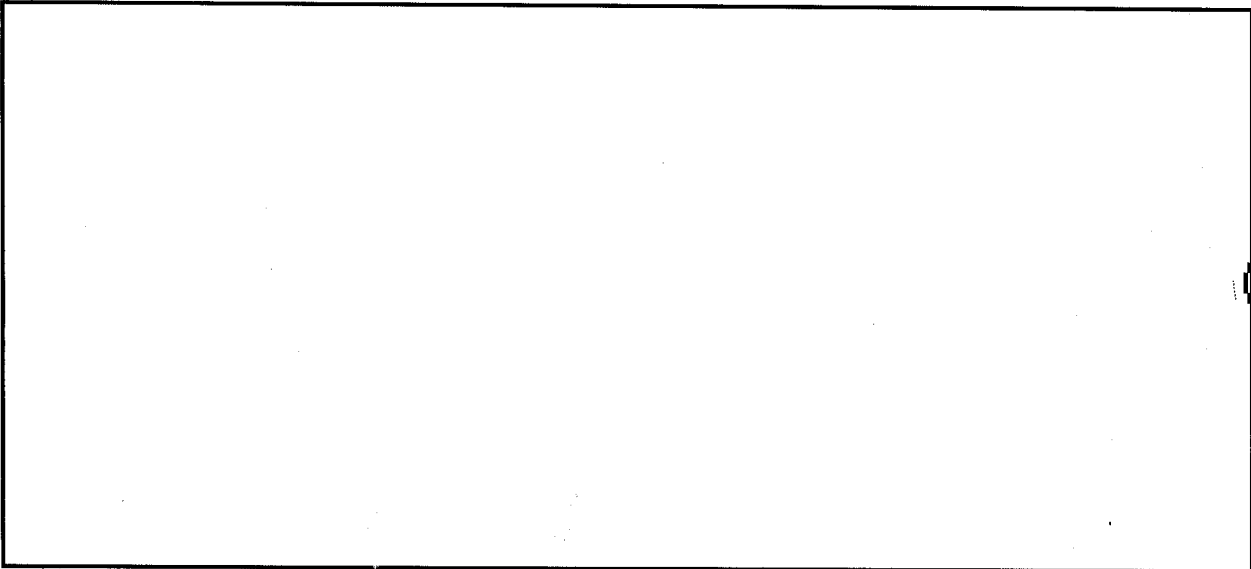
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To: Inspection From: General Counsel  
Re: ~~(S)~~ 278-HQ-C1229736-2, 12/20/2000

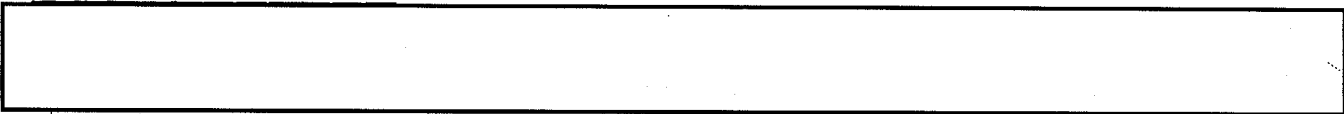


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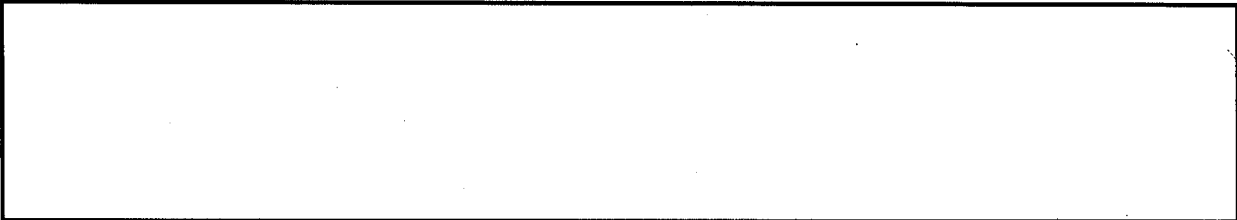
(U) Section 2.4 of Executive Order (E.O.) 12863, dated 09/13/1993, mandates that Inspectors General and General Counsel of the Intelligence Community components (in the FBI, the Assistant Director, INSD, and the General Counsel, OGC, respectively) report to the IOB "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." This language was adopted verbatim from E.O. 12334, dated 12/04/1981, when the IOB was known as the President's Intelligence Oversight Board.

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- 4 (U) Id.
- 5 (U) Id.
- 6 (U) Id.
- 7 (U) Id.



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To: Inspection From: General Counsel  
Re: (S) 278-HQ-C1229736-2, 12/20/2000

(U) Title 18, United States Code, Section 2511(2)(f) states that the procedures contained in the Foreign Intelligence Surveillance Act (FISA) and Title III of the 1968 Omnibus Crime Control Act (as amended by the Electronic Communications Privacy Act) "shall be the exclusive means by which electronic surveillance . . . and the interception of domestic wire and oral communications may be conducted." Additionally, Section 2.5 of E.O. 12333 provides that, "[e]lectronic surveillance, as defined in the Foreign Intelligence Surveillance Act of 1978, shall be conducted in accordance with that Act, as well as this Order." Under the pertinent FISA definition, the term electronic surveillance means, "the acquisition by an electronic, mechanical, or other surveillance device of the contents of any wire communication to or from a person in the United States, without the consent of any party thereto, if such acquisition occurs in the United States." 50 U.S.C. § 1801(f)(2).

