

007.

~~TOP SECRET//COMINT//NOFORN//X1~~

Classified by: ABW  
USDOJ/MSD  
Date: 18 March 2014

THE ATTORNEY GENERAL'S REPORT ON  
ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH  
UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

September 2004

~~TOP SECRET//COMINT//NOFORN//X1~~

Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, and 1861-1862. It covers all electronic surveillance, physical searches, and pen register/trap and trace surveillance, and requests for access to certain business records for foreign intelligence purposes conducted under the Act by the Federal Bureau of Investigation (FBI), and electronic surveillance conducted by the National Security Agency (NSA), during the period July 1, 2003 through December 31, 2003. (U)

Out of scope/non-responsive

Out of scope/non-responsive

-----  
.

-----  
-----

612,

Out of scope/non-responsive

-----  
-----

(b) (1), (b) (7)(E)

-----

-----  
-----

Out of scope/non-responsive

-----  
-----  
-----

Out of scope/non-responsive

-----  
-----  
-----  
-----  
-----  
-----  
-----  
-----  
-----

-----  
-----

-----  
-----

-----  
-----

(b) (1), (b) (7)(E)

-----  
-----  
-----  
-----

-----

Out of scope/non-responsive

-----

Out of scope/non-responsive

Out of scope/non-responsive

D.<sup>15</sup> **Emergency Surveillance or Physical Search (U)**

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. § 1805(f) and/or § 1824(e) Out of scope/ These emergency authorizations resulted in Out of scope/non-responsive

and one application for pen

Out of scope/non-responsive

register/trap and trace authority.<sup>17</sup> Applications or other appropriate pleadings were filed with the FISC within 48 hours (for Out of scope/non-responsive) (for the one pen register/trap and trace application). The FISC approved all of the applications and/or accepted the other pleadings. (S)

Out  
of  
SCO  
pe/  
no  
n-  
res  
po  
nsi  
ve

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

The United States filed 99 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 99 applications. There were 82 United States persons who were the targets of pen register/trap and trace surveillance.<sup>19</sup> (b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)

Out  
of  
sco  
pe/  
non  
res  
pon  
siv  
e

---

<sup>19</sup> As has been the practice in the past several reports, 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 FISC 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)

Out of scope/non-responsive

•  
•  
•  
•  
(b) (1), (b) (7)(E)

AS REQUIRED UNDER THE PROVISIONS OF THE ACT.

Out of scope/non-responsive



Out of scope/non-responsive

-----

-----

-----

-----

-----

-----

-----

-----

-----

-----

-----

-----

-----

-----

Incident 03-2-7 (U)  
(b) (1), (b) (7)(E)

-----

-----

-----

-----

-----

XX

XX

-----

XX

WALLS AND I DO NOT KNOW WHERE HE IS AT THE

Out of scope/non-responsive

XX

XX

--

XX

----

LC

XX

XX

XX

XX

XX

XX

Out of scope/non-responsive

XX

XX

XX

Incident 03-2-13 (U)  
(b) (1), (b) (7)(E)

Incident 03-2-14 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive