SEMIANNUAL REPORT OF THE ATTORNEY GENERAL ON ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

December 2010

Classified by: David S. Kris, Assistant Attorney General, NSD, DOJ
Reason: 1.4(e)
Declassify on: 31 December 2035
Executive Summary

Statistics

- The United States filed 78 pen register/trap and trace (PR/TT) applications; a total of 30 U.S. persons were targeted in these applications (one of these applications was not considered until the following period). For the previous period, the United States filed 53 applications, targeting a total of 27 U.S. persons. (S)
SECTION 1: INTRODUCTION (U)

This report is submitted pursuant to sections 108(a), 306, and 406, of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1812, 1821-1829, 1841-1846, 1861-1862, 1871, 1881-1881g, 1885-1885c. It includes information concerning electronic surveillance, physical searches, pen register/trap and trace (PR/TT) surveillance, and requests for access to certain business records for foreign intelligence purposes conducted under the Act by the Federal Bureau of Investigation (FBI), the Central Intelligence Agency (CIA), and/or the National Security Agency (NSA) during the period January 1, 2010 through June 30, 2010.\(^1\) Consistent with the Department of Justice’s (DOJ’s) efforts to keep Congress fully informed of FISA activities in a manner consistent with the national security, this report contains information beyond that required by the statutory provisions set forth above.\(^{(S)}\)

<table>
<thead>
<tr>
<th>Type of Application</th>
<th>Number Filed</th>
<th>Number Approved</th>
<th>Number Modified</th>
<th>U.S. Persons Targeted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not pertinent/Outside the scope of the request</td>
<td>78</td>
<td>77</td>
<td>0</td>
<td>30</td>
</tr>
</tbody>
</table>

\(^1\) Highlights of the January 1 – June 30, 2010 Reporting Period (U)
C. Emergency Electronic Surveillance or Physical Search (U)

During this reporting period, the Attorney General authorized emergency electronic surveillance, physical search, and/or PR/TT surveillance pursuant to 50 U.S.C. §§ 1805(e), 1824(e), 1843(a)-(b), or 1881c(d)(6)(1)(A), (b)(7)(E) These emergency authorizations resulted in and seven applications for authority to conduct PR/TT surveillance. Applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications. (S)

II. Pen Register/Trap and Trace Surveillance (U)

Between January 1 and June 30, 2010, the United States filed 78 applications with the FISC seeking authorization for the FBI to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 78 applications, 30 U.S. persons were the targets of PR/TT surveillance. The FISC did not deny or substantively modify any PR/TT applications during this
Not pertinent/Outside the scope of the request.

A. Update to Incidents Reported in 07-1 (U)

Incident 07-1-16 (U)

b(1), b(7)(E)

(S)

b(1), b(7)(E)

(S)

Not pertinent/Outside the scope of the request.
Not pertinent/Outside the scope of the request.

Incident 10-1-2 (U)

(b)(1), (b)(7)(E)

Not pertinent/Outside the scope of the request.
F. Pen Register/Trap and Trace Surveillance (U)

During this reporting period, the United States filed no applications with the FISC seeking authorization for the NSA to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. (S)