

Memorandum

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DATE: 06-13-2007
CLASSIFIED BY 65179 DMH/KSR/JW
REASON: 1.4 (C)
DECLASSIFY ON: 06-13-2032



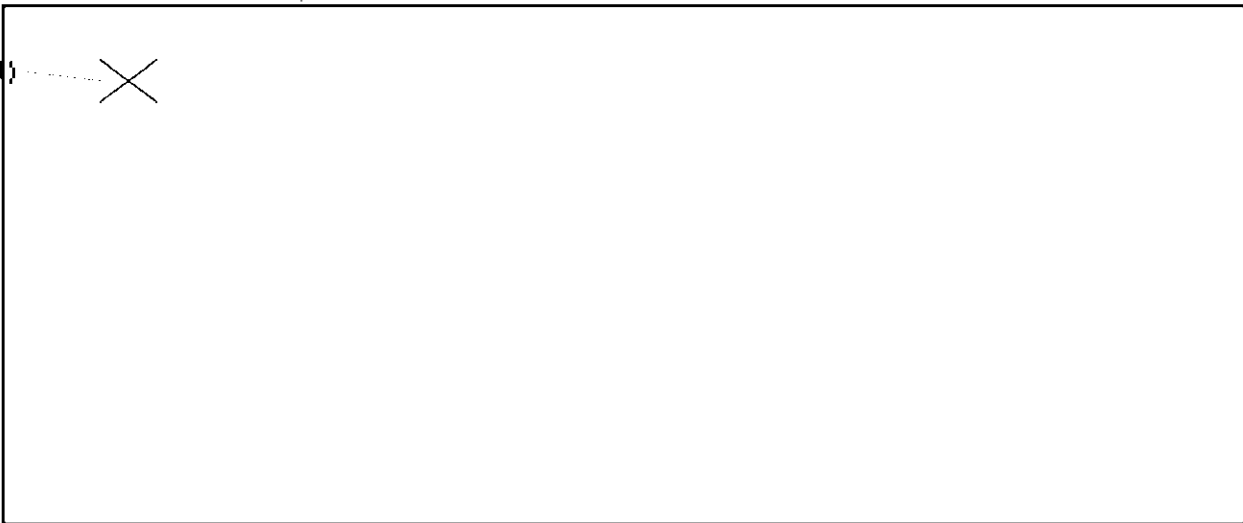
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To : NSLB Attorneys Date 09/22/2006
From : Julie F. Thomas
Deputy General Counsel
Subject : Guidance for Drafting IOB Opinions

(U) This memorandum will provide guidance to NSLB when determining whether a potential IOB matter is reportable or nonreportable and in drafting of IOB opinions.¹ Of course, each IOB matter is fact specific, and it may be necessary, on occasion, to deviate from this guidance. However, this guidance should be applied in most situations. Attached to this memorandum are the following documents: (1) an EC dated 09/29/2006 to all divisions setting forth the revised procedures for the submission of reports of potential intelligence oversight board matters (09/29/2006 EC); (2) sample IOB opinion for nonreportable IOB matter; and (3) sample IOB opinion for reportable IOB matter, including an LHM and letter to the IOB. This memorandum does not discuss what potential IOB matters are reportable to OGC. Rather, the 09/29/2006 EC sets forth such matters and should be referenced when advising the field as to what must be reported to OGC/INSD.

NSI MO-27267

I. DETERMINING WHETHER THE POTENTIAL IOB MATTER IS REPORTABLE OR NONREPORTABLE



¹please reference the IG report on FBI handling of IOBs regarding the need for consistency

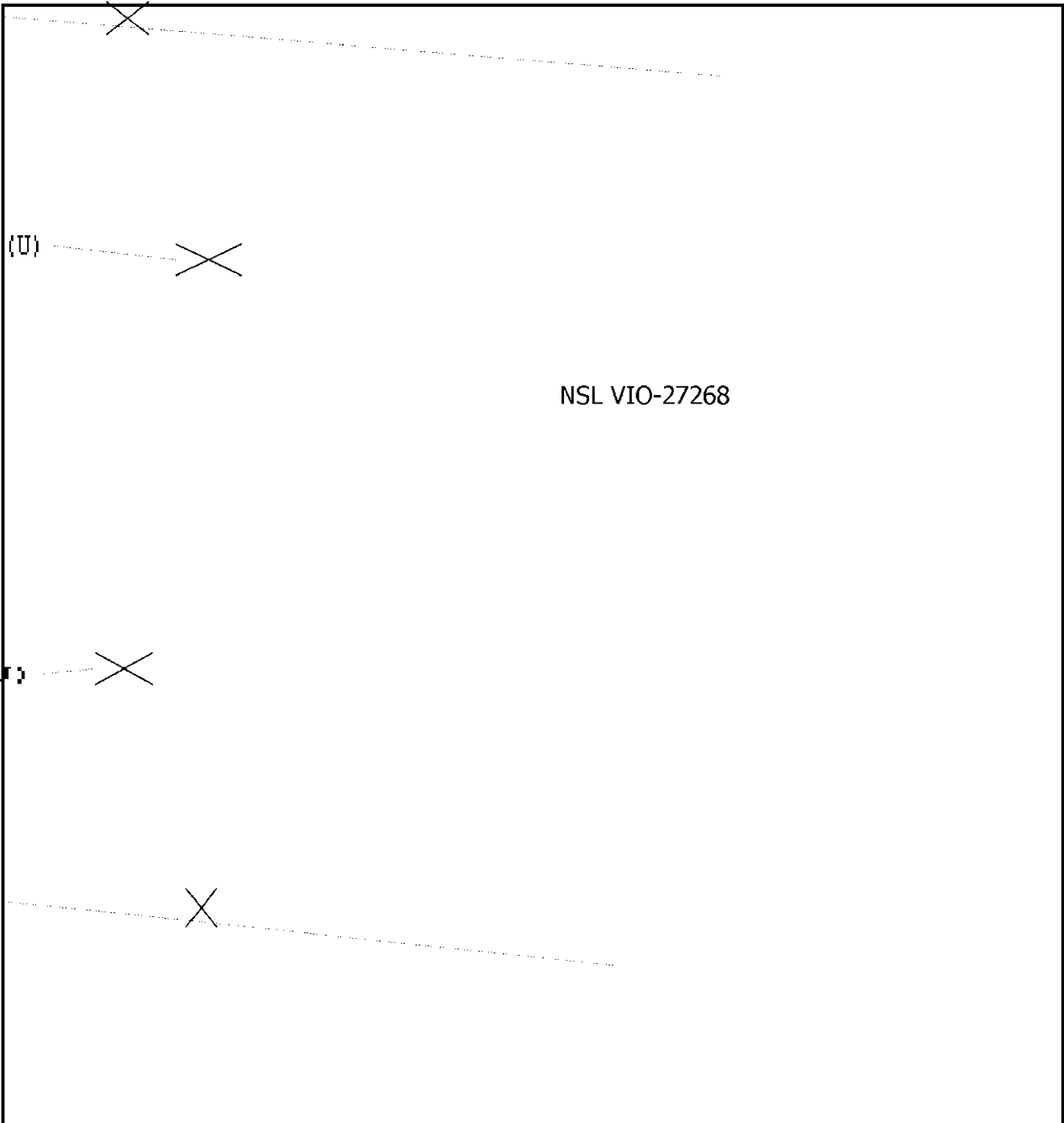
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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NSL VIO-27269

