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(S)SECRET 2 Working Copy ----Page (S)b1 b7A b6 b7C b2 b7E (S)b1 b6 An NSL dated 01/11/2006 for subscriber information b7C and toll billing records was issued to the communications b2 provider of the above telephone number for b7E through present, b7A (S)SK Results of the NSL issued by b2 were received from the serving office on 05/10/2006. A FD-542 b7E communication was submitted to claiming a statistic b6 for service of an NSL. SA reviewed this communication b7C b1 on or about 05/23/2006 and learned the following: b7A The telephone number was subscribed to by 1) b2 through the date of b7E the NSL (01/11/2006). Hard copy toll records for this b6 period were provided by the communications carrier and b7C were forwarded to by 2) The telephone number was also subscribed to by party other than for the period through Hard copy toll records for the b2 period were provided by b7E the communications carrier and were forwarded to ίS b1 by (S)b7A (6) Per review of ACS, the party other than identified only in the FD-542 communication sent by was b6 b7C Otherwise, the party other than _____ was identified only through review of the hard copy results provided by the communications carrier. No steps were taken in an attempt to further identify the other party. The toll records provided by the communications carrier with regard to the other party have - CECRET NSL VIO-34929

Page ---- Working Copy ----3 not been utilized or uploaded by b2 **(X**) On 06/08/2006, through <u>office-pr</u>ovided training, b7E it was brought to the attention of SA 🗌 that the above incident may constitute an IOB violation. On the same day, SA b6 brought this matter to the attention of his supervisor, b7C SSA as well as the Division CDC. Remedial action; if deemed appropriate, will **₹s**} include the permanent ACS charge-out of the communication identifying the other party, as well providing all hard-copy toll records related to the other party to CDC for whatever action deemed appropriate. 💢 The National Foreign Intelligence Program Manual, Section 2-02, states that there are certain investigative activities which are permitted in the absence of formally authorized inquiries and investigations. The collection of information pertaining to the other party as described above is not one of those activities. Nonetheless, it was not the intention of the captioned employees to capture information concerning an individual who is not under investigation.

LEAD(s):

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) The Internal Investigation Section is requested to determine if the matter described in this communication constitutes a reportable IOB issue.

Set Lead 2: (Action)

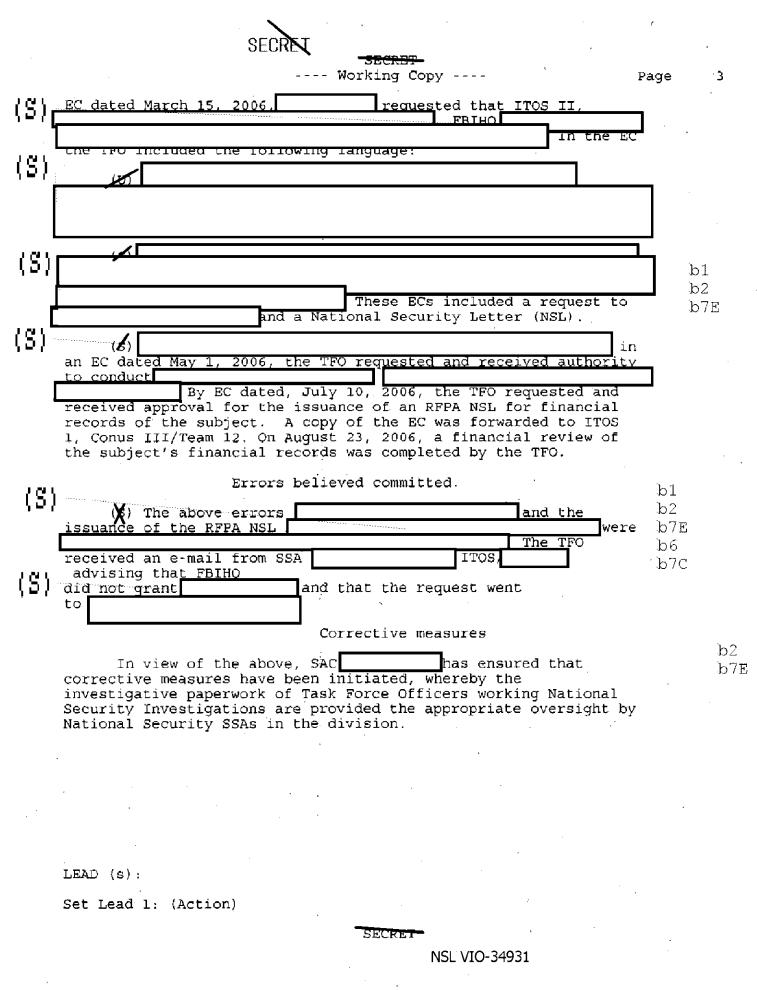
GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLB is requested to determine if the matter described in this communication constitutes a reportable IOB issue.

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SEC

GENERAL COUNSEL AT WASHINGTON DC

SECRET

(U) It is requested that the above information be reviewed for a potential IOB violation.

