

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

Mr. Nathan Cardozo
Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110

DEC 14 2009

Reference: DF-2008-00029
DF-2009-00083

Dear Mr. Cardozo:

This is an interim response to your 25 February 2008 and 19 June 2009 Freedom of Information Act (FOIA) requests to the Director of National Intelligence (ODNI) wherein you requested copies of all reports submitted by the ODNI to the IOB pursuant to Executive Order 12863 since April 2005 and copies of all records concerning the DNI's activities under Executive Order 13462 from February 29, 2008 to the present.

Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended. ODNI conducted a search for ODNI IOB reports responsive to your requests and located 24 documents, totaling 31 pages. This is a correction from our declaration dated 27 October 2009.

Upon review, portions of the documents have been withheld pursuant to FOIA Exemptions 1, 2, 3 and 6, 5 U.S.C. § 552 (b)(1), (2), (3) and (6). Exemption 1 protects information which is currently and properly classified in accordance with Executive Order 12958, as amended. Exemption 2 protects information that is strictly of an internal, administrative nature. Exemption 3 protects information protected by statute, in this instance the National Security Act of 1947, 50 U.S.C. § 403-1(i)(1). Exemption 6 protects information which would cause an unwarranted invasion of personal privacy if released. We are continuing to process records responsive to the remainder of your request.

Although I am aware that your request is currently the subject of litigation, I am required to advise you of your right to file an administrative appeal.

Sincerely,



John F. Hackett
Director, Information Management Office

~~SECRET//NOFORN~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

30 April 2007

Mr. Steve Friedman
Chairman, Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street N.W.
Washington D.C. 20503

Dear Mr. Friedman:

(U) Per Executive Order 12863, each Inspector General of the Intelligence Community must report "concerning any intelligence activities that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence, this also includes activities that may violate CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

(U) For the reporting period from January 1, 2007 to March 31, 2007, the ODNI Office of the Inspector General is aware of one incident to report.

~~(S//NF)~~ Inappropriate Images Circulated: On January 29, 2007, NCTC personnel forwarded copies of an email string throughout the Liberty Crossing location in Tysons Corner for other than official purposes. The pictures were of three high value detainees with a mocking description in the subject line. The email string originated with a DIA employee on January 23, 2007. After consultation, it was determined that ODNI OIG would make a verbal notification to the IOB on the matter.

~~(S//NF)~~ Once made aware of the situation, NCTC management immediately contacted all recipients to inform them of the inappropriate nature of the emails and instructing them not to forward the pictures to anyone else. Subsequently, a similar communication was forwarded to all ODNI employees. Upon learning of the incident, ODNI OIG requested and received an immediate report from ODNI Security concerning the extent of the distribution of the pictures. It was determined that the distribution within ODNI systems had been limited to a relatively few individuals. ODNI Security, at the request of the OIG, further agreed to electronically destroy the images on the system.

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CL REASON: 1, 101, 102
DECL ON: 20320430
DOW FROM: MIS S-06~~

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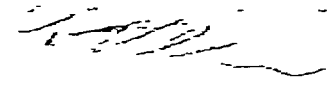
to prevent any possibility of further distribution.

~~CONFIDENTIAL~~ The ODNI OIG also made immediate contacts with DIA OIG to inform them of the origin of the pictures and email strings. DIA OIG informed ODNI OIG that the DIA Front Office was aware of the matter and had verbally reprimanded those involved. DIA officials indicated that they believed the matter was resolved and that similar conduct would not occur in the future. ODNI OIG closed the matter after assurances that all individuals were admonished about the seriousness of the conduct.

If you have any questions or comments about this report, please contact [redacted] in my office at [redacted]

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Best regards,



Edward Nizgure

cc: Benjamin Powell, ODNI General Counsel

~~CONFIDENTIAL~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

February 27, 2008

Mr. Steve Friedman
Chairman, Intelligence Oversight Board
Room 5020,
New Executive Office Building
725 17th Street N.W.
Washington D.C. 20503

Dear Mr. Friedman:

Per Executive Order 12863, each Inspector General of the Intelligence Community must report to the Intelligence Oversight Board (IOB), "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate CIA HR 7-1 and other applicable regulations or policies that protects the rights of U.S. persons.