(U) Before issuing an electronic surveillance order under FISA, the FISC must find, among other things, that "each of the facilities or places at which the electronic surveillance is directed is being used, or is about to be used by a foreign power or agent of a foreign power." 50 U.S.C. § 1805(a)(3)(B). The FISC order must also specify "the nature and location of each of the facilities or places at which the electronic surveillance will be directed." 50 U.S.C. § 1805(b)(1)(B). The legislative history of FISA reflects that these specific FISA requirements were "designed in light of the Fourth Amendment's requirements that warrants describe with particularity and specificity the person, place, and objects to be searched or seized." H.R. Rep. No. 95-1283, 95th Cong., 2d Sess., Pt. I, at 81 (1978).

b5

(U) A search warrant meets the Fourth Amendment's particularity requirement "if the description is such that the officer with the search warrant can, with reasonable effort, ascertain and identify the place intended." Steele v. United States, 267 U.S. 498, 503 (1925). The rationale for this requirement is to assure that officers do not mistakenly search the wrong premises. United States v. Henry, 931 F. Supp. 452, 454 (S.D.W.Va. 1996). If a warrant contains an error that

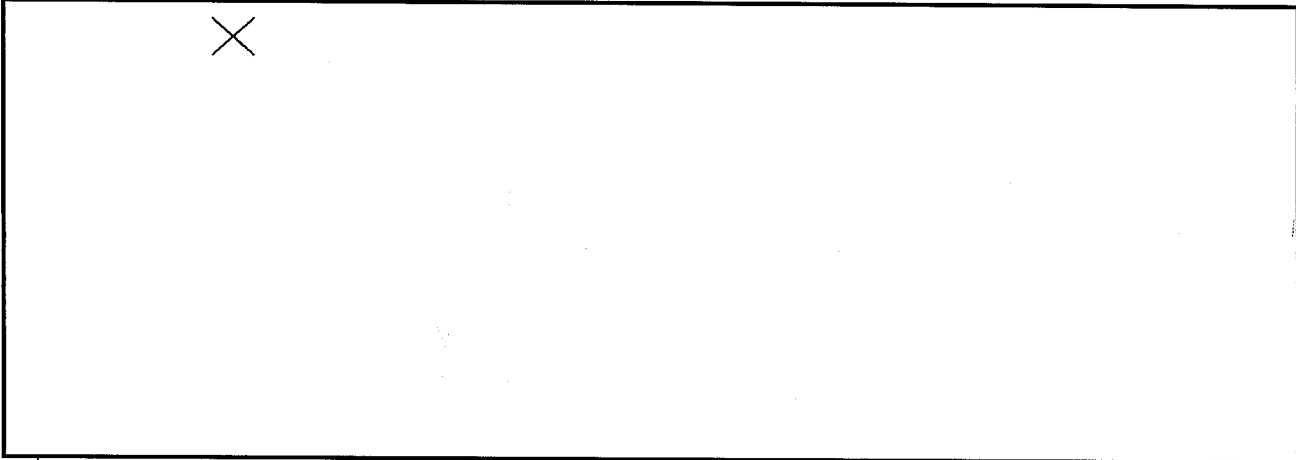
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To: Inspection From: General Counsel  
Re: (S) 278-HQ-C1229736-2, 12/20/2000



results in the search of a completely unrelated building, the search will be found improper. United States v. Kenney, 164 F. Supp. 891 (D.D.C. 1958).

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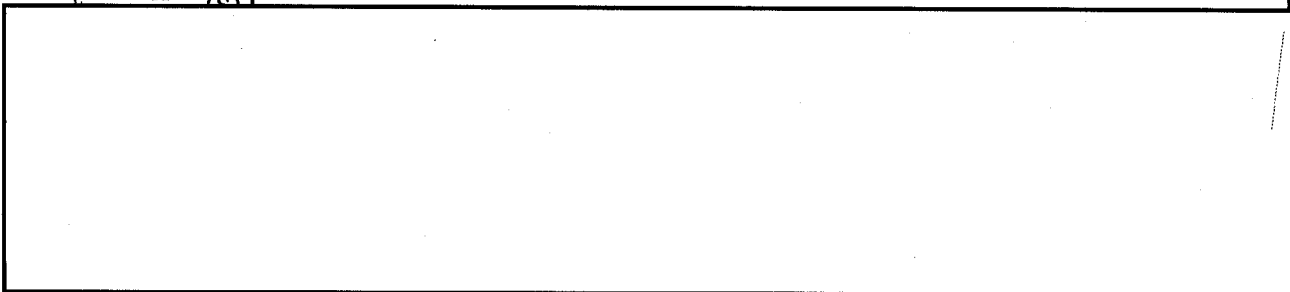
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To: Inspection From: General Counsel  
Re: (S) 278-HQ-C1229736-2, 12/20/2000

Lead(s):

Set Lead 1: (Adm)

INSPECTION DIVISION

AT WASHINGTON, DC

(U) Read and clear.

Set Lead 2:

DIRECTOR'S OFFICE

AT OPR, FO, DC

(U) For review and action deemed appropriate.

1 - Mr. Parkinson

1 - Mr. T. Kelley

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1 - NSLU Library

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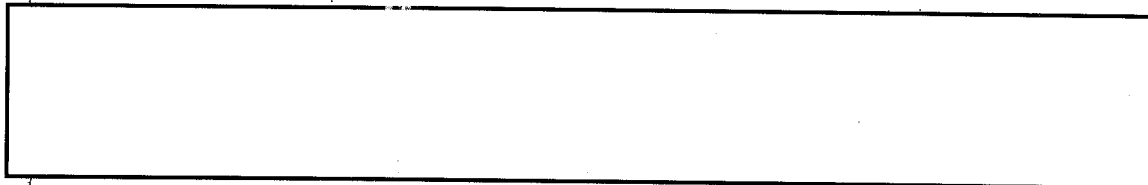
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January 19, 2001

BY COURIER

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

Dear Senator Rudman:



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

Enclosure


1 - Mr. Parkinson



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UNCLASSIFIED WHEN  
DETACHED FROM NOTE &  
CLASSIFIED ENCLOSURE

1 - OPR

1 - INSD (1-278-HQ-C1229736-2) (A) IOB 2000-

b2

JAW:jaw (9)

- Dep. Dir. \_\_\_\_\_
- Chief of Staff \_\_\_\_\_
- Dir. 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 \_\_\_\_\_

