



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Richard Burr
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

The Honorable Robert W. Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, D.C. 20515

Dear Messrs. Chairmen:

This report is submitted in accordance with section 406 of the Foreign Intelligence Surveillance Act of 1978 (the "Act"), as amended, 50 U.S.C. § 1801 *et seq.* It provides information regarding applications to use pen register and/or trap and trace devices (PR/TT) conducted pursuant to the Act during the period from July 1, 2017 through December 31, 2017.

During this reporting period, the Government filed 15 applications¹ with the Foreign Intelligence Surveillance Court (FISC) seeking authorization for the FBI to use PR/TT devices. The FISC approved all 15 PR/TT applications filed during the reporting period. The FISC did not deny in whole, or in part, any PR/TT applications during the reporting period. One PR/TT application was substantively modified by the FISC.²

¹ In keeping with the Department's historical reporting practice, the number of applications listed in this report refers to applications that were filed in signed, final form pursuant to Rule 9(b) of the Foreign Intelligence Surveillance Court Rules of Procedure. A "denial" refers to a judge's formal denial of any such an application; it does not include a proposed application submitted pursuant to Rule 9(a) of the Foreign Intelligence Surveillance Court Rules of Procedure for which the government did not subsequently submit a signed, final application pursuant to Rule 9(b).

² A "modification" includes any substantive disparity between the authority requested by the Government in a final application filed pursuant to Rule 9(b) and the authority granted by the FISC. It does not include changes made by the government after the submission of a proposed application submitted pursuant to Rule 9(a).

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During this reporting period, the total number of persons targeted for PR/TT orders was between zero and 499.³ The aggregate number of United States persons targeted for PR/TT orders was between zero and 499. Of these United States persons, the number of United States persons whose information was reviewed or accessed by a Federal officer, employee, or agent was between zero and 499.

The Attorney General⁴ approved the use of zero pen register and trap and trace devices on an emergency basis pursuant to 50 U.S.C. § 1843 during the reporting period.

We hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



for
Stephen E. Boyd
Assistant Attorney General

cc: The Honorable Dianne Feinstein
Ranking Minority Member
Senate Committee on the Judiciary

The Honorable Mark Warner
Vice Chairman
Senate Select Committee on Intelligence

The Honorable Jerrold Nadler
Ranking Minority Member
House Committee on the Judiciary

The Honorable Adam Schiff
Ranking Minority Member
House Permanent Select Committee on Intelligence

³ The statistics reported in this paragraph are given in bands of 500 as directed by 50 U.S.C. § 1846(b)(6).

⁴ FISA defines the "Attorney General" to mean the Attorney General, the Deputy Attorney General, Acting Attorney General, or Assistant Attorney General for National Security. 50 U.S.C. § 1801(g).