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FILED
KAREN E. SUTTON, CLERK

UNITED STATES
FOREIGN INTELLIGENCE SURVEILLANCE COURT
WASHINGTON, D.C.

U.S. Foreign Intelligence
Surveillance Court

Docket No. PR/TT

(U) DECLARATION BY
GEORGE J. TENET, DIRECTOR OF CENTRAL INTELLIGENCE

(U) I, GEORGE J. TENET, do hereby declare and state:

1. (U) I am the Director of Central Intelligence (DCI), a position I have held since 11 July 1997. Prior to serving as DCI, I served since 3 July 1995 as the Deputy Director of Central Intelligence. Before that, I served since January 1993 on the National Security Council (NSC) staff as Special Assistant to the President for National Security Affairs and Senior Director for Intelligence Programs. Prior to my service at the NSC, I spent more than seven years on the staff of the Senate Select Committee on Intelligence, including as Staff Director from November 1988 through January 1993.

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2. (U) The CIA and the position of DCI were established by the National Security Act of 1947, codified as amended at 50 U.S.C. § 401, et seq. Pursuant to section 102(a) of the National Security Act, 50 U.S.C. § 403(a), I, as DCI, serve as head of the United States (US) intelligence community,¹ act as the principal advisor to the President of the United States for intelligence matters related to the national security, and serve as the head of CIA. Pursuant to section 1.3(d)(5) of the National Security Act, 50 U.S.C. § 403-3(c)(6), I am further charged as DCI with establishing requirements and priorities for foreign intelligence information to be collected under the Foreign Intelligence Surveillance Act of 1978, as amended, 50 U.S.C. § 1801 et seq.

¹ (U) Section 3(f) of the National Security Act of 1947, as amended, codified at 50 U.S.C. § 401a(4), defines the "intelligence community" to include the Office of the Director of Central Intelligence; the Central Intelligence Agency; the National Security Agency; the Defense Intelligence Agency; the National Imagery and Mapping Agency; the National Reconnaissance Office; other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs; the intelligence elements of the military services, the Federal Bureau of Investigation, the Department of the Treasury, the Department of Energy, and the Coast Guard; the Bureau of Intelligence and Research of the Department of State; the elements of the Department of Homeland Security concerned with the analysis of foreign intelligence information; and such other elements of any other department or agency as may be designated by the President, or designated jointly by the DCI and the head of the department or agency concerned, as an element of the intelligence community.

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3. (U) Under section 102A of the National Security Act, 50 U.S.C. § 403-1, the function of the CIA is to assist me as DCI to carry out my responsibilities as set forth in paragraphs (1) through (5) of section 103(d) of the National Security Act. Pursuant to section 103(d), codified at 50 U.S.C. § 403-3(d), as Head of the CIA, I am charged with collecting intelligence through human sources and other appropriate means (excluding police, subpoena, or law enforcement powers or internal security functions); providing overall direction for the collection of national intelligence through human sources by elements of the U.S. intelligence community; correlating and evaluating intelligence related to the national security and providing appropriate dissemination of such intelligence; performing such additional services as are of common concern to the elements of the U.S. intelligence community; and performing such other functions and duties related to intelligence affecting the national security as the President or National Security Council may direct. A more particularized statement of the authorities of the DCI and CIA is set forth in sections 1.5 and 1.9 of Executive Order

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12333, 3 C.F.R. 200 (1981), reprinted in 30 U.S.C. § 401 note, and as amended by Executive Order 13284, 68 Fed. Reg. 4,073 (Jan. 26, 2003).

4. [redacted] I am submitting this Declaration to provide the Court with my assessment of the current, and possibly imminent, threat to the national security of the United States of America posed by

to
perpetrate a large-scale terrorist attack or attacks on US soil

I understand that to counter this possible imminent threat, the United States Department of Justice (DOJ) is, among other things, seeking authority from this Court to install and use pen register and trap and trace devices to support FBI investigations to identify

, in the United States and abroad, by obtaining the metadata regarding their electronic communications. I intend in this Declaration to provide factual and threat assessment support for that DOJ request.