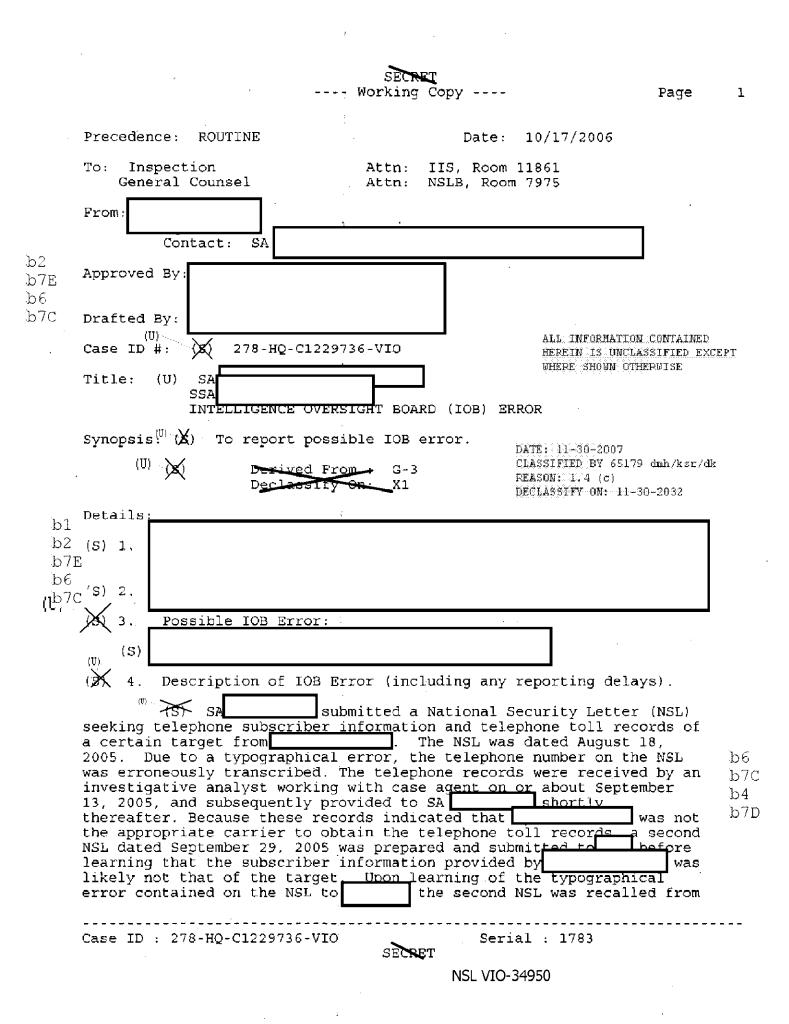
Set Lead 2: (Action)

INSPECTION DIVISION AT WASHINGTON DC

U) It is requested that the above information be reviewed for a potential IOB violation.

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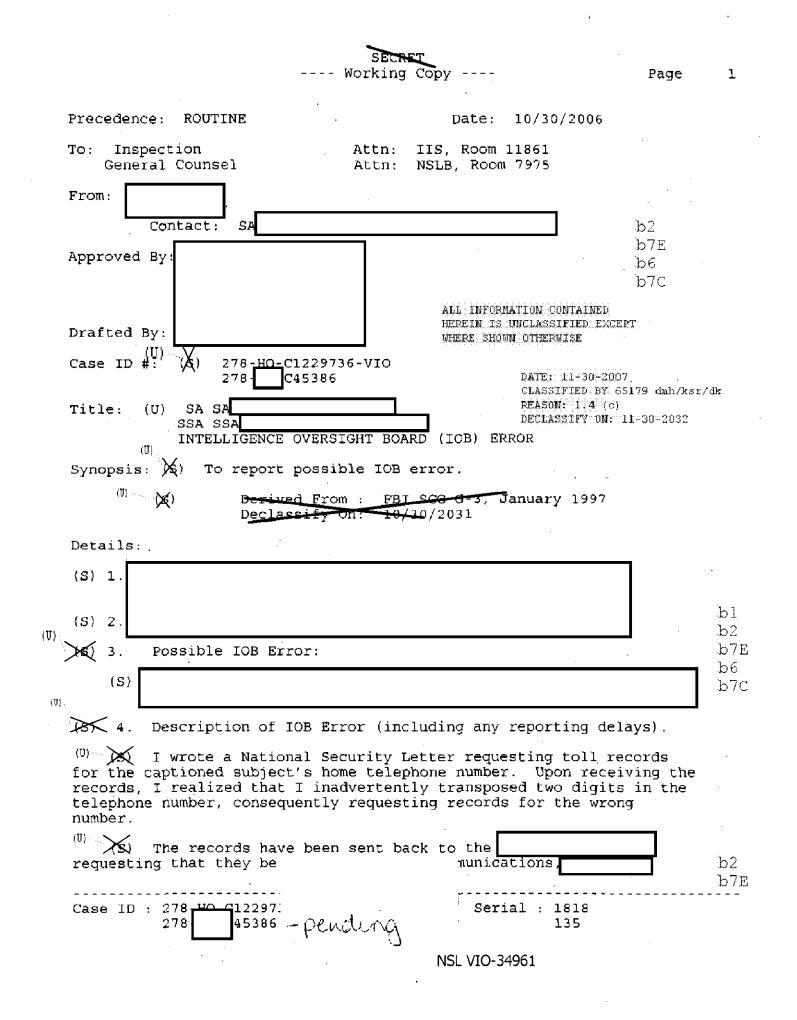


	SECRET Working Copy Page	2
[by SA and no records were provided to the FBI pursuant to this NSL. The original NSL served on was returned to SA and received in October of 2005.	b4 b7D b6
	Thereafter, \$A took measures to remove all communications and telephone records associated with the erroneous phone number from FBI databases. This action was based on an e-mail dated Movember 27, 2005 from Office of General Counsel which was sent to the Chief Division Counsel and further disseminated to the division	b7C b2 b7E
		b5
ן נט)	The paper serials and electronic entries associated with this phone number were removed. Because this e-mail did not discuss reporting this issue as an Intelligence Oversight Matter (IOB) violation and SA handled the removal of the innocent information from the case file only.	
. 	On October 17, 2006, SA telephonically contacted at Office of General Counsel to determine whether this action was in fact, reportable as an IOB matter. advised that the matter should be reported as an IOB violation. LEAD(s):	Ъ6 Ъ7С
	Set Lead 1: (Action)	
	INSPECTION	
	AT WASHINGTON, DC	
	(U) For action deemed appropriate.	
	Set Lead 2: (Action)	
•	GENERAL COUNSEL	
	AT WASHINGTON, DC	
	(U) For action deemed appropriate.	
	Precedence: ROUTINE Date: 10/17/2006	