At the December 2007 IOB meeting, my staff provided a verbal notification of an IOB reportable matter related to an allegation of misleading Congress pursuant to the joint 9/11 Congressional Inquiry. The original allegations were made by a DIA intelligence officer in May 2006 to the Department of Defense complaints Hotline. The complainant contacted my office when he was informed by DoD Inspector General personnel that they had no record of his complaint in the Office of the Deputy Inspector General for Intelligence or in the DoD IG Hotline database.

On November 27, 2007, I wrote to DoD IG Claude Kicklighter referring the matter and asking that he inform me whether he planned to provide a notification to the IOB or Congress concerning the allegations. Last week, my office received a memorandum from the Deputy Inspector General for Intelligence, Office of the DoD Inspector General, in which he informed appropriate DoD elements that a review was planned to "determine whether [the Joint Forces Intelligence Command] JFIC misled Congress by willfully withholding operational information in response to the 9/11 Joint Inquiry."

I have attached the correspondence to this notification. If you have any questions or comments about this report, please contact [REDACTED]

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Best regards,



Ned Maguire

Enclosures:

ODNI IG Referral to DoD IG, November 27, 2007

Memorandum from DoD IG, Deputy IG for Intelligence to DoD Components, February 11, 2006

cc: Benjamin Powell, ODNI General Counsel

UNCLASSIFIED

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

November 27, 2007

The Honorable Claude M. Kicklighter
Inspector General
Department of Defense
400 Army Navy Drive
Arlington, Virginia, 22202-4704

SUBJECT: Allegation of Misleading Congress

Dear General Kicklighter:

In October 2007, [REDACTED] a DIA employee in the Defense HUMINT Management Office, Policy and Plans Division, contacted my office alleging that in May 2002, in response to a Congressional inquiry, the Joint Forces Intelligence Command (JFIC) falsely reported information to its higher command pertaining to JFIC intelligence activities related to al-Qa'ida and the 9/11 attacks. According to [REDACTED] as a result of the JFIC alleged action, higher level DoD officials reported false information to Congress concerning JFIC intelligence activities. [REDACTED] indicated that he was personally involved in JFIC intelligence activities related to al-Qa'ida and the 9/11 attacks and had first hand knowledge of circumstances surrounding that alleged false reporting to the Office of Secretary of Defense and Congress. b6

The complainant stated that he had previously brought this matter to the attention of your office in May 2006. As this matter may be an open matter within your office, I am forwarding the attached unclassified information provided by the complainant. ODNI OIG Investigator [REDACTED] is in possession of classified information provided by [REDACTED] and can provide those documents to the appropriate office within DoD OIG upon request. b6 b2

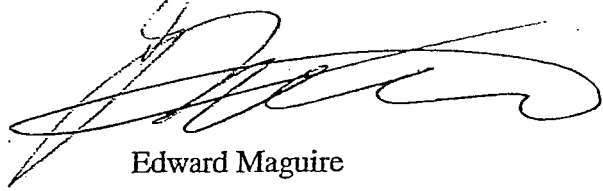
Given the obligations of Inspectors General to report intelligence activities that they have reason to believe may violate a law or Presidential order or directive to the President's Intelligence Oversight Board (IOB) and given separate considerations concerning notifying Congress in instances in which it is believed that Congress has been given false information, please inform me within 30 days whether your office determines that an IOB or Congressional notification is warranted in this instance. My office has not performed any preliminary inquiry on the underlying allegations.

UNCLASSIFIED

SUBJECT: Allegation of Misleading Congress

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Maguire', with a large, sweeping flourish extending to the right.