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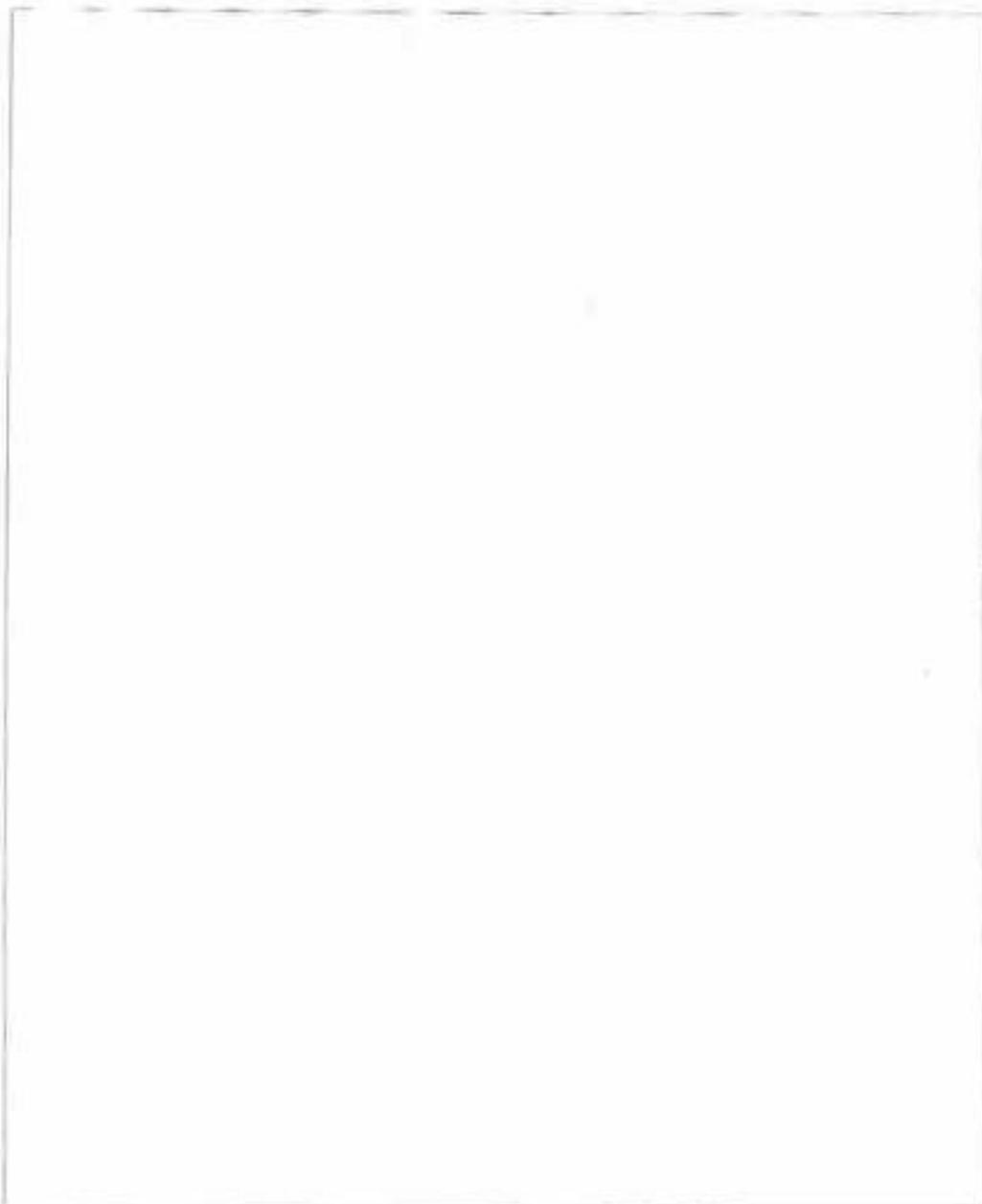
5. (U) The representations set forth herein are based upon my personal review, appraisal, and consideration of the information discussed below and upon discussions with intelligence community personnel who are knowledgeable about the activities described herein.

