



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

CRM-200800267-F

JUN 5 2008

Kevin S. Bankston
Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110

Dear Mr. Bankston:

In processing your request dated January 13, 2005, for records concerning pen-trap orders, the Office of Information and Privacy located five documents (items 1-5) which originated with the Criminal Division of the Department of Justice and referred these documents to us for our review and direct response to you. These documents were received in this Office on April 21, 2008.

We have processed your request under the Freedom of Information Act and will make all records available whose release is either required by that statute, or considered appropriate as a matter of discretion. In light of our review, we have determined to release all items in full. Copies of items 1-5 are enclosed.

Sincerely,

Rena Y. Kim
by *R*

Rena Y. Kim, Chief
Freedom of Information/Privacy Act Unit
Office of Enforcement Operations
Criminal Division

REPORT ON THE USE OF PEN REGISTERS AND
TRAP AND TRACE DEVICES BY THE LAW ENFORCEMENT AGENCIES/OFFICES
OF THE DEPARTMENT OF JUSTICE FOR CALENDAR YEAR 1999

<u>PEN REGISTERS</u>	FBI	DEA	INS	USMS	INSP GEN	TOTALS
Original Orders	2511	2237	21	176	4	4949
Extensions	3271	1279	25	31	2	4608
Number of Investigations	1294	1532	17	176	4	3023
Number of Persons Whose Telephone Facilities Were Affected	7518	2237	30	145	4	9934

<u>TRAP AND TRACE DEVICES</u>	FBI	DEA	INS	USMS	INSP GEN	TOTALS
Original Orders	1311	157	10	73	2	1553
Extensions	1698	39	10	0	0	1747
Number of Investigations	767	43	6	73	2	891
Number of Persons Whose Telephone Facilities Were Affected	3936	157	18	73	2	4186

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Memorandum



To : Assistant Attorney General
Criminal Division
Date February 14, 2000
(Attention: Frederick D. Hess, Director
Office of Enforcement Operations)
Assistant Director
Information Resources Division
From :
Subject: PEN REGISTER AND TRAP/TRACE DEVICES
LEGISLATION AND REPORT REQUIREMENTS

Reference is made to Assistant Attorney General, Criminal Division, letter dated November 24, 1987, titled "Pen Register and Trap and Trace Devices-New Legislation and Report Requirements."

In accordance with the referenced communication and the provisions of the Electronic Communications Privacy Act of 1986, the Federal Bureau of Investigation is providing the enclosed report.

As a point of clarification, the phrase, "number of persons whose telephone facilities were affected" was interpreted as the number of lines intercepted. The category "number of original applications and extensions for this violation" contains the number of original and extensions of lines for that violation.

Enclosure

AGENCY: Federal Bureau of Investigation

Pen Register Applications - Calendar Year 1999
(January 1 - December 31, 1999)

Number of Original Orders	2511
Number of Extensions	3271
Number of Investigations Involved	1294
Number of persons Whose Telephone Facilities were Affected	7518

LIST OF THE VIOLATIONS FOR WHICH
PEN REGISTERS WERE SOUGHT

Statutory Citation	Principal Violation	Number of Original Applications and Extensions for this Violation	
1 (21 USC § 801 et seq.)	Organized Crime Drug Enforcement Task Force	(912)	(1350)
2 (18 USC § 1073)	Unlawful Flight to Avoid Prosecution	(72)	(34)
3 (18 USC § 1005)	Financial Institution Fraud	(24)	(29)
4 (18 USC Chap. 41)	Extortion	(2)	(0)
5 (18 USC § 2113)	Bank Robbery	(15)	(3)
6 (18 USC § 1951)	Hobbs Act-Corruption of Public Officials	(179)	(215)
7 (18 USC § 1462, 1465)	Interstate Transportation of Obscene Matter	(15)	(1)
8 (18 USC § 1201-1203)	Kidnapping	(37)	(36)
9 (18 USC § 2314-2315)	Interstate Transportation of Stolen Property	(42)	(67)
10 (18 USC § 1955)	Illegal Gambling Business	(56)	(51)
11 (18 USC § 1952)	Interstate Transportation in Aid of Racketeering	(272)	(346)
12 (18 USC § 892-894)	Extortionate Credit Transactions	(5)	(11)
13 (18 USC Chap. 40)	Actual or Attempted Bombings	(4)	(3)
14 (18 USC § 1962, 1963)	Racketeering Enterprise Investigation	(77)	(110)
15 (18 USC § 2312)	Interstate Transportation of a Stolen Motor Vehicle	(23)	(33)
16 (18 USC § 1951)	Hobbs Act-Armored Carrier	(15)	(53)
17 (18 USC § 115)	Assaulting or Killing a Federal Officer	(2)	(0)

