

*EPIC v. DOJ*, No. 13-cv-01961-KBJ  
Plaintiff's Combined Opposition to Defendant's Motion for Summary Judgment and  
Cross-Motion for Summary Judgment

# Exhibit 1



U.S. Department of Justice

Classified by: BW

Office of Intelligence Policy and Review

USDOJ/NSD

Date: 18 March 2014

Washington, D.C. 20530

April 27, 2001

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE ACTING DEPUTY ATTORNEY GENERAL

FROM: Frances Fragos Townsend  
Counsel for Intelligence Policy

SUBJECT: Attorney General's Reports to Congress on FISA  
(U)

Attached for your approval are **four semi-annual reports** that the Attorney General is required to submit to Congress relating to the Foreign Intelligence Surveillance Act (FISA), as amended, and the **annual public report** that the Attorney General is required to submit to the Administrative Office of the United States Courts and Congress on the operation of the FISA. (U)

Non-responsive/  
out of scope

~~TOP SECRET//COMINT//NOFORN//X1 AND SECRET MATERIALS ATTACHED  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

~~Classified by: Frances Fragos Townsend, Counsel for Intelligence Policy, Office of Intelligence Policy and Review, United States Department of Justice~~

~~Reason: 1.5(c)~~

~~Declassify on: X1~~

USDOJ/NSD

Date: \_\_\_\_\_



Office of the Attorney General  
Washington, D.C. 20530

APR 27 2001

The Honorable Orrin G. Hatch  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period July 1, 2000 through December 31, 2000.

Sincerely,

A handwritten signature in cursive script that reads "John Ashcroft".

John Ashcroft

~~SECRET MATERIALS ATTACHED~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General  
Washington, D.C. 20530

Classified by: \_\_\_\_\_  
USDOJ/NSD  
Date: \_\_\_\_\_

APR 27 2001

The Honorable Richard Shelby  
Chairman, Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period July 1, 2000 through December 31, 2000.

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John Ashcroft

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Office of the Attorney General  
Washington, D.C. 20530

APR 27 2001

The Honorable Porter Goss  
Chairman, Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period July 1, 2000 through December 31, 2000.

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John Ashcroft

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~~TOP SECRET//COMINT//NOFORN//X1~~

Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a) and 306 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829. It covers all electronic surveillances and physical searches conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillances conducted by the National Security Agency (NSA), during the period July 1, 2000 through December 31, 2000. At the request of the staff of the Senate Select Committee on Intelligence, this report also covers pen register/trap and trace surveillance conducted pursuant to the Act, 50 U.S.C. §§ 1841-1846. (U)

Out of exception response \_\_\_\_\_

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-2-

Out of scope/non-responsive

Also, at the request of the staff of the Senate Select Committee on Intelligence, we are providing a statistical analysis and thumbnail sketches of U.S. person surveillances conducted pursuant to the pen register/trap and trace amendment to the Act. An original copy is being provided to each committee. (U)

Out of scope/non-responsive

The third semi-annual report (Tab C), covering applications for the use of pen registers and trap and trace devices, encompasses the period from July 1, 2000 through December 31, 2000, and is being provided to the House and Senate Intelligence Committees, as required by 50 U.S.C. § 1846. (U)

Out of scope/non-responsive

Letters of transmittal to the relevant committee chairmen are attached for your signature (Tab E). (U)

Out of scope/non-responsive

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- 24 -

Out of scope/non-responsive

H. Pen Register/Trap and Trace Surveillance<sup>6</sup> (U)

During 1999 and 2000, the FBI filed 18 applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846. The FISC approved all 18 applications. Five of these applications were filed with the Court in 1999, and thirteen applications were filed with the Court in 2000. This report contains statistics regarding all individuals who are subjects of full FBI foreign counterintelligence investigations related to each application

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<sup>6</sup>This report includes statistics and summaries of pen register/trap and trace surveillances conducted pursuant to the Act for calendar years 1999 and 2000. The next semi-annual report will include information describing pen register/trap and trace surveillances conducted during the period January 1, 2001 through June 30, 2001. ~~(S)~~

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- 25 -

for pen register/trap and trace surveillance, and thumbnail sketches of all United States persons who are subjects of these related foreign counterintelligence investigations. ~~(S)~~

1. Applications Filed in 1999 (U)

The FBI filed five applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning four individuals who are targets of full FBI foreign counterintelligence investigations. The (b) (1), (b) (7)(E)

2. Applications Filed in 2000 (U)

The FBI filed 13 applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning seven individuals who are targets of full FBI foreign counterintelligence investigations. The (b) (1), (b) (7)(E)

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<sup>2/</sup>However, because the pen register/trap and trace amendment to the Act does not require the citizenship of the individuals to be pleaded, this number is not broken down into citizen/permanent resident alien/presumed U.S. person categories. ~~(S)~~

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- 26 -

Out of scope/non-responsive

3. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances ~~(S)~~

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

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~~TOP SECRET//COMINT//NOFORN//X1~~

- 27 -

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

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~~TOP SECRET//COMINT//NOFORN//X1~~

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- 38 -

Incident 00-1-3: (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive  
Out of scope/non-responsive

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- 43 -

Incident 00-1-9: (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

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

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- 48 -

Out of scope/non-responsive

Incident 00-2-3: (U)  
(b) (1), (b) (7)(E)

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- 49 -

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

Incident 00-2-4: (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

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U.S. Department of Justice  
Office of Intelligence Policy and Review

Classified by:

USDO/NSD

Date: 18 March 2014

Washington, D.C. 20530

DEC 31 2001

MEMORANDUM FOR THE ACTING ATTORNEY GENERAL  
(b) (6), (b) (7)(C)

FROM:

SUBJECT: Attorney General's Reports to Congress on FISA  
(U)

Attached for your approval are four semi-annual reports that the Attorney General is required to submit to Congress relating to the Foreign Intelligence Surveillance Act (FISA), as amended.  
(U)

Out of scope/  
non-  
responsive

~~TOP SECRET//COMINT//NOFORN//X1 AND SECRET MATERIALS ATTACHED  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

~~Classified by: James A. Baker, Acting Counsel for  
Intelligence Policy, Office of Intelligence  
Policy and Review, United States Department  
of Justice~~

~~Reason: 1.5(c)  
Declassify on: X1~~



Office of the Attorney General  
Washington, D.C. 20530

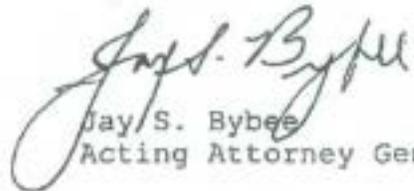
DEC 31 2001

The Honorable Patrick J. Leahy  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period January 1, 2001 through June 30, 2001.

Sincerely,

  
Jay S. Bybee  
Acting Attorney General

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Office of the Attorney General  
Washington, D.C. 20530

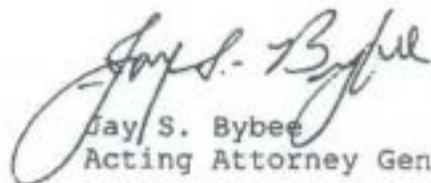
DEC 31 2001

The Honorable F. James Sensenbrenner, Jr.  
Chairman, Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period January 1, 2001 through June 30, 2001.

Sincerely,

  
Jay S. Bybee  
Acting Attorney General

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Office of the Attorney General  
Washington, D.C. 20530

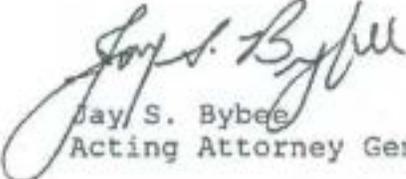
DEC 31 2001

The Honorable Bob Graham  
Chairman, Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period January 1, 2001 through June 30, 2001.

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Jay S. Bybee  
Acting Attorney General

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Office of the Attorney General  
Washington, D.C. 20530

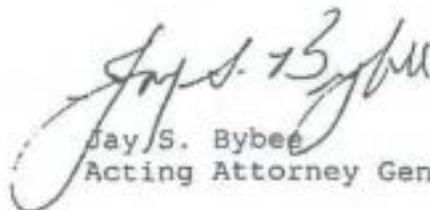
DEC 31 2001

The Honorable Porter Goss  
Chairman, Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

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Sincerely,

  
Jay S. Bybee  
Acting Attorney General

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Out of scope/non-responsive

Also, at the request of the staff of the Senate Select Committee on Intelligence, we are providing a statistical analysis and thumbnail sketches of U.S. person surveillances conducted pursuant to the pen register/trap and trace amendment to the Act. An original copy is being provided to each committee. (U)

Out of scope/non-responsive

The third semi-annual report (Tab C), covering applications for the use of pen registers and trap and trace devices, encompasses the period from January 1, 2001 through June 30, 2001, and is being provided to the House and Senate Intelligence Committees, as well as the House and Senate Judiciary Committees, as required by 50 U.S.C. § 1846. (U)

Out of scope/non-responsive

Letters of transmittal to the relevant committee chairmen are attached for your signature (Tab E). (U)

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- 20 -

Out of scope/non-responsive

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

From January 1, 2001 through June 30, 2001, the FBI filed two applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846. The FISC approved both applications. (S)

1. Applications Filed from January 1, 2001 to June 30, 2001 (U)

The FBI filed two applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

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- 21 -

2. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances (C)

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- 31 -

Out of scope/non-responsive

Incident 00-1-9: (U)  
(b) (1), (b) (7)(E)

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- 36 -

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Incident 00-2-3: (U)  
(b) (1), (b) (7)(E)

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- 37 -

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

Incident 00-2-4: (U)  
(b) (1), (b) (7)(E)

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

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U.S. Department of Justice

Office of Intelligence Policy and Review

Classified by:

*JAN*  
USIO/NSD  
Date: 18 March 2014

Washington, D.C. 20530

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM:

*James A. Baker 4/29/02*  
James A. Baker  
Counsel for Intelligence Policy

(b) (6), (b) (7)(C)

SUBJECT: Attorney General's Reports to Congress on FISA  
(U)

Attached for your approval are **four semi-annual reports** that the Attorney General is required to submit to Congress relating to the Foreign Intelligence Surveillance Act (FISA), as amended, and the **annual public report** that the Attorney General is required to submit to the Administrative Office of the United States Courts and Congress on the operation of the FISA. (U)

Out of scope/  
non-  
responsive

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~~Classified by: James A. Baker, Counsel for Intelligence  
Policy, Office of Intelligence Policy and  
Review, United States Department of Justice  
Reason: 1.5(c)  
Declassify on: X1~~



Office of the Attorney General  
Washington, D.C. 20530

APR 29 2002

~~The Honorable Patrick J. Leahy~~  
~~Chairman, Committee on the Judiciary~~  
~~United States Senate~~  
~~Washington, DC 20510~~

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records under the Act. These reports cover the period July 1, 2001 through December 31, 2001.

Sincerely,

A handwritten signature in black ink, appearing to read "L. D. Thompson", written over a horizontal line.

Larry D. Thompson  
Acting Attorney General

SECRET MATERIALS ATTACHED  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General  
Washington, D.C. 20530

APR 29 2002

The Honorable F. James Sensenbrenner, Jr.  
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U.S. House of Representatives  
Washington, DC 20515

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Larry D. Thompson  
Acting Attorney General

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Office of the Attorney General  
Washington, D.C. 20530

APR 29 2002

The Honorable Bob Graham  
Chairman, Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

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Acting Attorney General

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Office of the Attorney General

Washington, D.C. 20530

APR 29 2002

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Chairman, Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

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Larry D. Thompson  
Acting Attorney General

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UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

TOP SECRET//COMINT//NOFORN//X1

Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a) and 306 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846. It covers all electronic surveillances, physical searches and pen register/trap and trace surveillances conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillances conducted by the National Security Agency (NSA), during the period July 1, 2001 through December 31, 2001. (U)

(b) (1), (b) (7) —  
(E)

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As discussed during the briefings provided by the Counsel for Intelligence Policy to Committee staff members in March 2002, the Department strives for this report to be a fully informative and substantively useful oversight tool. To that end, the Department will be presenting Committee staff members with a proposal to streamline this report, in the near future. (S)

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Out of scope/non-responsive

Also, at the request of the staff of the Senate Select Committee on Intelligence, we are providing a statistical analysis and thumbnail sketches of U.S. person surveillances conducted pursuant to the pen register/trap and trace amendments to the Act. An original copy is being provided to each committee. (U)