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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NSL VIO-27270

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B. National Security Letters

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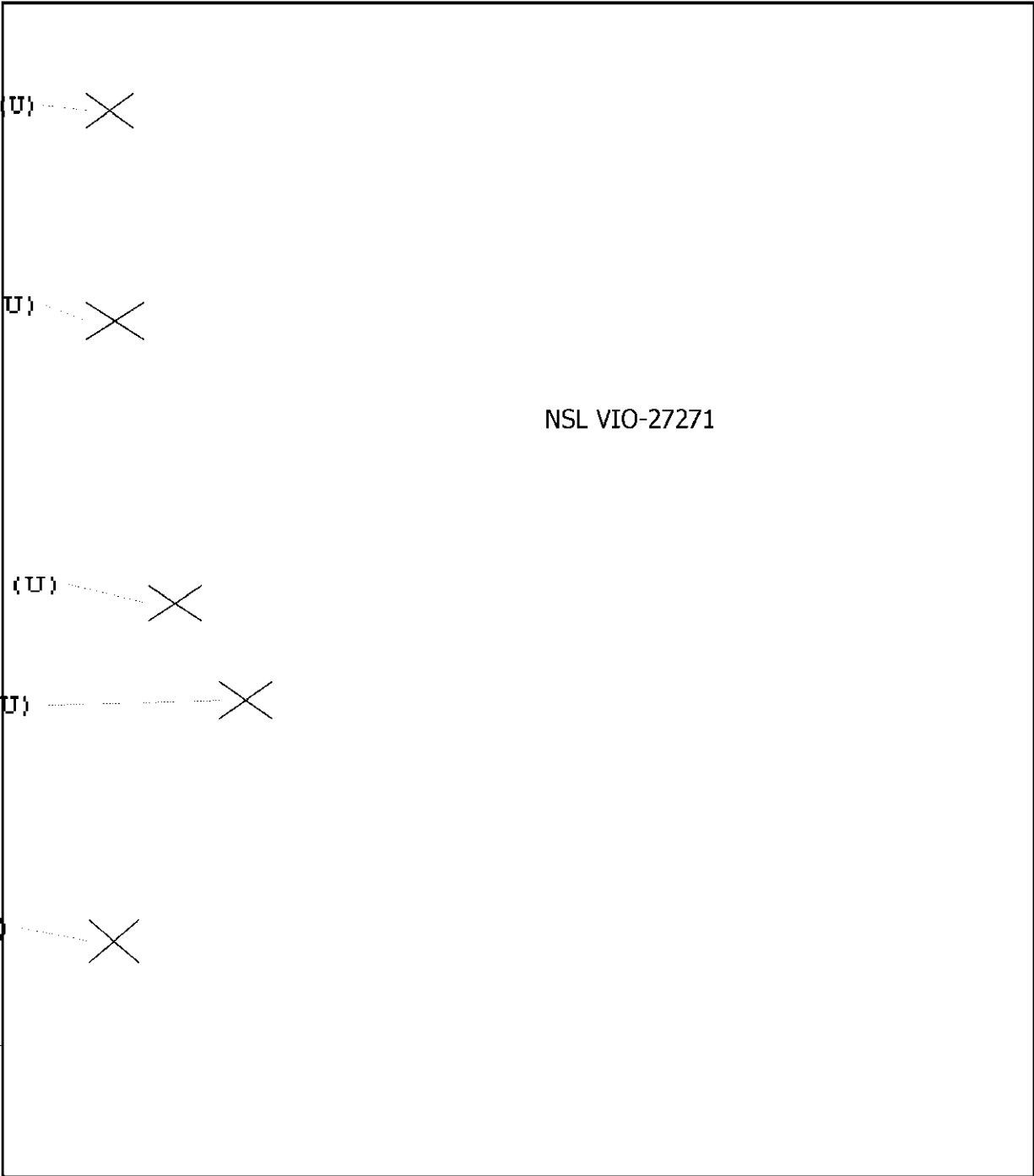
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006



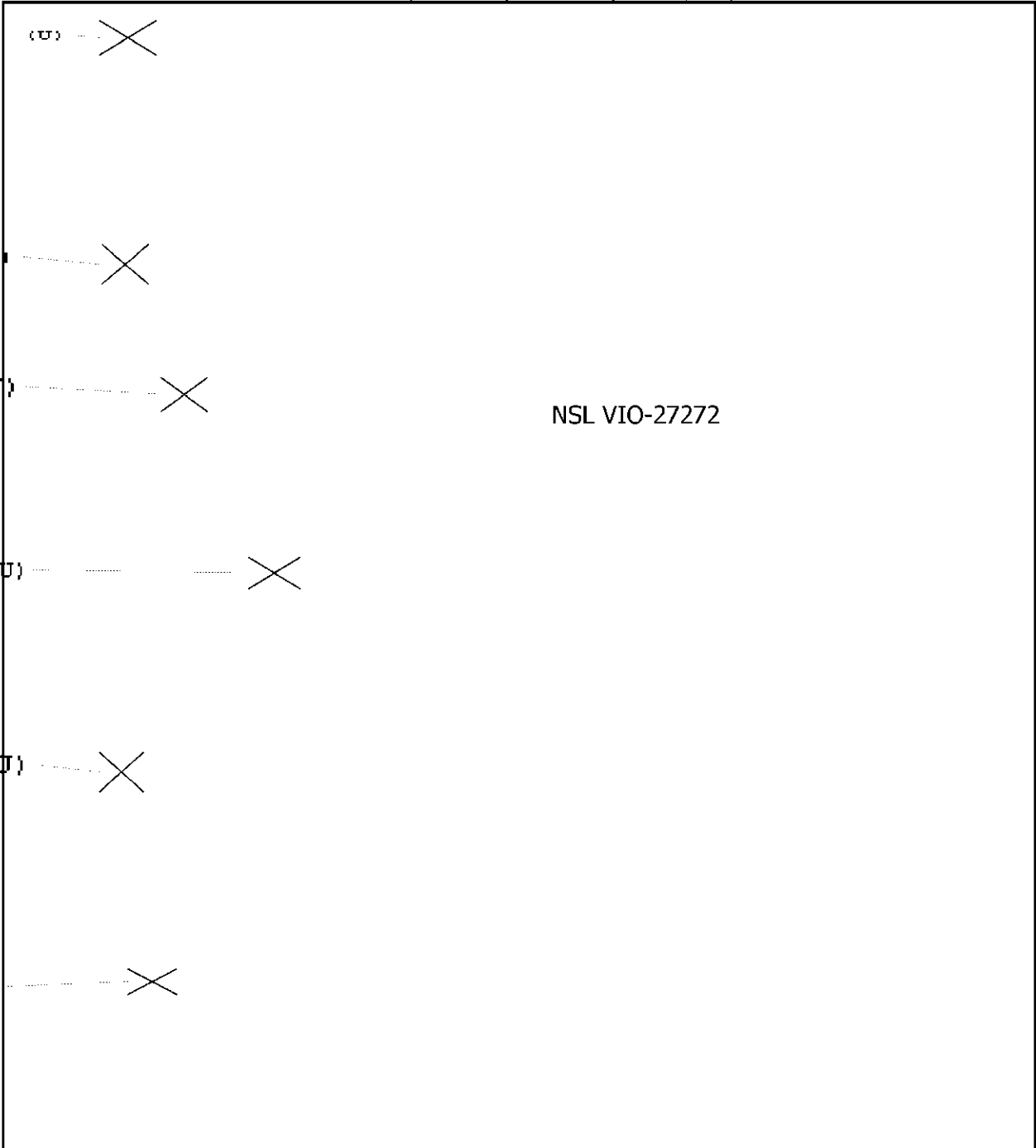
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