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NSL VIO-34951



Georgia. LEAD(s):

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

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Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

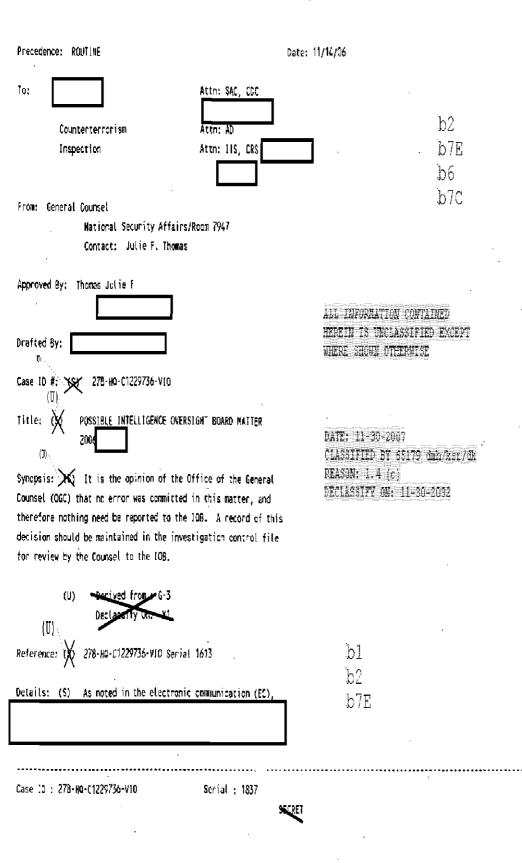
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NSL VIO-34962

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Page 1



(0) The gap of one month was because the original-case

b1 b2 b7E

and the case was given to a second agent. However, during that time period the RA had a new Headquarter's city supervisor and then a new SSRA, so there was no continuity in management that normally would have caught the omission. Since the original agent was no longer at the RA to file a timely extension, the new handling agent did so as soon as he realized what had happened.

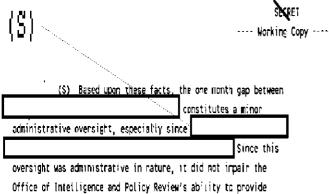
agent was transferred out of the

() The factors in mitigation are: it was only a one month lapse, and most importantly, no investigative activity took place-no NSLs were issued, no background checks were performed, and no information was obtained from the source.

(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, CGC, respectively) report to the IOB "concerning intelligence activities that they have reason to believe may be unlawful on contrary to Executive order or Presidential directive." This language was adopted verbatim from E.O. 12334, dated 12/04/1981, when the 108 was known as the President's Intelligence Oversight Board (P10B). By longstanding agreement between the FBJ and the IOB, this language has been interpreted to mandate the reporting of any violation of a provision of The Attorney General's Guidelines for FBI Mational Security Investigations and Foreign Intelligence Collection (NSIG), 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 U.S. persons. Violations of provisions that are essentially administrative

in nature need not be reported to the 108. The FBI is required, however, to maintain records of such administrative violations so that the Counsel to the 108 may review them uppon request.

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meaningful oversight and review of the investigation. As such, this matter will not be reported to the 106, but will be placed in the control fite for periodic review by the Counsel to the 108. No further administrative measures are required. Pagé 3



Set Lead 1: (Info)

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b2 b7E

(U) Read and clear.

Set Lead 2: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) Read and clear.

Set Lead 3: (Info)

INSPECTION

AT WASHINGTON, DC

(U) Read and clear.

CC: <u>Ms</u>, Thomas

tt

) bd
ICB Library	b7C

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Page 1

Precedence; ROUTINE	Date: 11/24/2006
Το:	Attn: SAC A/ASAC SSA CDC SA
Counterintelligence	Attn: SSA
Inspection Division	Attn: IIS, CRS
	Attn: ISS Unit
From: Office of the General Counse. NSLB/CILU/Room 7947 Contact: SSA	· · · · · · · · · · · · · · · · · · ·
Approved By: <u>Thomas Julie F</u>	ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERVISE
Drafted By: (U)	
Case ID #: 278-HQ-C122973	6-VIO (Pending) DATE: 12-04-2007
Title: DSK INTELLIGENCE OVERSIGH (U) MATTER 2006-	I BOARD CLASSIFIED BY 65179 DMH/KSR/DK REASON: 1.4 (C) DECLASSIFY ON: 12-04-2032
(U) Synopsis: the Office of the General Counsel (determine whether it warrants report Oversight Board (IOB). It is the op incident does not need to be report EC should be maintained in the cont: by Counsel to the IOB.	ting to the Intelligence pinion of OGC that the ed to the IOB. Rather, this
(U) Derived From : Declassify on:	G-3 25X1
	• ic communication (EC) contains b2 07/21/2006 from to OGC b7E
Reference: (U) (JX 278-HQ-C12297)	36-VIO, serial 1560
Details: By EC dated 07, review an incident and determine who	/21/2006, requested that OGC
the IOR	b1 b2
Case ID : 278-HQ-C1229736-VIO	Serial : 1861 b6

