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## UNITED STATES FOREIGN INTELLIGENCE SURVEILLANCE COURT WASHINGTON, D.C.

#### ORDER

This matter is before this Court on the motion of the United States for an order under 50 U.S.C. § 1881a(j)(2) of the Foreign Intelligence Surveillance Act of 1978, as 2010, the time limits established by 50 U.S.C. § amended ("the Act"), extending to 1881a(i)(1)(B) and (C) for this Court to complete its review of, and issue orders under 50 U.S.C. § 1881a(i)(3) concerning, DNI/AG 702(g) amendment to the minimization procedures currently approved for use under DNI/AG In entertaining the government's motion, this Court has 702(g) considered the following: DNI/AG 702(g) 1. DNI/AG 702(g) 2010.TOP SECRETICOM Submission to the USFISC Derived From: in Docket Number captioned above

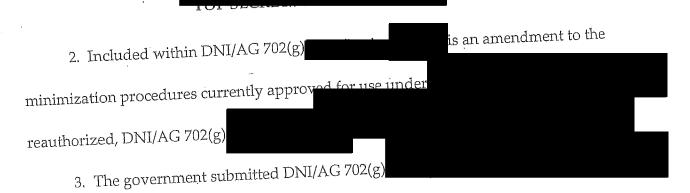
June 13, 2017, Public Release

EFF v. DOJ 16-CV-02041 Document 9 page 1 of 5 page

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All withheld information exempt under b(1) and b(3) except as otherwise noted.

Approved for public release.



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amendment to the minimization procedures currently approved for use under DNI/AG

to the Court on 702(g) 4. By operation of 50 U.S.C. § 1881a(i)(1)(B) and (C), this Court is required to complete its review of, and issue orders under 50 U.S.C. § 1881a(i)(3) concerning, and the amendment to the minimization DNI/AG 702(g) procedures currently approved for use under DNI/AG 702(g)

2010, the government filed with the Court a preliminary notice 5. On of a compliance incident involving the National Security Agency's (NSA) apparent failure to purge information that was required to be destroyed under the targeting and minimization procedures from certain NSA data repositories. In subsequent 2010, the government provided submissions made on the Court with additional information about the nature and scope of the purging problem and about corrective measures that are being implemented. The government represents in its motion that NSA is employing significant resources to devise and implement appropriate interim and long-term corrective actions, and has accelerated its

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2

EFF v. DOJ 16-CV-0204

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ongoing efforts to improve its ability to identify, locate, isolate, and ultimately purge data that may not be retained under NSA's targeting and minimization procedures. 6. The government asserts in its motion that it will be able to supplement the record concerning these matters in a manner that will aid the Court in reviewing and the amendment to the minimization DNI/AG 702(g) procedures currently approved for use under DNI/AG 702(g) in making the determinations necessary to issue orders under 50 U.S.C. § 1881a(i)(3). However, the government does not expect to be in a position to fully implement its 2010. As a result, the government will corrective measures until 2010. not be able to supplement the record until after 7. Because the record presently before this Court concerning these matters is incomplete, the Court will not be able to complete its review of, and issue orders under 50 U.S.C. § 1881a(i)(3) concerning, DNI/AG 702(g) amendment to the minimization procedures currently approved for use under DNI/AG 2010. 702(g) 8. 50 U.S.C. § 1881a(j)(2) permits this Court, by order for reasons stated, to extend, as necessary for good cause in a manner consistent with national security, the time limit for this Court to issue orders under 50 U.S.C. § 1881a(i)(3) concerning and the amendment to the minimization DNI/AG 702(g procedures currently approved for use under DNI/AG 702(g) TOP SECKET//COM June 13, 2017, Public Release EFF v. DOJ 16-CV-02041

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9. By operation of 50 U.S.C. § 1881a(i)(5)(B), the authorization in
to be reauthorized, DNI/AG 702(g) continues beyond its stated
expiration date until this Court issues an order under 50 U.S.C. § 1881a(i)(3) concerning
DNI/AG 702(g)
Having given full consideration to these matters and the representations in the
government's motion, this Court finds that there is good cause to extend the time limit
for its review of DNI/AG 702(g)
minimization procedures currently approved for use under DNI/AG 702(g)
peyond 2010, and that such extension is consistent with
national security.
WHEREFORE, IT IS HEREBY ORDERED that the government's motion is
GRANTED; and

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IT IS FURTHER ORDERED, pursuant to 50 U.S.C. § 1881a(j)(2), that the time

limit for this Court to complete its review of, and issue orders under 50 U.S.C. §

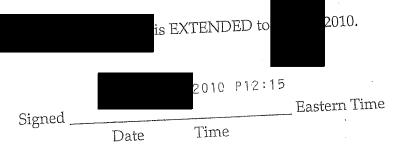
1881a(i)(3) concerning, DNI/AG 702(g)

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# minimization procedures currently approved for use under DNI/AG 702(g)



Mary A. Mc Jaughtin MARY A. MCLAUGHLIN

MARY A. McLAUGHLIN Judge, United States Foreign Intelligence Surveillance Court

exempt under b(6) Deputy Clerk FISC, certify that this document is a true and correct copy of

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EFF v. DOJ 16-CV-02041

5

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