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June 13, 2017

Mark Rumold  
ELECTRONIC FRONTIER FOUNDATION  
815 Eddy Street  
San Francisco, CA 94109

**VIA E-MAIL**

RE: *EFF v. DOJ*, civil action no. 16-cv-02041 (HSG)

Dear Mark:

This letter and the accompanying PDF files constitute Defendant's first batch of documents in response to EFF's narrowed Freedom of Information Act request as set forth in the parties' Joint Status Report, dated December 15, 2016 (ECF No. 41).

The narrowed request seeks all decisions, orders, or opinions of the FISC or the FISC-R submitted to Congress by the Attorney General pursuant to Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. section 1871(a)(5)); 50 U.S.C. sections 1871(c)(1) & (2); and 50 U.S.C. section 1881f(b)(1)(D) between July 1, 2003 and June 1, 2015, which have not been previously declassified and made public (to include those decisions, orders, or opinions previously identified by the Department of Justice to the Brennan Center, [https://www.brennancenter.org/sites/default/files/publications/The\\_New\\_Era\\_of\\_Secret\\_Law.pdf](https://www.brennancenter.org/sites/default/files/publications/The_New_Era_of_Secret_Law.pdf)), that remain classified.

The accompanying documents address Section 702 of the Foreign Intelligence Surveillance Act and comprise the first batch of documents that are responsive to the narrowed request set forth above. All non-exempt portions of the FISC opinions, decisions, or orders have been produced, and no responsive documents have been withheld in full. The released documents are Bates stamped EFF v. DOJ, 16-cv-02041 Document 1 through Document 18. Any FOIA-exempt material has been redacted with a notation stating the applicable exemptions on which each such redaction is based.

I will contact you early next week about Defendant's estimate of when the processing of the next batch of responsive documents will be complete.

Sincerely,

*/s/ Rodney Patton*

Rodney Patton  
Senior Counsel

Attachments