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(S)---- Working Copy ----Page 💡 2 A National Security Letter (NSL) dated 05/02/2006 and served by the FBI was prepared The NSL requested all financial <u>records pertaining to</u> the <u>subject</u> (S) <u>The</u> <u>NSL requested documents from</u> eceived a response from on 07/11/2006, and began reviewing the documents on b1 07/17/2006. b6 Upon review of the documents provided to it b7C provided, pursuant to was learned that the information .b4 🖕 (the NSL, exceeded that which was requested. The information b7D received consisted of documents not only pertaining to the b2 subject The error by b7E was apparently caused by <u>the similar</u> names of the (S)subject and the two other parties, citizens also employed at the (U)reported that they have separated the excess information from the originally requested information. The excess information was wrapped by and is being secured in a safe awaiting further guidance. The originally requested b2 b7E information is being maintained in the subject's case file. Section 2.4 of Executive Order (E.O.) 12863, (U) dated 09/13/1993, mandates that Inspectors General and General Counsels 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 Attorney General Guidelines for National Security Investigations and Foreign Intelligence Collection (NSIG), 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 U.S. persons. 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. On 03/28/2006, the FBI's National Security Law (\mathbf{U}) Branch (NSLB) sent a letter to the Counsel for the IOB requesting their concurrence to treat third party errors as non-reportable, though NSLB would still require the field to continue to report SECRET NSL VIO-34968

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any improper collection under an NSL as a potential IOB matter. By letter dated 11/13/2006, the Counsel to the IOB agreed that third party errors in the collection of information pursuant to an NSL must be reported to the FBI OGC, but are not reportable to the IOB.

(U) In the instant case the collection of information by the TDT that did not pertain to the subject was not the fault of FB Once the case agent discovered that he had received information on a person other than the subject, the case agent immediately sequestered the information and made arrangements to report the matter to OGC.

(U) is requested to keep the information sequestered until they have had the opportunity to contact the carrier who provided the improper information and determine whether the carrier wants the improperly acquired information returned or destroyed with the appropriate documentation being provided to the case file.

LEAD(s):

Set Lead 1: (Info)

INSPECTION

AT WASHINGTON, DC

(U) For information.

Set Lead 2: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) For information.

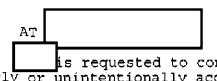
Set Lead 3: (Action)

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NSL VIO-34969

b2 b7E

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(U) is requested to contact the carrier and ask whether the improperly or unintentionally acquired information should be returned to the carrier or destroyed with the appropriate documentation provided to the case file.

		b2
cc:	1- <u>Ms. Thomas</u>	b7E
	1-	b6
	1- 1- IOB Librarv	b7C

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To:				
		Attn:	Acting SAC	
			SSA	
Insi	pection	Attn:	IIS, CRS	
	• •		Room 304 ALL INFORMATION CONTAINED	
	of the General Counse B/CILU/Roo <u>m 7947</u>	1	HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE	
Con	tact: SSA			
Approved By:	Thomas Julie F		DATE: 12-04-2007 CLASSIFIED BY 65170 DMH/KSR/DK	
Drafted By:			REASON: 1:4(() DECLASSIFY:0N: 12-04-2032	
Case ID #:	З 278-HQ-C122973	6-VIO (Pending)	
Title: (U)	INTELLIGENCE OVERSIGE MATTER 2006	IT BOARD		
and determine Oversight Boa	rd (IOB). It is the c	eporting	to the Intelligence	
EC should be by Counsel to	maintained in the cont the IOB.	rol file:	e IOB. Rather, this	
EC should be by Counsel to (U	<pre>maintained in the cont the IOB.) Derived From : Declaceify On: (5)</pre>	crol file	e IOB. Rather, this for periodic review	
EC should be by Counsel to (U Administrativ information f OGC reporting (ACS); and (3 received on 1	<pre>maintained in the cont the IOB.) Derived From ; Declassify On; (S) e: (S) This electror rom: (1) the EC dated a potential IOB matte) an email message from</pre>	c-3 25X1 ic commu 1 07/24/2 er, (2) a	e IOB. Rather, this for periodic review nication (EC) contains 006 fromto utomated case support	
EC should be by Counsel to (U Administrativ information f OGC reporting (ACS); and (3	<pre>maintained in the cont the IOB.) Derived From ; Declassify On; (S) e: (S) This electror rom: (1) the EC dated a potential IOB matte) an email message from</pre>	c 3 25X1 1 07/24/2 2r, (2) a 5 SA	e IOB. Rather, this for periodic review nication (EC) contains 006 from to utomated case support to OGC	
EC should be by Counsel to (U Administrativ information f OGC reporting (ACS); and (3 received on 1 (U) Reference: Details: OGC review an reporting to	<pre>maintained in the cont the IOB. Derived From : Declassify On: (5) e: (5) This electror rom: (1) the EC dated a potential IOB matte) an email message fro 1/27/2006. 278-HQ-C1229736-V1 By EC dated 07/24/2 incident and determin the IOB.</pre>	C 3 25X1 ic commu 07/24/2 er, (2) a om SA 0 Serial 2006, he whethe	te IOB. Rather, this for periodic review nication (EC) contains 006 from to utomated case support to OGC 1551 requested that	
EC should be by Counsel to (U Administrativ information f OGC reporting (ACS); and (3 received on 1 (U) Reference; Details: OGC review an reporting to On 10/19/2005 Security Lett	<pre>maintained in the cont the IOB. Derived From : Declassify On: (S) This electron rom: (1) the EC dated a potential IOB matte) an email message from 1/27/2006. 278-HQ-C1229736-VI By EC dated 07/24/2 incident and determine the IOB. , issued a M</pre>	C 3 25X1 ic commu 07/24/2 er, (2) a om SA 0 Serial 2006, he whethe Jational	te IOB. Rather, this for periodic review nication (EC) contains 006 from to utomated case support to OGC 1551 requested that	
EC should be by Counsel to (U Administrativ information f OGC reporting (ACS); and (3 received on 1 (U) Reference: Details: OGC review an reporting to On 10/19/2005	<pre>maintained in the cont the IOB. Derived From : Declassify On: (S) This electron rom: (1) the EC dated a potential IOB matte) an email message from 1/27/2006. 278-HQ-C1229736-VI By EC dated 07/24/2 incident and determine the IOB. , issued a M</pre>	rol file	e IOB. Rather, this for periodic review nication (EC) contains 006 fromto to OGC 1551 to OGC 1551 tequested that er it warrants	
EC should be by Counsel to (U Administrativ information f OGC reporting (ACS); and (3 received on 1 (U) Reference; Details: OGC review an reporting to On 10/19/2005 Security Lett	maintained in the cont the IOB. Derived From : Declassify On: (S) (S) (S) (S) (S) (S) (S) (S) (S) (S)	rol file	e IOB. Rather, this for periodic review nication (EC) contains 006 fromto to OGC 1551 to OGC 1551 tequested that er it warrants	

