



Office of Intelligence Policy and Review

Washington, D.C. 20530

April 27, 2001

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE ACTING DEPUTY ATTORNEY GENERAL

FROM: *Frances Fragos Townsend*
Frances Fragos Townsend
Counsel for Intelligence Policy

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, and the **annual public report** that the Attorney General is required to submit to the Administrative Office of the United States Courts and Congress on the operation of the FISA. (U)

Non-responsive/
out of scope

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UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

~~Classified by: Frances Fragos Townsend, Counsel for Intelligence Policy, Office of Intelligence Policy and Review, United States Department of Justice~~

~~Reason: 1.5(c)
Declassify on: X1~~

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

-2-

Out of scope/non-responsive

Also, at the request of the staff of the Senate Select Committee on Intelligence, we are providing a statistical analysis and thumbnail sketches of U.S. person surveillances conducted pursuant to the pen register/trap and trace amendment to the Act. An original copy is being provided to each committee. (U)

Out of scope/non-responsive

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, 2000 through December 31, 2000, and is being provided to the House and Senate Intelligence Committees, as required by 50 U.S.C. § 1846. (U)

Out of scope/non-responsive

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

Out of scope/non-responsive

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Office of the Attorney General
Washington, D.C. 20530

APR 27 2001

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 under the Act. These reports cover the period July 1, 2000 through December 31, 2000.

Sincerely,

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

John Ashcroft

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



Office of the Attorney General
Washington, D.C. 20530

APR 27 2001

The Honorable Richard Shelby
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 register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period July 1, 2000 through December 31, 2000.

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Office of the Attorney General
Washington, D.C. 20530

APR 27 2001

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 under the Act. These reports cover the period July 1, 2000 through December 31, 2000.

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John Ashcroft

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

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. It covers all electronic surveillances and physical searches conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillances conducted by the National Security Agency (NSA), during the period July 1, 2000 through December 31, 2000. At the request of the staff of the Senate Select Committee on Intelligence, this report also covers pen register/trap and trace surveillance conducted pursuant to the Act, 50 U.S.C. §§ 1841-1846. (U)

Out of scope/non-responsive _____

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- 24 -

Out of scope/non-responsive

H. Pen Register/Trap and Trace Surveillance⁶ (U)

During 1999 and 2000, the FBI filed 18 applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846. The FISC approved all 18 applications. Five of these applications were filed with the Court in 1999, and thirteen applications were filed with the Court in 2000. This report contains statistics regarding all individuals who are subjects of full FBI foreign counterintelligence investigations related to each application

⁶This report includes statistics and summaries of pen register/trap and trace surveillances conducted pursuant to the Act for calendar years 1999 and 2000. The next semi-annual report will include information describing pen register/trap and trace surveillances conducted during the period January 1, 2001 through June 30, 2001. (S)

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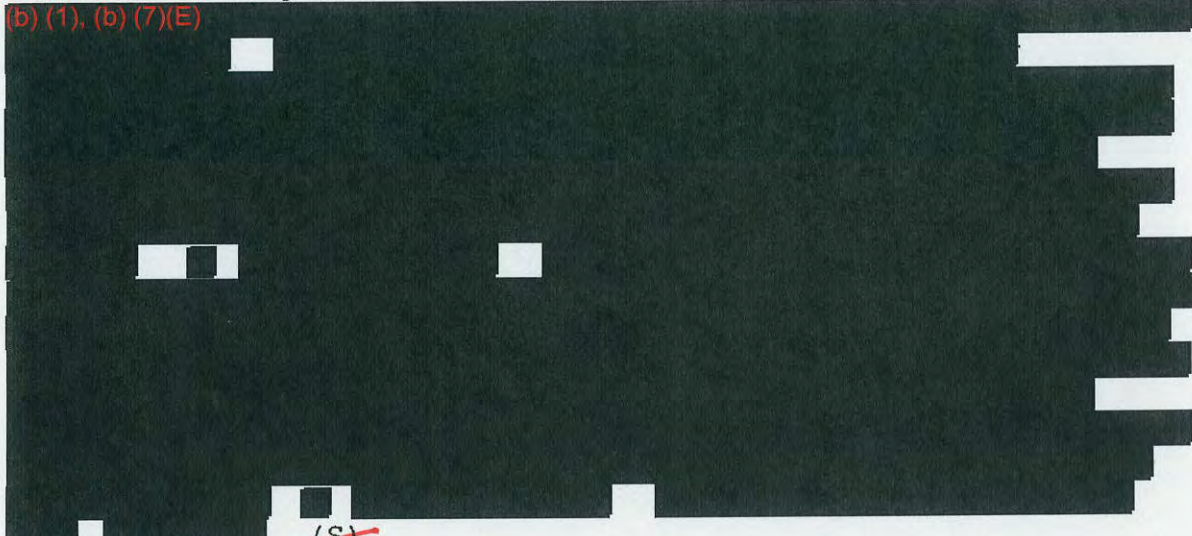
- 25 -

for pen register/trap and trace surveillance, and thumbnail sketches of all United States persons who are subjects of these related foreign counterintelligence investigations. ~~(S)~~

1. Applications Filed in 1999 (U)

The FBI filed five applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning four individuals who are targets of full FBI foreign counterintelligence investigations. The

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



~~(S)~~

2. Applications Filed in 2000 (U)

The FBI filed 13 applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning seven individuals who are targets of full FBI foreign counterintelligence investigations. The

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

^{2/}However, because the pen register/trap and trace amendment to the Act does not require the citizenship of the individuals to be pleaded, this number is not broken down into citizen/permanent resident alien/presumed U.S. person categories. ~~(S)~~

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- 26 -

Out of scope/non-responsive

3. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances (C)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

