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U.S. Department of Justice

Office of Intelligence Policy and Review

USDOJ/NSD

Date: 18 March 2014

Washington, D.C. 20530

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM:

James A. Baker 9/17/03
James A. Baker
~~Counsel for Intelligence Policy~~

(b) (6), (b) (7)(C)

SUBJECT: Attorney General's Reports to Congress on FISA
(U)

Attached for your approval are four semi-annual reports that the Attorney General is required to submit to Congress relating to the Foreign Intelligence Surveillance Act (FISA), as amended.
(U)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN//X1 AND SECRET MATERIALS ATTACHED
SECRET WHEN ATTACHMENTS ARE REMOVED~~

~~Classified by: James A. Baker, Counsel for Intelligence Policy, Office of Intelligence Policy and Review, United States Department of Justice~~

~~Reason: 1.5(c)~~

~~Declassify on: X1~~



Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

The Honorable F. James Sensenbrenner, Jr.
Chairman, Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

Sincerely,

A handwritten signature in cursive script, reading "John Ashcroft", is positioned below the word "Sincerely,".

John Ashcroft
Attorney General

SECRET MATERIALS ATTACHED
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED



Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

The Honorable Pat Roberts
Chairman, Senate Select Committee on Intelligence
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

Sincerely,

A handwritten signature in cursive script that reads "John Ashcroft".

John Ashcroft
Attorney General

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Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

The Honorable Orrin G. Hatch
Chairman, Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

Sincerely,

A handwritten signature in cursive script, reading "John Ashcroft", is written over a horizontal line.

John Ashcroft
Attorney General

~~SECRET MATERIALS ATTACHED~~
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

The Honorable Porter Goss
Chairman, Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Ashcroft".

John Ashcroft
Attorney General

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a) and 306 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846. It covers all electronic surveillance, physical searches, and pen register/trap and trace surveillance conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillance conducted by the ~~National Security Agency (NSA) during the period July 1~~ through December 31, 2002. (U)

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The third semi-annual report (Tab C), covering applications for the use of pen registers and trap and trace devices, encompasses the period from July 1, 2002 through December 31, 2002, and is being provided to the House and Senate Intelligence Committees, as well as the House and Senate Judiciary Committees, as required by 50 U.S.C. § 1846. (U)

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Letters of transmittal to the relevant committee chairmen are attached for your signature (Tab E). (U)

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G. Pen Register/Trap and Trace Surveillance (U)

The United States filed 42 applications with the FISC seeking authorization for the FBI to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846, as amended. ~~The FISC approved all 42 applications. There were 24~~ United States persons who were the targets of pen register/trap and trace surveillance.²¹ (S)

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²¹In a departure from the previous report, this report does not include thumbnail descriptions of U.S. person targets of pen register/trap and trace surveillance. The Department notes, however, that all applications for pen register/trap and trace surveillance concerning U.S. persons contain a statement describing the factual circumstances demonstrating to the Court why the related foreign counterintelligence investigation is not based solely on activities protected by the First Amendment to the Constitution, in accordance with FISA. (S)

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2. Update on Incidents Reported in 00-2 (G)

Incident 00-2-3 (U)

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Incident 02-2-3 (U)
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