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UNITED STATES
FOREIGN INTELLIGENCE SURVEILLANCE COURT
WASHINGTON, D C

DECLASSIFIED BY 65179dmh/bce/cpb
ON 07-30-2004

IN RE [SUBJECT NAME]

A [NON] UNITED STATES PERSON

APPLICATION FOR CERTAIN BUSINESS RECORDS FOR
FOREIGN INTELLIGENCE PURPOSES

Pursuant to the Foreign Intelligence Surveillance Act of 1978, as amended, Title 50, United States Code (U S C), Section 1861, the United States of America, through the undersigned designee of the Director of the Federal Bureau of Investigation (FBI), hereby applies to this Court for an ex parte order requiring the production to the FBI of the tangible things described in paragraph four below ~~(S)~~

1 On September __, 2003, the Director of the FBI designated _____, FBI, to make applications to this Court for access to certain business records for foreign intelligence purposes 50 U S C §1861(a)(1) ~~(S)~~

2 [Name of Subject], the subject of the authorized investigation for which these business records are sought, is a [non] United States person [If the business records pertains to a person other than the subject of the authorized investigation, add [Name of Subject], the subject of the business records sought by this application, is a [[non]-United States person] ~~(S)~~

3 The FBI is currently conducting an investigation of the [subject of the investigation] authorized under the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations (FCIG) The FCIG was approved by the Attorney General under Executive Order 12333 The full investigation of the [subject of the investigation]

~~Classified by Valerie Caproni, General Counsel
Office of the General Counsel, FBI~~

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

~~Patriot Act II-858~~

~~CLASSIFIED DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 07-01-2004~~

CA# 03-2522

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REASON: 1.4 (c)
DECLASSIFY ON: X 6/30/2029~~

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was initiated by the FBI on [Date] based upon specific and articulable facts giving reason to believe that the subject of the investigation is or may be [an international terrorist/an agent of a foreign power/a target of recruitment by a foreign power/etc] 50 U S C §1861(a)(2)(A) ~~(S)~~

4 This application seeks [certified copies/the originals] of any tangible things (including books, records, papers, documents, and other items) which are believed to be in the possession of [name of the custodian of the tangible things or another authorized custodian of records], hereafter referred to as the custodian of records. Such records may include [specifically describe records sought] 50 U S C §1861(a)(1) ~~(S)~~

5 The records sought by the FBI in this application are for an authorized investigation conducted under the FCIG to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities. Such investigation is not being conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States. 50 U S C §1861(b)(2) ~~(S)~~

6 Specifically, these records are relevant to the authorized investigation in that they [give brief description of how the records sought are related to the investigation] 50 U S C 1861(a)(2)(B) ~~(S)~~

7 This application requests the Court to issue an unclassified ex parte order requiring the custodian of records to produce for the FBI the tangible things described in paragraph four above within five calendar days of service. 50 U S C §1861(c)(1). The United States also requests that the Court's order shall not disclose that it is issued for purposes of an authorized investigation conducted by the FBI under the FCIG. 50 U S C §1861(c)(2). This application also requests that the Court's ex parte order contain the following caveat: "No person shall disclose to any other person (other than those persons necessary to produce the tangible things specified in this order) that the FBI has sought or obtained the tangible things specified in this order." 50 U S C §1861(d). Further, this application requests that the ex parte order contain such other provisions as are set forth in the proposed order attached hereto. ~~(b)~~

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WHEREFORE, the United States submits that this application satisfies the criteria and requirements of Section 1861 of the Foreign Intelligence Surveillance Act, as amended I, the undersigned designee of the Director of the FBI, hereby approve the filing of this application with the United States Foreign Intelligence Surveillance Court. ~~(U)~~

Respectfully Submitted,

Name
Title
Federal Bureau of Investigation

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Patriot Act II-860