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

(S)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

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MAIL ROOM

DATE: 02-22-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-22-2031

FBI/DO

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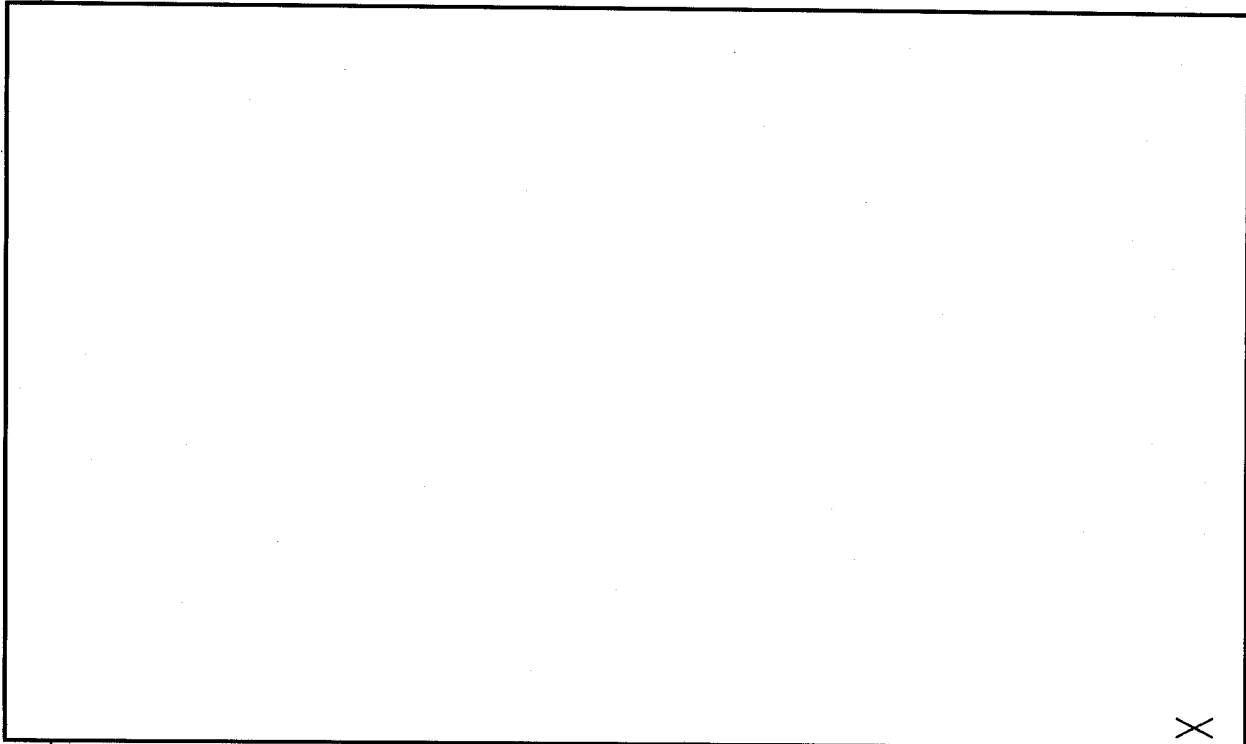
Honorable Warren B. Rudman

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

Sincerely,

Larry R. Parkinson  
General Counsel

David R. Knowlton  
Assistant Director  
Inspection Division



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~~SECRET~~ **APPROVED:**

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

~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER  
(S) [redacted] DIVISION  
AND THE [redacted] UNIT,  
INTERNATIONAL TERRORISM OPERATIONS SECTION (ITOS)  
COUNTERTERRORISM DIVISION (CTD), FBI HEADQUARTERS  
IOB MATTER 2000 [redacted] U)

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<b>APPROVED:</b>	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. _____

12/20/06

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

~~SECRET~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-22-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D)  
DECLASSIFY ON: 02-22-2031



~~SECRET~~

**FEDERAL BUREAU OF INVESTIGATION**

*IOB Matters*

Precedence: ROUTINE

Date: 11/29/2000

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To: Inspection

Attn: Inspection Management Unit

[Redacted]

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Director's Office

Attn: Office of Professional Responsibility

(1)

National Security

Attn: Mr. William O. Doherty  
Section Chief, NS-2

From: General Counsel

National Security Affairs/Room 7974  
Contact: Bowman Marion E

Approved By: Bowman Marion E

[Redacted]

b6  
b7C

Drafted By:

Case ID #: (U) 278-HQ-C1229736

Title: ~~(S)(S)~~ NATIONAL SECURITY DIVISION  
~~INTELLIGENCE OVERSIGHT BOARD (IOB)~~  
MATTER 2000- [Redacted] b2

*P/S ADVISE  
to DIRECT these  
ECs to the respective  
SUBS in 705  
telephoned  
representing  
12/4/00  
MM*

Synopsis: (S) It is the opinion of the Office of General Counsel (OGC) that this matter must be reported to the Intelligence Oversight Board (IOB) and to the Office of Professional Responsibility (OPR), FBIHQ. OGC will prepare a cover letter and a letterhead memorandum for the General Counsel and the Assistant Director, Inspection Division, to report this matter to the IOB. Submission of this matter to the OPR, together with a copy of our opinion, is a matter within the cognizance of the Inspection Management Unit (IMU).

(U) ~~Classified By: 39645, NSA/OGC  
Reason: 1.5(c)  
Declassify On: X1~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

Reference: ~~(S)~~ 278-HQ-C1229736-705 Serial 37

*file*  
278-HQ-C1229736-70

~~SECRET~~

DATE: 02-22-2006  
CLASSIFIED BY: 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-22-2031

