



U.S. Department of Justice

Federal Bureau of Investigation

In reply, Please refer to
File No. NSL-12-350364

12401 Sycamore Station
Place
Louisville, KY 40299
May 16, 2012

[Redacted]

Google
1600 Amphitheatre Parkway
Mountain View, CA 94043
650-253-[Redacted]

Dear [Redacted]

Under the authority of Executive Order 12333, dated July 30, 2008, and pursuant to Title 18 United States Code (U.S.C.), § 2709 (§ 201 of the Electronic Communications Privacy Act of 1986) (as amended), you are hereby directed to provide to the Federal Bureau of Investigation (FBI) the names, addresses, and length of service and electronic communications transactional records, to include existing transaction/activity logs and all electronic mail (e-mail) header information, for the below-listed email/IP address holder(s):

Account:	For Following Date(s) (YYYY-MM-DD):
[Redacted]	From Inception to Present

Please see the attachment following this letter for the types of information that you might consider to be a electronic communications transactional record. We are not directing you to provide, nor should you provide, information pursuant to this letter that would disclose the content of any electronic communication. Title 18 United States Code § 2510(8) defines content as "any information concerning the substance, purport, or meaning of" a communication. Subject lines of e-mails and message content are content information and should not be provided pursuant to this letter.

If the period noted above is from "inception," that term is intended to apply to the current account holder only. If the period noted above is to the "present," that term is intended to direct production of

[REDACTED]

information to the date of the processing of this letter. Information that is responsive to this request may include information that falls within the "billing cycle" that you use, e.g., if the request is for January 1 through July 1, but you maintain account information based on a billing cycle that runs from the 15th of the month, then you may provide information beyond the dates requested (January 1 through July 1) so long as the information provided falls within your billing cycle, i.e., you may provide information from December 15 through July 15. Accordingly, producing information outside the requested date range that is within your billing cycle is not an overproduction.

While fulfilling your obligations under this letter, please do not disable, suspend, lock, cancel or interrupt service to the above-described subscriber(s) or accounts. A service interruption or degradation may alert the subscriber(s)/account user(s) that investigative action is being taken. If you are not able to fulfill your obligations under this letter without alerting the subscriber/account user, please contact the FBI prior to proceeding.

In accordance with Title 18 U.S.C., § 2709(b), I certify that the information sought is relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, and that such an 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.

In accordance with Title 18 U.S.C. § 2709(c)(1), I certify that a disclosure of the fact that the FBI has sought or obtained access to the information sought by this letter may endanger the national security of the United States; interfere with a criminal, counterterrorism, or counterintelligence investigation; interfere with diplomatic relations; or endanger the life or physical safety of a person. Accordingly, Title 18 U.S.C. § 2709(c)(1) and (2) prohibits you, or any officer, employee, or agent of yours, from disclosing this letter, other than to those to whom disclosure is necessary to comply with the letter or to an attorney to obtain legal advice or legal assistance with respect to this letter.

In accordance with Title 18 U.S.C. § 2709(c)(3), you are directed to notify any persons to whom you have disclosed this letter that they are also subject to the nondisclosure requirement and are therefore also prohibited from disclosing the letter to anyone else.

In accordance with Title 18 U.S.C. § 2709(c)(4), if the FBI asks for the information, you should identify any person to whom such disclosure has been made or to whom such disclosure will be made. In no instance will you be required to identify any attorney to whom disclosure was made or will be made in order to obtain legal advice or legal assistance with respect to this letter.

[REDACTED]

In accordance with 18 U.S.C. § 3511(a) and (b)(1), you have a right to challenge this letter if compliance would be unreasonable, oppressive, or otherwise unlawful.

You also have the right to challenge the nondisclosure requirement set forth above. If you wish to make a disclosure that is prohibited by the nondisclosure requirement, you must notify the FBI, in writing, of your desire to do so within 10 calendar days of receipt of this letter. That notice must be mailed or faxed to the Louisville Division, attention: [REDACTED] (phone number: [REDACTED]), with a copy to FBI HQ, attention: General Counsel (fax number: 202-324-5366) and must reference the date of the NSL and the identification number found on the upper left corner of the NSL. If you send notice within 10 calendar days, the FBI will initiate judicial proceedings in approximately 30 days in order to demonstrate to a federal judge the need for nondisclosure and to obtain a judicial order requiring continued nondisclosure. The nondisclosure requirement will remain in effect unless and until there is a final court order holding that disclosure is permitted.

If you do not send notice of your desire to disclose the NSL or the fact that you produced records in response to it within 10 calendar days of receipt, then the nondisclosure provision will remain in effect, subject to your opportunity to make an annual challenge to the nondisclosure requirement as provided by subsection 3511(b).

In accordance with Title 18 U.S.C. § 3511(c), an unlawful failure to comply with this letter, including any nondisclosure requirement, may result in the United States bringing an enforcement action.

You are directed to provide records responsive to this letter electronically to the FBI within 21 business day(s) of receipt of this letter. Due to security considerations, you should neither send the records through routine mail service nor non-secure fax, nor disclose the substance of this letter in any telephone conversation. In responding to this request in order to facilitate processing of the information, please reference the NSL-12-350364.

[REDACTED]

Any questions you have regarding this letter should be directed to
the San Francisco Division or [REDACTED]

Your cooperation in this matter is greatly appreciated.

Sincerely,



Perrye K. Turner
Special Agent in Charge
Louisville

ATTACHMENT

In preparing your response to this National Security Letter, you should determine whether your company maintains the following types of information which may be considered by you to be an electronic communications transactional record in accordance with Title 18 United States Code § 2709.

- Subscriber name and related subscriber information
- Account number(s)
- Date the account opened or closed
- Physical and or postal addresses associated with the account
- Subscriber day/evening telephone numbers
- Screen names or other on-line names associated with the account
- All billing and method of payment related to the account including alternative billed numbers or calling cards
- All e-mail addresses associated with the account to include any and all of the above information for any secondary or additional e-mail addresses and or user names identified by you as belonging to the targeted account in this letter
- Internet Protocol (IP) addresses assigned to this account and related e-mail accounts
- Uniform Resource Locator (URL) assigned to the account
- Plain old telephone(s) (POTS), ISDN circuit(s), Voice over internet protocol (VOIP), Cable modem service, Internet cable service, Digital Subscriber Line (DSL) asymmetrical/symmetrical relating to this account
- The names of any and all upstream and downstream providers facilitating this account's communications
- The above-listed information from "inception of the targeted account to the present" if this request cannot be processed as presently written

We are not directing you to provide, nor should you provide, information pursuant to this letter that would disclose the content of any electronic communication. Title 18 United States Code § 2510(8) defines content as "any information concerning the substance, purport, or meaning of" a communication. Subject lines of e-mails are content information and should not be provided pursuant to this letter. If the records provided are particularly large we request that you provide this information in electronic format, preferably on a CD-ROM.