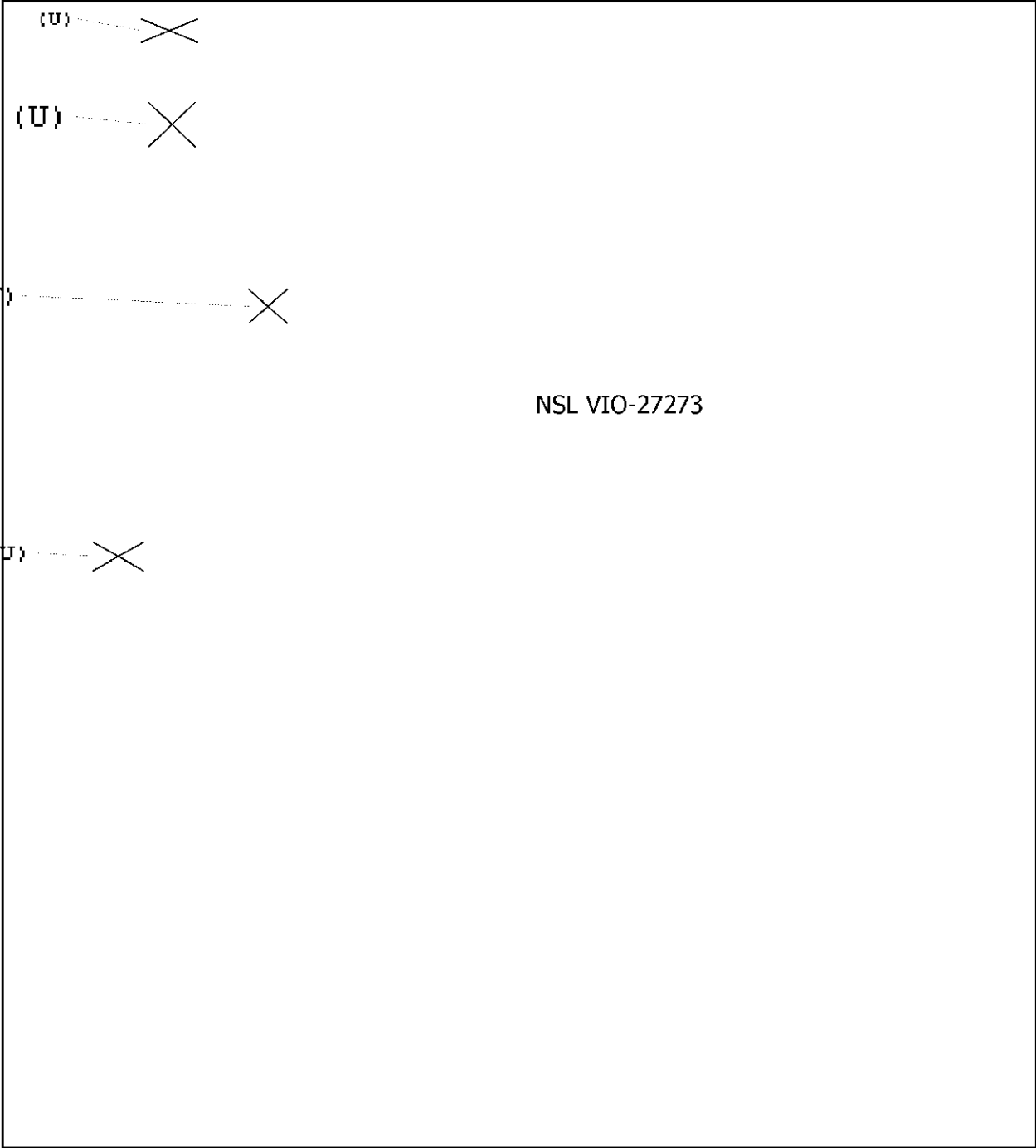


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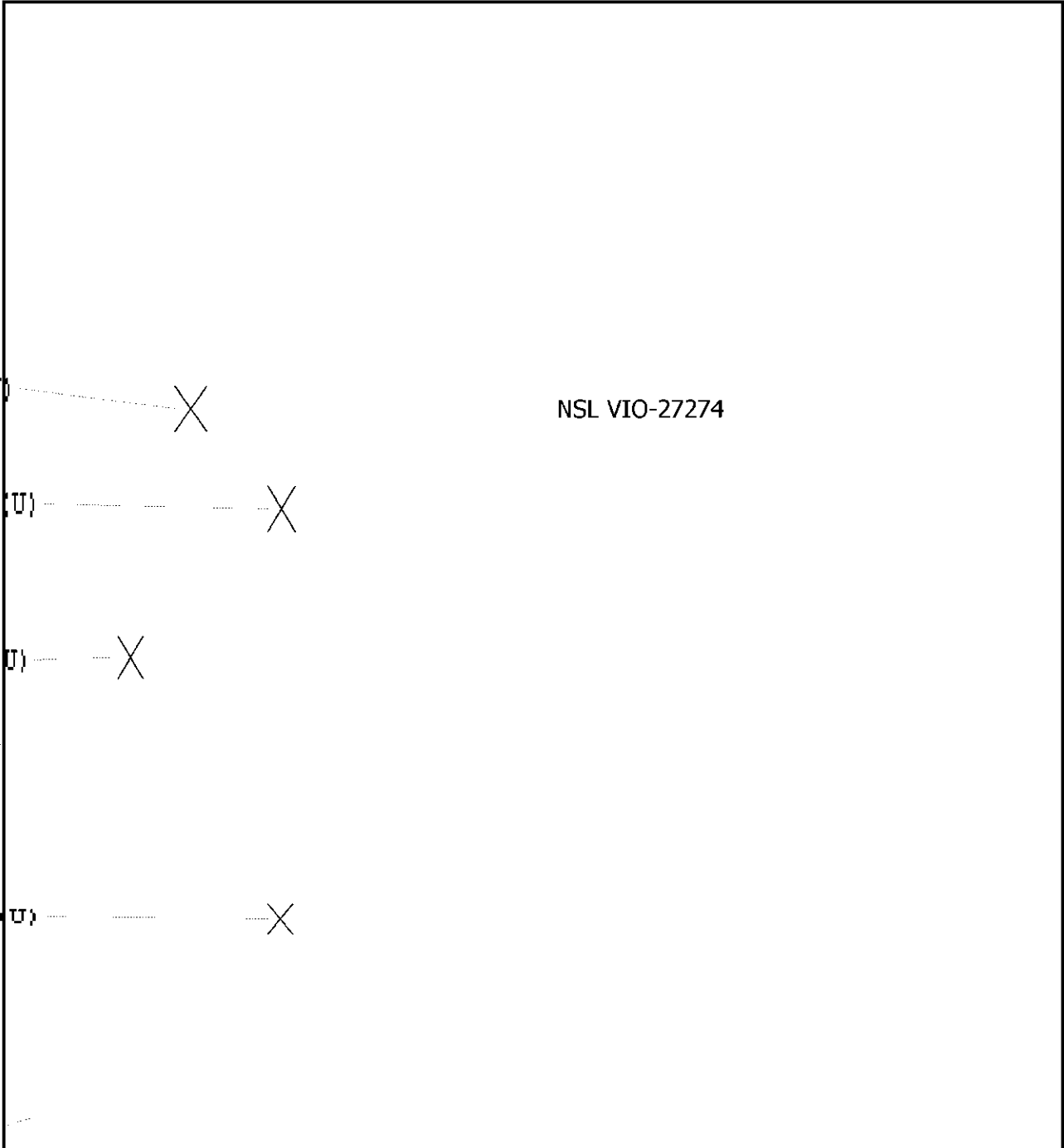


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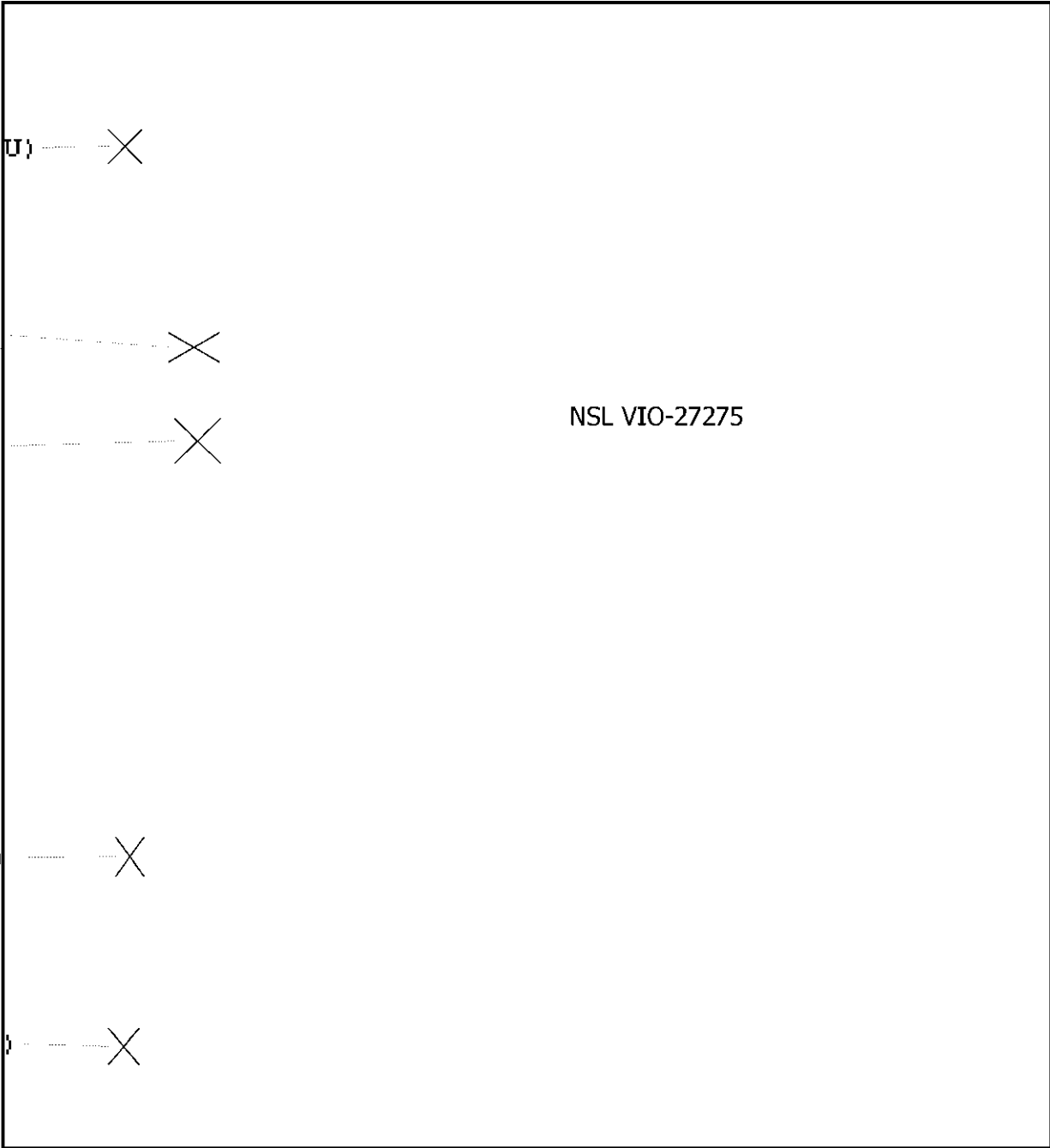
NSL VIO-27274

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006



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Re: Guidance for Drafting IOB Opinions, 09/22/2006

NSL VIO-27276

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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NSL VIO-27279

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions. 09/22/2006

NSL VIO-27280

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 09/22/2006

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Re: Guidance for Drafting IOB Opinions, 09/22/2006



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Memorandum

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To : NSLB Attorneys Date 11/22/2006

From : Julie F. Thomas
Deputy General Counsel

Subject: Guidance for Drafting IOB Opinions

(U) This memorandum will provide guidance to NSLB in determining whether a potential IOB matter is reportable or nonreportable and in drafting of IOB opinions. Of course, each IOB matter is fact specific, and it may be necessary, on occasion, to deviate from this guidance. However, this guidance should be applied in most situations. Attached to this memorandum are the following documents: (1) an EC dated 11/16/2006 to all divisions setting forth the revised procedures for the submission of reports of potential IOB matters (11/16/2006 EC); (2) sample IOB opinion for nonreportable IOB matter; and (3) sample IOB opinion for reportable IOB matter, including an LHM and letter to the IOB. This memorandum does not discuss what potential IOB matters are reportable to OGC. Rather, the 11/16/2006 EC sets forth such matters and should be referenced when advising the field as to what must be reported to OGC/INSD.

