



U.S. Department of Justice

Federal Bureau of Investigation

In reply, Please refer to

File No. NSL-10-315095

Wachovia Building, Suite
900
400 S Tryon Street
Charlotte, NC 28285-0001
October 15, 2010

Mr. Alec Macgillivray
General Counsel
Twitter
795 Folsom Street
Suite 600
San Francisco, CA 94107

Dear Mr. Macgillivray:

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):

| Accounts: | 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 that you should provide, and you should not 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 time period noted above is from "inception," that term is intended to apply to the current account holder only. If the time

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period noted above is to the "present," that term is intended to direct production of information to the date of the processing of this letter. If providing information to the date of processing is not feasible, please provide information to the date of receipt of 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)/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.

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

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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 Charlotte Division, [REDACTED], [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 personally to a representative of the San Francisco Division within 25 business days of receipt of this letter. Please provide records in response to this letter in paper format or if possible, in electronic format. 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-10-315095.

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,



Owen Harris
Special Agent In Charge
Charlotte

Mr. Alec Macgillivray

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 that you should provide, and you should not 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.



U.S. Department of Justice

Federal Bureau of Investigation

Office of the General Counsel

Washington, D. C. 20535-0001

March 19, 2018

Haley L. Berlin
Perkins Coie
700 13th Street, NW, Suite 600
Washington, DC 20005-3960

Re: Request for NSL Nondisclosure Review

Dear Ms. Berlin:

Your letter to me, dated February 23, 2018, provided notice to the Federal Bureau of Investigation (FBI) that your client, Twitter, Inc., wishes to have the government initiate judicial review of the nondisclosure requirement imposed in connection with two National Security Letters (NSLs) issued by the FBI.

Please be advised that the FBI has reviewed the NSLs that are the subject of your client's request, and have concluded that the facts and circumstances surrounding these NSLs do not require continued nondisclosure at this time. Based on privacy and safety considerations, however, the FBI requests that your client continue to maintain the confidentiality of the names and telephone numbers of the Special Agents whose information is contained within the bodies of NSL-10-271500 and NSL-10-315095.

Sincerely,

Trisha B. Anderson
Principal Deputy General Counsel

1- [REDACTED]
United States Department of Justice
National Security Division

2- [REDACTED]
United States Department of Justice
Federal Programs Branch