March 4, 2009

Dear Madam and Messrs. Chairmen:

In accordance with Section 707 of the Foreign Intelligence Surveillance Act (FISA), 50 U.S.C. § 1881f(a), (b)(1), we are submitting herewith the first semiannual report of the Department of Justice concerning acquisitions under Section 702 of FISA, 50 U.S.C. § 1881a. The Office of the Director of National Intelligence and the Department of Justice are currently completing the related joint assessment of Section 702 acquisition activities, required by Section 702(l) of the FISA, 50 U.S.C. § 1881a(l). This assessment will further discuss the issues identified in the enclosed semiannual report. We expect to provide this assessment to Congress when it becomes available.

The enclosed report is highly classified, and, accordingly, while four copies of the report are being provided for review by Members and appropriately cleared staff from the four Committees, the copies are being delivered to the Intelligence Committees for appropriate storage.

TOP SECRET//SENSITIVE COMPARTMENTED INFORMATION
UNCLASSIFIED WHEN SEPARATED FROM CLASSIFIED ENCLOSURE
We hope that this information is helpful. Please do not hesitate to contact this office if you would like additional assistance regarding this or any other matter.

Sincerely,

M. Faith Burton
Acting Assistant Attorney General

Enclosure

cc: The Honorable Arlen Specter
    The Honorable Christopher S. Bond
    The Honorable Lamar S. Smith
    The Honorable Peter Hoekstra