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DATE: 08-28-2007
CLASSIFIED BY 65179 DMH/KSR/JM
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DECLASSIFY ON: 08-28-2032

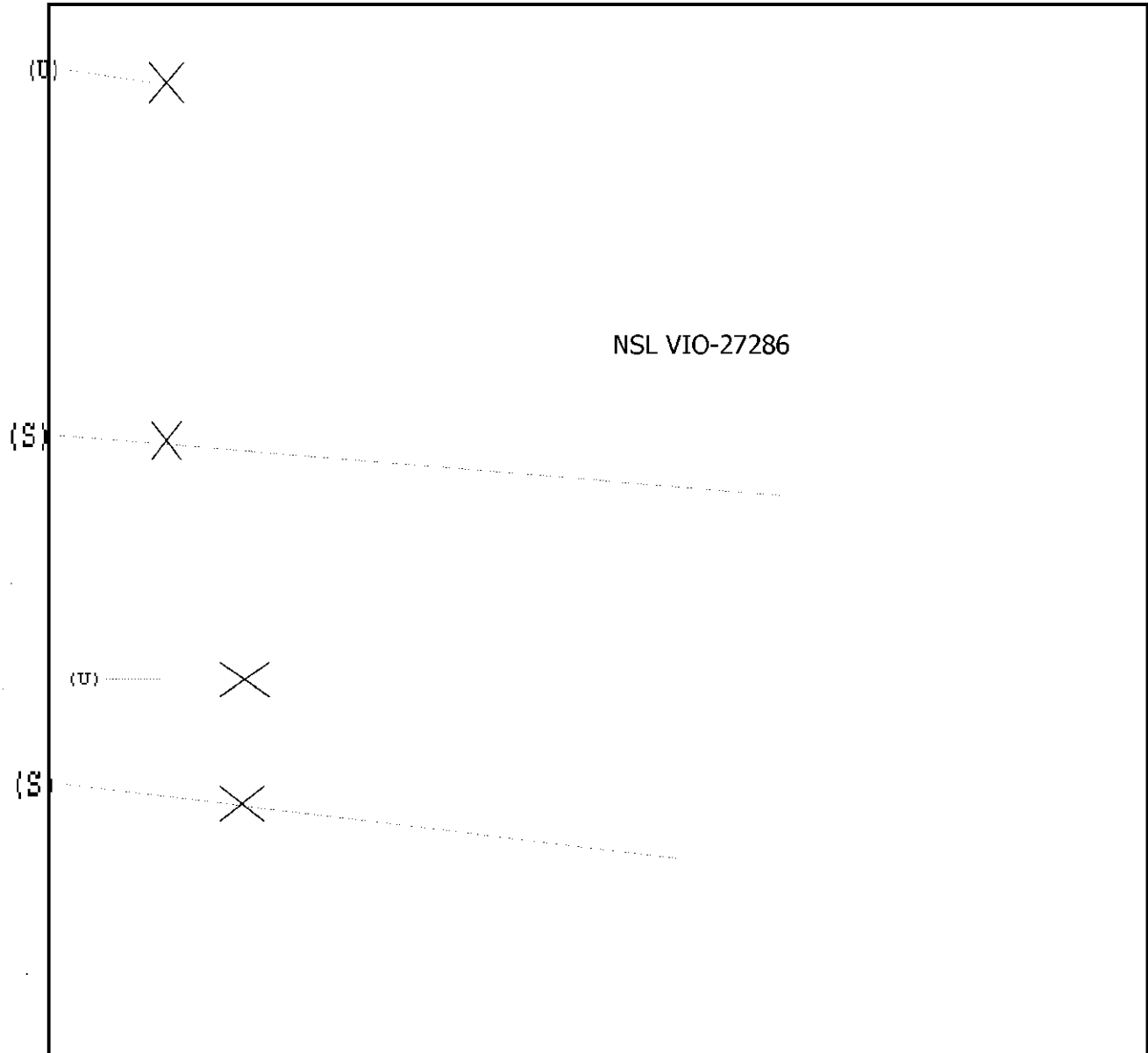
¹ The U.S. Department of Justice, Office of the Inspector General's (OIG) Report to Congress on Implementation of Section 1001 of the USA PATRIOT Act, dated 03/08/2006, included a section reviewing the FBI's reporting of potential IOB violations. In that report, OIG noted that "it appeared that some factually similar incidents led to reports to the IOB, while others did not." OIG intends to continue monitoring our IOB process, therefore, it is imperative that our IOB opinions are consistent.

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I. DETERMINING WHETHER THE POTENTIAL IOB MATTER IS REPORTABLE OR NONREPORTABLE



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Re: Guidance for Drafting IOB Opinions, 11/22/2006