Edward Maguire

~~SECRET~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

July 31, 2008

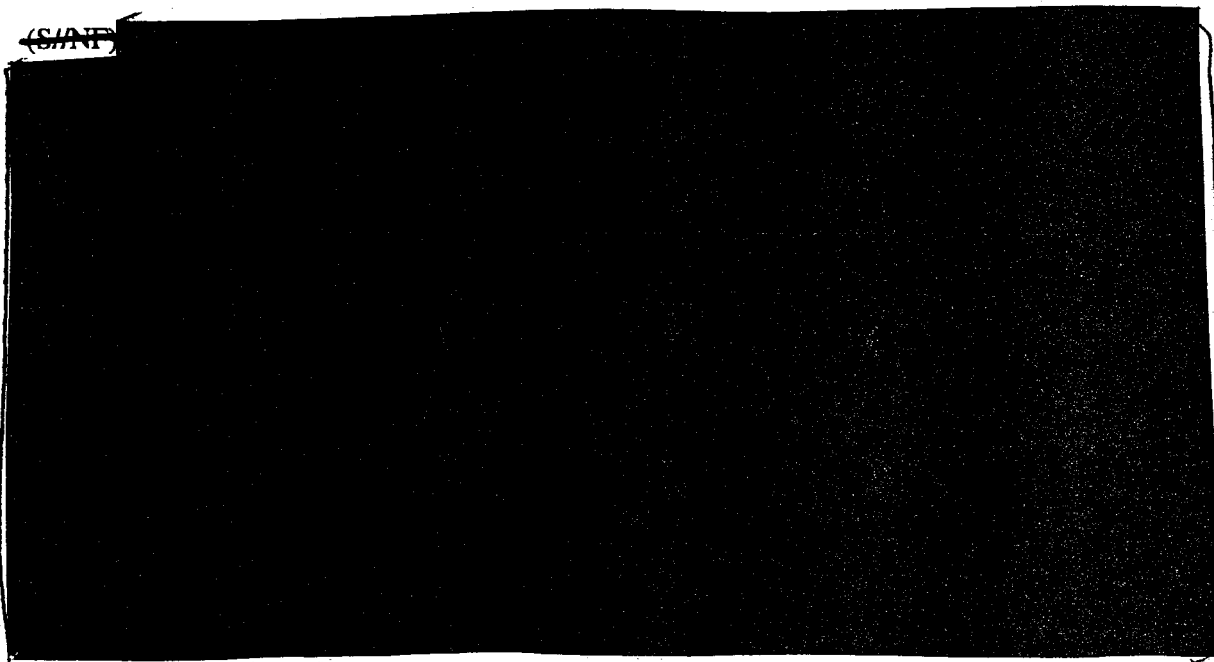
Stephen Freidman, Chair
c/o Homer Pointer, General Counsel
Intelligence Oversight Board
New Executive Office Building, Suite 5020
725 17th Street NW
Washington, DC 20503

Dear Mr. Freidman:

(U//~~FOUO~~) Per Executive order and guidance, each element of the Intelligence Community must report to the Intelligence Oversight Board (IOB), "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate CIA HR 7-1 and other applicable regulations or policies that protect the rights of U.S. persons.

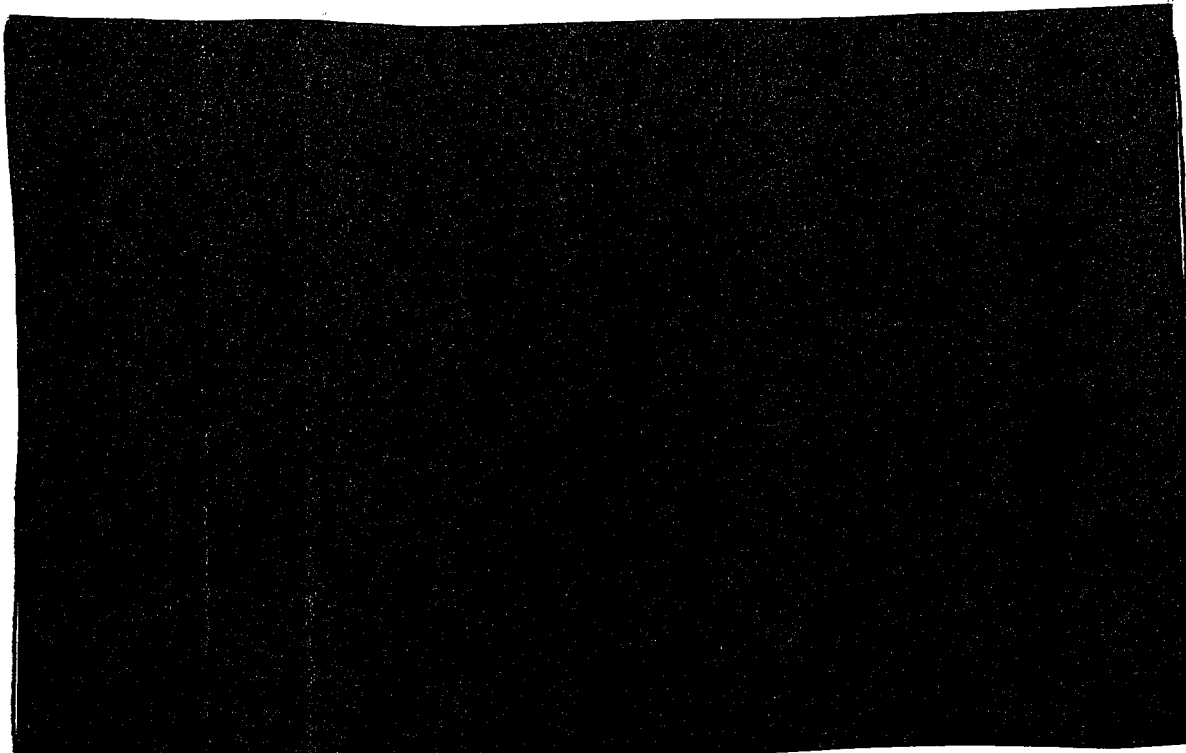
(U//~~FOUO~~) This report covers the second quarter 2008, the period from April 1 to June 30, 2008, and includes those activities performed by an element of the ODNI. For this reporting period, I have a single item to report that was the subject of a verbal preliminary notification to your staff on July 2, 2008.