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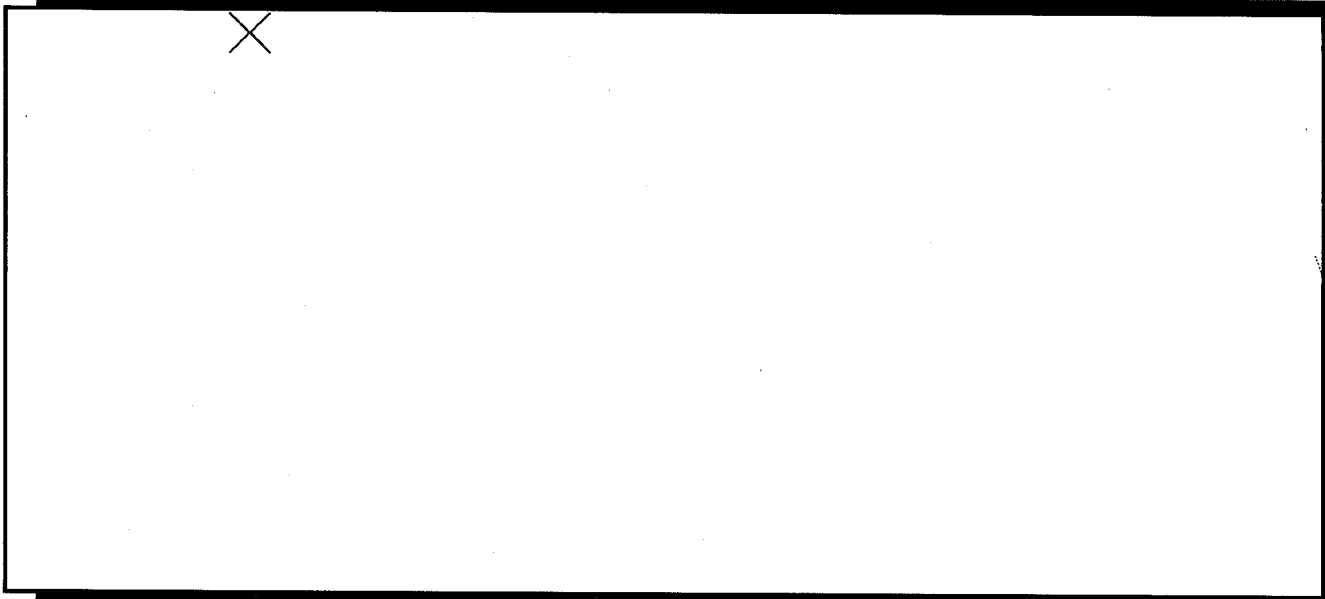
*263-AP-O-SUBV-83*

~~SECRET~~

To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/29/2000

**Administrative:** (U) This communication contains one or more footnotes. To read the footnotes, download and print the document in WordPerfect 6.1.

**Details:** (U) Referenced communication from the Inspection Division (INSD) to OGC, dated 11/17/00, requested that OGC review the facts of the captioned matter and determine whether it warrants reporting to the Intelligence Oversight Board (IOB).... In our opinion, it does. Our analysis follows.



(S)

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(S) 1 ~~(S)~~ EC from the Western Europe, Americas, Near East Unit (NS-2B), Global Section (NS-2), NSD, to INSD, dated 10/06/2000 and titled "Possible Intelligence Oversight Board (IOB) Matter; FBIHQ" (cited hereinafter as "NSD EC"). See also EC from INSD to Director's Office (Office of Professional Responsibility [OPR]), NSD, and OGC, titled "National Security Division[;] Intelligence Oversight Board (IOB) Matter 2000-

b2

2 (U) NSD EC.

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

4 (U) NSD EC. See Sec. IX, FCIG.

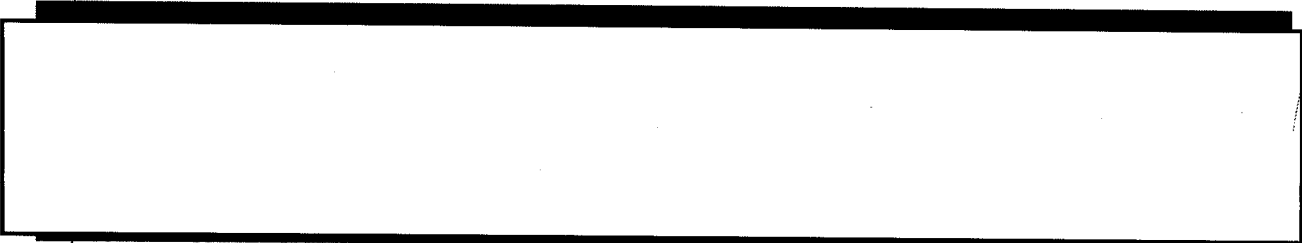
5 ~~(S)~~ EC from INSD to Director's Office (Office of Professional Responsibility [OPR]), NSD, and OGC, titled "National Security Division[;] Intelligence Oversight Board (IOB) Matter 2000- Review of Automated Case Support system verified the timely submission of  annual LHM. Id.

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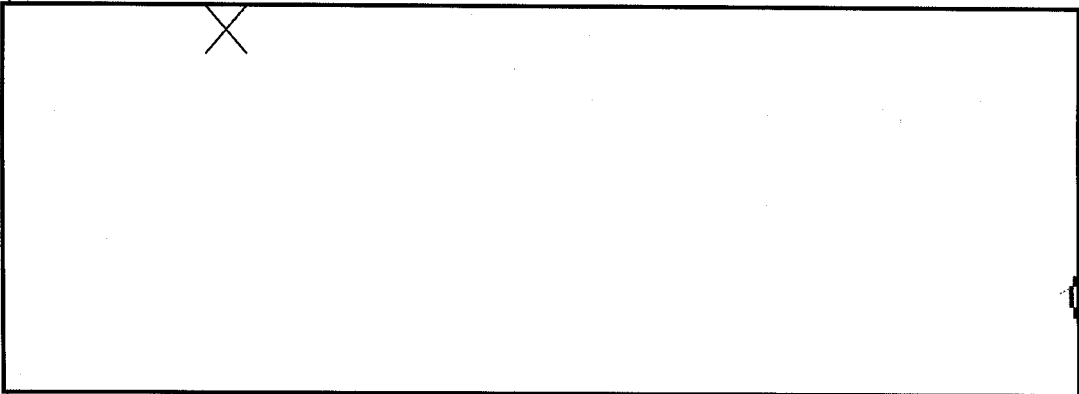
To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/29/2000



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(U) Section 2.4 of Executive Order (E.O.) 12863, dated 09/13/1993, mandates that Inspectors General and General Counsel of the Intelligence Community components (in the FBI, the Assistant Director, INSD, and the General Counsel, OGC, respectively) report to the IOB "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." This language was adopted verbatim from E.O. 12334, dated 12/04/1981, when the IOB was known as the President's Intelligence Oversight Board (PIOB). By longstanding agreement between the FBI and the IOB (and its predecessor, the PIOB), this language has been interpreted to mandate the reporting of any violation of a provision of the FCIG, or other guidelines or regulations approved by the Attorney General, in accordance with E.O. 12333, dated 12/04/1981, if such provision was designed in full or in part to ensure the protection of the individual rights of a U.S. person. Violations of provisions that are essentially administrative in nature need not be reported to the IOB. The FBI is required, however, to maintain records of such administrative violations so that the Counsel to the IOB may review them upon request.



