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INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER
[REDACTED] FIELD OFFICE
IOB MATTER 2007-1209-NSL (U)

~~(S)~~ During an authorized [REDACTED] [REDACTED] of a presumed U.S. person, [REDACTED] sent a National Security Letter (NSL) under the Electronic Communications Privacy Act (ECPA), 18 U.S.C. § 2709. The NSL requested subscriber information and transactional records from the service provider. [REDACTED] did not, however, include in the NSL a certification that the information sought was relevant to an authorized investigation to protect against international terrorism and that the investigation of a United States person is not conducted solely on the basis of activities protected by the First Amendment to the Constitution of the United States. Notwithstanding the lack of certification, the service provider produced materials in response to the NSL.

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(U) This matter is being reported because the field office's NSL did not comply with the requirements imposed by ECPA to obtain subscriber information and transactional records. Specifically, the NSL did not include the appropriate certification. The field office was instructed to sequester the NSL results. The [REDACTED] has expired; therefore, the field office cannot issue a curative NSL at this time. The field office must contact the service provider and ask whether the NSL results should be returned or destroyed, with appropriate documentation to the file.

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~~(S) Derived From: G-3
Declassify On: 11/30/2017~~

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