(S//~~NTF~~)



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~~SECRET~~



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(U) If you have any questions or comments about this report, contact [redacted] in my office at [redacted]

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Best regards,

Ned Maguire

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

April 30, 2008

Mr. Stephen Freidman, Chair
c/o Homer Pointer, General Counsel
Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street NW
Washington, DC 20503

Dear Mr. Pointer:

Per Executive order and guidance, each element of the Intelligence Community must report to the Intelligence Oversight Board (IOB), "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate CIA HR 7-1 and other applicable regulations or policies that protect the rights of U.S. persons.

This report covers the first quarter, calendar year 2008, the period from January 1, 2008 to March 31, 2008 and only covers those intelligence activities performed by an element of the ODNI. For this reporting period, no reportable intelligence activities have come to the attention of the ODNI Office of the Inspector General.

If you have any questions or comments about this report, contact [REDACTED] in my office at [REDACTED]

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Best regards.


Ned Maguire

cc: Benjamin Powell, ODNI General Counsel

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

October 31, 2007

Ms. Rondaline Craft
Acting General Counsel, Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street N.W.
Washington D.C. 20503

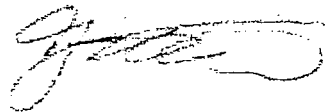
Dear Ms. Craft:

Per Executive Order 12863, each Inspector General of the Intelligence Community must report to the Intelligence Oversight Board (IOB), "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate CIA HR 7-1 and other applicable regulations or policies that protect the rights of U.S. persons.

This report covers third quarter, calendar year 2007, the period from July 1, 2007 to September 30, 2007 and only covers those activities performed by an element of the ODNI. For this reporting period, no reportable matters have come to the attention of the ODNI Office of the Inspector General.

If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

Best regards,



Ned Maguire

cc: Benjamin Powell, ODNI General Counsel

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

July 31, 2007

Mr. Steve Friedman
Chairman, Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street N.W.
Washington D.C. 20503

Dear Mr. Friedman:

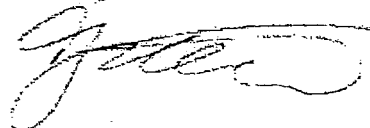
(U//FOUO) Per Executive Order 12863, each Inspector General of the Intelligence Community must report to the Intelligence Oversight Board (IOB), "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate CIA HR 7-1 and other applicable regulations or policies that protects the rights of U.S. persons.

(U) This report covers second quarter, calendar year 2007, the period from April 1, 2007 to June 30, 2007. This report only covers those activities performed by an element of the ODNI. For this reporting period, no reportable matters have come to the attention of the ODNI Office of the Inspector General.

(U) If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

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Best regards,



Edward Maguire

cc: Benjamin Powell, ODNI General Counsel

~~UNCLASSIFIED//FOUO~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

January 31, 2007

Mr. Steve Friedman
Chairman, Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street N.W.
Washington D.C. 20503

Dear Mr. Friedman:

Per Executive Order 12863, each Inspector General of the Intelligence Community must report to the Intelligence Oversight Board (IOB), "concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate CIA HR 7-1 and other applicable regulations or policies that protect the rights of U.S. persons.

This report covers the period from October 1, 2006 to December 31, 2006. This report only covers those activities performed by an element of the ODNI. For this reporting period, no reportable information has come to the attention of the ODNI Office of the Inspector General.