Out of scope/non-responsive

The third semi-annual report (Tab C), covering applications for the use of pen registers and trap and trace devices, encompasses the period from July 1, 2001 through December 31, 2001, and is being provided to the House and Senate Intelligence Committees, as well as the House and Senate Judiciary Committees, as required by 50 U.S.C. § 1846. (U)

Out of scope/non-responsive

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

From July 1, 2001 through December 31, 2001, the FBI filed 12 applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846. Seven

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- 25 -

of the 12 applications were filed pursuant to 50 U.S.C. §§ 1841-1846 as amended by the by the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001" (USA PATRIOT Act), Public Law 107-56. The FISC approved all 12 applications. ~~(S)~~

1. Applications Filed from July 1, 2001 through December 31, 2001..(U)

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The FBI filed one application with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

The FBI filed one application with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

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~~The FBI filed one application with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)~~

The FBI filed two applications with the FISC seeking authorization to conduct pen register/trap and trace surveillance concerning (b) (1), (b) (7)(E)

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- 26 -

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

The FBI filed seven applications with the FISC seeking authority to conduct pen register/trap and trace surveillance  
(b) (1), (b) (7)(E)

2. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances ~~(e)~~

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

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- 27 -

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

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- 31 -

Out of scope/non-responsive

Incident 00-1-9: (U)  
(b) (1), (b) (7)(E)

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~~TOP SECRET//COMINT//NOFORN//X1~~

- 36 -

Out of scope/non-responsive

Incident 00-2-3: (U)  
(b) (1), (b) (7)(E)

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- 42 -

5. Incidents Not Previously Reported (C)

Incident 01-2-1 (U)

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

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064.

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Classified by: [Signature]  
USDOJ/NSD  
Date: 18 March 2014

THE ATTORNEY GENERAL'S REPORT ON ELECTRONIC  
SURVEILLANCE AND PHYSICAL SEARCH UNDER THE FOREIGN  
INTELLIGENCE SURVEILLANCE ACT

December 2002

COPY

~~TOP SECRET//COMINT//NOFORN//X1~~





Office of the Attorney General  
Washington, D.C. 20530

DEC 31 2002

The Honorable F. James Sensenbrenner, Jr.  
Chairman, Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore B. Olson".

Theodore B. Olson  
Acting Attorney General

~~SECRET MATERIALS ATTACHED~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General  
Washington, D.C. 20530

DEC 31 2002

The Honorable Porter Goss  
Chairman, Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in cursive script, appearing to read "Theodore B. Olson".

Theodore B. Olson  
Acting Attorney General

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Office of the Attorney General  
Washington, D.C. 20530

DEC 31 2002

The Honorable Bob Graham  
Chairman, Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore B. Olson".

Theodore B. Olson  
Acting Attorney General

~~TOP SECRET//COMINT//NOFORN//X1 AND SECRET MATERIALS ATTACHED  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General  
Washington, D.C. 20530

DEC 31 2002

The Honorable Patrick J. Leahy  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2002 through June 30, 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore B. Olson", is written above the typed name.

Theodore B. Olson  
Acting Attorney General

~~SECRET MATERIALS ATTACHED~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a) and 306 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846. It covers all electronic surveillances, physical searches and pen register/trap and trace surveillances conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillances conducted by the National Security Agency (NSA), during the period January 1, 2002 through June 30, 2002. (U)

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- 33 -

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

1. Applications Filed from January 1, 2002 through June 30, 2002 (U)

The FBI filed 29 applications with the FISC to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846, as amended by the by the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001" (USA Patriot Act), Public Law 107-56. The FISC approved all 29 applications. There were 19 United States persons who were the targets of pen register/trap and trace surveillance. (S)

2. Descriptions of the United States Person Subjects of Foreign Counterintelligence Investigations Related to the Pen Register/Trap and Trace Surveillances (C)

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Incident 00-1-9 (U)  
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- 45 -

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2. Update on Incidents Reported in 00-2 (C)

Incident 00-2-3 (U)  
(b) (1), (b) (7)(E)

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U.S. Department of Justice

Office of Intelligence Policy and Review

USDOJ/NSD

Date: 18 March 2014

Washington, D.C. 20530

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM:

*James A. Baker* 9/17/03  
James A. Baker  
~~Counsel for Intelligence Policy~~

(b) (6), (b) (7)(C)

SUBJECT: Attorney General's Reports to Congress on FISA  
(U)

Attached for your approval are four semi-annual reports that the Attorney General is required to submit to Congress relating to the Foreign Intelligence Surveillance Act (FISA), as amended.  
(U)

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~~Classified by: James A. Baker, Counsel for Intelligence Policy, Office of Intelligence Policy and Review, United States Department of Justice~~

~~Reason: 1.5(c)~~

~~Declassify on: X1~~



Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

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The Honorable F. James Sensenbrenner, Jr.  
Chairman, Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

---

Sincerely,

A handwritten signature in cursive script that reads "John Ashcroft".