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

- 27 -

(b) (1), (b) (7)(E)
[REDACTED]
(S)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

(b) (1), (b) (7)(E)
[REDACTED]
(S)

Out of scope/non-responsive

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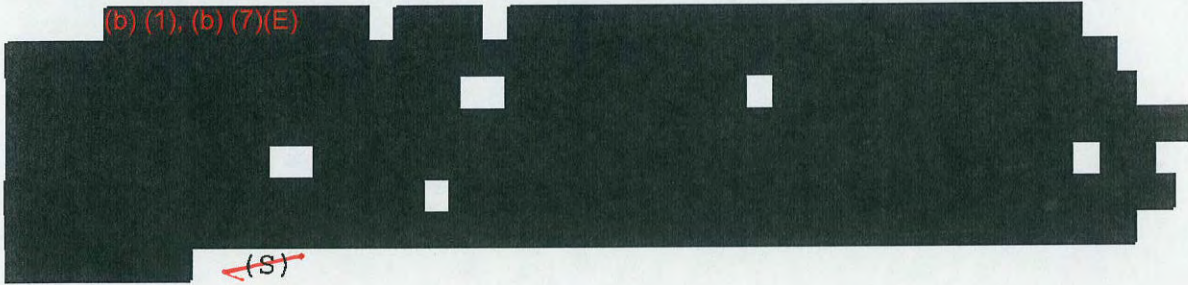
Incident 00-1-3: (U)

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



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



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- 43 -

Incident 00-1-9: (U)

(b) (1), (b) (7)(E)
[Redacted]

~~(S)~~

(b) (1), (b) (7)(E)
[Redacted]

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(b) (1), (b) (7)(E)
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~~(S)~~

Out of scope/non-responsive

(b) (1), (b) (7)(E)
[Redacted]

~~(S)~~

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- 48 -

Out of scope/non-responsive

Incident 00-2-3: (U)
(b) (1), (b) (7)(E)

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

- 49 -

(b) (1), (b) (7)(E) [Redacted] ~~(S)~~

(b) (1), (b) (7)(E) [Redacted] ~~(S)~~

Incident 00-2-4: (U)

(b) (1), (b) (7)(E) [Redacted] ~~(S)~~

Out of scope/non-responsive

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U.S. Department of Justice APPROVED FOR PUBLIC RELEASE

Office of Intelligence Policy and Review

Washington, D.C. 20530

DEC 31 2001

MEMORANDUM FOR THE ACTING ATTORNEY GENERAL
(b) (6), (b) (7)(C)

FROM:

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/
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responsive

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~~Classified by: James A. Baker, Acting 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

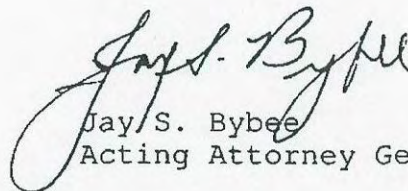
DEC 31 2001

The Honorable Patrick J. Leahy
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 under the Act. These reports cover the period January 1, 2001 through June 30, 2001.

Sincerely,


Jay S. Bybee
Acting Attorney General

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Office of the Attorney General
Washington, D.C. 20530

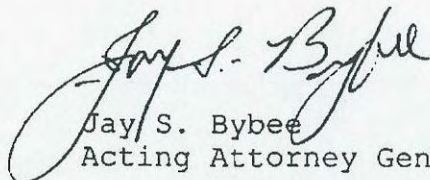
DEC 31 2001

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

Dear Mr. Chairman:

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Office of the Attorney General
Washington, D.C. 20530

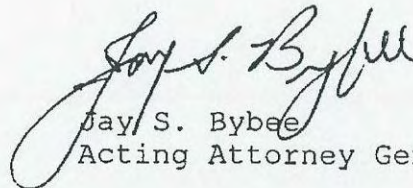
DEC 31 2001

The Honorable Bob Graham
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 register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period January 1, 2001 through June 30, 2001.

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Office of the Attorney General
Washington, D.C. 20530

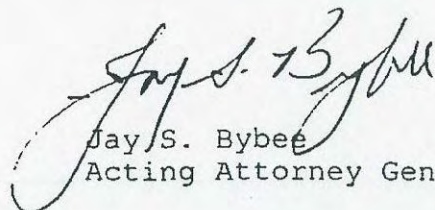
DEC 31 2001

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

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Out of scope/non-responsive

Also, at the request of the staff of the Senate Select Committee on Intelligence, we are providing a statistical analysis and thumbnail sketches of U.S. person surveillances conducted pursuant to the pen register/trap and trace amendment to the Act. An original copy is being provided to each committee. (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 January 1, 2001 through June 30, 2001, 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)

Out of scope/non-responsive

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

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- 20 -

Out of scope/non-responsive

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

From January 1, 2001 through June 30, 2001, the FBI filed two applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846. The FISC approved both applications. (S)

1. Applications Filed from January 1, 2001 to June 30, 2001 (U)

The FBI filed two applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

[REDACTED]

(S)

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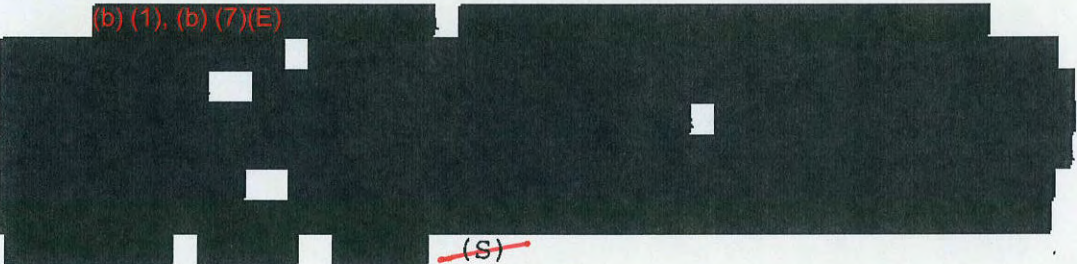
2. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances (C)