If you have any questions or comments about this report, please contact [redacted] in my office at [redacted]

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Best regards,


Ned Maguire

cc: Benjamin Powell, ODNI General Counsel

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
INSPECTOR GENERAL
WASHINGTON, DC 20511

8 March 2006

Mr. Steve Friedman
Chairman, Intelligence Oversight Board
Room 5020
New Executive Office Building
725 17th Street N.W.
Washington D.C. 20503

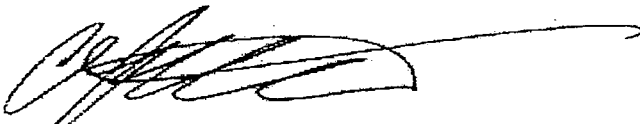
Dear Mr. Friedman:

As you are aware, Executive Order 12863 requires that each Inspector General of the Intelligence Community report quarterly to the Intelligence Oversight Board (IOB) "concerning any intelligence activities that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence, this also includes activities that may violate CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

This report covers the periods from July 5, 2005 (the commencement date of the ODNI Office of the Inspector General) to September 30, 2005 and the fourth quarter from October 1, 2005 to December 31, 2005. These reports only cover those activities performed by an element of the ODNI including NCTC, NCPC, and NCIX. Other Intelligence Community elements retain the requirement to report directly to the IOB concerning any intelligence activity within their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For both of these reporting periods, no reportable information has come to the attention of the ODNI Office of the Inspector General. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

Best regards,



Ned Maguire

cc: Benjamin Powell, ODNI General Counsel

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

February 03, 2009

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street, N.W.
Room 5020
Washington, DC 20503

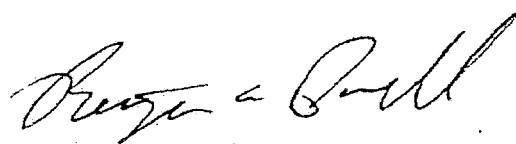
Dear Mr. Friedman:

Pursuant to Executive Order 13462, the Director of National Intelligence designated the General Counsel and Inspector General with the responsibility for reporting intelligence oversight matters arising within the Office of the Director of National Intelligence (ODNI) to the Intelligence Oversight Board (IOB). This letter addresses activities by all elements of the ODNI, to include the NCTC, NCPC, and NCIX. Each intelligence community element is subject to the requirement to report directly to the IOB any intelligence activity of their organization that may be unlawful or contrary to executive order or presidential directive.

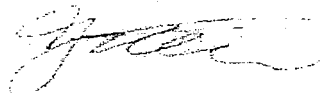
This letter reports that we have received no information identifying a reportable matter within the ODNI for the fourth quarter of 2008.

Please contact our respective offices if you have any questions regarding this transmission. The General Counsel may be reached at [REDACTED] and the Inspector General may be reached at [REDACTED].

Sincerely,



Benjamin A. Powell
General Counsel



Edward Maguire
Inspector General

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April 24, 2009

Mr. Homer Painter
Legal Counsel to
Intelligence Oversight Board
725 17th Street, NW
Room 5020
Washington, DC 20503

SUBJECT: First Quarter 2009 Intelligence Oversight Board Report

Dear Mr. Painter:

Pursuant to Executive Order 13462, the Director of National Intelligence designated the ODNI offices of General Counsel and Inspector General as responsible for reporting intelligence oversight matters arising within the ODNI to the Intelligence Oversight Board (IOB). This report reflects only activities specifically performed by an element of the ODNI, to include NCIC, NCPC, and NCIX. Each Intelligence Community element still retains the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

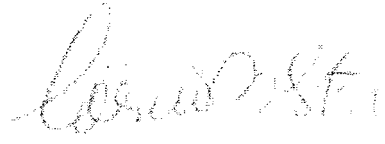
With this letter, we inform the IOB that, for the first quarter of 2009, we have not identified any reports from within the ODNI that meet the reporting threshold.

Please contact our respective offices if you have any questions regarding this transmission. The General Counsel may be reached at [REDACTED] and the Inspector General may be reached at [REDACTED].

Sincerely,



Scott Dadd
ODNI Acting Inspector General



Curt Stone
ODNI Acting General Counsel

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

October 31, 2008

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street, NW
Room 5020
Washington, DC 20503

Dear Mr. Friedman:

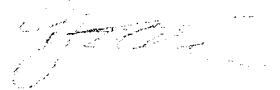
Pursuant to Executive Order 13462, the Director of National Intelligence designated the ODNI offices of General Counsel and Inspector General as responsible for reporting intelligence oversight matters arising within the ODNI to the Intelligence Oversight Board (IOB). This report reflects only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element still retains the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive. With this letter, we inform the IOB that we have received no matters to report from within the ODNI during the third quarter of 2008.