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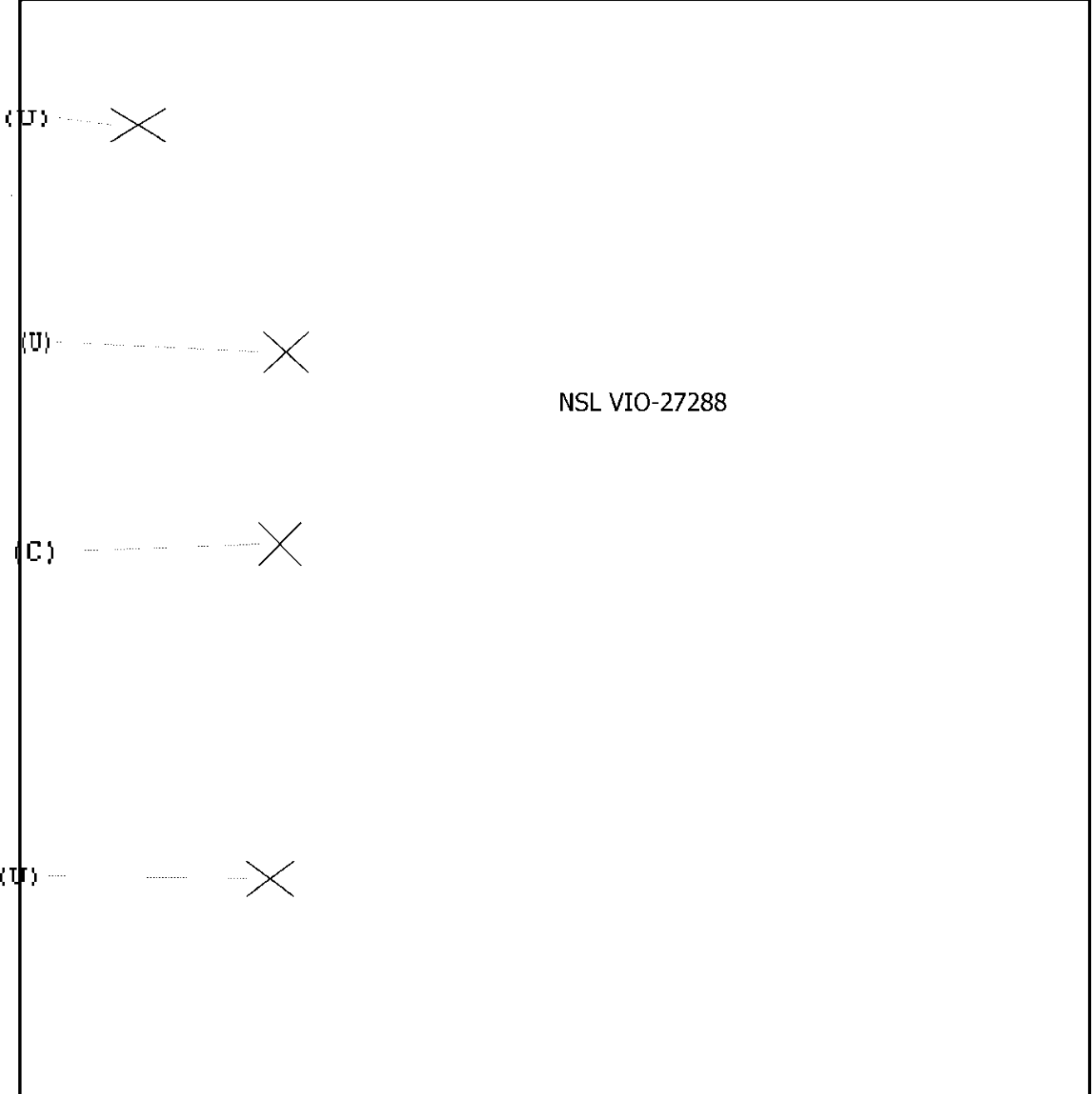
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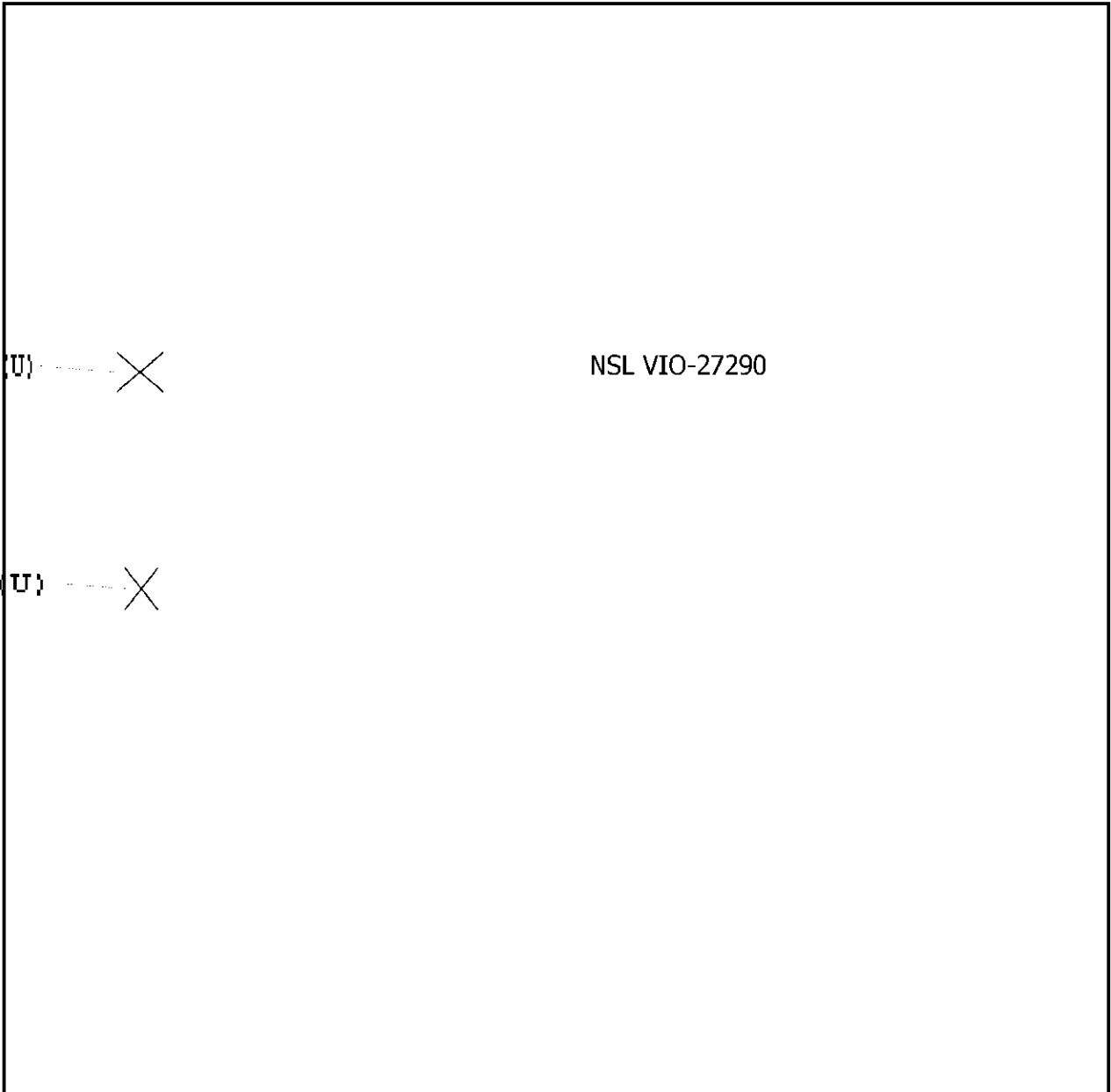
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B. National Security Letters