6. [redacted] As described in greater detail below, the intelligence community has gathered a very strong [redacted]

[redacted] have reported on efforts to develop anthrax, acquire fissile material, and deploy chemical weapons. While we have no specific information regarding the exact times, targets, or tactics for these planned attacks, we have gathered and continue to gather intelligence that leads us to believe that the next terrorist attack or attacks on US soil could be imminent.

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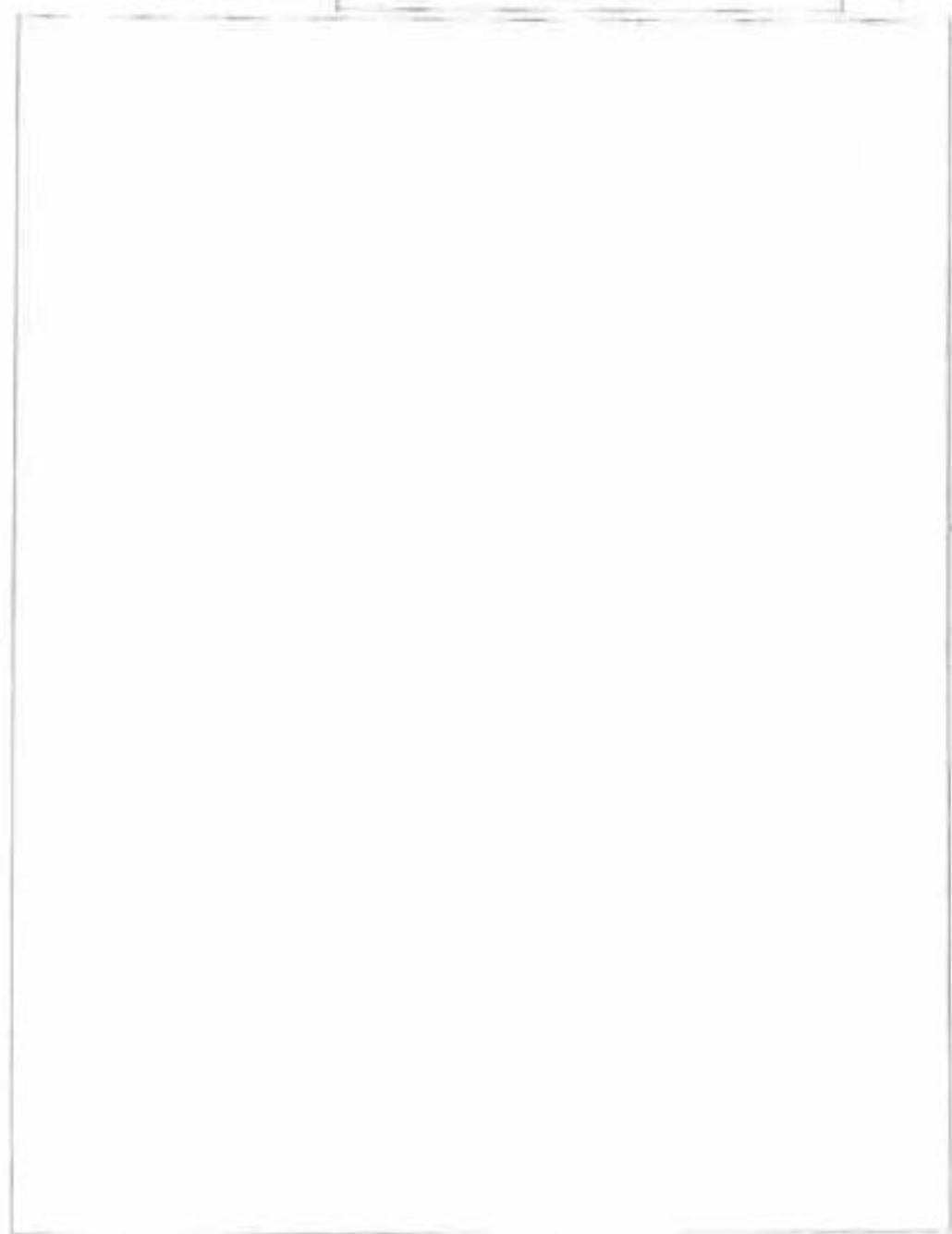
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13. [redacted]

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16. [redacted] We are also concerned that
the planned attack (or attacks) on the US homeland is
designed to be the culmination of a coordinated series of
attacks orchestrated from [redacted]
[redacted]

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[redacted]

18.

