SECRET

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTIN	JE	Date: 05/28/2003
To: Director's Off	fice Attn:	OPR, Rm. 7129
General Counse	21	Kenneth L. Wainstein, National Security Law Unit Rm. 7975
From: Inspection Inspection Contact:	on <u>M</u> anagement Unit/Ro	
Approved By:		DATE: 05-25-2007 CLASSIFIED BY 65179dmh/ksr/p
Drafted By:		REASON: 1.4 (c,d) - 66 DECLASSIFY ON: 05-25-2032 - 67C
(U) Case ID #: (\$ 278	3-HQ-1425173 2 (Pendin	ig)
U) Title: () SSA		be platters
IOB 1 2003	DIVISION	b6 all information contained b7C HEREIN IS UNCLASSIFIED EXCEPT b7E WHERE SHOWN OTHERWISE
(U) RESTRICTED I	OCUMENT - DISSEMINAT	E TO PERSON(S) WITH ROLE
	facts of a possible	of the General Counsel E Intelligence Oversight
(U) (U) 27	Derived From : G-3 Declassity On: X1 78-HQ-C1229736-VIO-90	11.3.40-0-4-1711
	ceeding the authorize	ew the facts of a possible ed scope of an otherwise
(U) (8) The which the questions program:	title of the substanable activity occurre	tive investigation in ed and the investigative
Title:		
(S) File number		b1
	SECRET	
JUN 2003		

263-HA-A SIR, 1

NSL VIO-1

SECRET

To: Director's Office From: Inspection (c) Re: (2) 278-HQ-1425173, 05/28/2003 NSL VIO-2

(S)		
		Ī
	was obtained through the	•
source without	t issuance of a National Security Letter (NSL).	
		vere
	the oversight, and were directed to obtain NSLs	for
	question. CDC subsequently	
	issue with the division (not ified) and it was anticipated division personnel	
ould be made		
roura de made	without a NSL." [See	
referenced com	mmunication for details.	

Tp: Director's Office From: Inspection Re: (S) 278-HQ-1425173, 05/28/2003NSL VIO-3

LEAD(s):

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

 $\{U\}$ (X) 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 Chief Counsel Kenneth L. Wainstein, OGC, forwarding matter to the IOB.

Set Lead 2: (Action)

DIRECTOR'S OFFICE

(U) AT OPR FO, DC

Attached EC is provided to OPR pursuant to the NFIP Manual, Part 1, Section 2-56. OPR is requested to review the information to determine whether disciplinary action is warranted.

**

:>cev. 01-31-2003)

SECRET NSL VIO-4

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE	Date: 04/25/2003
To: Inspection Attn: Office of General Counsel Attn:	Room 7837
From: Squad 16A Contact:	b2 b7E
Approved By:	b6 b7C
Drafted By: Case ID #: (U) 278-HQ-C1229736-VIO (S) (Pendi	D1 (Pending) b6 ing) b7C
Title: (U) SSA SA DIVISION	b2 b7E b7D
Synopsis: This communication rep Oversight Board and possible OPR matte	ports an Intelligence b1 b2 b7E
(U) Derived From : G- Declaratify On: X1 Details: (S)	-3
Details: (3)	b1 b2 b7E
(S)	b1 b2 b7
SECRET	b6 pate: 05-30-2007 b7C classified BY 65179dmh/ksr/prs b7E peason: 1.4 (c,d) declassify on: 05-30-2032

ALL IMPORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

b2

: GT Inspection From: b7E (U) 278-HQ-C1229736-VIO, 04/25/200 Re: b6 probationary SA at the time this matter commenced, who was under the direct Supervision of SSA b7C The controlling legal authority in this matter is 18 U.S.C. Section 2709, Counterintelligence access to Telephone Toll and Transactional Records. Simply stated, requires that the FBI obtain Billing and Subscriber information through the issuance of a National Security Letter (NSL). without the issuance of a NSL. be noted that SA and obtained information relevant to substantive (S) b1 b2b7E **b**6 b7C b7D began to have doubts as to this matter and instructed SA to consult with Associate <u>Divisio</u>n Counsel, SA SA Icontacted SSA on 04/24/2003, advising of the legal insufficiency, the TOB reporting requirement and possible OPR matter. SSA subsequently advised SAC and this communication was drafted on 04/25/2003. (U) In a discussion with CDC and ADC on b6 04/25/2003, agreed that the preparation of a NSL for would obtain the b7C information as set forth in 18 U.S.C. b7D 2709, and the information would not have to be removed from b2 investigative files. CDC discussion with will result in advice to b7E investigative personnel of this issue and the preclusion against without a NSL. SECRET

