

DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

APR 30 2016

The Honorable Richard Burr
Chairman
Select Committee on Intelligence
United States Senate

The Honorable Chuck Grassley
Chairman
Committee on the Judiciary
United States Senate

The Honorable Devin Nunes
Chairman
Permanent Select Committee
On Intelligence
U.S. House of Representatives

The Honorable Robert W. Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives

Dear Messrs. Chairmen:

Section 603(b)(2)(B) of the *Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015*, (P.L. 114-23), 129 Stat. 268 (hereinafter “USA FREEDOM Act”), requires the Director of National Intelligence (“DNI”) to make publicly available for the preceding twelve-month period, a good-faith estimate of the number of queries concerning a known United States person of unminimized non-content information relating to electronic communications or wire communications obtained through acquisitions authorized under Section 702 of the *Foreign Intelligence Surveillance Act*, excluding the number of queries containing information used to prevent the return of information concerning a United States person.

The law also states that if the DNI concludes that this good-faith estimate cannot be determined accurately because some, but not all of the relevant elements of the Intelligence Community (IC) are able to provide such an estimate, the USA FREEDOM Act requires him to (i) certify that conclusion in writing to the committees identified above; (ii) report the good-faith estimate for those relevant elements able to provide such good-faith estimate; (iii) explain when it is reasonably anticipated that such an estimate will be able to be determined fully and accurately; and (iv) make such certification publicly available on an internet website.

I conclude that the good-faith estimate required under Section 603(b)(2)(B) of the USA FREEDOM Act cannot be determined accurately because some, but not all of the relevant elements of the IC are able to provide such an estimate. The attached report includes the good-faith estimate for those relevant IC elements that were able to provide such an estimate. Based on the information provided to me by the relevant elements, I reasonably anticipate that such an estimate will be able to be determined fully and accurately by the end of calendar year 2018.

The Honorable Richard Burr
The Honorable Chuck Grassley
The Honorable Devin Nunes
The Honorable Robert W. Goodlatte

If you have any questions regarding this matter, please contact my Director of Legislative Affairs, Deirdre M. Walsh, at (703) 275-2474.

Sincerely,


James R. Clapper

Enclosure:
Statistical Transparency Report

cc: The Honorable Dianne Feinstein
The Honorable Patrick L. Leahy
The Honorable Adam B. Schiff
The Honorable John Conyers, Jr.