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



~~(S)~~

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



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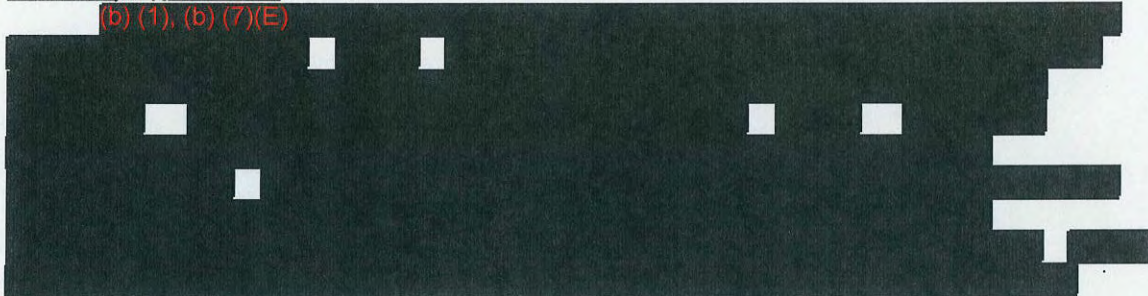
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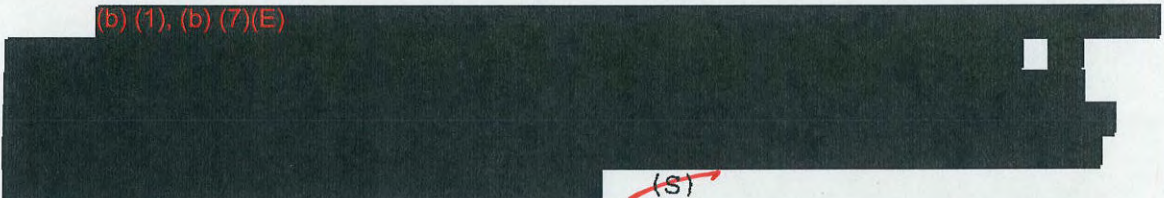
Incident 00-1-9: (U)

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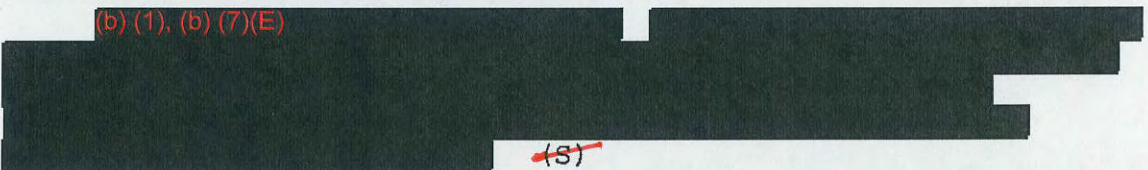
(S)

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



(S)

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



(S)

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



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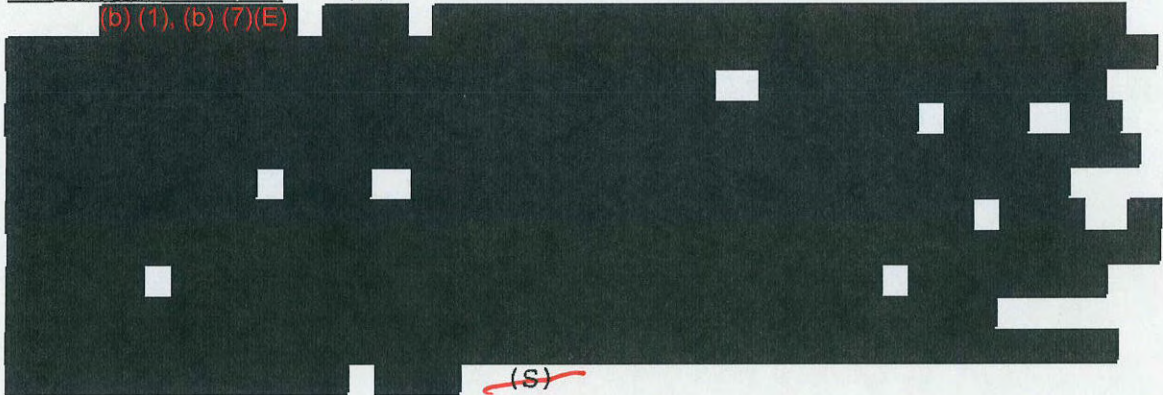
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Incident 00-2-3: (U)