Please contact our respective offices if you have any questions regarding this transmission. The General Counsel may be reached at [REDACTED] and the Inspector General may be reached at [REDACTED]

Sincerely,



Benjamin A. Powell
ODNI/General Counsel



Edward Maguire
ODNI/Inspector General

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

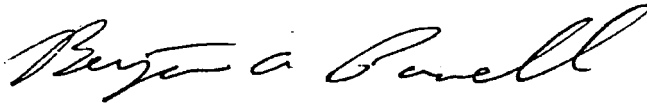
Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

JUL 31 2008

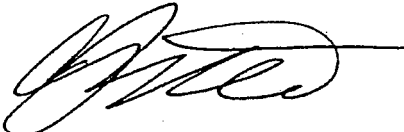
Re: ODNI 2nd Quarter 2008 IOB Report

Dear Mr. Friedman,

The Director of National Intelligence designated the ODNI Office of General Counsel and Office of Inspector General as responsible for reporting matters to the Intelligence Oversight Board (IOB). With this letter, we submit the 2nd quarter 2008 IOB reports for those designated offices. The reports include matters involving elements of the ODNI including the National Counterterrorism Center (NCTC), National Counterproliferation Center (NCPC), National Counterintelligence Executive (NCIX), and the ODNI Special Security Center (SSC). Please contact us if you require additional information concerning any of the matters reported or other oversight activities conducted by our offices.



Benjamin A. Powell
ODNI/General Counsel



Edward Maguire
ODNI/Inspector General

Enc. ODNI OGC Quarterly IOB Report, 2nd Quarter 2008
ODNI IG Quarterly IOB Report, 2nd Quarter 2008

~~BY: 2379895
CL REASON: 1.4(c)
DECL ON: 28330731
DRV FROM: ODNI OGC
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Upon removal of attachment(s), this document is UNCLASSIFIED

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

JUL 31 2008

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

~~(FOUO)~~ As you are aware, Executive Order 13462 requires that the DNI Office of General Counsel, as one of the DNI's designees, submit to the Intelligence Oversight Board (IOB), a quarterly report concerning intelligence activities for which there is a reason to believe may be unlawful or contrary to Executive Order or Presidential directive. For the Office of the Director of National Intelligence (ODNI), this includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ The ODNI report reflects only activities specifically performed by an element of the ODNI, including the National Counterterrorism Center (NCTC), National Counterproliferation Center (NCPC), National Counterintelligence Executive (NCIX), and the ODNI Special Security Center (SSC). Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of its own organization that may be unlawful or contrary to Executive Order or Presidential directive. This second quarter 2008 report summarizes activities that came to the attention of NCTC and SSC. No other element of the ODNI had anything to report.

1. Matter Reported by ODNI Special Security Center.

~~(U//FOUO)~~ On 20 May 2008, SSC was notified that classified information had been improperly transferred through the U.S. Postal Service (USPS) from ODNI/Collection, DIAC at Bolling Air Force Base, to the Defense Liaison Division, Pentagon in violation of Part 4 of EO 12958. The TS/SI program material, required to be sent via courier, was originally delivered to the Pentagon via courier but was transferred between mail rooms at the Pentagon and then to a Defense Post Office satellite facility in Arlington, VA. The satellite facility later placed postage on the courier envelope and mailed the envelope back to the Pentagon through the USPS. From 1 April 2008 through 6 or 7 April 2008, the TS/SI program material was under the control of the USPS, rather than under direct ODNI or Defense Department control as required. However, upon investigation, there is no evidence indicating that the program information was removed from the envelope prior to its arrival at the Pentagon via USPS. The courier envelope was eventually returned to Chief of Naval Operation, Defense Liaison Division (CNO-