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pursuant to the NSL on 07/20/2006 contained information unrelated to the subject of the referenced investigation. An email from SA on 11/27/2006 indicated that there were financial <u>records within the doc</u>uments that appeared to belong to the Once SA liscovered these records, they were immediately turned over the CDC of for storage until this matter could be properly addressed with also indicated that the unrelated documents were OGC. SA b6 obtained at no fault of b7C (U) reported that they separated the excess b4 information from the originally requested information. The b7D CDC excess information was secured in a safe with the b2 awaiting further guidance. The originally requested information is being maintained in the subject's case file, along with b7E additional information that was received once the error was pointed out to (U) Section 2.4 of Executive Order (E.O.) 12863,

dated 09/13/1993, mandates that Inspectors General and General Counsels 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 Attorney General Guidelines for National Security Investigations and Foreign Intelligence Collection (NSIG), 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 U.S. persons. 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.

(U) On 03/28/2006, the FBI's National Security Law Branch (NSLB) sent a letter to the Counsel for the IOB requesting their concurrence to treat third party errors as non-reportable, though NSLB would still require the field to continue to report any improper collection under an NSL as a potential IOB matter. By letter dated 11/13/2006, the Counsel to the IOB agreed that third party errors in the collection of information pursuant to an NSL must be reported to the FBI OGC, but are not reportable to the IOB.

(U) In the instant case the collection of information by the FBI that did not pertain to the subject was not the fault b2 of Once the case agent discovered that she had b7E received information on a person other than the subject, the case SECRET

NSL VIO-34972

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agent immediately sequestered the information and made arrangements to report the matter to OGC.

(U)is requested to keep the informationb2sequestered until they have had the opportunity to contactb7Eand determine whether they want the improperlyb4acquired information returned or destroyed with the appropriateb7D

LEAD(s):

Set Lead 1: (Info)

INSPECTION

AT

AT WASHINGTON, DC b2 (U) For information. b7E Set Lead 2: (Action) b7D

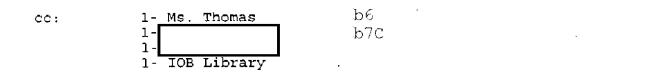
(U) is requested to contact and ask whether the improperly or unintentionally acquired information should be returned to the bank or destroyed with the appropriate documentation provided to the case file.

NSL VIO-34973

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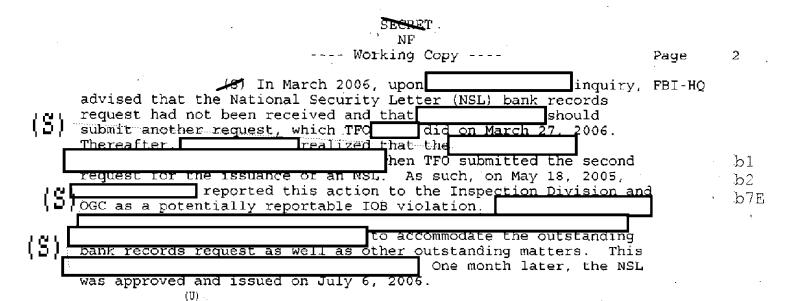
SECRET NSL VIO-34974

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Precedence: ROUTINE Date: 11/27/2006 To: Attn: SSA TFO ITOS I/CONUS IV/ Team 15 Counterterrorism Attn: SSA Inspection Attn: IIS b2 b7E From: General Counsel National Security Law Branch/CTLU 1/LX-1 3S-127 b6 Contact: UC ALL INFORMATION CONTAINED b7C HEREIN IS UNCLASSIFIED EXCEPT Approved By: Thomas Julie F WHERE SHOWN OTHERWISE Drafted By: (Ur (Pending)_{DATE: 12-04-2007} Case ID #: 🕽🕵 278-HQ-C1229736-VIO 👘 CLASSIFIED BY 65179 DMH/KSR/DK Intelligence Oversight Board Title: (U)REASON: 1.4 (C) IOB Matter 2006-DECLASSIFY ON: 12-04-2032 (U)It is the opinion of the Office of General Synopsis: Counsel (OGC) that this matter need not be reported to the Intelligence Oversight Board (IOB). Our analysis follows. (U)'NF) Derived From . G-1 Declassi <u>03</u>/17/2031 OU. (\mathbf{U}) Reference: 278-HQ-C1229736-VIO Serial 1389 (\mathbf{U}) Details: electronic communication (EC) dated May 18, 2006, the reported to the Inspection Division and the Office of General Counsel (OGC) this potential IOB matter. b1 b2 b7E b6 b7C (S)On September 12, 2005, TFO submitted a request for a bank records canvass under the PATRIOT ACT and 31 Prior to the request being fulfilled. the CFR 103.100. Case ID : 278-HQ-C1229736-VIO Serial : 1889 SEGRET NSL VIO-34978

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As required by Executive Order (E.O.) 12863 (Sept. 13, 1993) and Section 2-56 of the National Foreign Intelligence Program Manual (NFIPM), OGC was tasked to determine whether or not the matter described herein should be reported to IOB. We believe the reported activity does not require notification.

