



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

April 9, 2007

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Section 107 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (USA PATRIOT IRA) imposes on the Department of Justice (DOJ) a reporting requirement relating to emergency disclosures of the contents of communications by Internet service providers (ISPs) pursuant to Title 18, United States Code Section 2702(b)(8). Specifically, this statute requires that DOJ provide: (1) the "number of accounts from which the Department of Justice has received voluntary disclosures under subsection (b)(8);" and (2) "a summary of the basis for disclosure" in circumstances in which the voluntary disclosures were made to DOJ and "the investigation pertaining to those disclosures was closed without the filing of criminal charges." This report covers the period from July 1, 2006 through December 31, 2006.

During this period, the Department of Justice received voluntary disclosures from 17 accounts pursuant to 18 U.S.C. § 2702(b)(8). In this period, seven investigations were closed without the filing of criminal charges. For these seven disclosures, two involved a bomb threat to a private entity, two involved a bomb threat to a public building, and three were related to a death threat. Additionally, six voluntary disclosures were requested on behalf of foreign governments in emergency situations. We have no information as to whether these disclosures resulted in criminal charges being brought by the foreign government.

Please do not hesitate to contact this office should you have any questions regarding the information provided in this report.

Sincerely,

Richard A. Hertling
Acting Assistant Attorney General

cc: The Honorable Arlen Specter
Ranking Minority Member