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Memorandum from Julie F. Thomas to NSLB Attorneys
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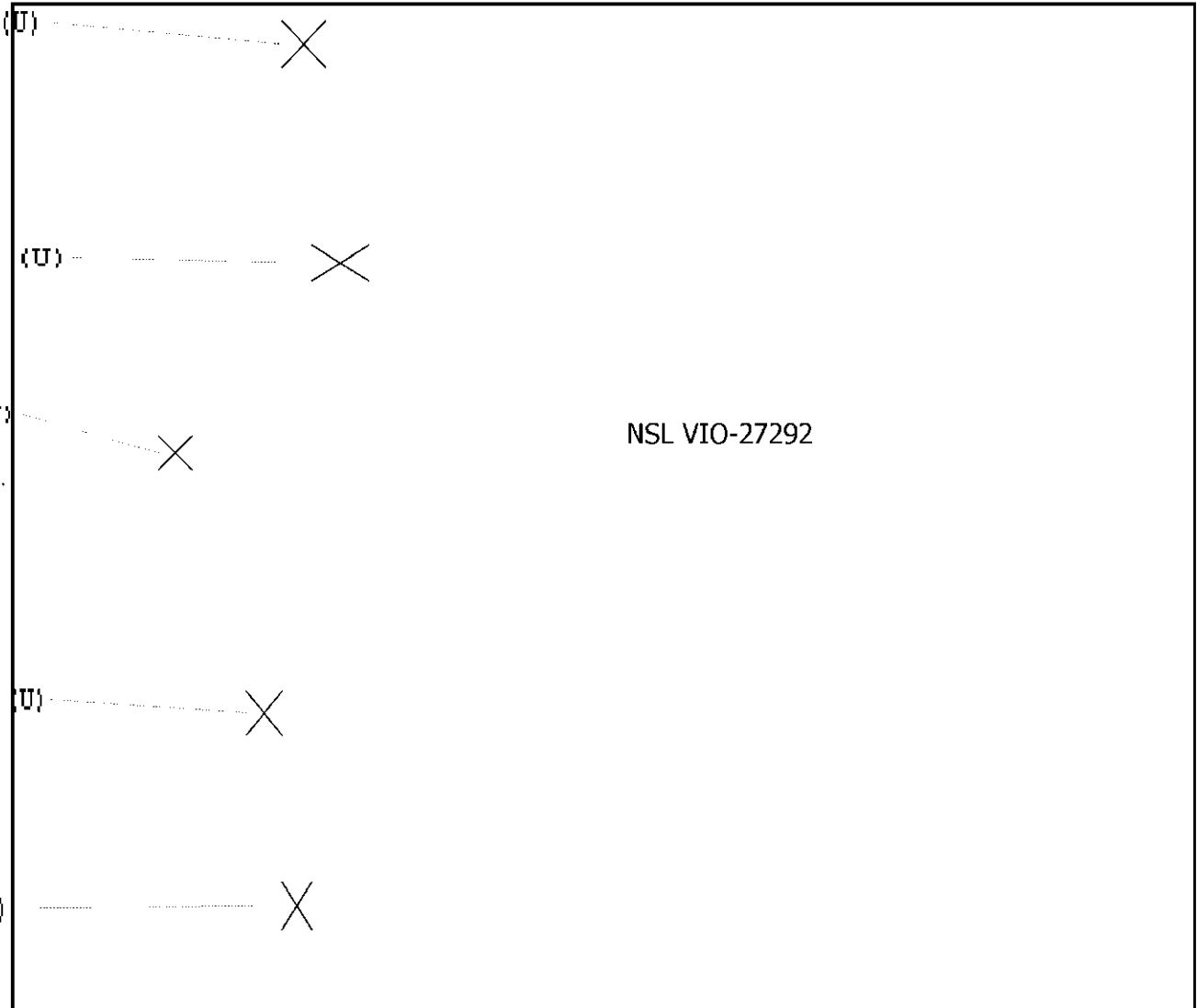
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NSL VIO-27297