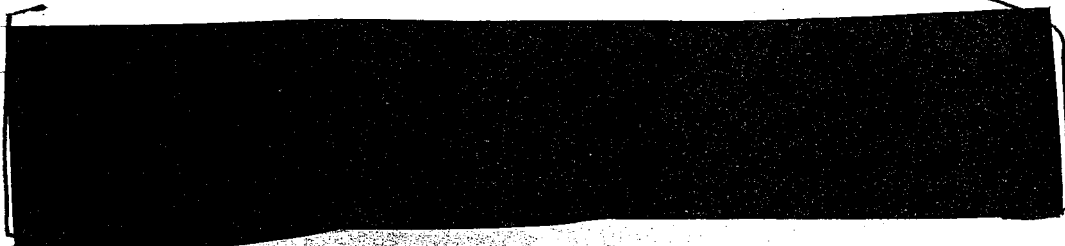
OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

DLD) intact. However, because the envelope, along with multiple other envelopes, was opened during normal Pentagon screening procedures, it cannot be definitively determined that the envelope was sealed when it was delivered to the Pentagon. Nonetheless, the condition of the envelope is consistent with what would be expected if an envelope was delivered unopened and screened at the Pentagon screening facility.

(U//~~FOUO~~) In response to this incident, the DNI implemented new procedures for handling this information. In the future, this documentation will be scanned and delivered electronically to ODNI/Collection. Once reviewed, ODNI/Collection will return the documentation to CNO-DLD electronically, as well. This electronic procedure will ensure that the documents are handled by the appropriate people in the proper channels.

2. **Matters Reported by the NCTC.**

- (S) Downgrading and Dissemination of Sensitive Information



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~~CONFIDENTIAL~~
OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

[REDACTED]

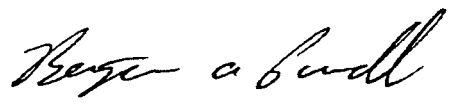
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If you have any questions or comments about the ODNI report, please contact [REDACTED]

[REDACTED]

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Sincerely,



Benjamin A. Powell
General Counsel

~~FOUO~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

May 1, 2008

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

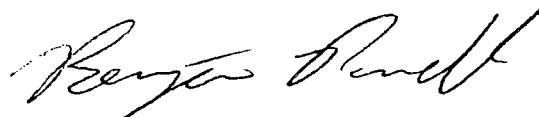
~~(FOUO)~~ As you are aware, Executive Order 12863 required that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This first quarter 2008 report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the first quarter 2008, the ODNI has no intelligence activities to report. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

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Sincerely,



Benjamin Powell

cc: Edward Maguire
ODNI/Inspector General

~~FOUO~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

February 5, 2008

Mr. Stephen Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

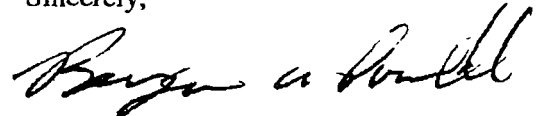
Dear Mr. Friedman,

~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This fourth quarter 2007 report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

The ODNI has no intelligence activities to report for the fourth quarter 2007. In addition, we note that the ODNI and the Department of Justice are providing oversight to the Intelligence Community's (IC) implementation of the Protect America Act (PAA). The ODNI will work with the appropriate IC agencies to ensure that any compliance issues that fall within the jurisdiction of the IOB are properly reported to the IOB. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

Sincerely,



Benjamin A. Powell

cc: Edward Maguire
ODNI/Inspector General

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UNCLASSIFIED//~~FOUO~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

July 30, 2007

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This second quarter 2007 report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the second quarter 2007, the ODNI has no intelligence activities to report. However, the ODNI is aware of a CIA matter involving NCTC that will be reported to the IOB through CIA/OGC. If you have any questions or comments about the ODNI report, please contact [REDACTED] in my office at [REDACTED]

Sincerely,



Benjamin A. Powell
General Counsel

cc: Edward Maguire
ODNI/Inspector General

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~
OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

October 31, 2007

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

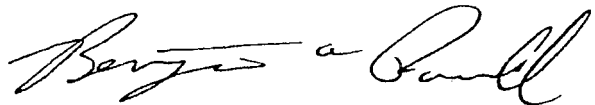
~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This third quarter 2007 report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the third quarter 2007, the ODNI has no intelligence activities to report. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

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Sincerely,



Benjamin A. Powell

cc: Edward Maguire
ODNI/Inspector General

~~FOUO~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
GENERAL COUNSEL
WASHINGTON, DC 20511

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

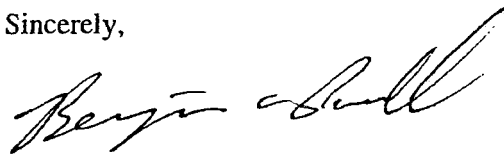
~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This first quarter 2007 report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the first quarter 2007, the ODNI has no intelligence activities to report. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