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



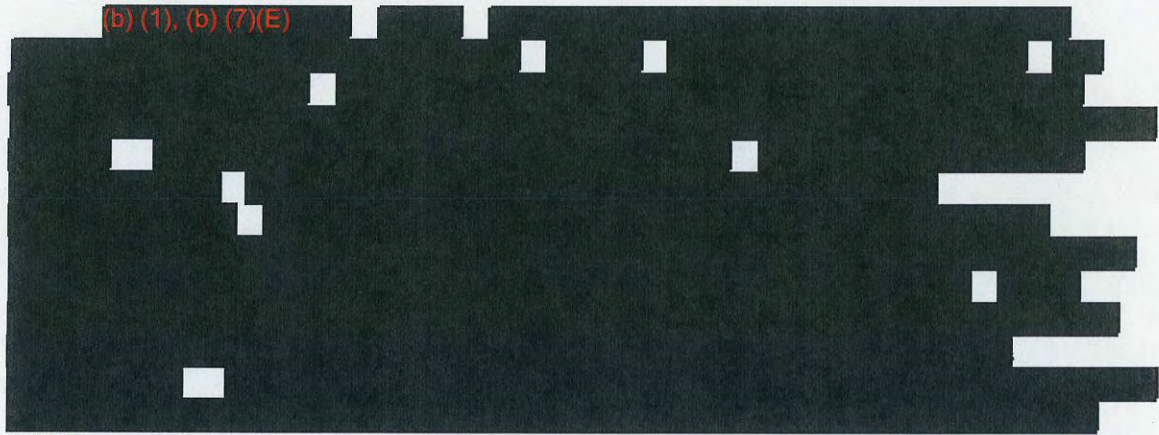
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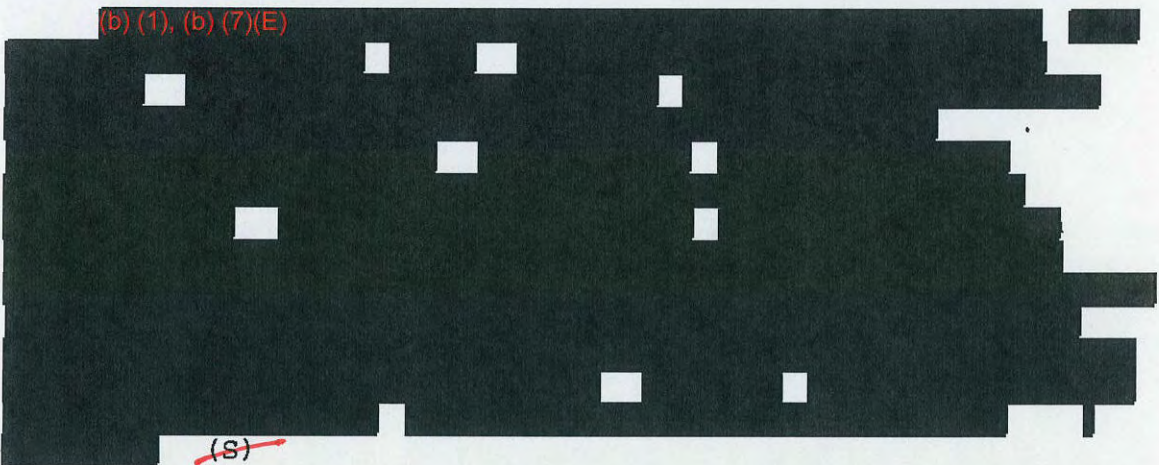
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(b) (1), (b) (7)(E)



~~(S)~~

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



~~(S)~~

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



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Incident 00-2-4: (U)

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



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(b) (1), (b) (7)(E) [Redacted]
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[Redacted]

(b) (1), (b) (7)(E) [Redacted]
[Redacted]
~~(S)~~

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U.S. Department of Justice

APPROVED FOR PUBLIC RELEASE

Office of Intelligence Policy and Review

Washington, D.C. 20530

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM:

James A. Baker 4/29/02
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, and the **annual public report** that the Attorney General is required to submit to the Administrative Office of the United States Courts and Congress on the operation of the FISA. (U)

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non-
responsive

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~~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

APR 29 2002

~~The Honorable Patrick J. Leahy~~
~~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 under the Act. These reports cover the period July 1, 2001 through December 31, 2001.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Thompson", written over a horizontal line.

Larry D. Thompson
Acting Attorney General

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Office of the Attorney General
Washington, D.C. 20530

APR 29 2002

The Honorable F. James Sensenbrenner, Jr.
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U.S. House of Representatives
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Larry D. Thompson
Acting Attorney General

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Office of the Attorney General
Washington, D.C. 20530

APR 29 2002

The Honorable Bob Graham
Chairman, Senate Select Committee on Intelligence
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

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Larry D. Thompson
Acting Attorney General

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Office of the Attorney General
Washington, D.C. 20530

APR 29 2002

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U.S. House of Representatives
Washington, DC 20515

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Sincerely,

A handwritten signature in black ink, appearing to be "L. D. Thompson", is written over a horizontal line.

Larry D. Thompson
Acting Attorney General

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~~TOP SECRET//COMINT//NOFORN//X1~~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 surveillances, physical searches and pen register/trap and trace surveillances conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillances conducted by the National Security Agency (NSA), during the period July 1, 2001 through December 31, 2001. (U)

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

¹As discussed during the briefings provided by the Counsel for Intelligence Policy to Committee staff members in March 2002, the Department strives for this report to be a fully informative and substantively useful oversight tool. To that end, the Department will be presenting Committee staff members with a proposal to streamline this report, in the near future. (S)

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-2-

Out of scope/non-responsive

Also, at the request of the staff of the Senate Select Committee on Intelligence, we are providing a statistical analysis and thumbnail sketches of U.S. person surveillances conducted pursuant to the pen register/trap and trace amendments to the Act. An original copy is being provided to each committee. (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, 2001 through December 31, 2001, 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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H. Pen Register/Trap and Trace Surveillance (U)

From July 1, 2001 through December 31, 2001, the FBI filed 12 applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846. Seven

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- 25 -

of the 12 applications were filed pursuant to 50 U.S.C. §§ 1841-1846 as amended by the by the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001" (USA PATRIOT Act), Public Law 107-56. The FISC approved all 12 applications. (S)

1. Applications Filed from July 1, 2001 through December 31, 2001 (U)

The FBI filed one application with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

[REDACTED]

(S)

The FBI filed one application with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

[REDACTED]

(S)

The FBI filed one application with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

[REDACTED]

(S)

The FBI filed two applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

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

(S)

