



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

JAMES C. DUFF
Director

WASHINGTON, D.C. 20544

April 20, 2017

Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I herewith transmit the annual report for 2016 regarding the activities of the Foreign Intelligence Surveillance Courts as required in 50 U.S.C. § 1873. Enclosed is a copy of the version of the report that we are making available on an Internet Web site, pursuant to 50 U.S.C. § 1873(a)(2). We are separately providing to you a classified version of the report.

The report indicates that in calendar year 2016 the Foreign Intelligence Surveillance Court denied nine applications in full and 26 applications in part. (This year, we have started reporting "orders denied in part" as a separate category, rather than including them in the category of "orders modified.") The Court modified the orders sought in an additional 339 applications and granted the orders sought without modifications for 1,378 applications. One amicus curiae was appointed during the reporting period and no findings were made under 50 U.S.C. § 1803(i)(2)(A).

This report considers an application to have been "denied," "denied in part," or "modified" if it was not approved in the form initially submitted by the government as a proposed application pursuant to Rule 9(a), or if – after the government was notified about concerns of the Court – the application was not subsequently submitted as a final application pursuant to Rule 9(b). We believe that characterizing dispositions based on the content of proposed applications (rather than final applications) and separately enumerating partial denials (as opposed to counting them as modifications) most accurately reflects the dispositions of these matters.

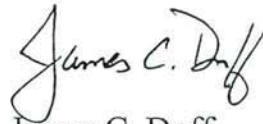
Honorable Bob Goodlatte

Page 2

The Executive Branch has conducted the declassification review specified in 50 U.S.C. § 1873(a)(1). The Department of Justice advised us that one figure in the report is classified at this time. We are not reporting this figure in the public version of the report, but we included it in the classified version separately provided to you.

If we may be of further assistance to you in this or any other matter, please contact me or our Office of Legislative Affairs at (202) 502-1700.

Sincerely,

A handwritten signature in black ink that reads "James C. Duff". The signature is written in a cursive style with a large initial "J".

James C. Duff
Director

Enclosure

cc: Honorable John Conyers, Jr.

Identical letter sent to: Honorable Richard Burr
Honorable Chuck Grassley
Honorable Devin Nunes