

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

DATE: 07-13-2010  
CLASSIFIED BY 65179 DMH/STP/KM  
REASON: 1.4 (c,d)  
DECLASSIFY ON: 07-13-2035  
10-CV-00755

(Rev. 05-01-2008)

~~SECRET~~//ORCON/NOFORN

### FEDERAL BUREAU OF INVESTIGATION

**Precedence:** ROUTINE

**Date:** 08/05/2009

**To:** General Counsel

**Attn:** NSLB

b6 -1  
b7C -1

Cyber

**Attn:** SSA [redacted]

TFU2

b2 -2  
b7E -2

**From:** [redacted]

CY-1

**Contact:** [redacted]

**Approved By:** [redacted]

Colgan Mark P  
Chamberlain Robert W

b6 -1  
b7C -1

**Drafted By:** [redacted]

b1

~~(S)~~ **Case ID #:** ~~(S)~~ [redacted]

(Pending)

b1  
b2 -3

~~(S)~~ **Title:** [redacted]

~~(U)~~ **Synopsis:** ~~(S)~~ REPORT OF POTENTIAL IOB MATTER

~~Derived From:~~ FBI NSISCG-20080301  
~~Declassify On:~~ 20340805

~~(U)~~ **Full Investigation Initiated:** 11/24/2008

~~(S)~~



b1  
b2 -2,3  
b7D -2  
b7E -1

~~SECRET~~//ORCON/NOFORN

~~SECRET~~ // ORCON / NOFORN

b2 -2  
b7E -1

(S) To: General Counsel From: [redacted]  
Re: (S) [redacted] 08/05/2009

b1

(S)

[redacted]

b1  
b2 -2  
b7D -2  
b7E -1

(U) 1. Full Initiated: 11/24/2009

(U) 2. Case Agent: SA [redacted]

b6 -1  
b7C -1

(U) 3. Supervisor: SSA [redacted]

(S)

[redacted]

b1

(S)

(S) 5. Possible IOB error: [redacted]

(U) 6. Description of the error:

(S)

[redacted]

b1  
b4  
b7D -2

b4  
b6 -2  
b7C -2  
b7D -2

[redacted]

on [redacted] at approximately [redacted]

b2 -2  
b7E -1

(U)

[redacted]

