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(BS) (FBI)
Thursday, December 18, 2008 7:30 AM

MC:NA(i Y RiniArD (OGC) (FBI); SIEGEL, STEVEN N. (OGC) (FBI)
(OGC) (FBI)
yoe v, mukasey

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Rick and Steve,

136 I send this query to you both on the assumption that one of you is the Acting DGC and has assigned someone to work on,1_,nc 1

this. If I'm wrong, please let me know. I copie because this might fall in her area? (Sorry for the guesswork,) b 6 -1 b7C -1

Questions:

b5 -2

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Please advise.

Thanks,

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sspl b7C -1
FBI Boston
nice
fax

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b7C -1, '1(OGC) (FBI) Thursday, February 05, 2009 2:30 PM

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tOGC) (FBI); MCNALLY, RICHARD (OGC) (FBI) New N5L Non-Disclosure Language

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If you have any questions please contact me.

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From:
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It is in there. Look at the paragraph spanning pages 2 and 3.

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Thanks

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SIEGEL, STEVEN N. (OGC) (FBI); HQ-DIv09-NSU3 New NSL Nondisclosure Language

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All,
As you may already be aware, On December 15, 2008, the Court of Appeals for the Second Circuit partially upheld a First Amendment challenge to the constitutionality of the nondisclosure provisions of the NSL statutes. The court held that subsections 2709(c) and 3511(b) are unconstitutional to the extent that they impose a nondisclosure requirement without placing on the government the burden of initiating judicial review of that requirement. The court, however, suggested that, as a procedural safeguard consistent with the First Amendment, the government could employ a "reciprocal notice procedure" which would provide notice of the recipient's opportunity to contest the nondisclosure requirement through government initiated judicial review.

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If you have any questions please contact me.

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