Section 2.4 of Executive Order (E.O.) 12863, (U) dated 09/13/1993, mandates that Inspectors General and General Counsels 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." 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 Attorney General Guidelines for National Security Investigations and Foreign Intelligence Collection (NSIG) 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 U.S. persons. 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.

> Preliminary investigations shall be completed within six months of the date of initiation. In a preliminary investigation initiated by a field office, the SAC or as authorized by the SAC, an Assistant SAC, responsible for the investigation, may authorize an extension for an additional six month period if warranted by facts or information obtained in the course of the investigation. An extension of a PI beyond the initial one-year SECRET

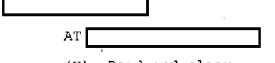
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period requires FBI Headquarters approval and may be granted in six month increments. All extensions shall be in writing and include the justification for the extension. (Emphasis added.) (\mathbf{U}) Although this provision of the NSIG is primarily administrative in nature, it was designed in part to protect the rights of U.S. persons by limiting the length of time that the FBI can conduct a PI without periodic oversight. 151 In the instant matter, took nr (S)<u>action o</u>utside of the FBI aft<u>er the</u> Accordingly, despite rallure pursue the investigation, OGC has determined that expedi**tiousi**y S) actions amount to administrative error, not a reportable_IOB_violation_because ____ had already when the NSL was actually approved and renewed th issued on July 6; 2006.

LEAD(s):

Set Lead 1: (Info)



(U) Read and clear.

Set Lead 2: (Discretionary)

COUNTERTERRORISM

AT LIBERTY CROSSING ONE

(U) For review and action deemed appropriate,

Set Lead 3: (Discretionary)

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b2 b7E

NSL VIO-34980

Page 3

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Page

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INSPECTION

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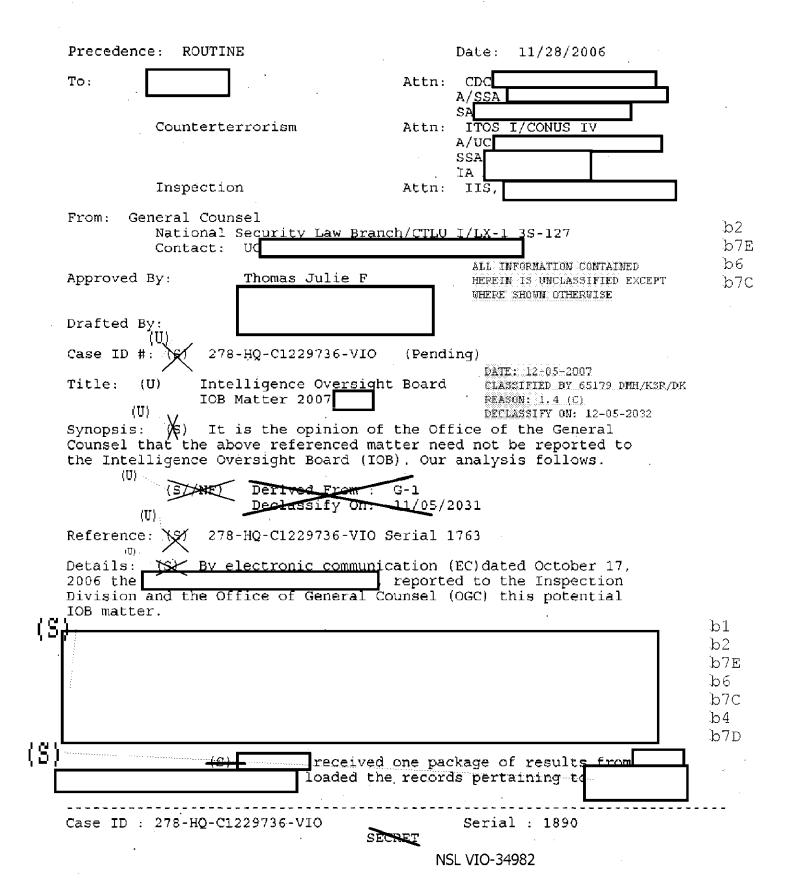
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AT WASHINGTON, DC

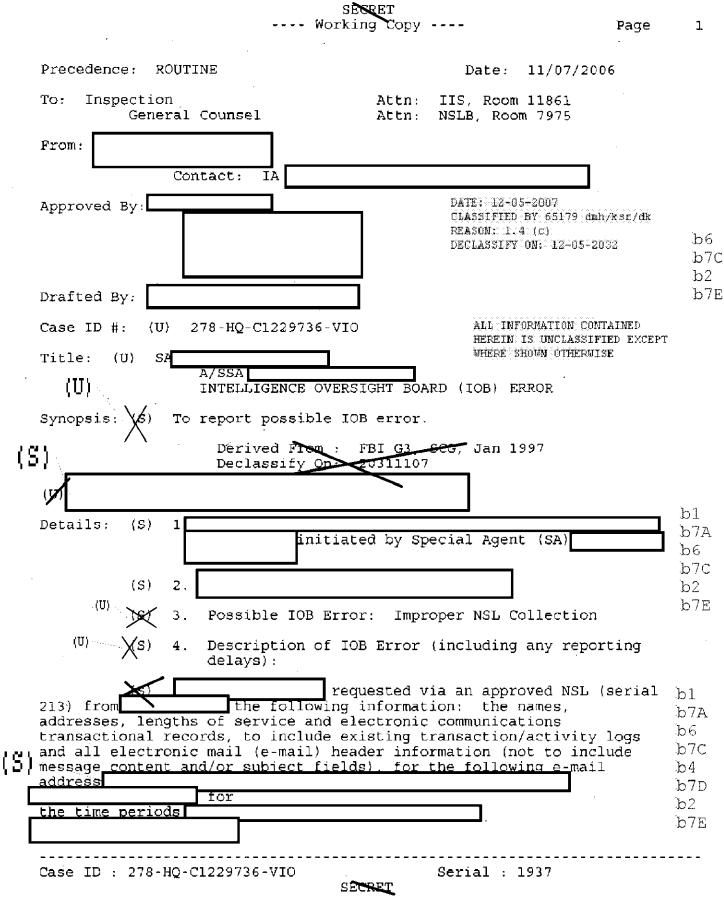
(U) OGC requests that the Inspection Division retain a record of the report of a potential IOB matter for three years, together with a copy of this opinion for possible review by the Counsel to the IOB.