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6 (U) Id.

7 (U) Id.

~~SECRET~~

~~SECRET~~

To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/29/2000

[Redacted]

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(Emphasis added, classification marking omitted).

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[Redacted]

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[Redacted]

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[Redacted]

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~~SECRET~~

~~SECRET~~

To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/29/2000

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~~(S)~~ In accordance with the reporting requirements of Section 2.4 of E.O. 12863, OGC will prepare a cover letter and an LHM for the General Counsel and the Assistant Director, INSD, to report this matter to the IOB. That correspondence will also advise the IOB that this matter will be referred to the FBI's Office of Professional Responsibility. The latter is a matter within the cognizance of the IMU.

<sup>9</sup> (S) Id.

~~SECRET~~

~~SECRET~~

To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/29/2000

LEAD (s)

Set Lead 1: (Adm)

INSPECTION DIVISION

AT WASHINGTON, DC

(U) For appropriate action.

Set Lead 2: (Adm)

DIRECTOR'S OFFICE

AT OPR FO, DC

(U) For action deemed appropriate.

Set Lead 3: (Adm)

NATIONAL SECURITY DIVISION

AT WASHINGTON, DC

(U) Read and clear.

1 - Mr. Parkinson

1 - Mr. T. Kelley

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1 - IOB Library

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~~SECRET~~

~~SECRET~~

December 13, 2000

BY COURIER

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

Dear Senator Rudman:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division and Western Europe, Americas, Near East Unit (NS-2B), National Security Division, IOB Matter 2000-[redacted] (U)

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

Enclosure

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

1 - Mr. Parkinson

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[redacted]

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UNCLASSIFIED WHEN  
DETACHED FROM  
CLASSIFIED ENCLOSURE

1 - INSD (1-278-HQ-C1229736-705 Serial 37) (1-IOB 2000 [redacted])

b2

*JAW:jaw*  
JAW:jaw (7)

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

~~SECRET~~

DATE: 02-22-2006  
CLASSIFIED BY: 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-22-2031

RECEIVED  
DEC 21 2000  
IMU

~~SECRET~~

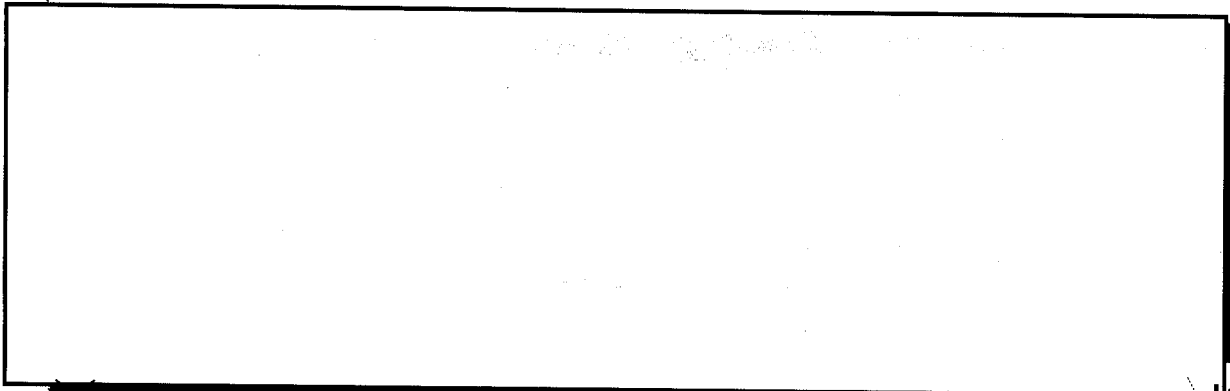
Honorable Warren B. Rudman

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

Sincerely,

Larry R. Parkinson  
General Counsel

David R. Knowlton  
Assistant Director  
Inspection Division



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(S)  
(S)

<b>APPROVED:</b>	Crim. Inv. _____	Inspection <u>DR</u>	Training _____
	C.I.S. _____	Laboratory _____	Off. of EEO _____
	Financ. _____	National Sec. _____	Affairs _____
	Director _____	Gen. Coun. <u>LR</u>	OPR _____
Deputy Director _____	Info. Res. _____	Personnel _____	Off. of Public & Cong. Affs. _____

*WLL*  
11/29/00

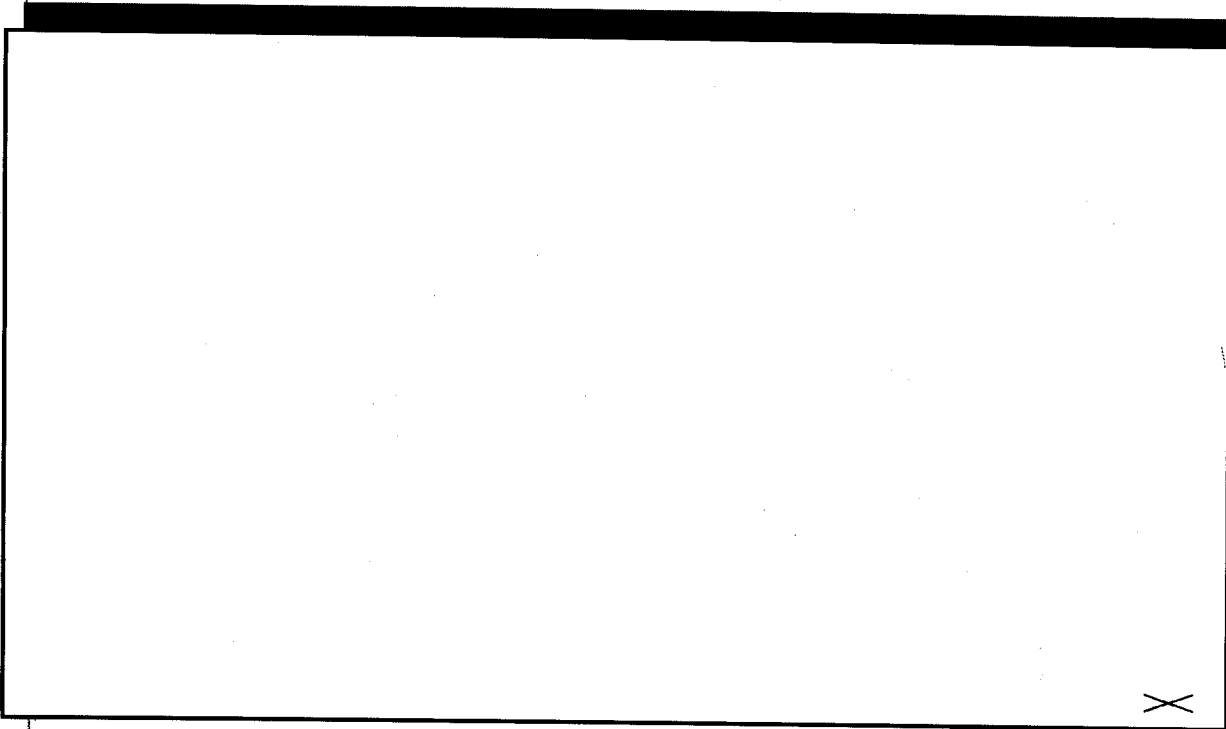
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~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER  
[redacted] DIVISION  
AND  
WESTERN EUROPE, AMERICAS, NEAR EAST UNIT (NS-2B),  
NATIONAL SECURITY DIVISION,  
FBI HEADQUARTERS  
IOB MATTER 2000-[redacted] (U)

