



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

April 30, 2004

The Honorable J. Dennis Hastert
Speaker
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

This report is submitted pursuant to the Foreign Intelligence Surveillance Act of 1978, Title 50, United States Code, Section 1807, as amended.

During calendar year 2003, 1727 applications were made to the Foreign Intelligence Surveillance Court for electronic surveillance and physical search. The 1727 applications include applications made solely for electronic surveillance, applications made solely for physical search, and combined applications requesting authority for electronic surveillance and physical search simultaneously. The Court approved, in whole or in part, 1724 applications.

The Court denied four applications. The Government did not appeal any of those decisions.

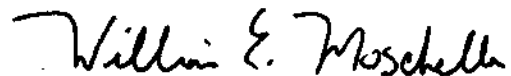
Of the four applications that the Court denied, two merit additional discussion:

(1) In one case, the Court issued supplemental orders with respect to its denial, and the Government filed with the Court a motion for reconsideration of its rulings. The Court subsequently vacated its earlier orders and granted in part and denied in part the Government's motion for reconsideration. The Government has not appealed that ruling. In 2004, the Court approved a revised application regarding this target that incorporated modifications consistent with the Court's prior order with respect to the motion for reconsideration.

(2) In another case, the Court initially denied the application without prejudice. The Government presented amended orders to the Court later the same day, which the Court approved. Because the Court eventually approved this application, it is included in the 1724 total referenced above.

Section 1807 also requires that the Government report, in addition to the number of applications approved or denied, the number of applications modified by the Court. During calendar year 2003, the Court made substantive modifications to the Government's proposed orders in 79 applications presented to the Court.

Sincerely,



William E. Moschella
Assistant Attorney General