

STATISTICS ON NSLs PRODUCED BY DEPARTMENT OF DEFENSE

Total Number of NSLs Produced to ACLU¹	455
Air Force NSLs Produced	12
Army Intelligence NSLs Produced	173
Navy NSLs Produced	269
Number of NSLs Produced From 2001	0
Number of NSLs Produced From 2002	13
Number of NSLs Produced From 2003	23
Number of NSLs Produced From 2004	52
Number of NSLs Produced From 2005	117
Number of NSLs Produced From 2006	120
Number of NSLs Produced From 2007	40
Number of NSLs Produced Undated or Illegible	90
Number of NSLs With Gags	455
Number of NSLs issued post-Patriot Act amendments that inform NSL recipient of statutory right to consult lawyer or challenge gag in court	0
Number of NSLs issued post-Patriot Act amendments that use language suggesting the law requires <i>all</i> NSL recipients to be gagged (even though gag is now discretionary)	25
Number of NSLs That Inform Recipient of Right to Consult Lawyer	0
Number of NSLs that Inform Recipient of Right to Challenge Request or Not Comply	0
Number of NSLs Issued For Consumer Reports Under Fair Credit Reporting Act (FCRA Terrorism Investigations)	20
Number of NSLs Issued For Financial (and Credit) Records Under Financial Right to Privacy Act (FRPA)	421
Number of FRPA NSLs that inform the recipient that compliance is voluntary	0
Number of FRPA NSLs that fail to provide any reason the DoD is seeking records (fail to inform the recipient that the records are sought for the purpose of conducting counterintelligence activities or are relevant to an investigation)	230
Number of FRPA NSLs that seek both financial and credit information	95
Number of NSLs Issued For Employee Financial/Credit/Consumer Records Under the National Security Act	13

¹ It is possible that there are duplicate NSLs (approx 20 possible duplicates; possible duplicates counted in statistic because it is impossible to tell if they are additional NSLs)