SECRET

Tb: Inspection From: NSL VIO-6
Re: (U) 278-HQ-C1229736-VIO, 04/25/2003

b2 b7E

++

SECRET

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Page

1

	Precedence: ROUTINE		Date:	01/20/2004	
	To: General Counsel	_{bo} Attn			
	From:	b2 b7E	Room 7975	Security Law Branch,	
	C1-2 Contact: SA				
	Approved By:			b2	
	•			b6	
	Drafted By:			b7C	
7113					
(U) ····	Case ID #: 278-HQ	-C1229736-VIO			
(U) ·	Title: S INTELLIGEN	CE OVERSIGHT B	OARD (IOB) M	ATTER	
	Synopsis: Possibl on a target that was no	e IOB error fo	r Electronic	Surveillance conduct	
	III) Beri	red From	y Fisa Order	•	
	(U) Deci	SSIEY On: X1	3		
	Details:				1
	(S)				
					.b1 b2
	(S)				b7E
) d \]
(U)	7 - 102 31	ror:			¬
	(S)				
/III)					b1
(U) ·	(A) 4. Description of	IOB Error (inc	luding any re	eporting delays).	
Г	(S)			<u> </u>	
					b1
					b6
					b7C b7D
					£ 1 £
Ĺ		*			
(ase ID : 278-HQ-C1229736 278 C57694	-vio _{b2}	Serial	: 350	· – – –
	ALL INFORMATION CONTACT	₩ b7E -		17 DATE: 05-30-2007	Ç., ggrojim primari
	HEREIN IS UNCLASSIFIED WHERE SHOWN OTHERWISE	EXCEPT		CLASSIFIED BY 65179dm REASON: 1.4 (c/d)	
				DECLASSIFY ON: 05-30-	4U34

΄, (S) Γ		SECRET Working Copy NSL VIO-8	b1 b6 b7C
: _	(s)		b2 b7E b1
	:		b6 b70 b2 b7E b7D
	(S)		b1 b6 b70 b2 b7E
_ _	(S)		<u>-</u>
			b1 b6 b7C b2 b7E
	nternal is 0 days.	In addition, CL	b6 b7C b2 b7E
	(S)		
	·	1ambac	b1 b6 b7C b2 b7E

. .

Page b1 SSA in turn, advised of FBIHQ as to the recurrence of the problem detected b7C December 9, 2003. b7D · (S) b1 b2 b7E b7D b6 b7C (S) b1 b2 b7E b6 b7C b7D Finally, Division did not, at any time, index or b2 enter any of the inadvertently intercepted information into an FBI b7E database or other FBI information retrieval system. LEAD(s):

Set Lead 1: (Action)

