



U.S. Department of Justice

Federal Bureau of Investigation

In reply, Please refer to

File No. NSL-16-424845

Detroit Field Office  
P V Mcnamara FOB, 26th  
Floor  
477 Michigan Avenue  
Detroit, MI 48226-2598  
September 13, 2016

Custodian of Records  
Google  
1600 Amphitheatre Parkway  
Mountain View, CA 94043  
650-253-[REDACTED]

Dear Custodian of Records:

Pursuant to Title 18, United States Code (U.S.C.), Section 2709 (Section 201 of the Electronic Communications Privacy Act), to the extent you provide an electronic communication service as defined in 18 U.S.C. § 2510(15), you are hereby directed to provide the Federal Bureau of Investigation (FBI) the name, address, length of service, and electronic communications transactional records for all services, as well as all accounts, provided to the individual(s) or identifier(s) listed below:

Account:	For Following Date(s) (YYYY-MM-DD):
[REDACTED]@gmail.com	From 2015-01-01 1:00 AM EST to Present

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. Section 2510(8) defines content as "any information concerning the substance, purport, or meaning of" a communication. The 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 applies to the current account holder only. If the period noted above is to the "present," that term directs production of information to the date you process this letter. Information that is responsive to this request may include information that falls within the "billing cycle" that you use. For example, if the request is for January 1 through February 1, but you

## Custodian of Records

maintain account information based on a billing cycle that runs from the 15th of the month, then you may provide information before January 1 and after February 1 so long as the information falls within your billing cycle.

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) and account users(s) to the investigative action. If you are not able to fulfill your obligations under this letter without alerting the subscriber(s) and account user(s), please contact the FBI prior to proceeding.

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

### NONDISCLOSURE REQUIREMENT

In accordance with 18 U.S.C. § 2709(c)(1), I certify disclosure of the fact the FBI has sought or obtained access to the information or records sought by this letter may result in a danger to the national security of the United States; interference with a criminal, counterterrorism, or counterintelligence investigation; interference with diplomatic relations; or danger to the life or physical safety of any person, that is related to an authorized investigation to protect against international terrorism or clandestine intelligence activities.

In accordance with 18 U.S.C. §§ 2709(c)(1)-(2), you, any officer, employee, or agent of yours are prohibited from disclosing this letter or disclosing that the FBI has sought or obtained access to information, 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 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 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.

## Custodian of Records

In accordance with 18 U.S.C. §§ 3511(a)-(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 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. The notice must be mailed or faxed to the FBI Detroit Field Office and a copy faxed to FBI HQ, attention: General Counsel (fax number 202-324-5366). Your notice must reference the date of this letter and the File Number listed on the upper left corner of this letter. If you send notice within 10 calendar days of receipt of this letter, 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 you produced records in response to it within 10 calendar days of receipt, then the nondisclosure requirement will remain in effect, subject to your opportunity to make an annual challenge to the nondisclosure requirement as provided by 18 U.S.C. § 3511(b).

The USA FREEDOM ACT of 2015 requires the FBI to review any NSL that includes a nondisclosure requirement to determine whether the requirement should continue. Pursuant to the Attorney General Termination Procedures for National Security Letter Nondisclosure Requirement, the FBI will review the nondisclosure requirement at the appropriate time and notify you if the nondisclosure requirement is terminated.

### **GUIDANCE ON RESPONDING TO THE FBI**

In accordance with 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.

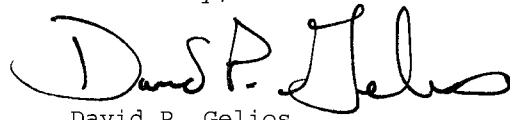
You are directed to provide electronically the records responsive to this letter within 21 business days of receipt of this letter to the FBI's Operational Technology Division (OTD).

Direct any questions you have regarding this letter to the FBI Detroit Field Office. Due to security considerations, you should NOT disclose the substance of this letter in any telephone conversation. When responding to this letter, please refer to File No. NSL-16-424845.

Custodian of Records

Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "David P. Gelios". The signature is fluid and cursive, with the first name "David" being the most prominent.

David P. Gelios  
Special Agent in Charge  
Detroit