

IOB AND GONZALES'S LATEST PERJURY

I've got just a few minutes before I've got to pack up for DC. But I wanted to point out a curious detail about the WaPo's story on NSLs: the centrality of PFIAB in it. The story, of course, reveals that Gonzales received reports of violations of National Security Letter procedures, and then went into Congress and said there had been no problems with the program. But in addition to Gonzales, the board that's supposed to police our intelligence activities also received reports of the violations.

Each of the violations cited in the reports copied to Gonzales was **serious enough to require notification of the President's Intelligence Oversight Board**, which helps police the government's surveillance activities. The format of each memo was similar, and none minced words.

"This enclosure 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 and presidential directives," said the April 21, 2005, letter to the Intelligence Oversight Board.

The oversight board, staffed with intelligence experts from inside and outside government, was established to report to the attorney general and president about civil liberties abuses or intelligence lapses. But Roehrkasse said the fact that a violation is reported to the board "does not mean that a USA Patriot violation exists or that an individual's civil liberties have been abused." [my emphasis]

Two things about this. First, I suspect we're going to hear some folks in the upcoming days disputing Roehrkasse's claim that a report to the Board doesn't mean that a violation of civil liberties has occurred (in fact, I rather think Roehrkasse is parsing carefully in that statement there). Time was, when something got elevated to the Board, it was serious. So if AGAG is ignoring such reports, it means he's ignoring real evidence of wrongdoing.

Second, the Intelligence Oversight Board is different from the President's Foreign Intelligence Advisory Board. But Presidents tie them closer together as they choose to—and I've heard that Bush may have tied them quite closely indeed. Which reminds me of this post that I did a few weeks ago that pointed out that the only entity that, like Cheney's Fourth Branch, was not complying with classification and declassification guidelines was PFIAB. I wonder whether IOB has done its part to bury evidence that citizens should know?