

SUMMARY OF DECLARATION OF
FBI EXECUTIVE ASSISTANT DIRECTOR
ARTHUR M. CUMMINGS II
SUBMITTED ON JANUARY 15, 2010

The Declaration submitted on January 15, 2010 explained the continuing need to keep secret certain text in the attachment to a National Security Letter (NSL) directing that information be provided to the FBI in connection with to an ongoing counterintelligence and counterterrorism investigation. The attachment provides specific detail regarding the types of electronic communication transactional information that may be available to the FBI for the conduct of its national security investigations. Revealing the specific items of information that the FBI focuses on in the context of national security investigations could compromise this investigation and future investigations.

More specifically, release of this information from the attachment would reveal to current or potential subjects of national security investigations and our adversaries the types of electronic transactional records information sought by the NSL, as well as what particular items of information are deemed important for investigative purposes. In addition, disclosure of the NSL attachment would cause this, or any, target of an NSL to change behavior when dealing with internet service providers.

Accordingly, there is a substantial risk of harm to FBI counterintelligence and counterterrorism investigative interests from disclosure of the attachment to this NSL.