



U.S. Department of Justice

Federal Bureau of Investigation

File No. NSL-18-440748

San Diego Division
10385 VISTA SORRENTO
PARKWAY
San Diego, CA 92121
April 09, 2019

Custodian of Records
Apple Computer
1 Infinite Loop
Cupertino, CA 95014
408 [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 of 1986), the FBI issued a National Security Letter (NSL) NSL-18-440748 to Apple Computer. The NSL included a nondisclosure requirement that prohibited you, any officer, employee, or agent of your company from disclosing the letter and that the FBI had sought or obtained access to information, other than to those to whom disclosure was necessary to comply with the letter or to an attorney to obtain legal advice or legal assistance with respect to the letter. Consistent with the requirements of the USA FREEDOM Act of 2015 and the Termination Procedures for NSL Nondisclosure Requirement, the FBI has reviewed whether to continue the nondisclosure requirement in the NSL and determined that nondisclosure is no longer necessary with respect to all information contained in the NSL except as set forth below.

Accordingly, and consistent with law, you may exercise your discretion to disclose the following:

- The fact that you received the NSL on a certain date;
- The customer account(s) for which information was sought; and
- Whether or not you provided responsive information to the FBI pursuant to the NSL.

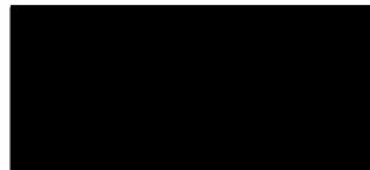
If you choose, you may disclose the NSL itself provided that doing so would be consistent with other legal obligations you may have.

However, consistent with the relevant statute, the FBI requests that the name and telephone number of the FBI Special Agent included on the NSL be redacted because disclosure may result in danger to the life or physical safety of a person. Please note that the name and telephone number of the FBI Special Agent might appear in two places on the NSL and should be redacted accordingly:

- In the paragraph discussing your right to challenge the NSL, in the sentence that reads, "That notice must be mailed or faxed to the FBI San Diego Field Office, attention [redact name and telephone number], with a copy to FBI HQ, attention: General Counsel (fax number: 202- [redacted]) and must reference the date of the NSL and the identification number found on the upper left corner of the NSL."
- Near the last page of the NSL, in a sentence that reads, "Any questions you have regarding this letter should be directed to the FBI San Diego Field Office or attention [redact name and telephone number]."

Please direct any questions you have regarding this letter to the San Diego FBI Field Office.

Sincerely,

A large black rectangular redaction box covering the signature of the Acting Special Agent in Charge.

Acting Special Agent in
Charge
San Diego



U.S. Department of Justice

Federal Bureau of Investigation

In reply, Please refer to

File No. NSL-18-440748

San Diego Field Office
10385 VISTA SORRENTO
PARKWAY
San Diego, CA 92121
March 15, 2018

Custodian of Records
Apple Computer
1 Infinite Loop
Cupertino, CA 95014
408- [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 of 1986), to the extent you provide an electronic communication service as defined in 18 U.S.C. § 2510(15), you are hereby directed to produce to the Federal Bureau of Investigation (FBI) the name, address, and length of service for all services, as well as all accounts, provided to the individual(s) or identifier(s) listed below:

Accounts:	For Following Date(s) (YYYY-MM-DD):
Apple account registered to: [REDACTED] [REDACTED]	For Current Subscriber

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.

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)(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)(2), 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)(2), 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.

In accordance with 18 U.S.C. § 3511(a), you have the right to seek in an appropriate United States district court an order modifying or setting aside this request, if compliance would be unreasonable, oppressive, or otherwise unlawful. In accordance with 18 U.S.C. § 3511(b), you also have the right to have a court review the nondisclosure requirement imposed in connection with this letter. If you wish to have a court conduct such a review, you may file a petition for judicial review in any court described in 18 U.S.C. § 3511(a). In the alternative, you may notify the FBI of your desire for judicial review of the nondisclosure requirement. Written notice may be mailed or faxed to the FBI San Diego Field Office, with a copy mailed to FBI Headquarters, 935

Custodian of Records

Pennsylvania Avenue NW, Washington, DC 20535, Attention: General Counsel. Your notice should reference the date of this letter and the File Number listed on the upper left corner of this letter. If the FBI determines that the nondisclosure requirement continues to be appropriate, not later than 30 days after the date of the FBI's receipt of the notice, the FBI shall apply in a court described in 18 U.S.C. § 3511(b)(1)(B) for an order prohibiting the disclosure of the existence or contents of this letter. The nondisclosure requirement shall remain in effect during the pendency of the legal proceedings relating to the nondisclosure requirement.

The USA FREEDOM Act of 2015 mandates that the Attorney General adopt, with respect to nondisclosure requirements issued in NSLs, procedures that require the FBI to conduct reviews at appropriate intervals to assess whether the facts supporting nondisclosure continue to exist. Pursuant to the Attorney General Termination Procedures for National Security Letter Nondisclosure Requirement, the FBI will review the nondisclosure requirement at the appropriate times and notify you if the nondisclosure requirement has been 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 San Diego 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-18-440748.

Your cooperation in this matter is greatly appreciated.

Sincerely,

A large black rectangular redaction box covering the signature of the Special Agent in Charge.

Special Agent in Charge
San Diego