Judging from the information provided
[redacted]

, four key factors will frame
to execute the US attack strike in the
coming months:

*

[redacted] US Election Politics [redacted]
[redacted]

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[redacted]

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- * [redacted] State of Operational Planning - We judge --as the one who is to provide the execution order for the attack--will most likely refrain from launching the strike until he assesses the operation's chances of maximum impact, both in terms of casualties and the economic and political ripple effects. [redacted]

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[redacted]

[redacted] Musharraf Assassination [redacted]

was behind the assassination attempts on Pakistan President Musharraf on 14 and 25 December 2003, a pursuit consistent with detainee reporting [redacted] as well as with public statements by

Underscoring the importance of

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[redacted]

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Afghanistan to the group's survival.

* [redacted] Significant Captures or Disruptions - The capture of key operatives involved in the US plot or the disruption of parallel plotting against other Western targets could lead the [redacted] to move up the timetable for the US attack rather than risk losing the opportunity to strike. We continue to investigate whether the August 2001 arrest of Zacarias Moussaoui may have accelerated the timetable for the 9/11 attacks because he knew of al-Qa'ida's intention to use commercial aircraft as weapons. Arrests in Canada and the UK of key players in the UK bombing network could lead al-Qa'ida leaders to conclude that

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their plans and intentions have been compromised,
spurring them to proceed with the US strike even
before all the preferred operational pieces are in
place. [redacted]

19.

Reporting [redacted]

[redacted] does not provide specific information on the

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targets to be hit or methods to be used in the US attack or attacks. [redacted]

[redacted] Our understanding of strategic targeting doctrine, gleaned from detainees reporting and public statements since 9/11, suggests selected targets for this operation that come closest to meeting the following criteria:

- * Targets associated with recognized symbols of US life and power.
- * Targets that will result in mass casualties and spread fear.
- * Targets that will negatively impact the US economy.

20. [redacted] Attacks against or in the host cities for the Democratic and Republican Party conventions would be especially attractive to Near simultaneous, multiple attacks against critical US infrastructure--specifically, systems of mass transit similar to the Madrid attacks--also have the potential to meet all three targeting goals. [redacted]

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21. [redacted] operational
planners since 9/11, such as [redacted] have
remained fixated on using aircraft as weapons and have
modified the operational concept of the 9/11 attacks to
include using general aviation aircraft, the targeting of
non-US-based commercial flights that enter US airspace, and
new methods to overpower the flight crew: [redacted]

22. [redacted] According to several
operatives believed to be involved in the group's
plans for a second wave of attacks on the United States
using airplanes remain at large. [redacted]

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23. [REDACTED] The also
remains committed to obtaining a weapons-of-mass-destruction capability, and we cannot rule out a Chemical/Biological/Radiological/Nuclear (CBRN) component

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been detailed extensively by numerous

24. [redacted] Moreover, a steady stream of threat reporting since 9/11 reveals al-Qa'ida's continued interest in attacking US nuclear power plants and reflects the group's recognition of the potential economic and political impact such an attack might have.

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25. [redacted] Identifying and disrupting the North American-based cells involved in tactical planning offers the most direct path to stopping an attack or attacks against the US homeland. Numerous credible intelligence reports since 9/11 indicate [redacted] has "sleepers" in North America. We judge that these "sleepers" have been in North America, and the US in general, for much of the past two years. We base our judgement, in part, [redacted]

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[redacted]
on information [redacted]

[redacted] as well as
that

had operatives here. We also judge that multiple
disruptions overseas, such as the detentions of [redacted]

[redacted] as well as
post-9/11 enhanced security measures in the US, probably
delayed and/or altered operational planning by these
sleepers several times during the past two years.

26. [redacted]

[redacted]
areas to deny safe haven to

[redacted]
leaders.

27. [redacted]

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the requested pen
registers and trap and trace devices are critical because
they can

such attacks against our citizenry.

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(U) I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this _____

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GEORGE J. TENET,
DIRECTOR OF CENTRAL INTELLIGENCE

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