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

MM  
11/29/0

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

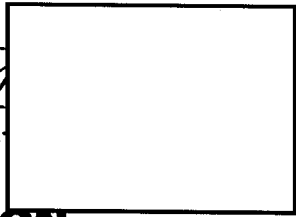
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DATE: 02-22-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-22-2031

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE.

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5/1/01  
7/1/01



**FEDERAL BUREAU OF INVESTIGATION**

Precedence: ROUTINE

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Date: 11/20/2000

To: Inspection

Attn: Inspection Management Unit



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Director's Office

Attn: Office of Professional Responsibility

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From: General Counsel

National Security Affairs/Room 7974

Contact: Bowman Marion E

1

Approved By: Bowman Marion E



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IOB

Drafted By:

b7C

Matters

Case ID #: (U) 278-HQ-C1229736 -461

Title: ~~(S)~~ ~~NATIONAL SECURITY DIVISION~~  
~~INTELLIGENCE OVERSIGHT BOARD (IOB)~~  
~~MATTER 2000~~ b2

Synopsis: ~~(S)~~ It is the opinion of the Office of General Counsel (OGC) that this matter must be reported to the Intelligence Oversight Board (IOB) and to the Office of Professional Responsibility (OPR), FBIHQ. OGC will prepare a cover letter and a letterhead memorandum for the General Counsel and the Assistant Director, Inspection Division, to report this matter to the IOB. Submission of this matter to the OPR, together with a copy of our opinion, is a matter within the cognizance of the Inspection Management Unit (IMU).

(U) ~~Classified By: 39645, NSA/OGC~~  
~~Reason : 1.5(c)~~  
~~Declassify On: X1~~

Reference: ~~(S)~~ 278-HQ-C1229736-705 Serial 35

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-23-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-23-2031

~~SECRET~~

278-HQ-C1229736-705-35

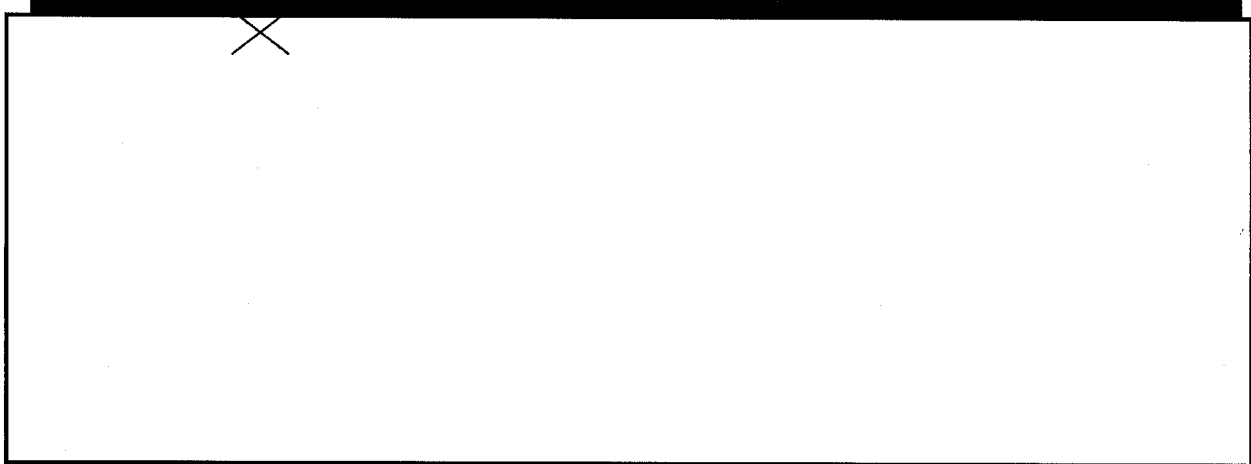
263-HQ-0 - SUB U-83A

~~SECRET~~

To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/20/2000

**Administrative:** (U) This communication contains one or more footnotes. To read the footnotes, download and print the document in WordPerfect 6.1.

**Details:** (U) Referenced communication from the Inspection Division (INSD) to OGC, dated 11/09/00, requested that OGC review the facts of the captioned matter and determine whether it warrants reporting to the Intelligence Oversight Board (IOB). In our opinion, it does. Our analysis follows.



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<sup>1</sup> (X) EC from the Western Europe, Americas, Near East Unit (NS-2B), Global Section, NSD, to INSD, dated 10/20/00 and titled "Possible Intelligence Oversight Board (IOB) Matter; FBIHQ." See also EC from INSD to Director's Office (Office of Professional Responsibility), and NSD, dated 11/09/00 and titled "National Security Division[;] Intelligence Oversight Board (IOB) Matter 2000- [redacted]" b2

<sup>2</sup> (U) Id.

<sup>3</sup> (U) The FISA is codified at 50 U.S.C. § 1801 et seq.