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Sincerely,



Benjamin A. Powell
General Counsel

cc: Edward Maguire
ODNI/Inspector General

~~FOUO~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
OFFICE OF GENERAL COUNSEL
WASHINGTON, DC 20511

March 7, 2007

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

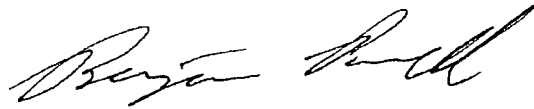
Dear Mr. Friedman,

~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This fourth quarter report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the fourth quarter, the ODNI has no intelligence activities to report. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

Sincerely,



Benjamin Powell
General Counsel

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

October 23, 2006

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This 2nd quarter report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the second quarter, the ODNI has no intelligence activities to report. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

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Sincerely,



Benjamin Powell
General Counsel

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OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
OFFICE OF GENERAL COUNSEL
WASHINGTON, DC 20511

January 10, 2007

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

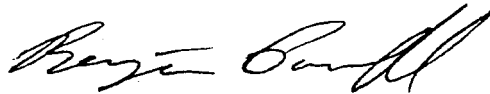
~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This 3rd quarter report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the third quarter, the ODNI has no intelligence activities to report. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

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Sincerely,



Benjamin Powell
General Counsel

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~~FOUO~~

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

June 1, 2006

Mr. Steve Friedman
Chairman
Intelligence Oversight Board
725 17th Street N.W.
Room 5020
Washington D.C. 20503

Dear Mr. Friedman,

~~(FOUO)~~ As you are aware, Executive Order 12863 requires that each General Counsel of the Intelligence Community report each quarter to the Intelligence Oversight Board (IOB) "concerning any intelligence activities of their organizations that they have reason to believe may be unlawful or contrary to Executive Order or Presidential directive." For the Office of the Director of National Intelligence (ODNI), this also includes activities that may violate Executive Order 12333, CIA HR 7-1 or any other regulation or policy that protects the rights of U.S. persons.

~~(FOUO)~~ This 1st quarter report will reflect only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element will still retain the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

For the first quarter, the ODNI has no intelligence activities to report. If you have any questions or comments about this report, please contact [REDACTED] in my office at [REDACTED]

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Sincerely,



Benjamin Powell
General Counsel

FOUO

~~TOP SECRET~~

INTELLIGENCE
COMMUNITY

August 5, 2009

Mr. Homer Pointer
Legal Counsel to
Intelligence Oversight Board
725 17th Street, NW
Room 5020
Washington, DC 20005

SUBJECT: Second Quarter 2009 Intelligence Oversight Board Report

Dear Mr. Pointer:

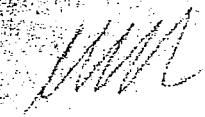
Pursuant to Executive Order 13462, the Director of National Intelligence designated the ODNI Officers of General Counsel and Inspector General as responsible for reporting intelligence oversight matters arising within the ODNI to the Intelligence Oversight Board (IOB). This report reflects only activities specifically performed by an element of the ODNI, to include NCTC, NCPC, and NCIX. Each Intelligence Community element still retains the requirement to report directly to the IOB any intelligence activity of their own organization that may be unlawful or contrary to Executive Order or Presidential directive.

With this letter, we inform the IOB that, for the second quarter of 2009, we have one matter to report from within the ODNI that meets the reporting threshold. That report accompanies this letter.

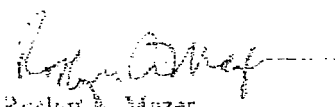
Please contact our respective offices if you have any questions regarding this transmission. The General Counsel may be reached at [redacted] and the Inspector General may be reached at [redacted].

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Sincerely,



Robert S. Litt
General Counsel



Roslyn A. Mazer
Inspector General

Enclosure - As noted

~~Classified By: [redacted]
Reason: [redacted]
Declassify On: 2034-01-01
Derived From: ODNI COL 5~~

~~TOP SECRET~~

~~_____~~

Report to the Intelligence Oversight Board Submitted by the Office of the Director
of National Intelligence Office of General Counsel
for the Second Quarter of 2009



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~~BY: 2366137
CL REASON: 1.4(c)
DECL ON: 88340804
REV FROM: COL 2-06~~

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