John Ashcroft  
Attorney General

SECRET MATERIALS ATTACHED  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED



Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

---

The Honorable Pat Roberts  
Chairman, Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

---

Sincerely,

A handwritten signature in cursive script that reads "John Ashcroft".

John Ashcroft  
Attorney General

~~TOP SECRET//COMINT//NOFORN//XI AND SECRET MATERIALS ATTACHED  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

---

The Honorable Orrin G. Hatch  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

Sincerely,

A handwritten signature in cursive script, reading "John Ashcroft", written over a horizontal line.

John Ashcroft  
Attorney General

~~SECRET MATERIALS ATTACHED~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General

Washington, D.C. 20530

September 17, 2003

---

The Honorable Porter Goss  
Chairman, Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1863 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period July 1, 2002 through December 31, 2002.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Ashcroft".

John Ashcroft  
Attorney General

~~TOP SECRET//COMINT//NOFORN//XI AND SECRET MATERIALS ATTACHED~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a) and 306 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846. It covers all electronic surveillance, physical searches, and pen register/trap and trace surveillance conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillance conducted by the ~~National Security Agency (NSA) during the period July 1~~ through December 31, 2002. (U)

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The third semi-annual report (Tab C), covering applications for the use of pen registers and trap and trace devices, encompasses the period from July 1, 2002 through December 31, 2002, and is being provided to the House and Senate Intelligence Committees, as well as the House and Senate Judiciary Committees, as required by 50 U.S.C. § 1846. (U)

Out of scope/non-responsive

Letters of transmittal to the relevant committee chairmen are attached for your signature (Tab E). (U)

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Out of scope/non-responsive

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

The United States filed 42 applications with the FISC seeking authorization for the FBI to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846, as amended. ~~The FISC approved all 42 applications. There were 24 United States persons who were the targets of pen register/trap and trace surveillance.~~<sup>21</sup> (S)

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<sup>21</sup>In a departure from the previous report, this report does not include thumbnail descriptions of U.S. person targets of pen register/trap and trace surveillance. The Department notes, however, that all applications for pen register/trap and trace surveillance concerning U.S. persons contain a statement describing the factual circumstances demonstrating to the Court why the related foreign counterintelligence investigation is not based solely on activities protected by the First Amendment to the Constitution, in accordance with FISA. (S)

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2. Update on Incidents Reported in 00-2 (G)

Incident 00-2-3 (U)

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Incident 02-2-3 (U)  
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Classified by: [Signature]  
USDOJ/NSD  
Date: 18 March 2014

**Semi Annual Report  
to the Congress on Electronic Surveillance and Physical Search  
-- Under the Foreign Intelligence Surveillance Act**

December 2003

Tab 1      Semi Annual Report  
Out of scope/non-responsive

Tab 4      Semi Annual Report on Pen Registers/Trap and Trace  
Out of scope/non-responsive

Tab 6      Transmittal Letters to the Senate and House Select Intelligence and  
Judiciary Committees



Office of the Attorney General

Washington, D.C. 20530

December 31, 2003

The Honorable Orrin G. Hatch

Chairman

Committee on the Judiciary

United States Senate

Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2003, through June 30, 2003.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Ashcroft", written over a horizontal line.

John Ashcroft  
Attorney General

~~SECRET MATERIALS ATTACHED~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General

Washington, D.C. 20530

December 31, 2003

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The Honorable F. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2003, through June 30, 2003.

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Sincerely,

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John Ashcroft  
Attorney General

~~SECRET MATERIALS ATTACHED~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



Office of the Attorney General

Washington, D.C. 20530

December 31, 2003

The Honorable Pat Roberts  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2003, through June 30, 2003.