<sup>4</sup> (U) E-mail from SSA [redacted] NS-2B, FBIHQ to [redacted] National Security Law Unit (NSLU), OGC, FBIHQ, dated 10/30/00 and titled [redacted] Possible IOB Matters"; e-mail from SSA [redacted] NS-2B, FBIHQ to [redacted] NSLU, OGC, FBIHQ, dated 11/01/00 and titled [redacted] [sic] PIOB Matters."

~~SECRET~~

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To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/20/2000

[Redacted]

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(U) Section 2.4 of Executive Order (E.O.) 12863, dated 09/13/1993, mandates that Inspectors General and General Counsel of the Intelligence Community components (in the FBI, the Assistant Director, INSD, and the General Counsel, OGC, respectively) report to the IOB "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." This language was adopted verbatim from E.O. 12334, dated 12/04/1981, when the IOB was known as the President's Intelligence Oversight Board (PIOB). By longstanding agreement between the FBI and the IOB (and its predecessor, the PIOB), this language has been interpreted to mandate the reporting of any violation of a provision of the FCIG, or other guidelines or regulations approved by the Attorney General, in accordance with E.O. 12333, dated 12/04/1981, if such provision was designed in full or in part to ensure the protection of the individual rights of a U.S. person. Violations of provisions that are essentially administrative in nature need not be reported to the IOB. The FBI is required, however, to maintain records of such administrative violations so that the Counsel to the IOB may review them upon request.

[Redacted]

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<sup>5</sup> (U) E-mail from SSA [Redacted] NS-2B, FBIHQ to [Redacted] NSLU, OGC, FBIHQ, dated 10/30/00 and titled [Redacted] Possible IOB Matters."

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<sup>6</sup> (U) E-mail from SSA [Redacted] NS-2B, FBIHQ to [Redacted] NSLU, OGC, FBIHQ, dated 11/01/00 and titled [Redacted] [sic] PIOB Matters."

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~~SECRET~~

To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/20/2000

[Redacted]

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(Emphasis added, classification marking omitted).

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[Redacted]

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[Redacted]

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~~SECRET~~

To: Inspection From: General Counsel  
Re: (U) 278-HQ-C1229736 , 11/20/2000



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~~(S)~~ In accordance with the reporting requirements of Section 2.4 of E.O. 12863, OGC will prepare a cover letter and an LHM for the General Counsel and the Assistant Director, INSD, to report this matter to the IOB. That correspondence will also advise the IOB that this matter will be referred to the FBI's Office of Professional Responsibility. The latter is a matter within the cognizance of the IMU.

LEAD (s)

Set Lead 1: (Adm)

INSPECTION DIVISION

AT WASHINGTON, DC


(U) For appropriate action to include referral of this matter to the Office of Professional Responsibility, FBIHQ, together with a copy of our opinion.

Set Lead 2: (Adm)

DIRECTOR'S OFFICE

AT OPR FO, DC

(U) For action deemed appropriate.

- 1 - Mr. Parkinson
  - 1 - Mr. T. Kelley
  - 1 - 
  - 1 - IOB Library
- b6  
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~~SECRET~~

~~SECRET~~

November 29, 2000

BY COURIER

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

Dear Senator Rudman:

Enclosed for your information is a self-explanatory letterhead memorandum (LHM), entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Division and Western Europe, Americas, Near East Unit (NS-2B), National Security Division, IOB Matter 2000-[redacted] (U) b2 b7E

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

Enclosure

1 - Mr. Parkinson

1 - [redacted]  
1 - [redacted]  
1 - [redacted]

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UNCLASSIFIED WHEN  
DETACHED FROM  
CLASSIFIED ENCLOSURE

② - INSD (1-278-HQ-C1229736-705 Serial 35) (1-IOB 2000-[redacted]) b2

JAW:jaw (7)

278-HQ-C1229736-705-42

- 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 \_\_\_\_\_

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

~~SECRET~~

DATE: 02-23-2006  
CLASSIFIED BY: 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-23-2031

RECEIVED  
DEC - 2 2000  
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MAIL ROOM

278 HQ C1229736-705 FBI/DOJ

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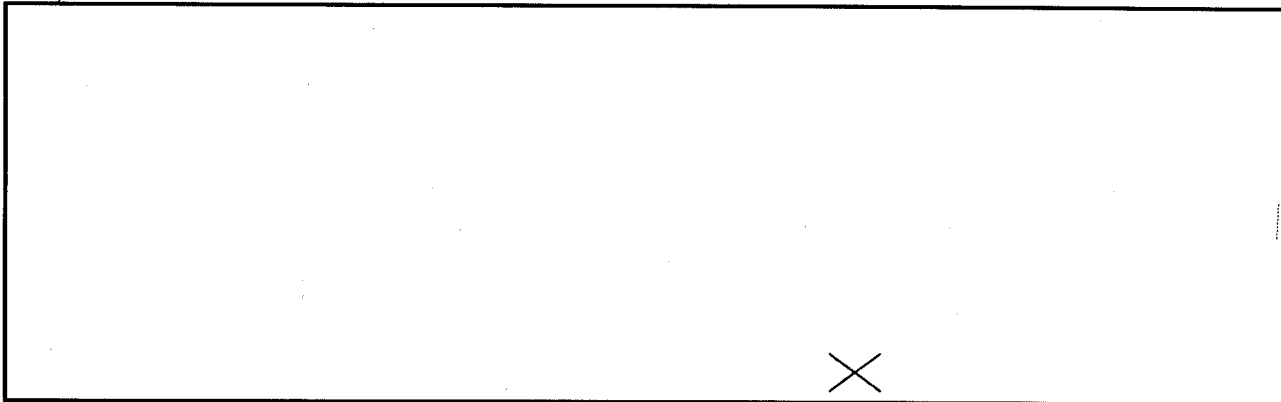
Honorable Warren B. Rudman

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

Sincerely,

Larry R. Parkinson  
General Counsel

David R. Knowlton  
Assistant Director  
Inspection Division



(S)

(S)

<b>APPROVED:</b>	Crim. Inv. _____	Inspection <u>JK</u>	Training _____	b1
	CJS _____	Laboratory _____	Off. of EEO _____	b2
	Finance _____	National Sec. _____	Affairs _____	b6
	Director _____	Gen. Counsl <u>JK</u>	OPR _____	b7C
Deputy Director _____	Info. Res. _____	Personnel _____	Cong. Affs. _____	b7E

