

**U.S. Department of Justice**

Office of the Inspector General

January 4, 2006

The Honorable Zoe Lofgren
U.S. House of Representatives
Washington, D.C. 20515

Dear Congresswoman Lofgren:

This is in response to your letter of December 20, 2005, in which you and 37 other Members of Congress requested that the Department of Justice Office of the Inspector General (OIG), the Department of Defense OIG, and the Government Accountability Office (GAO) investigate issues related to surveillance activities by the National Security Agency (NSA). Specifically, your letter raises concerns about the legality and appropriateness of NSA surveillance activities and requests an investigation of, among other things, the Attorney General's reported actions in authorizing the program.

After reviewing your letter, we have determined that the issue of the Attorney General's actions in this matter falls outside the jurisdiction of the OIG. Specifically, the actions of the Attorney General or other Department attorneys in providing legal advice regarding the legality of warrantless surveillance by NSA relates to the legal duties of Department attorneys, which falls within the jurisdiction of the Department's Office of Professional Responsibility (OPR), not the OIG. As a result, we have contacted the Counsel for the Department's OPR and have forwarded your letter to OPR for its review and any action it deems appropriate.

Given the large number of signatories to your December 20 letter, we would appreciate it if you could share this response with interested Members.

Sincerely,

A handwritten signature in cursive script that reads "Glenn A. Fine".

Glenn A. Fine
Inspector General

cc: H. Marshall Jarrett, Counsel
Office of Professional Responsibility