b1  
b2 -2  
b7D -2  
b7E -1

~~SECRET~~ // ORCON / NOFORN

~~SECRET~~//ORCON/NOFORN

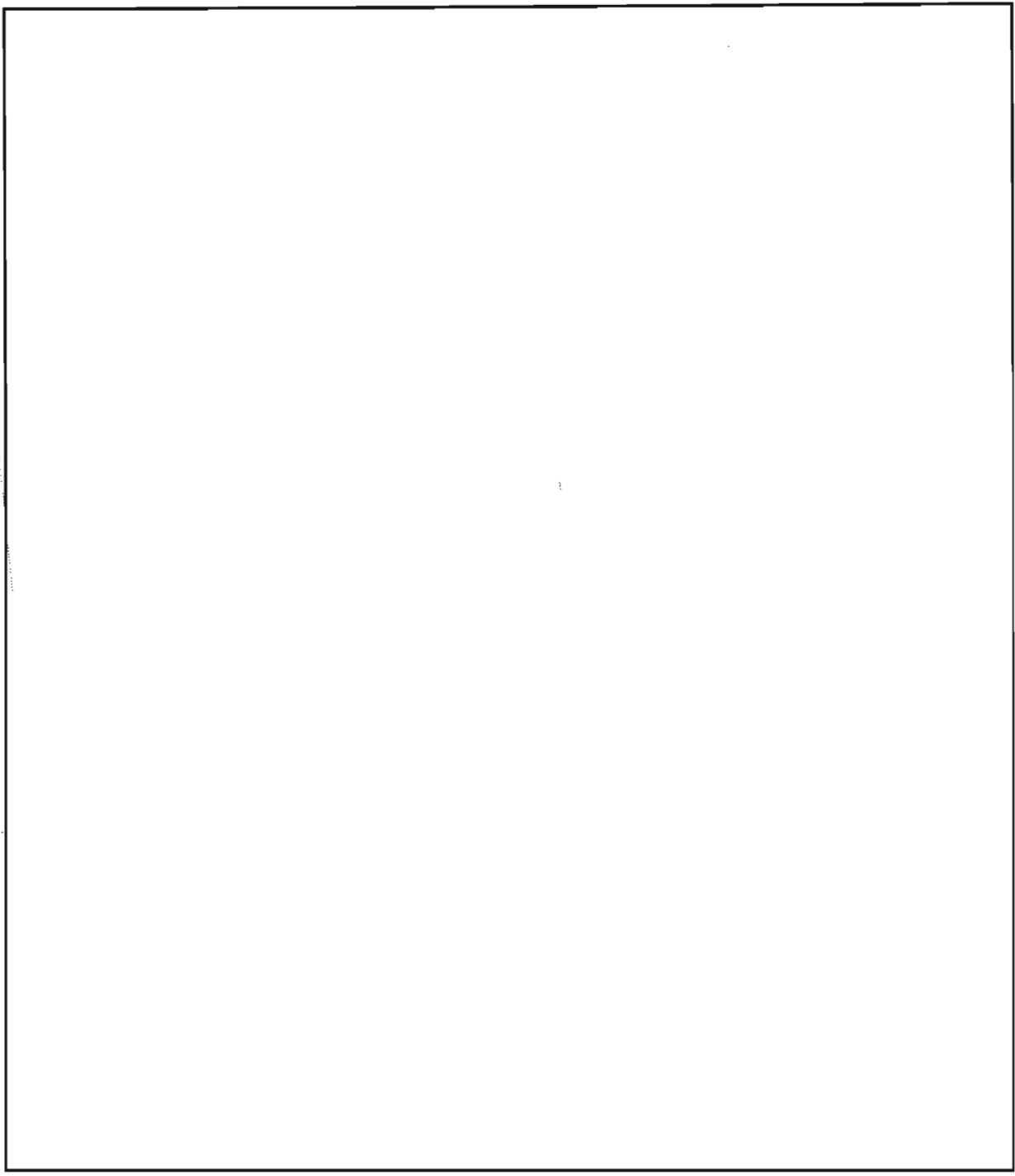
b2 -2  
b7E -1

(S)

To: General Counsel From: [redacted]  
Re: (S) [redacted] 08/05/2009

b1

(S)



b1  
b2 -2  
b6 -1,4  
b7C -1,4  
b7D -2  
b7E -1

~~SECRET~~//ORCON/NOFORN

~~SECRET~~//ORCON/NOFORN

b2 -2  
b7E -1

(S) To: General Counsel From: [redacted]  
Re: ~~(S)~~ [redacted] 08/05/2009

b1

(S)

[redacted]

b1  
b6 -1  
b7C -1  
b7D -2

In addition, a co-case agent will verify final packages.

~~SECRET~~//ORCON/NOFORN

~~SECRET~~

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REASON: 1.4 (c)  
DECLASSIFY ON: 07-13-2035  
10-CV-00755

[redacted] (OGC) (FBI)

From: [redacted] (OGC) (FBI)  
Sent: Friday, April 17, 2009 2:45 PM  
To: [redacted] (CTD) (FBI); [redacted] (OGC) (FBI); [redacted]  
[redacted] (OGC) (FBI)  
Subject: RE: IOB database--Roving Authority

b6 -1  
b7C -1

~~SECRET~~  
RECORD 415-HQ

(S) Great. Just as a quick follow-up with respect to the [redacted] cases:

b1

(S) [redacted] overproduction in response to an NSL.

b1  
b6 -3  
b7C -3

Status: No opinion yet by OGC/NSLB, but after reviewing it, it will almost definitely not be reported to the IOB, and in fact, is no longer considered a matter that must be reported to OGC/NSLB as a potential IOB matter. However, this type of NSL overproduction must be reported to OGC/NSLB for tracking purposes.

