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U.S. Department of Justice

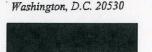
National Security Division





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



CLERK OF COURT

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

Preliminary Notice of a Potential Compliance Incident Involving				

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,

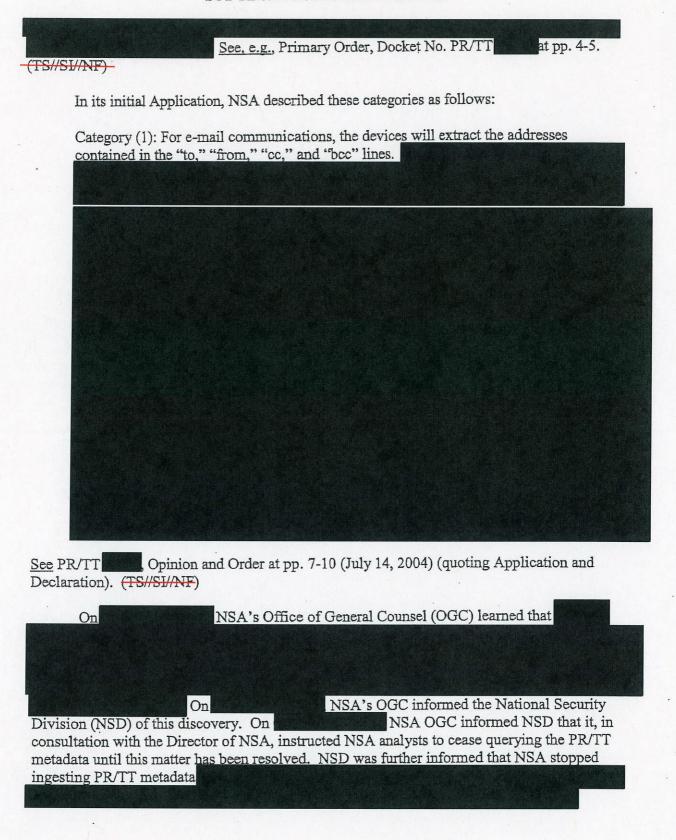
NSD, DOJ

Reason:

1.4(c)

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to review N those processes are consistent win Court on July 14, 2004 in Docker Court including, most recently, the personnel informed the NSD that	NSA's ith the terms of the F it Number PR/TT he Order issued in D	PR/TT Opinion and Order is and subsequent Orders Docket Number PR/TT since the Court's fir	malyze whether ssued by this s issued by the NSA
between legal counsel for the Court on According to NSA, if	NSD provided a	NSA continued discussions preliminary oral notificatio S//SI//NF)	
(TS//SL/NF)			
NSA has advised NSD the nor query metadata currently with the Court's express approval that its previous operational practices the PR/TT metadata repository is human life, the Government will	thin NSA's PR/TT of t NSA may resume s. Should the Gover s necessary in order	database until this matter is mment determine that imm to protect against an immi	ediate access to

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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