

~~SECRET~~

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Precedence: ROUTINE

b2

Date: 03/18/2005

To: [Redacted]

b7E

Attn: SAC  
CDC

Counterterrorism

Attn: AD

Inspection

Attn: Internal Investigation  
Section (IIS)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

From: General Counsel

National Security Law Branch/LX Crossing, Room 5S200

Contact: [Redacted]

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Approved By: Thomas Julie F

[Redacted]

DATE: 10-13-2005  
CLASSIFIED BY 65179DMH/lr2 Ca#-05-CV-0845  
REASON: 1.4 (C)  
DECLASSIFY ON: 10-13-2030

b6

b7C

Drafted By: [Redacted]

Case ID #: ~~00~~ 278-HQ-C1229736-V10 (Pending)

Title: ~~SA~~ SA [Redacted]

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INTELLIGENCE OVERSIGHT BOARD  
(IOB) MATTER 2004-71

Synopsis: ~~It~~ 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 and  
deliver the necessary correspondence to the IOB. Our analysis  
follows.

*Handl & cover in ACS.*  
*if* (C) 5/12  
*Aug*

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

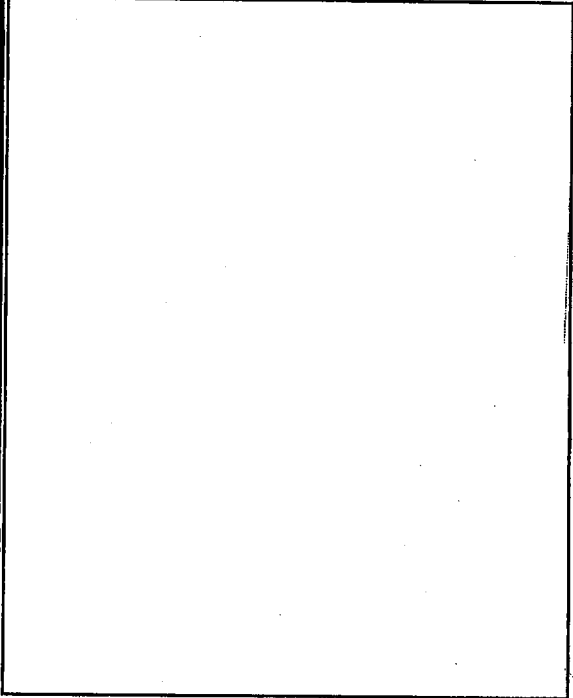
Case ID : 278-HQ-C1229736-V10

Serial : 797

~~SECRET~~

Reference: ~~OP~~ 278-HQ-C1229736-V10 Serial 546  
278-HQ-C1229736-V10 Serial 298

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



(S)

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[Redacted]

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Also on that same day, OGC, as well as International Terrorism Operations Section 1 (ITOS 1), were notified of the error, both orally and by EC dated 12/10/2003.

[Redacted]

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(U) Measures have been taken by [Redacted] to prevent a recurrence of this error. The TTA who made the above-described error has been counseled to not delete any email messages without reading it. Further, the case agent and all technical personnel have been instructed to communicate by personal contact all pertinent information regarding technical coverage to the appropriate TTA or technical supervisor. It has been made clear that it is the responsibility of each agent/investigator to verify by contact with the technical squad and a query in ACS that [Redacted]

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(U) Section 2-56 of the National Foreign Intelligence Program Manual (NFIPM) requires OGC to determine whether the facts related above are required to be reported to the IOB.

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Section 2.4 of Executive Order (EO) 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."

4) Appl [redacted] concludes the

[redacted]

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[redacted]

The case agent intended that this would happen. However, it did not. Consequently, in accordance with E.O. 12863 and Section 2-56 of the NFIPM, the inadvertent error must be reported to the IOB, which this Office will do.

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LEAD (s):

Set Lead 1: (INFO)

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[Redacted]

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AT [Redacted]

(U) Read and clear.

Set Lead 2: (Action)

INSPECTION

AT INTERNAL INVESTIGATION SECTION, DC

(U) For action deemed appropriate.

Set Lead 3: (Action)

COUNTERTERRORISM

AT WASHINGTON, D.C.

(U) For action deemed appropriate

1 - Mr. Thomas

1 - [Redacted]

1 - [Redacted]

1 - IOB File

b6

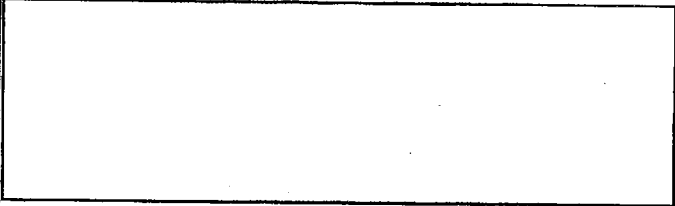
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\*\*FOOTNOTES\*\*

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Y1: ~~(S)~~ (U) United States person is defined in Section 101(i) of the Foreign Intelligence Surveillance Act (FISA)(codified at 50 U.S.C. 1801 et seq.) as a citizen of the United States (or an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Naturalization Act) . . . . See also Section I.C of The Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG).

Y2: ~~(S)~~ The case agent does not remember the date in December on which the



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WHERE SHOWN OTHERWISE

BY COURIER

Mr. James Langdon  
Chairman  
Intelligence Oversight Board  
New Executive Office Building  
Washington, D.C.

DATE: ~~10-13-2005~~  
CLASSIFIED BY: 65179DMH/lr2 Ca#-05-CV-0845  
REASON: 1.4 (C)  
DECLASSIFY ON: 10-13-2030

Dear Mr. Langdon:

Enclosed for your information is a self-explanatory memorandum, entitled "Intelligence Oversight Board (IOB) Matter, [redacted] Field Office, IOB Matter 2004-71. (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's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection and/or laws, Executive Orders, or Confidential Directives which govern FBI foreign counterintelligence and international terrorism investigations. (U)

DATE: ~~Enclosure~~  
CLASSIFIED BY: 65179/DHM/LP/DK  
REASON: 1.4 ((C) 05-CV-0845)  
DECLASSIFY ON: 12-03-2030

- 1 - Ms. Thomas
- 1 - [redacted] b6
- 1 - 278-HQ-C1229736-VIO b7C
- 1 - OPR (IOB 2004-71)
- 1 - [redacted]

UNCLASSIFIED WHEN  
DETACHED FROM  
CLASSIFIED ENCLOSURE

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

~~SECRET~~

~~SECRET~~

Mr. James Langdon

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Case ID : 278-HQ-C1229736-VIO

Serial : 798

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