18(18 USC Chap. 73)	Obstruction of Justice	(2)	(2)
19(18 USC § 115, 371,)	Acts of Terrorism in the	(31)	(29)
844(F) 1361, 1871-72,	United States -		
1958	International Terrorism		
20(18 USC § 3123)	Acts of Terrorism in the	(63)	(87)
	United States-		
	Domestic Terrorism		
21(42 USC § 6928)	Environmental Crimes	(5)	(5)
22(18 USC § 201, 371)	Corruption of Federal	(48)	(63)
1001,	Public Officials -		
21 USC § 841, 846	Executive Branch		
23(18 USC § 1952, 1956,))	Money Laundering	(32)	(33)
1957,3122			
21 USC § 841(a) (1),			
843(d), 846			
24(18 USC § 1951, 1955)	Organized Crime Drug	(950)	(1491)
1961, 3122, 3123	Investigations		
21 USC § 841, 843,			
846			
25(18 USC § 641)	Theft of Government	(7)	(0)
	Property		
26(18 USC § 1962)	Corruption of Federal	(3)	(0)
	Public Officials-		
	Federal Bribery		
27(18 USC § 1962)	Labor Racketeering	(9)	(13)
28(18 USC § 3123,)	Telemarketing Fraud	(15)	(0)
1343, 3146, 1071,			
2315, 371, 1341			
29(18 USC § 1341, 1343)	Insurance Fraud	(1)	(0)
3146 (a)			
30(18 USC § 1341, 1503)	Securities and	(18)	(19)
1956, 1957, 1343,	Commodities Fraud		
401			
31(18 USC § 1073, 1503)	Other National Fraud	(28)	(40)
371, 1341			
32(18 USC § 2703 (d),)	Crime on Indian	(2)	(0)
3122	Reservation		
28 USC § 1651 (a)			
33(18 USC § 1341, 1343)	Fraud Against the	(4)	(16)
21 USC § 841 (a),	Government-		
846	DOD Official		
34(26 USC § 7201)	Fraud Against the	(9)	(28)
	Government-		
	DOT Official		
35(18 USC § 666, 1341)	Health Care Fraud	(46)	(57)
1343, 841 (a) (1),			
846, 503, 3122			
36(18 USC § 241, 242)	Civil Rights-Color of Law	(8)	(6)
37(18 USC § 3122, 3123)	Freedom of Access to	(34)	(11)
	Clinic Entrances-		
	Act of 1994		
38(18 USC § 1030, 1029)	Computer and	(17)	(1)
	Infrastructure Threat		
	Assessment		

39(18 USC § 1341, 201	)	Fraud Against the Government-Other	(1)	(1)
40(18 USC § 371, 793	)	Espionage	(1)	(2)
41(18 USC § 1201	)	Crime on Government Reservation	(2)	(0)
42(18 USC § 2314	)	Acts of Economic Espionage	(2)	(3)
43(18 USC § 3121-26	)	Intellectual Property Rights Infringement	(9)	(0)
44(18 USC § 2421	)	White Slave Traffic Act	(4)	(8)
45(18 USC § 1953	)	Interstate Transmission of Wagering Information	(1)	(2)
46(18 USC § 3123, 50 USC § 1701	)	Hostage Taking - Non-Terrorism Related	(1)	(0)
47(18 USC § 1951	)	Hobbs Act - Commercial Institutions	(8)	(2)
48(18 USC § 1951	)	Hobbs Act - Labor Related	(3)	(7)
49(18 USC § 841	)	Fraud Against the Government - HUD	(5)	(25)
50(18 USC §. 837 (b)	)	Civil Rights - Religious Discrimination	(24)	(22)
51(Attorney General Guidelines Per 28 USC § 509, 510, 533	)	Domestic Security Investigations	(6)	(8)
52(18 USC § 3122	)	Discrimination in Housing	(3)	(0)
53(21 USC § 846	)	Freedom of Information Privacy Acts	(1)	(0)
54(33 USC § 841	)	Adoptive Forfeiture Matter	(0)	(2)
55(18 USC § 2332 (a)	)	Use, Possession, Transfer, Production, Transport of WMD	(0)	(1)
56(18 USC § 3123	)	Firearms Act	(5)	(9)
57(18 USC § 43	)	Animal Enterprise Protection Act	(2)	(2)
58(20 USC § 1097	)	Fraud Against the Government - Department of Education	(0)	(4)
59(15 USC § 1	)	Antitrust	(1)	(0)
60(18 USC § 3123	)	Domestic Police Cooperation	(7)	(0)
61(18 USC § 115 (a) (1)	)	Conspiracy to Impede or Injure a Federal Officer	(2)	(0)
62(18 USC § 1791	)	Irregularities in Federal Penal Institutions	(5)	(0)

AGENCY: Federal Bureau of Investigation

Trap and Trace Applications - Calendar Year 1999
(January 1 - December 31, 1999)

Number of Original Orders	1311
Number of Extensions	1698
Number of Investigations Involved	767
Number of Persons Whose Telephone Dialing were Affected	3936

LIST OF THE VIOLATIONS FOR WHICH
TRAP AND TRACE WERE SOUGHT

Statutory Citation	Principal Violation	Number of Original Applications and Extensions for this Violation	
1 (21 USC § 801 et seq.)	Organized Crime Drug Enforcement Task Force	(434)	(679)
2 (18 USC § 1073)	Unlawful Flight to Avoid Prosecution	(79)	(61)
3 (18 USC Chap. 41)	Extortion	(32)	(0)
4 (18 USC § 2113)	Bank Robbery	(13)	(2)
5 (18 USC § 1951)	Hobbs Act-Corruption of Public Official	(81)	(66)
6 (Atty. Gen. Guidelines) Per 28 USC § 509, 510, 533	Domestic Security Investigations	(2)	(, 4)
7 (18 USC § 1201-1203)	Kidnapping	(45)	(35)
8 (18 USC § 2314-2315)	Interstate Transportation of Stolen Property	(32)	(34)
9 (18 USC § 1952)	Interstate Transportation in Aid of Racketeering	(126)	(138)
10 (18 USC § 115)	Assaulting or Killing a Federal Officer	(2)	(0)
11 (18 USC Chap. 40)	Actual or Attempted Bombings	(0)	(1)
12 (18 USC § 1955)	Illegal Gambling Business	(23)	(43)
13 (18 USC § 3123)	Acts of Terrorism in the United States - Domestic Terrorism	(48)	(61)
14 (18 USC § 1005)	Financial Institution Fraud	(21)	(24)
15 (18 USC § 1465)	Interstate Transportation of Obscene Matters	(7)	(0)

16(18 USC § 1951	)	Hobbs Act - Armored Carrier	(12)	(54)
17(18 USC § 115, 371, 844(F) 1361, 1871-72 1958	)	Acts of Terrorism in the United States - International Terrorism	(17)	(12)
18(18 USC § 2312	)	Interstate Transportation of Stolen Motor Vehicle	(7)	(17)
19(18 USC § 1952, 1956 1957, 3122 21 USC § 841(a)(1), 843(d), 846	)	Money Laundering	(7)	(13)
20(18 USC § 1951, 1955, 1961, 3122, 3123 21 USC § 841, 843, 846	)	Organized Crime Drug Investigations	(508)	(822)
21(18 USC § 2421	)	White Slave Traffic Act	(6)	(1)
22(18 USC § 201	)	Corruption of Federal Public Officials - Executive Branch	(17)	(20)
23(18 USC Chap. 73	)	Obstruction of Justice	(3)	(0)
24(18 USC § 1962, 1963	)	Racketeering Enterprise Investigation	(16)	(11)
25(42 USC § 6928	)	Environmental Crimes	(5)	(5)
26(18 USC § 1023-1024	)	Fraud Against the Government - DOD	(8)	(13)
27(18 USC § 371, 1951 1956-57, 1341, 1343	)	Fraud Against the Government - DOT	(9)	(28)
28(18 USC § 3122	)	Interstate Obscene or Harassing Telephone Calls	(1)	(0)
29(18 USC § 3123, 1343,) 3146, 1071, 2315, 371, 1341	)	Telemarketing Fraud	(5)	(0)
30(18 USC § 1341, 1503,) 1956, 1957, 1343, 401	)	Securities and Commodities Fraud	(1)	(1)
31(18 USC § 1073, 1503,) 371, 1341	)	Other National Fraud	(9)	(9)
32(18 USC § 1153, 2241 (c)	)	Crime on Indian Reservation	(3)	(0)
33(18 USC § 666, 1341, 841 (a)(1), 846, 503, 3122	)	Health Care Fraud	(27)	(37)
34(18 USC § 241, 242	)	Civil Rights - Color of Law	(8)	(6)
35(18 USC § 1962	)	Corruption of Federal Public Officials - Federal Bribery	(3)	(0)
36(18 USC § 666, 1951- 1955	)	Interstate Transportation of Wagering Information	(1)	(2)
37(18 USC § 1962	)	Labor Racketeering	(2)	(0)

38(18 USC § 1030, 1029 )	)	Computer and Infrastructure Threat Assessment	(24)	(10)
39(18 USC § 152	)	Bankruptcy Fraud	(0)	(2)
40(18 USC § 111	)	Conspiracy to Impede or Injure a Federal Officer	(1)	(0)
41(18 USC § 1951	)	Hobbs Act - Commercial Institutions	(6)	(2)
42(18 USC § 3123, 50 USC § 1701	)	Hostage Taking - Non-Terrorism Related	(2)	(0)
43(18 USC § 837 (b)	)	Civil Rights - Religious Discrimination	(14)	(8)
44(18 USC § 2314	)	Acts of Economic Espionage	(0)	(3)
45(18 USC § 3122, 3123 )	)	Freedom of Access to Clinic Entrances - Act of 1994	(10)	(2)
46(18 USC § 841	)	Fraud Against the Government - HUD	(5)	(8)
47(18 USC § 641	)	Theft of Government Property	(1)	(0)
48(2 USC § 437 (g), 441e, 441f	)	Election Laws	(0)	(1)
49(15 USC § 1	)	Antitrust	(1)	(0)
50(18 USC § 371, 793	)	Espionage	(0)	(2)
51(18 USC § 3122	)	Discrimination in Housing	(3)	(1)
52(18 USC § 43	)	Animal Enterprise Protection Act	(1)	(2)
53(18 USC § 751	)	Perjury	(1)	(0)
54(18 USC § 2113 (a)	)	Bank Extortion	(3)	(0)
55(20 USC § 1097	)	Fraud Against the Government - Department of Education	(0)	(4)

To: Janet

MAR -2 2001

MEMORANDUM

TO: Frederick D. Hess, Director
Office of Enforcement Operations

FROM: Ava Cooper-Davis, Asst. Special Agent In Charge
Office of Special Operations

SUBJECT: Pen Register and Trap and Trace Devices Yearly Report

In accordance with Title 18, United States Code, Section 3125, the attached statistics portray the Drug Enforcement Administration's use of pen register and trap and trace devices for calendar year 1999.

Attachment

AGENCY - Drug Enforcement Administration

Pen Register Applications - Calendar Year
(January 1 - December 31, 1999)

Number of Original Orders	<u>2237</u>
Number of Extensions	<u>1279</u>
Number of Investigations Involved	<u>1532</u>
Number of Persons Whose Telephone Dialings Were Affected	<u>2237</u>

LIST OF THE VIOLATIONS FOR WHICH
PEN REGISTERS WERE SOUGHT

Statutory Citation	Principal Violation	Number of Original Applications & Extensions	
1 (21 USC 841)	<u>Distribution of Narcotics</u>	(1249)	(739)
2 (21 USC 846)	<u>Conspiracy to Distribute</u>	(698)	(243)
3 (21 USC 848)	<u>Continuing Crim. Enterprise</u>	(50)	(13)
4 (21 USC 952)	<u>Importation of Narcotics</u>	(121)	(87)
5 (18 USC 1956)	<u>Money Laundering</u>	(119)	(197)

Trap & Trace Applications - Calendar Year 1999
 (January 1 - December 31, 1999)

Number of Original Orders	<u>157</u>
Number of Extensions	<u>39</u>
Number of Investigations Involved	<u>43</u>
Number of Persons Whose Telephone Dialings Were Affected	<u>157</u>

LIST OF THE VIOLATIONS FOR WHICH
 PEN REGISTERS WERE SOUGHT

Statutory Citation	Principal Violation	Number of Original Applications & Extensions
1 (21 USC 841)	<u>Distribution of Narcotics</u>	(84) (21)
2 (21 USC 846)	<u>Conspiracy to Distribute</u>	(58) (11)
3 (21 USC 1956)	<u>Money laundering</u>	(18) (4)



U.S. Department of Justice
Immigration and Naturalization Service

HQINV 50/3.4

425 I Street NW
Washington, DC 20536

February 23, 1999

MEMORANDUM FOR FREDERICK D. HESS
OFFICE OF ENFORCEMENT OPERATIONS
CRIMINAL DIVISION

FROM: John A. Wright
Director of Fraud
Office of Field Operations
INS

SUBJECT: Pen Register and Trap & Trace Report Calendar Year 1999

Pursuant to the requirement of Title III of the Electronics Communications Privacy Act of 1986, and a memorandum from your office dated November 24, 1987, the attached reports summarize the use of pen registers and trap & trace devices by the Immigration and Naturalization Service for the calendar year of 1999.

Attachment