

## **Plaintiff's Exhibit B**

*Electronic Frontier Foundation v. Department of Justice, C.A. No. 07-0403 (TFH)*

Plaintiff's Opposition to Defendant's Motion for Summary Judgment  
and Cross-Motion for *In Camera* Review

**UNITED STATES FOREIGN  
INTELLIGENCE SURVEILLANCE COURT**  
*Washington, D.C.*

*Honorable Colleen Kollar-Kotelly*  
*Presiding Judge*

January 17, 2007

Honorable Patrick Leahy  
Chairman, United States Senate  
Committee on the Judiciary  
Senate Office Building  
Washington, DC 20510-6275

Honorable Arlen Specter  
Ranking Member, United States Senate  
Committee on the Judiciary  
Senate Office Building  
Washington, DC 20510-6275

Dear Chairman Leahy and Ranking Member Specter:

I am writing in response to your request that I provide the Committee on the Judiciary with "copies of the orders and opinions" issued in the matter referenced in Attorney General Alberto R. Gonzales' letter to you, dated January 17, 2007. As the presiding judge of the Foreign Intelligence Surveillance Court (FISC), I have no objection to this material being made available to the Committee. However, the Court's practice is to refer any requests for classified information to the Department of Justice. In this instance, the documents that are responsive to your request contain classified information and, therefore, I would ask you to discuss the matter with the Attorney General or his representatives. If the Executive and Legislative Branches reach agreement for access to this material, the Court will, of course, cooperate with the agreement.

Sincerely,



Colleen Kollar-Kotelly  
Presiding Judge