(S) [redacted]

b1  
b6 -3  
b7C -3

Status: Opinion dated 02/09/2006, 278-HQ-C1229736-VIO serial 1168, reported to the IOB.

(S) [redacted]

Status: Opinion dated 09/21/2007, 278-HQ-C1229736-VIO serial 4735, not reported to the IOB.

From: [redacted] (CTD) (FBI)  
Sent: Friday, April 17, 2009 2:07 PM  
To: [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)  
Cc: [redacted] (OGC) (FBI); SIEGEL, STEVEN N. (OGC) (FBI)  
Subject: RE: IOB database--Roving Authority

b6 -1  
b7C -1

~~SECRET~~  
RECORD 415-HQ

This is exactly what I was looking for. Thank you very much for putting this together.

[redacted]

From: [redacted] (OGC) (FBI)  
Sent: Friday, April 17, 2009 1:56 PM  
To: [redacted] (CTD) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)  
Cc: [redacted] (OGC) (FBI); SIEGEL, STEVEN N. (OGC) (FBI)  
Subject: IOB database--Roving Authority

b6 -1  
b7C -1

~~SECRET~~  
RECORD 415-HQ

[redacted]

[redacted] and [redacted] searched ACS (Case Identification Number 278-HQ-C1229736-VIO where reports of potential IOB matters and OGC/NSLB's IOB decisions are located) and all of the IOB databases. Based upon their search, the following information was found:

- 1. Potential IOB Matter 2005-160

(S) [redacted]

b1  
b6 -1,3  
b7C -1,3

~~SECRET~~

~~SECRET~~

(S) [Redacted]

Report of potential IOB, 278-HQ-C1229736-VIO, serial 848;  
IOB Opinion, 278-HQ-C1229736-VIO serial 1068

b1  
b6 -3  
b7C -3

(S)

[Redacted]

b1  
b2 -2  
b7E -1

(S)

2. Potential IOB Matter 2008-1178

Report of potential IOB, 278-HQ-C1229736-VIO, serial 7089  
IOB Opinion: no opinion by OGC/NSLB yet

b1

(S)

[Redacted]

b1  
b2 -2  
b4  
b7D -1  
b7E -1

(S)

[Redacted] (overproduction in response to an NSL).

(S)

[Redacted]

b1  
b6 -3  
b7C -3

(S)

[Redacted]

Please let me know if there is any other information that you need.

[Redacted]

b6 -1  
b7C -1

**From:** [Redacted] (CTD) (FBI)  
**Sent:** Friday, April 17, 2009 10:34 AM  
**To:** [Redacted] (OGC) (FBI); [Redacted] (OGC) (FBI)  
**Subject:** IOB database

b6 -1  
b7C -1

~~SECRET~~  
RECORD 415-HQ

Hello,

(S) [Redacted] suggested I contact you as I am working on a tasking due today to determine if there have been any IOB violations of [Redacted] cases. These cases had roving wiretap authority and the Director's office wants to know if any IOB violations have been associated with the cases in using it. The cases are:

b1

(S)

[Redacted]

Case is currently in [Redacted] but the authority was used when the case was in [Redacted]

b1  
b6 -1,3  
b7C -1,

Patriot Act-549

b2 -2  
b7E -1

~~SECRET~~

~~SECRET~~

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REASON: 1.4 (c)  
DECLASSIFY ON: 07-13-2035  
10-CV-00755

[redacted] (OGC) (FBI)

**From:** [redacted] (OGC) (FBI)  
**Sent:** Monday, September 21, 2009 1:56 PM  
**To:** [redacted] (OGC) (FBI); SIEGEL, STEVEN N. (OGC) (FBI); [redacted] (OGC) (FBI)  
**Cc:** [redacted] (OGC) (FBI)  
**Subject:** RE: Roving Authority Issue  
**Attachments:** 278-HQ-C1229736-VIO-8121[1].EC.WPD

b6 -1  
b7C -1

~~SECRET~~  
~~RECORD 415-HQ~~

b2 -2  
b7E -1

Attached is the only EC from [redacted] that hit in both ACS and Sentinel searches from 4/17-present. The IOB number assigned is: IOB # 1668 and assigned to [redacted]