The FBI filed seven applications with the FISC seeking authority to conduct pen register/trap and trace surveillance

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

(S)

2. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances (S)

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

(S)

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

(S)

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

(S)

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

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- 27 -

(b) (1), (b) (7)(E) [Redacted] (S)

(b) (1), (b) (7)(E) [Redacted] (S)

(b) (1), (b) (7)(E) [Redacted] (S)

(b) (1), (b) (7)(E) [Redacted] (S)

(b) (1), (b) (7)(E) [Redacted] (S)

(b) (1), (b) (7)(E) [Redacted] (S)

(b) (1), (b) (7)(E) [Redacted] (S)

Out of scope/non-responsive

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- 31 -

Out of scope/non-responsive

Incident 00-1-9: (U)

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



(S)

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



(S)

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



(S)

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



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- 36 -

Out of scope/non-responsive

Incident 00-2-3: (U)

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



(S)

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



(S)

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



(S)

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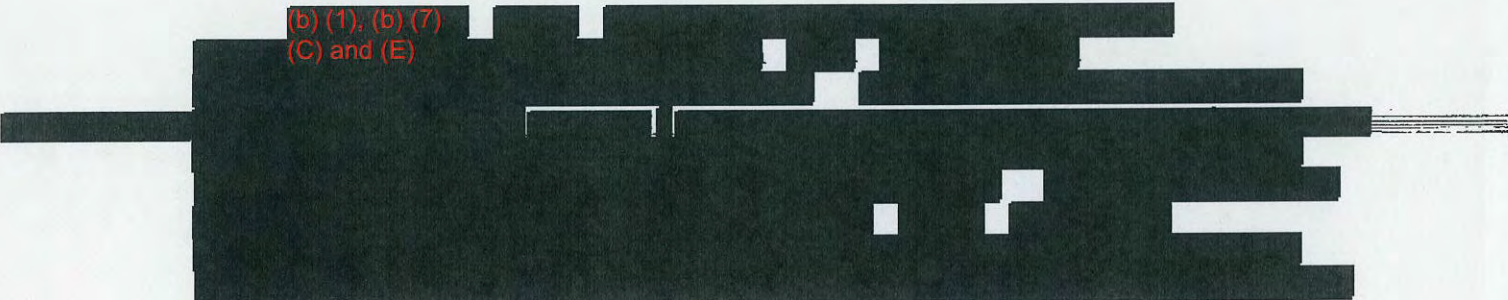
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- 42 -

5. Incidents Not Previously Reported (C)

Incident 01-2-1 (U)

(b) (1), (b) (7)
(C) and (E)



(S)

(b) (1), (b)(7)(C) and(E)



(S)

(b) (1), (b)(7)(C) and(E)



(S)

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

December 2002

COPY

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



Office of the Attorney General
Washington, D.C. 20530

DEC 31 2002

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 January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore B. Olson".

Theodore B. Olson
Acting Attorney General

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



Office of the Attorney General
Washington, D.C. 20530

DEC 31 2002

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 January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in cursive script, appearing to read "Theodore B. Olson".

Theodore B. Olson
Acting Attorney General

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



Office of the Attorney General
Washington, D.C. 20530

DEC 31 2002

The Honorable Bob Graham
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 January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore B. Olson".

Theodore B. Olson
Acting Attorney General

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



Office of the Attorney General
Washington, D.C. 20530

DEC 31 2002

The Honorable Patrick J. Leahy
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 January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore B. Olson".

Theodore B. Olson
Acting Attorney General

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

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

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 surveillances, physical searches and pen register/trap and trace surveillances conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillances conducted by the National Security Agency (NSA), during the period January 1, 2002 through June 30, 2002. (U)

Out of scope/ _____
non-responsive

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Out of scope/non-responsive

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

1. Applications Filed from January 1, 2002 through June 30, 2002 (U)

The FBI filed 29 applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846, as amended by the by the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001" (USA Patriot Act), Public Law 107-56. The FISC approved all 29 applications. There were 19 United States persons who were the targets of pen register/trap and trace surveillance. (S)

2. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances (C)

b(1), b(7)(E)
[Redacted]
(S)

b(1), b(7)(E)
[Redacted]
(S)

b(1), b(7)(E)
[Redacted]

b(1), b(7)(E)
[Redacted]
(S)

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- 34 -

b(1), b(7)(E) [REDACTED] (S)

b(1), b(7)(E) [REDACTED] (S)

b(1), b(7)(E) [REDACTED] (S)

b(1), b(7)(E) [REDACTED] (S)

b(1), b(7)(E) [REDACTED] (S)

b(1), b(7)(E) [REDACTED] (S)

b(1), b(7)(E) [REDACTED] (S)

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

- 35 -

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

[REDACTED]

(S)

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

[REDACTED]

(S)

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

[REDACTED]

(S)

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

[REDACTED]

(S)

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

[REDACTED]

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

[REDACTED]

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

[REDACTED]

(S)

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- 36 -

b(1), b(7)(E) [REDACTED]
[REDACTED]
(S)

b(1), b(7)(E) [REDACTED]
[REDACTED]
(S)

b(1), b(7)(E) [REDACTED]
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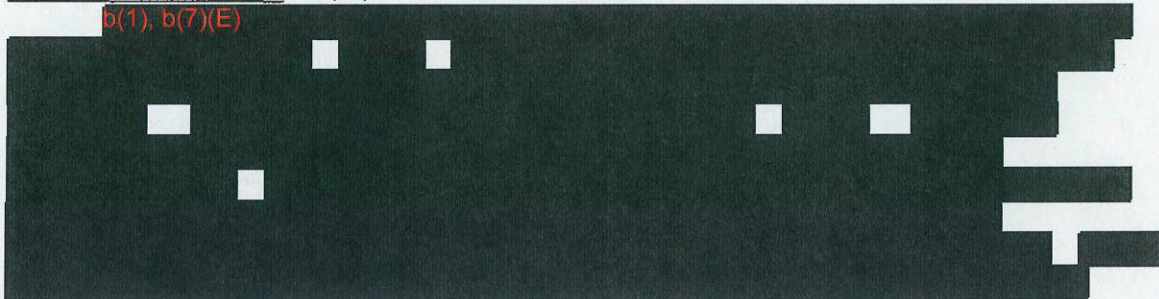
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- 42 -