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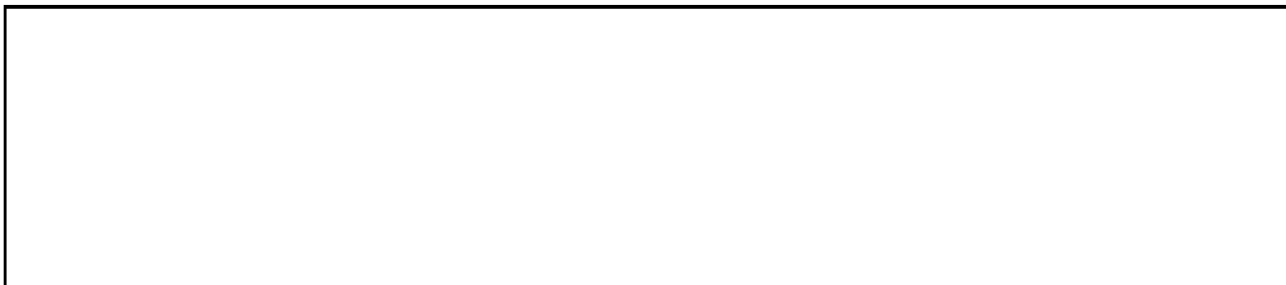
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Memorandum from Julie F. Thomas to NSLB Attorneys
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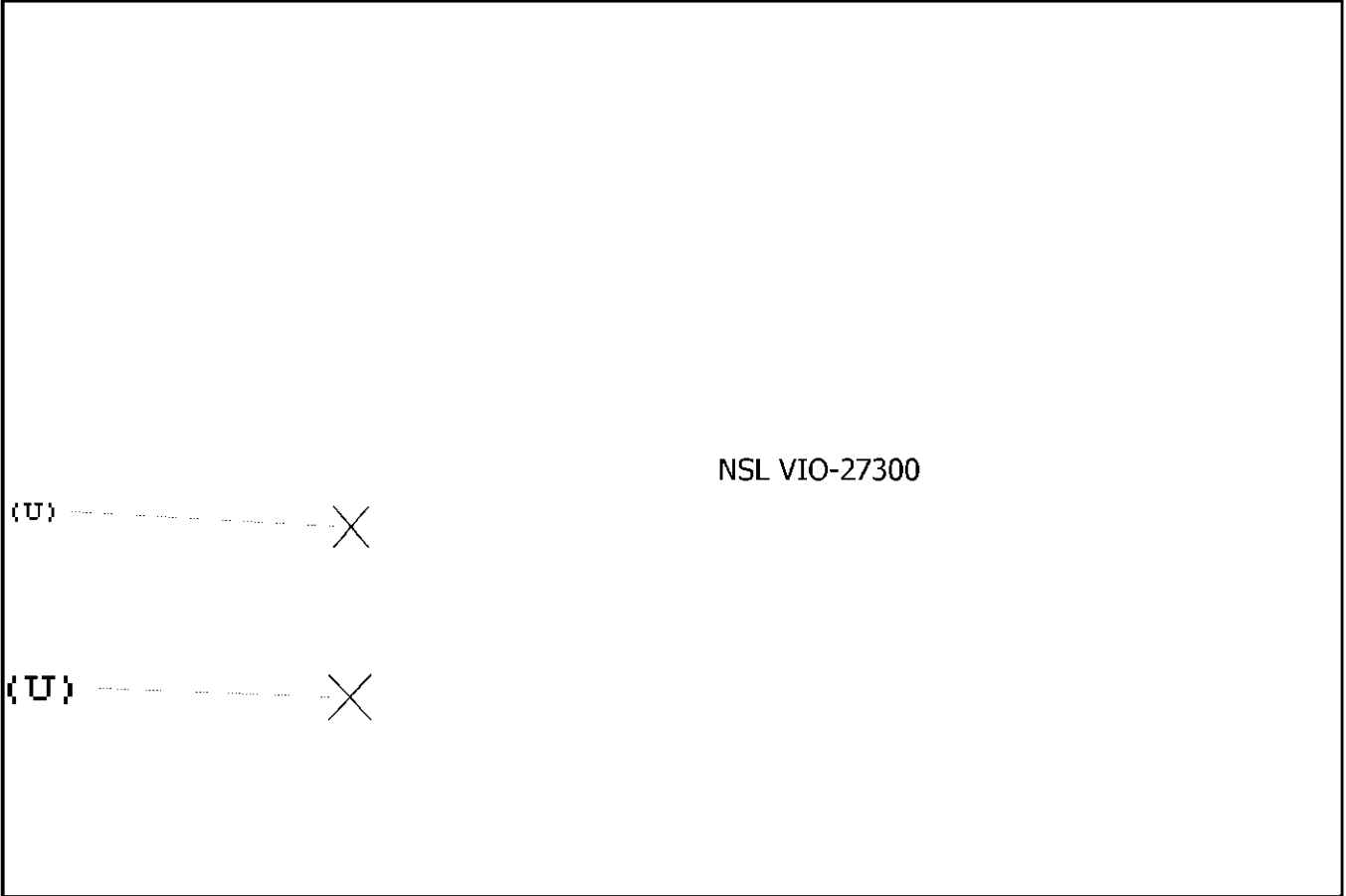
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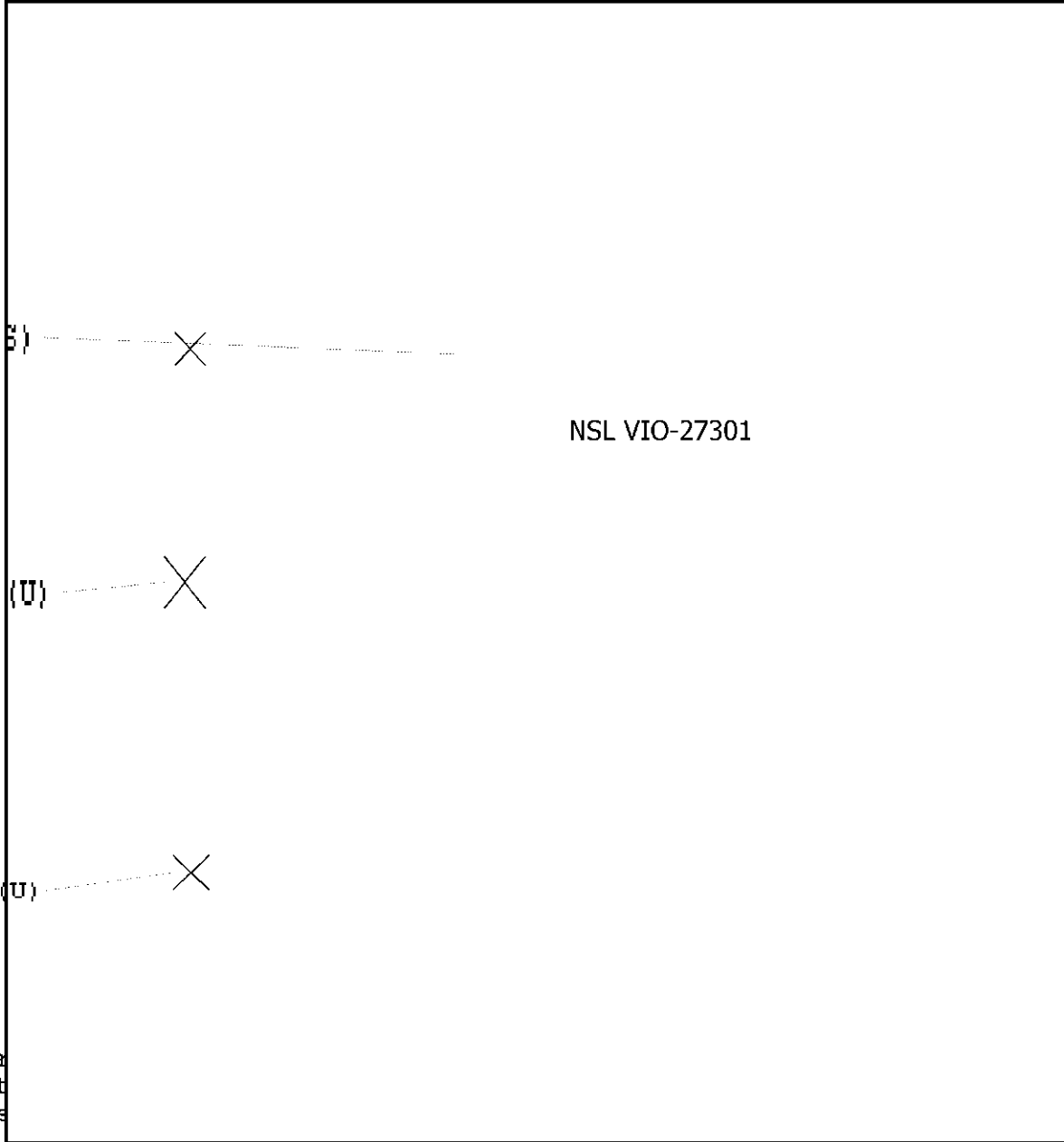
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Memorandum from Julie F. Thomas to NSLB Attorneys
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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 11/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
Re: Guidance for Drafting IOB Opinions, 11/22/2006

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Memorandum from Julie F. Thomas to NSLB Attorneys
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Memorandum from Julie F. Thomas to NSLB Attorneys
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NSL VIO-27305

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Memorandum from Julie F. Thomas to NSLB Attorneys
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NSL VIO-27306

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