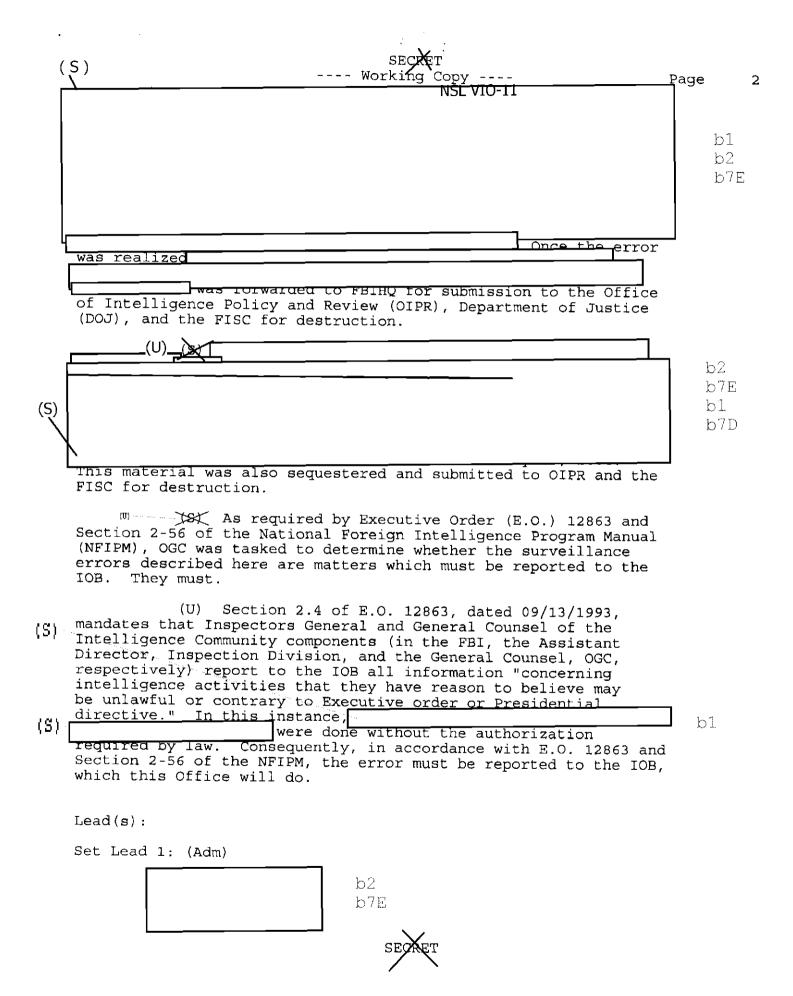
GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

SECRET
---- Working Copy ---NSL VIO-10

	Precedence: ROUTINE		Date: 02/20/2004	
	b2 b7E	Attn:	ASAC FCI/Administrative CDC	
	Counterintelligence	Attn:	CD-3A	
	Director's Office	Attn:	Office of Professional Responsibility	
b6 b7 b2	From: General Counsel National Security Law Contact: pproved By: Curran John F	Propak /	ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT PE SHOWN OTHERWISE	
(U)	Drafted By:		pate: 05-31-2007 Classified by 65179dmh/ks:/pis REASON: 1.4 (c/d) DECLASSIFY ON: 05-31-2032	
	Case ID #: >8 278-HQ-C122973	36-VIO	(Pending)	
	Title: S INTELLIGENCE OVERS (U) (IOB) MATTER 2004	SIGHT BO	ARD b2	
	Synopsis: (S) It is the opin: Counsel (OGC) that the above reto the IOB and to the FBI's Off (OPR). OGC will prepare and deto the IOB. Our analysis follows:	eference fice of eliver t	d matter must be reported Professional Responsibility	
	(U) Derived from Declassify or Reference: 278-HQ-C122973	G-3 X-1 36-VIO S	OIG/DOJ Review: DATE: 7/13/05 FBI INVEST: /// OPR UC INITIALS: erial 350	
(U)	Administrative: (U) This comm footnotes. To read the footnot	nunicati	on contains one or more	
S) ·	Details: 8 By electronic of 2004 (cited below), possible IOB error in conjunctintelligence investigation.		tion (EC) dated January 20, on reported a its ongoing counter b2 b71	
			b1	
	Case ID: 278-HO-C1229736-VIO 278 C57694 b2 b7E	SEC	Serial : 379 / 18 ET	~



Page

3

(U) Read and clear.

Set Lead 2: (Action)

COUNTERINTELLIGENCE DIVISION

AT WASHINGTON, DC

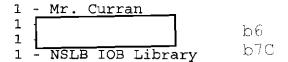
(U) CD-3A is requested to ensure that the unauthorized "take" described in the EC 278-HQ- b2 C12229736-VIO Serial 350 has been submitted, via the Office of b7E Intelligence Policy and Review, Department of Justice, to the FISC for destruction.