Out of scope/
non-responsive

Incident 00-1-9 (U)

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



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- 45 -

b(1), b(7)(E) [REDACTED]
(S)

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

Incident 00-2-3 (U)

b(1), b(7)(E) [REDACTED]

(S)

b(1), b(7)(E) [REDACTED]
(S)

b(1), b(7)(E) [REDACTED]

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- 46 -

b(1), b(7)(E) [REDACTED] (S)

b(1), b(7)(E) [REDACTED] (S)

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**Semi Annual Report
to the Congress on Electronic Surveillance and Physical Search
-- Under the Foreign Intelligence Surveillance Act --**

December 2003

- Tab 1 Semi Annual Report**
 - Tab 2 Annotated Semi Annual Report**
 - Tab 3 Semi Annual Report on Physical Search**
 - Tab 4 Semi Annual Report on Pen Registers/Trap and Trace**
 - Tab 5 Semi Annual Report on Certain Business Records**
 - Tab 6 Transmittal Letters to the Senate and House Select Intelligence and
Judiciary Committees**
-



Office of the Attorney General

Washington, D.C. 20530

December 31, 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 1862 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 January 1, 2003, through June 30, 2003.

Sincerely,

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

December 31, 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 1862 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 January 1, 2003, through June 30, 2003.

Sincerely,

A handwritten signature in cursive script, reading "John Ashcroft".

John Ashcroft
Attorney General

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Office of the Attorney General

Washington, D.C. 20530

December 31, 2003

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

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 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 January 1, 2003, through June 30, 2003.

Sincerely,

A handwritten signature in black ink, which appears to read "John Ashcroft". The signature is written in a cursive, flowing style.

John Ashcroft
Attorney General

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



Office of the Attorney General

Washington, D.C. 20530

December 31, 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 1862 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 January 1, 2003, through June 30, 2003.

Sincerely,

A handwritten signature in black ink, appearing to read "John Ashcroft".

John Ashcroft
Attorney General

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

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

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 January 1- through June 30, 2003.~~ (U)

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The FISC subsequently granted pen register and trap and trace authority for that target. (b) (1), (b)

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Section 2: Federal Bureau of Investigation (U)

I. Collection Authorized by the FISC (U)

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

The United States filed 80 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 80 applications. There were 54~~ United States persons who were the targets of pen register/trap and trace surveillance.¹⁶ (S)

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^{16/} As in 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 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)

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(S)

Out of scope/non-responsive

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Out of scope/non-responsive

2. Update to Incidents Reported in 00-2 ~~(S)~~

Incident 00-2-3 (U)

~~(S)~~ ~~(U)~~ ~~(E)~~



~~(S)~~

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

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

[REDACTED]

[REDACTED]

[REDACTED]

~~(S)~~

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

[REDACTED]

~~(S)~~

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

[REDACTED]

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APPROVED FOR PUBLIC RELEASE

U.S. Department of Justice

Office of Intelligence Policy and Review

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

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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".

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

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



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 black ink, which appears to read "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 black ink, which appears to read "John Ashcroft". The signature is fluid and cursive.

John Ashcroft
Attorney General

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

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

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)

Out of scope/non-responsive

Out of scope/non-responsive

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-2-

Out of scope/non-responsive

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)

Out of scope/non-responsive

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

Out of scope/non-responsive

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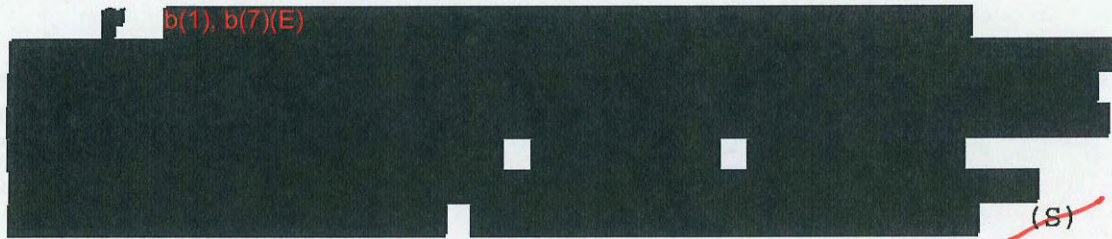
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G. Pen Register/Trap and Trace Surveillance (U)

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 (C)

Incident 00-2-3 (U)