278-HQ-C1229736-VIO-8121[1].EC...

b2 -1  
b6 -1  
b7C -1

[redacted]  
Management & Program Analyst  
OGC/NSLBP&TU  
[redacted]

*This communication contains privileged and confidential attorney work product/attorney client information.*

**From:** [redacted] (OGC) (FBI)  
**Sent:** Monday, September 21, 2009 1:29 PM  
**To:** SIEGEL, STEVEN N. (OGC) (FBI); [redacted] (OGC) (FBI)  
**Cc:** [redacted] (OGC) (FBI); [redacted] (OGC) (FBI)  
**Subject:** Roving Authority Issue  
**Importance:** High

b6 -1  
b7C -1

~~SECRET~~  
~~RECORD 415-HQ~~

Steve,

Valerie asked if we were aware of an instance where we used roving FISA authority and erroneously "roved" onto a facility that was NOT being used by our target.

[redacted] and [redacted] had looked into this issue in April 2009. As you can see by the email chain below, there were NO reports where we erroneously "roved" onto a facility that was not the target.

[redacted] is checking now to determine whether we had any reports from April 2009 to present.

b6 -1  
b7C -1

Patriot Act-758

~~SECRET~~

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(Rev. 05-01-2008)

~~SECRET//NOFORN~~

**FEDERAL BUREAU OF INVESTIGATION**

Precedence: ROUTINE

Date: 04/22/2009

b6 -1  
b7C -1

To: General Counsel

Attn: AGC [redacted]  
NSLB, Room [redacted]

b2 -2  
b7E -1

From: [redacted]

CDC1  
Contact: [redacted]

b2 -1  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

b2 -2  
b7A  
b7E -1

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

(U) [redacted] (Pending)

(U) Title: ~~(S)~~ REPORTING OF POTENTIAL IOB VIOLATION;  
OVER COLLECTION OF FISA DERIVED INFORMATION

Synopsis: To report a potential Intelligence Oversight Board (PIOB) matter relative to the over collection of FISA derived information.

~~Derived From : G-1  
Declassify On: 04/22/2034~~

(U) Reference: ~~(S)~~ 278-HQ-C1229736-VIO Serial 5693 and serial 3726.

b2 -2  
b7E -1

Details: ~~(S//NF)~~ This EC advises OGC/NSLB of a PIOB violation involving the over collection of FISA derived information pursuant to an FBI [redacted] Division, [redacted] Resident Agency (RA)

b1  
b6 -3  
b7C -3

(S) [redacted]  
The [redacted] RA case agent assigned to this investigation is SA [redacted] and the SSA is [redacted]

b2 -2  
b7E -1

(S) [redacted]