Set Lead 3: (Action)

DIRECTOR'S OFFICE

AT OPR, FO, DC

(U) For review and action deemed appropriate.



NSL VIO-13

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	infor	rmation	a	self-
explanatory en		entitled	"Int	elliç	gence	Oversion	<u>i</u> ht	Board
(IOB) Matter,		Division,	IOB	Matt	er 20	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 1 - OPR 1 - 278-HO-C1229736-VIO-380

UNCLASSIFIED WHEN
DETACHED FROM
CLASSIFIED ENCLOSURE

Dep. Dir. Chief of Staff Off of Gen Counsel Asst Du Admin, Ser. Com. Inv CHS Finance Info. Res. Lab National Sec Off of Public & Cong. Afts Training Off. of EFOA Director's Office

Derived from: G-3
Declassiv on: X1 peclassified by 65179dmh/ksr/prs
ON 05-31-2007
SECRET

FBI/DOJ



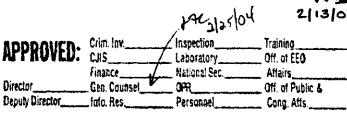
General Brent Scowcroft (USAF Retired)

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)

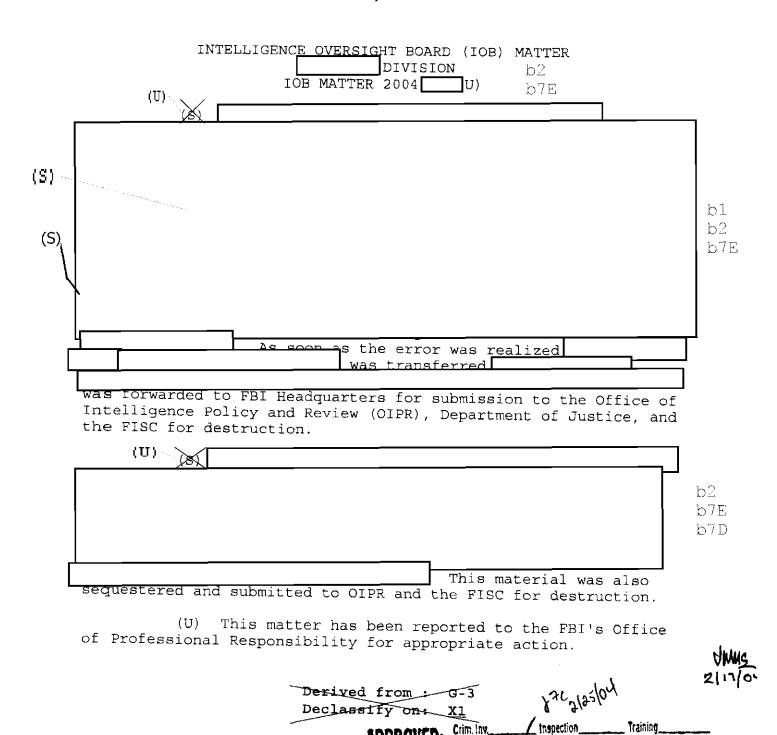
Sincerely,

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



SECRET NSL VIO-15



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE DATE: 05-31-2007

CRS.

Finance

_Into. Res,

Gen. Counsel

CLASSIFIED BY 65179dmh/ksr/prs

Laboratory_

National Sco._

Personnel_

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Afrairs

REASON: 1.4 (c/d)