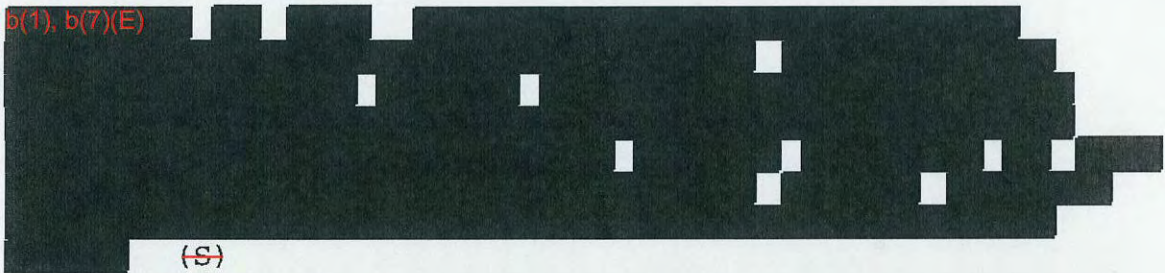
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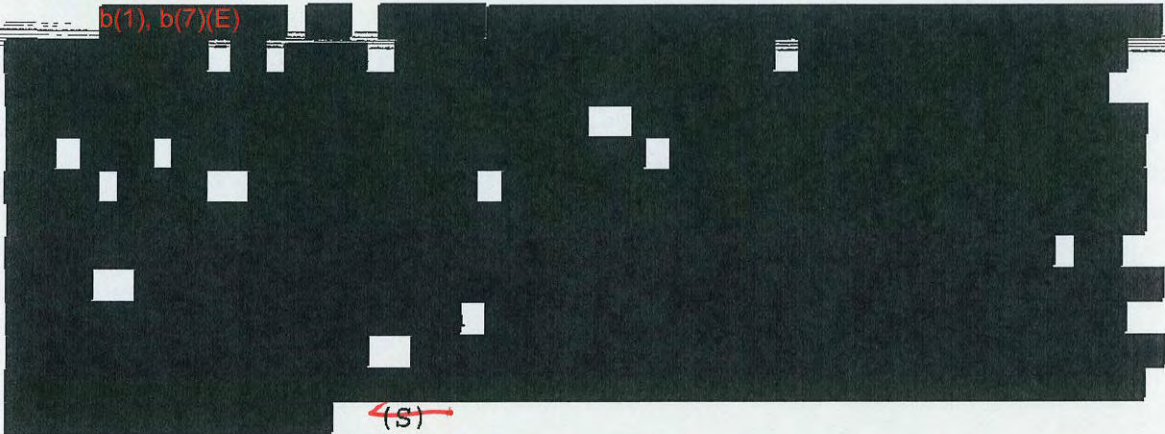
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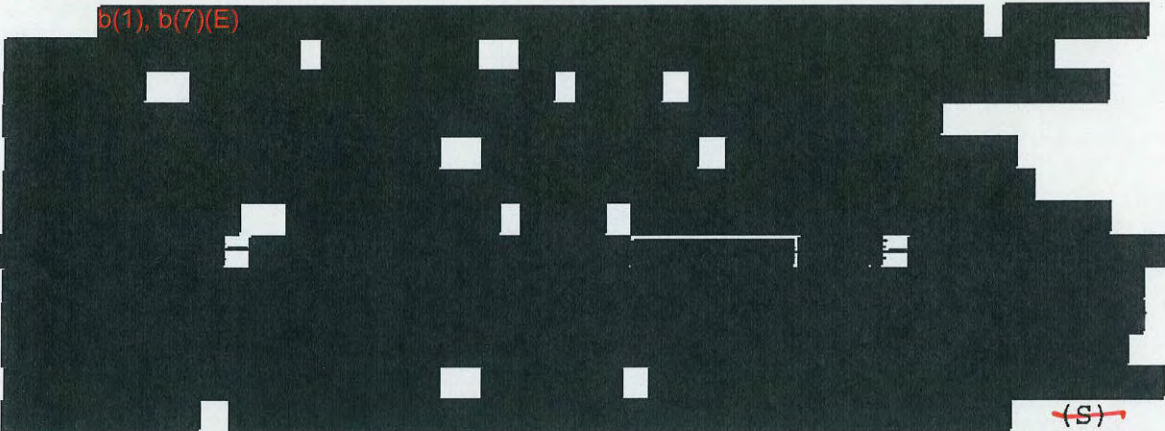
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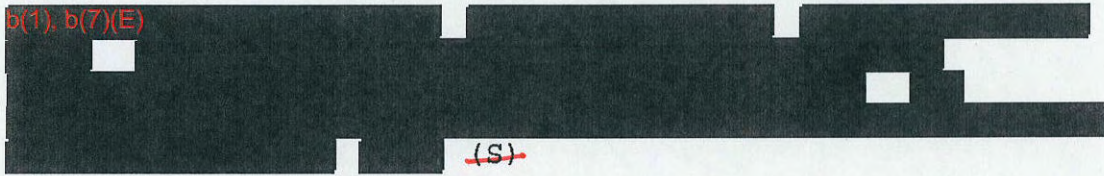
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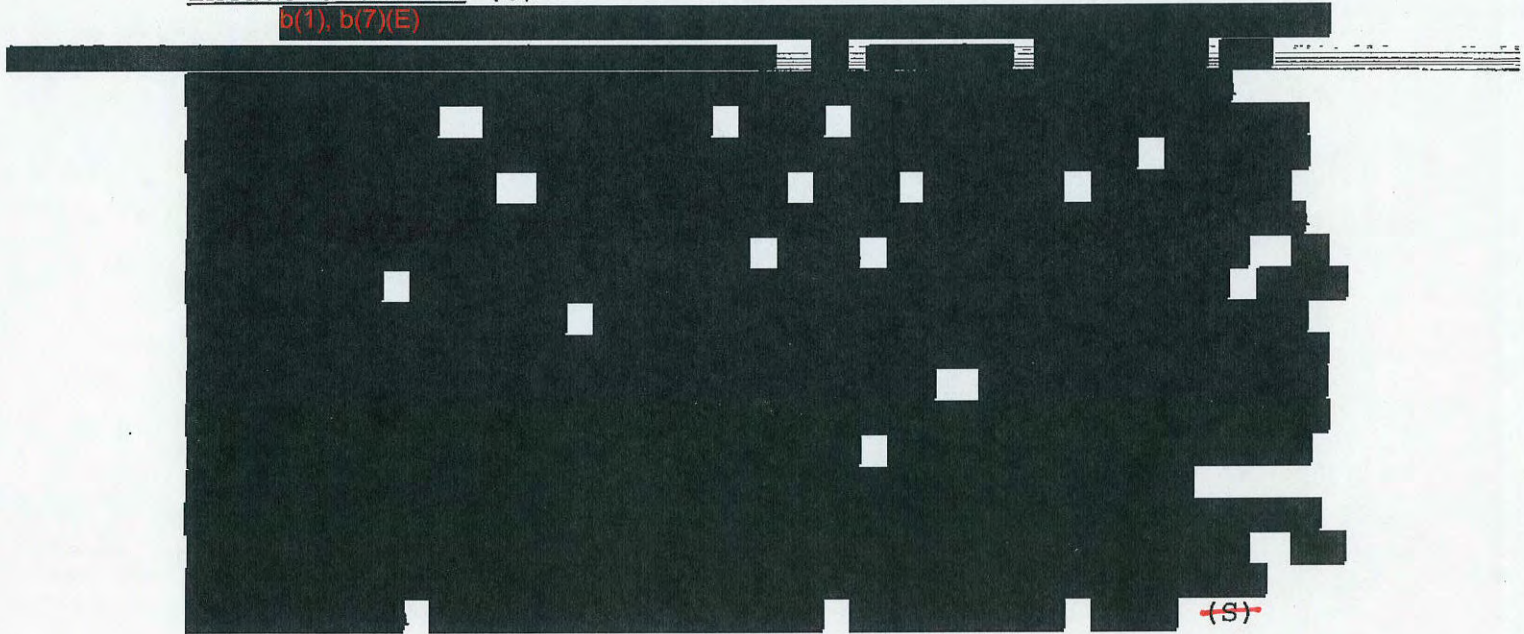
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Incident 02-2-3 (U)

