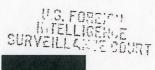


# U.S. Department of Justice

National Security Division



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All redacted information exempt under b(1) and/ or b(3) except where otherwise noted.

Washington, D.C. 20530

CLERK OF COURT

The Honorable Reggie B. Walton United States Foreign Intelligence Surveillance Court 333 Constitution Avenue, N.W. Washington, D.C. 20001

Pre	eliminary No	tice of a Pot	ential Con	npliance l	ncident Ir	volving	

Dear Judge Walton:

Pursuant to Rule 10(c) of the Foreign Intelligence Surveillance Court (FISC) Rules of Procedure, effective February 17, 2006, this letter provides preliminary notice of a potential compliance incident regarding the National Security Agency's (NSA) activities pursuant to docket number PR/TT and and previous dockets. (S)

In docket number PR/TT and previous dockets, the Court authorized the "installation and use of pen registers and trap and trace devices as described in the Government's Application to collect all addressing and routing information reasonably likely to identify the sources or destinations of the electronic communications identified above including the "to," "from," "cc," and "bcc" fields for those communications

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Classified by: David S. Kris, Assistant Attorney General,

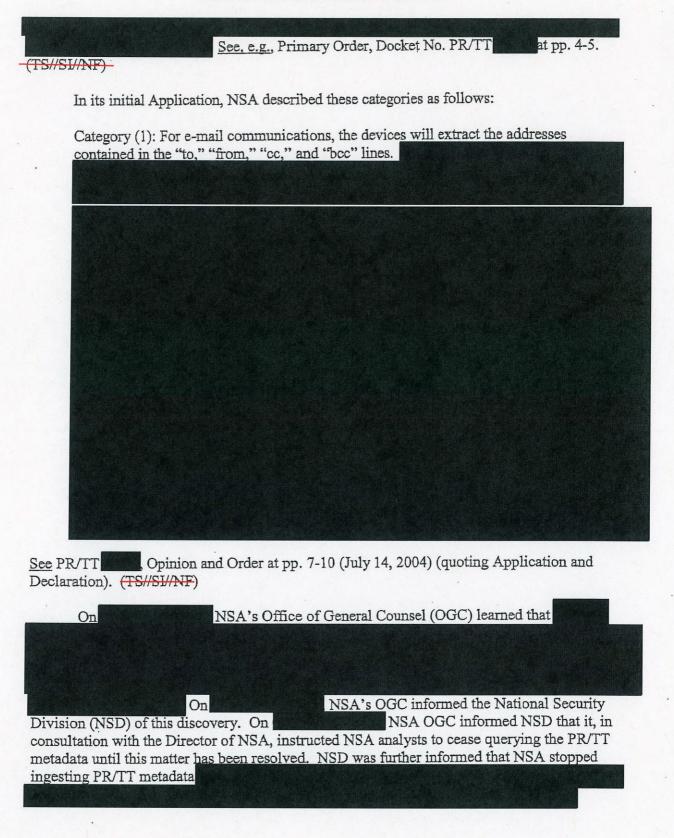
NSD, DOJ

Reason:

1.4(c)

Declassify on:

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on to review those processes are consistent we Court on July 14, 2004 in Dock	with the terms of the PR/TT Opinion and Order issued by this set Number PR/TT and subsequent Orders issued by the the Order issued in Docket Number PR/TT NSA
in docket number PR/TT	NSA further reported that it currently
between legal counsel for the Court on	NSD and NSA continued discussions of this matter NSD provided a preliminary oral notification of this matter to (TS//SI//NF)
According to NSA, if	
(TS//SV/NF)	
NSA has advised NSD nor query metadata currently we the Court's express approval the its previous operational practice the PR/TT metadata repository	rithin NSA's PR/TT database until this matter is resolved and with

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The NSA and NSD are continuing to investigate the collection activities described above.
As part of its investigation, NSD is (1) reviewing the categories of information that were
extracted and collected and collected and (2) analyzing whether some or all of the
collection activity described herein is consistent with this Court's Opinion and Orders. To the
extent NSD determines that some or all of the collection activity is not consistent with the
Court's Opinion and Orders, NSD intends to further analyze whether it is appropriate to seek
Upon conclusion of the Government's investigation, a thorough explanation of this matter will be provided to the Court. (U)

Sincerely.

Acting Section Chief, Oversight Section National Security Division U.S. Department of Justice