Deputy Director___

DECLASSIFY ON: 05-31-2032



FEDERAL BUREAU OF NEW STIGATION

	Precedence:	ROUTINE	Date:	07/21/2005	
	To: General	Counsel Attn:	NSLB		
		ction ternal Inve <u>stigations Sect</u> ntact: CRS	ion IPU, Room Ext.	11102 b6	
	Approved By:	Fogle Toni Mari		b7C	
	Drafted By:			b2	
(U;	Case ID #:	> 278-HQ-C1229736-VIO	(Pending)		
(U)	Title:)%	INTELLIGENCE OVERSIGHT B INSD/IIS TRACKING# 893 OGC/IOB# 2004	oard matter b2		
	Synopsis: (U (IOB) matter Law Branch (M	J) To report a potential I to the Office of General NSLB).	ntelligence Ove Counsel, Nation	rsight Board al Security	
	(U)>	Derived From : 0- Declassify On: X1	3		
(U)	Reference:	278-HQ-C1229736-VIO S 278-HQ-C1229736-VIO S			
	an EC from IOB error. IIS's opinion issue. There the IIS and the I	Division dated 1/20 Based upon a review of the the incident described tefore, no internal investion they deem appropriate.	/2004, reportin referenced EC herein is an ad gation will be	g a possible it is the ministrative conducted by	b2 b7E
	**	DECLASSIFIED BY 65179 dmh ON 06-13-2007	/kar/pra		





Office of the Inspector General

	Washington, D.C. 20530
DATE:	May 30, 2006
TO:	Charlene B. Thornton Assistant Director Inspection Division Federal Bureau of Investigation
FROM:	Glenn G. Powell Special Agent in Charge Investigations Division
SUBJECT:	OIG Complainant No. 2006002830 Subject: Unidentified Division b2 FBI No. Not Assigned b7E
whate	onsider this a management matter. The information is being provided to you for ever action you deem appropriate in accordance with your agency's policy and ations. A copy of your findings and/or final action is not required by the OIG.
	natter is referred to your agency for investigation. Please provide the OIG with a of your final report on this matter.
This o	complaint will be investigated by the OIG.
	IMPORTANT NOTICE

Identifying information may have been redacted from the attached OIG Report/Referral pursuant to § 7 of the IG Act or because an individual has (a) requested confidentiality or (b) expressed a fear of reprisal. If you believe that it is necessary that redacted information be made available to your Agency, you may contact the Assistant Inspector General for Investigations.

Please be advised that, where adverse action is not contemplated, the subject of an investigation does not have a right to have access to an OIG Report/Referral or to the identifies of complainants or witnesses, and that, in all cases, complainants and witnesses are entitled to protection from reprisal pursuant to the Inspector General Act and the Whistleblower Protection Act.

Attachment

DIG - INVESTIGATIONS DIVISION	- IDMS - Co	omplaint Form	oig No.	689-2006-0	02830-M	_b;
Received By:	b6 Da	te Received:	07/13/2005	How Recei	ved: A	- b
SUBJECT: Unidentified,				SSNO:		
Fitle: UNID Component: FBI Misc:	Pay Plan: EOD Date:		Alie	.O.B.; n No.: I. No .:		
Iome: Phone:	ZIP:			P.No.: L No.:		
Vork: Phone:	ZIP:		Ch	arg es : 689		
COMPLAINANT: Fitle: UNITC Component: FBI Misc:	Pay Plan: EOD Date:		Alie	SSNO: .O.B.: n No.: I.No.:		
Home: Phone: Work: GENERAL COUNSEL NATIONAL SECURITY LAW UN	ZIP:	NGTON. DC		P.No.: L No.:	b6 b7C	
Phone: (202) Confidential:	ZIP: Revealed:		Autho	ority: none	b2	
The FBI provided information unauthorized communications. Division unintentionally obt	As a conseque	ence of a typo	graphical e	ing the inter rror, the FBI b2 b7E		f
ALLEGATIONS: 689 IOB Violat		• b2				
CITY:		bz	F	Zip:		
ISPOSITION DATA: Date: 07/13, deferred to Agency: FBI	•	position: M ate Sent: 05/3	App	roval: POWELL onent: FBI	, GLENN	G
Civil Rights: N Component Number:	Pat	riot Act: N Consolid	Sens lated Case N	itive: N umber:		
Remarks:						
5/30/06 - Sent to AD Thornto secure container within OIG/		The predicatin	g material	will be maint	ained in	a

ALL FEI INFORMATION COMTAINED HEREIN IS UNCLASSIFIED DATE 05-31-2007 BY 65179dmh/ksr/prs

NSL VIO-18