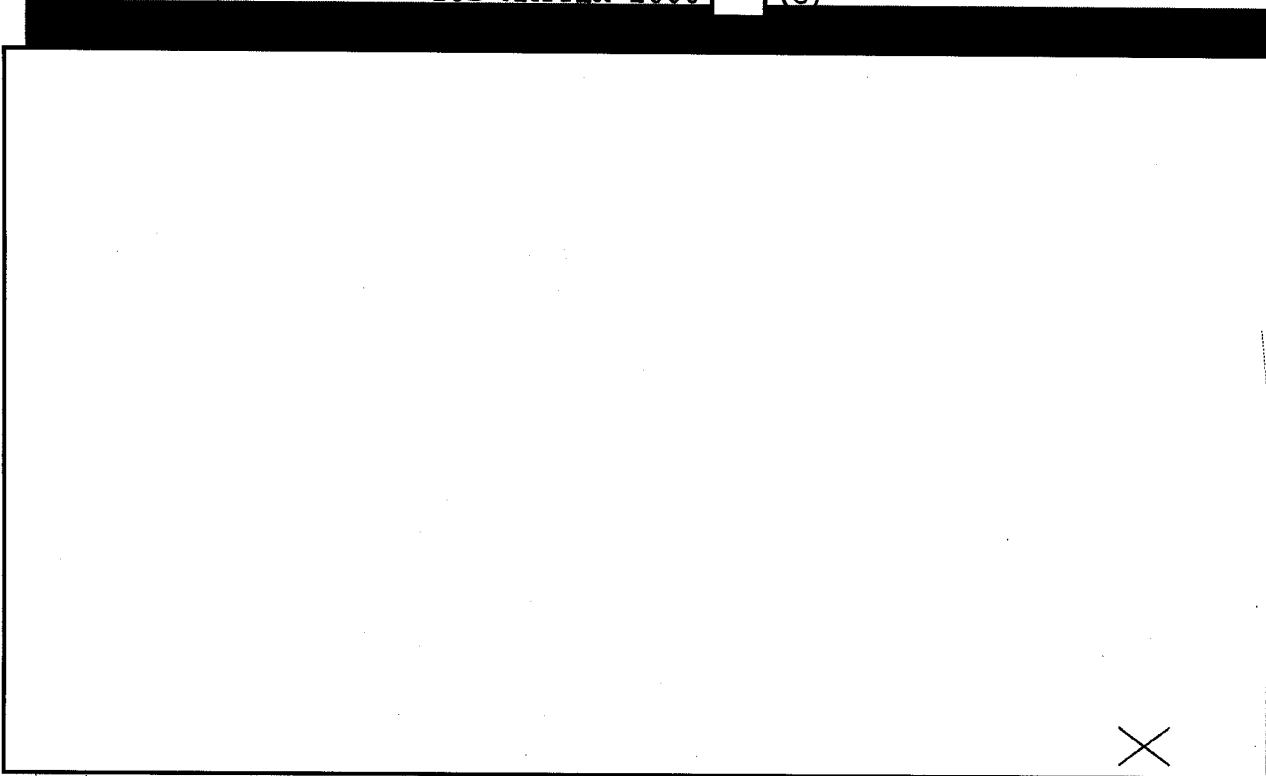
JWMS  
11/17/00

~~SECRET~~



~~SECRET~~

INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER  
[REDACTED] DIVISION  
AND  
WESTERN EUROPE, AMERICAS, NEAR EAST UNIT (NS-2B), b2  
NATIONAL SECURITY DIVISION b7E  
IOB MATTER 2000-[REDACTED] (U)



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ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

<b>APPROVED:</b>	Crim. Inv. _____	Inspection <u>Dr</u>	Training _____
	CJIS _____	Laboratory _____	Off. of EEO _____
	Finance _____	National Sec. _____	Affairs _____
	Director _____	Gen. Counsel <u>AP</u>	OPR _____
Deputy Director _____	Info. Res. _____	Personnel _____	Cong. Affs. _____

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

*Handwritten:* JMS  
11/17/00

~~SECRET~~

DATE: 02-23-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C)  
DECLASSIFY ON: 02-23-2031

~~SECRET~~

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 11/13/2000

To: Inspection

Attn: Inspection Management Unit  
SSA [redacted]

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Director's Office

Attn: Office of Professional  
Responsibility

From: General Counsel

National Security Affairs/Room 7974

Contact: Marion E. Bowman

*IOB Matters*

Approved By: Bowman Marion E

[redacted]

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Drafted By:

Case ID #: ~~(S)~~ 278-HQ-C1229736

*serial 460*

*(1)*

Title: ~~(S)~~

SA [redacted]

DIVISION  
INTELLIGENCE OVERSIGHT BOARD (IOB)  
MATTER 2000 [redacted]

b2

Synopsis: ~~(S)~~ It is the opinion of the Office of the General Counsel (OGC) that this matter must be reported to the Intelligence Oversight Board (IOB) and to the Office of Professional Responsibility (OPR), FBIHQ. OGC will prepare a cover letter and a letterhead memorandum for the General Counsel and the Assistant Director, Inspection Division, to report this matter to the IOB. Submission of this matter to the OPR is a matter within the cognizance of the Inspection Management Unit (IMU).

~~(U) Classified By: 39645, NSA/OGC  
Reason: 1.5(c)  
Declassify On: X1~~

Reference: ~~(S)~~ 278-HQ-C1229736-34 Serial 39

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 02-23-2006  
CLASSIFIED BY 65179/DMH/VC  
REASON: 1.4 (C D )  
DECLASSIFY ON: 02-23-2031

~~SECRET~~

*263-HQ-0-SUB V-84*

To: Inspection From: General Counsel  
Re: ~~(S)~~ 278-HQ-C1229736 , 11/13/2000

**Administrative:** (U) This communication contains one or more footnotes. To read the footnotes, download and print the document in WordPerfect 6.1.

**Details:** (U) Referenced communication from the Inspection Division (INSD) to OGC, dated 11/08/00, requested that OGC review the facts of the captioned matter and determine whether it warrants reporting to the Intelligence Oversight Board (IOB). In our opinion, it does. Our analysis follows.

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