b6 -1  
b7C -1

b1  
b6 -3  
b7C -3

~~SECRET//NOFORN~~



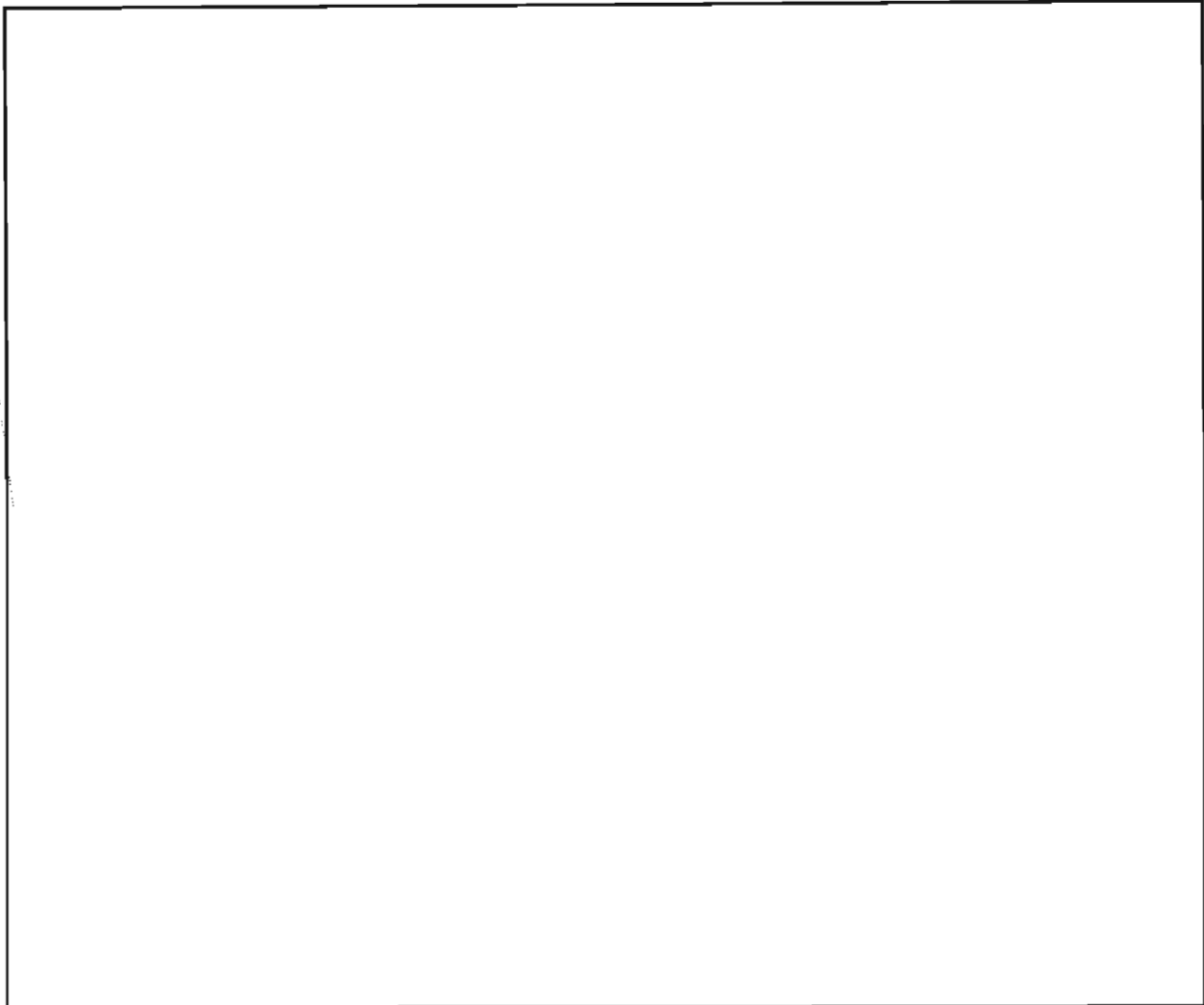
~~SECRET~~//NOFORN

b2 -2  
b7E -1

To: General Counsel From: [redacted]  
Re: ~~(S)~~ 278-HQ-C1229736-VIO, 04/22/2009