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results from downl into an excel worksheet. Communication (EC) of the information on 11/06/2006 information for the dates the parameters of the dat of the e included in the EC to be	whice	Alyst (IA) om the disk ectronic on the header rovided header ch is outside ed Case Agent hat was oport (ACS)	b2 b7E b4 b7D b6 b7C
from ISS On 11/09/2 spoke with	ISS on] regarding the previously mentic was mistake for su and not what	ned NSL.	b6 b7C b2 b7E b4 b7D
LEAD(s):			
Set Lead 1: (Action)			
INSPECTION			
AT WASHINGTON,	DC		
(U) For action	deemed appropriate.		
Set Lead 2: (Action)			
GENERAL COUNSEL			
AT WASHINGTON,	DC		
(U) For action	deemed appropriate.		
* *	• • •		

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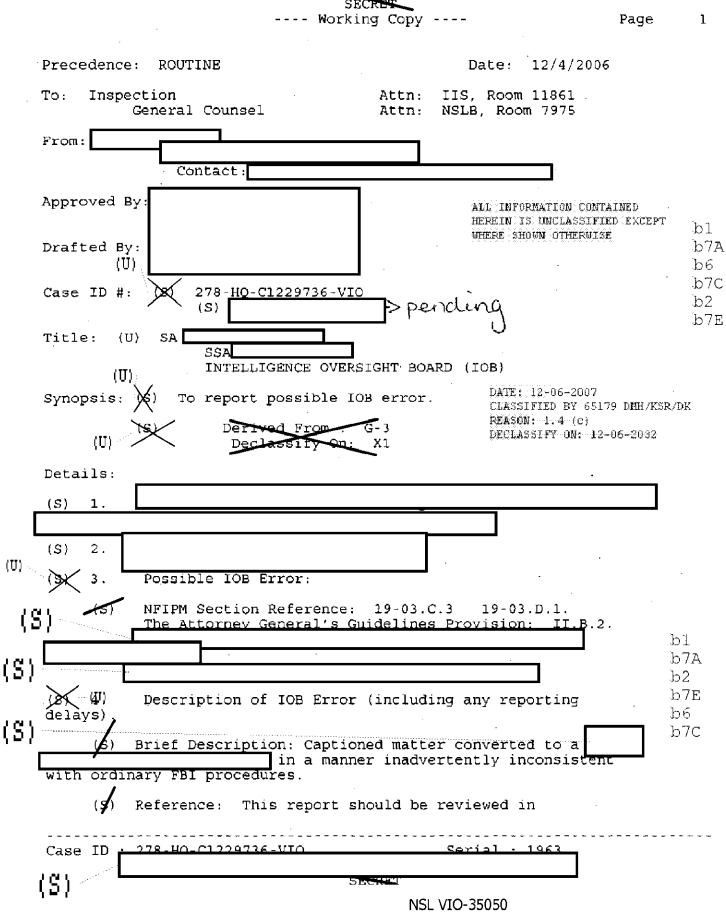
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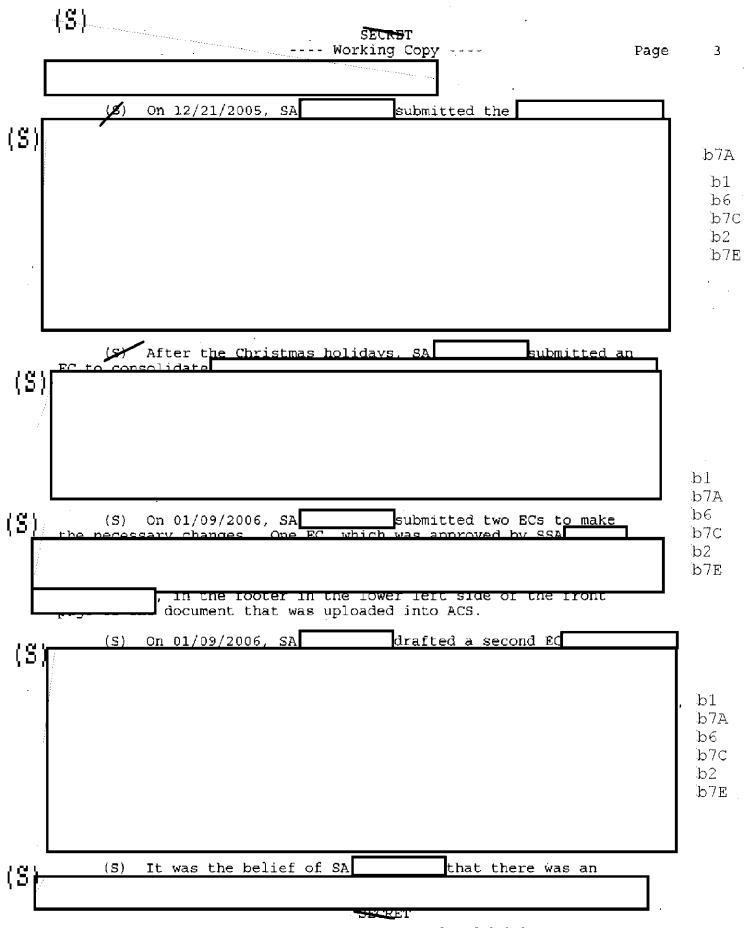
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Precedence: ROUTINE	Date: 2	12/20/2006	·
То:	Attn: SAC CDC	·	
Counterterrorism	Attn: ITOS 1,	, CONUS 2, TEAM 6	
Inspection	Attn: IIS	ALL: INFORMATION CONTA HEREIN IS UNCLASSIFIE	
From: Office of the General Counsel NSLB/CTLU1/LX1 Room 3S119 Contact: UC	,	VHERE SHOWN OTHERWISE	b2 b7E
Approved By: Thomas Julie F		DATE: 12-06-2007	b6 b7C
Drafted By: (U) Case ID #: 278-HQ-C1229736	-VIO (Pending)	CLASSIFIED BY 65179 DMH/KSI REASON: 1.4 (C) DECLASSIFY ON: 12-06-2032	
Title: (U) (U) (U) (U) (U) (U) (U) (U)	BOARD		
Synopsis: It is the opinion of Counsel (OGC) that this matter is no Intelligence Oversight Board (IOB). maintained in the control file for p the IOB. Our analysis follows.	t reportable to Rather, it show	the 11d be	
(U) Derived From : Declarsty On:	G-3 20311220	,	
Reference: 278-HQ-C1229736-VIO	serial 1506		
Details: The referenced serial that OGC review the facts of the cap whether it warrants reporting to the our opinion, the FBI is not required IOB. AL	tioned matter ar IOB. As explai	ined below, in	b1
			b2
Security Letter (NSL) dated 06/08/20	to one telephor tion relating to	another	b7E b6 b7C b4
the with an EC d the results were toll records for that was no <u>t requested</u> . In addition	, provid ubscriber inform	Included in time period ded toll mation was	b7D
Case ID : 278-HQ-C1229736-VIO	Serial CRET	: 1948	
	NSL VIO-3503	33	