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U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

SECRET

December 23, 2004

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 1862 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 January 1, 2004 through June 30, 2004.

Sincerely,

William E. Moschella
William E. Moschella
Assistant Attorney General

Attachments

cc: The Honorable Patrick Leahy
Ranking Minority Member

SECRET

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APPROVED FOR PUBLIC RELEASE



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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December 23, 2004

The Honorable Peter Hoekstra
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 1862 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 January 1, 2004 through June 30, 2004.

Sincerely,

A handwritten signature in cursive script that reads "William E. Moschella".

William E. Moschella
Assistant Attorney General

Attachments

cc: The Honorable Jane Harman
Ranking Minority Member

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U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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

December 23, 2004

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 1862 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 January 1, 2004 through June 30, 2004.

Sincerely,

A handwritten signature in cursive script that reads "William E. Moschella".

William E. Moschella
Assistant Attorney General

Attachments

cc: The Honorable John D. Rockefeller
Vice Chairman

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APPROVED FOR PUBLIC RELEASE



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

SECRET

December 23, 2004

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 1862 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 January 1, 2004 through June 30, 2004.

Sincerely,

A handwritten signature in black ink that reads "William E. Moschella".

William E. Moschella
Assistant Attorney General

Attachments

cc: The Honorable John Conyers, Jr.
Ranking Minority Member

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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 January 1, 2004 through June 30, 2004. (U)

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There were 66 United States person targets of Court-authorized electronic surveillance described during the previous reporting period who were not targets of electronic surveillance during this reporting period. Electronic surveillance of some of these targets has been discontinued. (S)

D. 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) ~~(U)~~ times.

~~(U)~~
[REDACTED]

Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization (for electronic surveillance and/or physical search applications), or within 48 hours (for the one

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pen register/trap and trace application).⁹ The FISC approved all of the applications and/or accepted the other pleadings.
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G. Pen Register/Trap and Trace Surveillance (U)

The United States filed 119 applications with the FISC seeking authorization for the FBI and/or the National Security Agency to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846, as amended. The FISC approved all 119 applications. There were 58 United States persons who were the targets of pen register/trap and trace surveillance.¹⁰ (b)(1), (b)(7)(E)

^{10/} 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)

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United States person. Five proposed orders seeking authorization for pen register/trap and trace surveillance were modified by the FISC. (S)

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Incident 04-1-3 (U)

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[REDACTED]

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[REDACTED]

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

[REDACTED]

~~(S)~~

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Incident 04-1-4 (U)

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[REDACTED]

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Incident 04-1-13 (U)

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Incident 04-1-18 (U)

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[REDACTED]

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[REDACTED]

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[REDACTED]

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Incident 04-1-22 (U)

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Incident 04-1-23 (U)

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

September 2004

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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)

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COMMUNICATIONS SECTION

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[REDACTED]

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D.¹⁵ **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) ~~b(1), b(7)(E)~~. These emergency authorizations resulted ~~b(1), b(7)(E)~~

[REDACTED] and one application for pen

^{15/} The "Means of Electronic Surveillance" section previously appeared in this place of the report. That section has been deleted in an effort to streamline the report. ~~(S)~~

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[REDACTED]

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register/trap and trace authority.¹⁷ Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization (S) (U) (E) or within 48 hours (for the one pen register/trap and trace application). The FISC approved all of the applications and/or accepted the other pleadings. (S)

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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.¹⁹ [REDACTED]

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^{19/} 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)~~

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AS DESCRIBED EARLIER IN THE INTRODUCTION TO THIS REPORT.

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Incident 03-2-7 (U)
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Incident 03-2-13 (U)

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[REDACTED]

~~(S)~~

Incident 03-2-14 (U)

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

[REDACTED]

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

[REDACTED]

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[REDACTED]

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establishments, as described in the report

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