Sincerely,

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John Ashcroft  
Attorney General

~~TOP SECRET//COMINT//NOFORN//X1 AND SECRET MATERIALS ATTACHED~~  
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Office of the Attorney General

Washington, D.C. 20530

December 31, 2003

---

The Honorable Porter Goss  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2003, through June 30, 2003.

Sincerely,

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John Ashcroft  
Attorney General

~~TOP SECRET//COMINT//NOFORN//X1 AND SECRET MATERIALS ATTACHED  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

~~TOP SECRET//COMINT//NOFORN//X1~~

Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a) and 306 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846. It covers all electronic surveillance, physical searches, and pen register/trap and trace surveillance conducted under the Act by the Federal Bureau of Investigation (FBI), as well as electronic surveillance conducted by the National Security Agency (NSA), during the period January 1 through June 30, 2003. (U)

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The FISC subsequently granted pen register and trap and trace authority for that target. (b) (1), (b)

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Section 2: Federal Bureau of Investigation (U)

I. Collection Authorized by the FISC (U)

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

The United States filed 80 applications with the FISC seeking authorization for the FBI to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846, as amended. ~~The FISC approved all 80 applications. There were 54~~ United States persons who were the targets of pen register/trap and trace surveillance.<sup>16</sup> (S)

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<sup>16/</sup> As in the previous report, this report does not include thumbnail descriptions of U.S. person targets of pen register/trap and trace surveillance. The Department notes, however, that all applications for pen register/trap and trace surveillance concerning U.S. persons contain a statement describing the factual circumstances demonstrating to the FISC why the related foreign counterintelligence investigation is not based solely on activities protected by the First Amendment to the Constitution, in accordance with FISA. (S)

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~~2. Update to Incidents Reported in 00-2 (c)~~

Incident 00-2-3 (U)  
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Classified by:

*ABW*

USDOJ/NSD

Date:

*18 March 2014*

THE ATTORNEY GENERAL'S REPORT ON  
ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH  
UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

September 2004

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, and 1861-1862. It covers all electronic surveillance, physical searches, and pen register/trap and trace surveillance, and requests for access to certain business records for foreign intelligence purposes conducted under the Act by the Federal Bureau of Investigation (FBI), and electronic surveillance conducted by the National Security Agency (NSA), during the period July 1, 2003 through December 31, 2003. (U)

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D.<sup>15</sup> **Emergency Surveillance or Physical Search (U)**

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. § 1805(f) and/or § 1824(e) Out of scope/ These emergency authorizations resulted in Out of scope/non-responsive

----- and one application for pen

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register/trap and trace authority.<sup>17</sup> Applications or other appropriate pleadings were filed with the FISC within <sup>Out of scope/non-responsive</sup> 48 hours (for the one pen register/trap and trace application). The FISC approved all of the applications and/or accepted the other pleadings. (S)

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AS DESCRIBED BELOW IN THE INFORMATION OF THIS REPORT.

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Out of scope/non-responsive

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Incident 03-2-7 (U)  
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Incident 03-2-13 (U)  
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Incident 03-2-14 (U)  
(b) (1), (b) (7)(E)

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U. S. Department of Justice

*cc.*

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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December 23, 2004

The Honorable Orrin G. Hatch  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2004 through June 30, 2004.

Sincerely,

*William E. Moschella*  
William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable Patrick Leahy  
Ranking Minority Member

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UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED





U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

~~TOP SECRET//COMINT//NOFORN//X1~~

December 23, 2004

The Honorable Peter Hoekstra  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2004 through June 30, 2004.

Sincerely,

William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable Jane Harman  
Ranking Minority Member

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UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

~~TOP SECRET//COMINT//NOFORN//X1~~

December 23, 2004

The Honorable Pat Roberts  
Chairman  
Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2004 through June 30, 2004.

Sincerely,

William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable John D. Rockefeller  
Vice Chairman

~~TOP SECRET//COMINT//NOFORN//X1~~

UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

**SECRET**

December 23, 2004

The Honorable F. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. These reports cover the period January 1, 2004 through June 30, 2004.