SESPET ---- Working Copy ----Page (S)/ 2 b1 unction with the 12/5/2006 FD-962 report submitted in b7A b6 (S) Narrative: By way of background, in August of 2005, the Executive Management of began to enforce the change in b7C supervision of Residence Agents working CT matters. The decision was that all RA CT agents would be supervised by a remote JTTF supervisor if the RA did not have a SSA dedicated solely to Counterterrorism matters. As a result, SSRA in no longer had CT supervision responsibilities, the sole b1 CT agent would now be daily supervised by SSA who (S) sat in the In b7A order to minimize the impact on investigation because of time b6 delay to send documents between the RA and JTTF (S)b7C (requiring transit via <u>HQ mailroom)</u>, would email the documents to the SSA for b2 Once the documents were approved, SSA would email SA review. b7E that they were approved. SA a qualified Relief Supervisor, would initial for SSA and have the documents uploaded into ACS. If the documents required the signature of the ASAC, SSA wou<u>ld print</u> the documents, initial them and forward to the ASAC for approval. Once approved, the documents would be routed to SA for initialing and to have the SST upload the documents into ACS and placed into the case files, which were maintained in (S) (S)(S) (S)b1 b7A b6 b7C b2 b7E

NSL VIO-35051



NSL VIO-35052

SECRET (S) ---- Working Copy ----Page 4 b1 b7A (S) b6 On 7/19/2006, a National Security Letter requesting b7C ber information and toll records was approved. b2 b7E Results were received and uploaded No other investigation conducted. to (S)Summary: Although SA submitted an EC and LHM 121 to FBIHQ identifying captioned subject and articulating the specific facts predicating anticipation of consolidating the investigations into one group case. The consolidation was abandoned to comply with NFIPM and b1 AGG NSI requirements, but due to unintentional oversight the EC (S)/ and LHM were not re-drafted and resubmitted. b7A b6 b7C b2 b7E LEAD(s):Set Lead 1: (Action) INSPECTION AT WASHINGTON, DC (U) For action deemed appropriate. Set Lead 2: (Action) GENERAL COUNSEL AT WASHINGTON, DC (U) For action deemed appropriate. * *

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Precedence: ROUTINE Date: 12/26/2006 To: Inspection ALL INFORMATION CONTAINED Attn: IIS General Counsel HEREIN IS UNCLASSIFIED EXCEPT NSLB Attn: WHERE SHOWN OTHERWISE From: SSA Contact: b2 b7E Approved By: DATE: 12-07-2007 b6 CLASSIFIED BY 55179 DMH/KSR/DK b7C FEASON: 1.4 (C) Drafted By: DECLASSIFY ON: 12-07-2032 278-HQ-C1229736-VIO Case ID #: (U) (Pending) Title: (U) REPORT OF POTENTIAL IOB MATTER (U)Synopsis: To report a possible IOB violation for review by INSD and OGC (Unintentional acquisition of unrelated information via a NSL). (U) -Derive Decla On 12/14/2006, while reviewing NSL results Details: provided SA on a CD unerater which concarned a statement covering provided b period of an individual not related to this investigation. (S) (w) While the financial institution complied with the NSL request and provided all relevant information about and b1 his accounts, the institution unintentionally provided additional b2 information unrelated to the investigation. As a result, b7E made a copy of the authorized and relevant information to a separate magnetic disk so as to continue its b4 investigation. The original magnetic disk containing both the b7D relevant and unrelated information has been sequestered with the b6 CDC pending further instruction from OGC/NSLB. b7C (TT) <u>The case ag</u>ent is SA The supervisor for is SSA This possible IOB violation is being submitted for (U) review by INSD and OGC for further action they deem as Case ID : 278-HQ-C1229736-VIO Serial : 1992 SECRET

appropriate.

LEAD(s):

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.