

(Revised 11/04/2003)

**FBI FOREIGN INTELLIGENCE SURVEILLANCE ACT (FISA)
BUSINESS RECORDS REQUEST FORM**

INSTRUCTIONS

The FBI must use this form to request that the National Security Law Branch (NSLB) prepare an application to the Foreign Intelligence Surveillance Court (FISC) for a Business Records Order, pursuant to the Foreign Intelligence Surveillance Act (FISA), 50 U.S.C. §1861.

FBI field offices must adhere to the following procedures in using this form:

- (1) The FBI special agent (SA) in the relevant FBI field office/division with primary responsibility for the foreign counterintelligence or counterterrorism investigation to which the request relates should complete this form.
- (2) This form must be reviewed and approved by Supervisory Special Agent (SSA), the Chief Division Counsel (CDC), and the Special Agent in Charge (SAC) or the Program Assistant Special Agent-in-Charge(ASAC).
- (3) This form should be sent to the appropriate FBI Headquarters division (Counterintelligence or Counterterrorism), the National Security Law Branch (NSLB), Room 7975, and the FISA Unit, Room 1B046.

Based on the information provided on this form, NSLB will prepare a FISA Business Records Application, and Order and present it to the FISC.

Direct any questions about how to complete this form to the FBI HQ SSA or NSLB (202) 324-3951.

Blank versions of this form are unclassified. **Add classification markings to the form according to the classification of the information you provide.**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2005 BY 65179 DMH/CLS

CA# 05-CV-0845

**FISA REQUEST FOR ACCESS TO BUSINESS RECORDS,
I.E., "ANY TANGIBLE THING (INCLUDING BOOKS, RECORDS,
PAPERS, DOCUMENTS AND OTHER ITEMS)" (50 USC Section 1861)**

1. General Information

- a. **Name of Subject(s) of the investigation for which the tangible things are sought:**
- b. **FBI file number(s):**
- c. **Date full investigation or preliminary investigation of such subject was authorized:**
- d. **Office of origin:**
- e. **Case Agent Point of Contact:**
 - i. **Name:**
 - ii. **Telephone:**
 - iii. **Secure Fax:**
- f. **FBI Headquarters SSA:**
 - i. **Name:**
 - ii. **Telephone:**
 - iii. **Secure Fax:**
- g. **Status of Subject of the Investigation**
 - i. **USP**
 - ii. **Non-USP or**
 - iii. **Foreign power**
- h. **Status of Subject of the Request, if different from Subject of the Investigation**
 - i. **USP**
 - ii. **Non-USP**
 - iii. **Foreign Power**

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2. Basis of Request for Tangible Things

- a. **Specifically describe the tangible things (e.g. books, records, papers, documents) you are requesting. If the tangible thing is not a written document (e.g., an apartment key), explain why you believe that it is being kept by a custodian in the normal course of business. Note that the subject of the request does not have to**

be the subject of the investigation.

- b. If relevant, state whether you are requesting the original or copy of the tangible things.
- c. Provide a **brief** summary of the full investigation or preliminary investigation for which the requested tangible things are sought.
- d. Explain the manner in which the requested tangible things are expected to provide foreign intelligence information for the full investigation or preliminary investigation.

3. **Service of the Business Records Order**

- a. Identify the current custodian, owner, or person in possession of the requested tangible things.
- b. Identify the name, address, title, and telephone number of any custodian or person to whom an order needs to be directed to require the production of the requested tangible things.

4. **Field Office Approval**

I have reviewed this request and certify that the requested tangible things are sought for an authorized investigation, conducted in accordance with the Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations, to obtain foreign intelligence not concerning a USPER or to protect against international terrorism or clandestine intelligence activities. I further certify that the authorized investigation is not being conducted solely upon the basis of activities protected by the First Amendment of the Constitution.

Supervisory Special Agent (SSA) approving this form:

Printed (or Typed) Name:

Telephone Number:

Signature:

Date:

(Classification of completed form)

CDC approving this form:

Printed (or Typed) Name:

Telephone Number:

Signature:

Date:

SAC or Program ASAC approving this form:

Printed (or Typed) Name:

Telephone Number:

Signature:

Date:

(Classification of completed form)