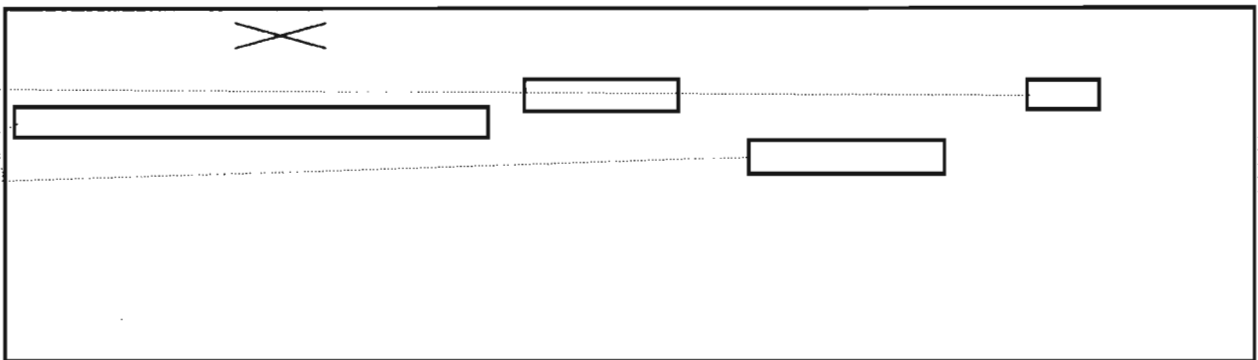
(U)

(S)



b1  
b2 -2  
b6 -3,4  
b7C -3,4  
b7D -1  
b7E -1

(S)



(S)

(S)

(S)

b1  
b2 -2  
b6 -3,4  
b7C -3,4  
b7E -1

~~SECRET~~//NOFORN

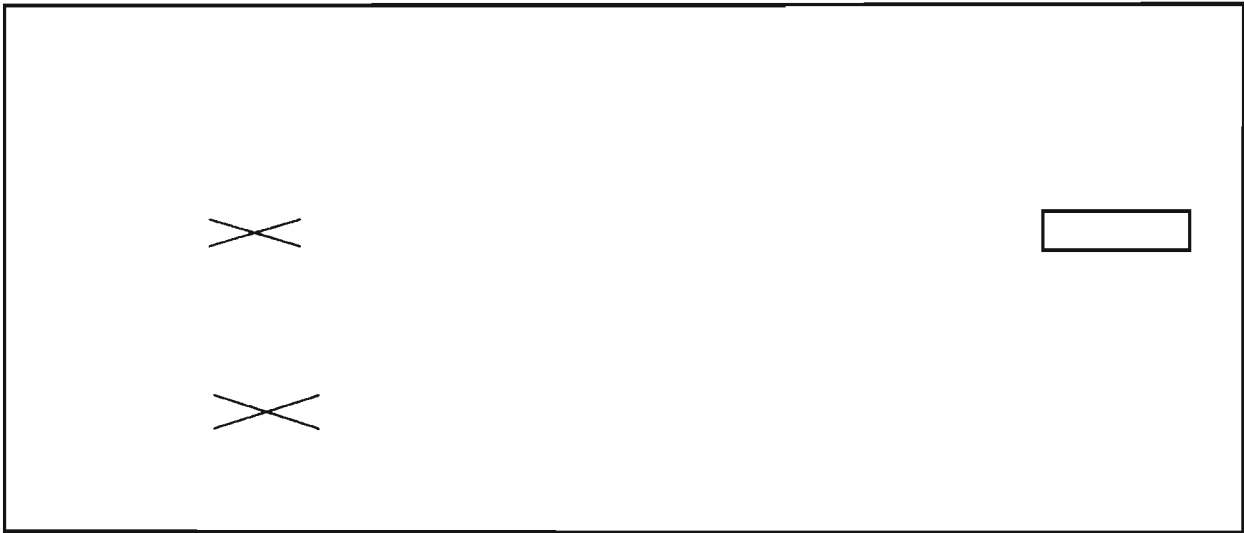
~~SECRET~~//NOFORN

b2 -2  
b7E -1

To: General Counsel From:

(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 04/22/2009

(S)



b1  
b2 -2  
b6 -3  
b7C -3  
b7E -1

~~SECRET~~//NOFORN

~~SECRET//NOFORN~~

b2 -2  
b7E -1

To: General Counsel From:   
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 04/22/2009

LEAD(s):

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) ~~(S)~~ To report a potential Intelligence Oversight Board (PIOB) matter relative to the over collection of FISA-related information.

◆◆

~~SECRET//NOFORN~~