Sincerely,

William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable John Conyers, Jr.  
Ranking Minority Member

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D. Emergency Surveillance or Physical Search (U)

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. § 1805(f) and/or § 1824(e) Out of scope/ These emergency authorizations resulted in Out of scope/non-responsive

Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization (for electronic surveillance and/or physical search applications), or within 48 hours (for the one

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pen register/trap and trace application).<sup>9</sup> The FISC approved all of the applications and/or accepted the other pleadings.  
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G. Pen Register/Trap and Trace Surveillance (U)

The United States filed 119 applications with the FISC ~~seeking authorization for the FBI and/or the National Security~~ Agency to conduct pen register/trap and trace surveillance, pursuant to 50 U.S.C. §§ 1841-1846, as amended. The FISC approved all 119 applications. There were 58 United States persons who were the targets of pen register/trap and trace surveillance.<sup>10</sup>

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<sup>10</sup> As has been the practice in the past several reports, this report does not include thumbnail descriptions of U.S. person targets of pen register/trap and trace surveillance. The Department notes, however, that all applications for pen register/trap and trace surveillance concerning U.S. persons contain a statement describing the factual circumstances demonstrating to the FISC why the related foreign counterintelligence investigation is not based solely on activities protected by the First Amendment to the Constitution, in accordance with FISA. (S)

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United States person. Five proposed orders seeking authorization for pen register/trap and trace surveillance were modified by the FISC. (S)

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Incident 04-1-3 (U)  
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Incident 04-1-4 (U)  
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Out of scope/non-responsive

Incident 04-1-13 (U)

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Incident 04-1-18 (U)  
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Incident 04-1-22 (U)  
(b) (1), (b) (7)(E)

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Incident 04-1-23 (U)  
(b) (1), (b) (7)(E)

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-62-

USDO/NSD

Date:

*18 March 2014*

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THE ATTORNEY GENERAL'S REPORT ON  
ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH  
UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

June 2005

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, and 1861-1862. It covers all electronic surveillance, physical searches, pen register/trap and trace surveillance, and requests for access to certain business records for foreign intelligence purposes conducted under the Act by the Federal Bureau of Investigation (FBI), and electronic surveillance conducted by the National Security Agency (NSA), during the period July 1, 2004 through December 31, 2004. (U)

<sup>a</sup>Out of scope/non-responsive vj

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D. Emergency Surveillance or Physical Search (U)

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b) Out of scope/non- These emergency authorizations resulted in Out of scope/non-responsive

and two applications for pen register/trap and trace surveillance.<sup>11</sup> Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization (for electronic surveillance and/or physical search applications), or within 48 hours (for pen register/trap and trace applications). The FISC approved all of the applications and/or accepted the other pleadings. (S)-

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

The United States filed 184 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 184 applications, 111 United States persons were the targets of pen register/trap and trace surveillance.<sup>12</sup> (b)(1)

The FISC denied no applications during this reporting period as they were originally presented. Six orders authorizing pen register/trap and trace surveillance were modified by the FISC. ~~(S//SI//NF)~~

Out of scope/non-responsive

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<sup>12/</sup> As has been the practice in the past several reports, this report does not include thumbnail descriptions of U.S. person targets of pen register/trap and trace surveillance. The Department notes, however, that all applications for pen register/trap and trace surveillance concerning U.S. persons contain a statement describing the factual circumstances demonstrating to the FISC why the related foreign counterintelligence investigation is not based solely on activities protected by the First Amendment to the Constitution, in accordance with FISA. ~~(S)~~

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Incident 04-1-3 (U)  
(b) (1), (b) (7)(E)

Incident 04-1-4 (U)  
(b) (1), (b) (7)(E)

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Incident 04-1-13 (U)  
(b) (1), (b) (7)(E)

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Incident 04-1-19 (U)  
(b) (1), (b) (7)(E)

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Incident 04-1-22 (U)  
(b) (1), (b) (7)(E)

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4. Incidents Not Previously Reported (U)

Incident 04-2-1 (U)  
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Incident 04-2-2 (U)  
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Incident 04-2-5 (U)  
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Incident 04-2-7 (U)  
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Incident 04-2-10 (U)  
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Incident 04-2-13 (U)  
(b) (1), (b) (7)(E)

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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DEC 29 2005

The Honorable Peter Hoekstra  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, et. seq. These reports cover the period January 1, 2005, through June 30, 2005.

Sincerely,

William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable Jane Harman  
Ranking Minority Member

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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The Honorable F. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

DEC 29 2005

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, et. seq. These reports cover the period January 1, 2005, through June 30, 2005.

Sincerely,

*William E. Moschella*  
William E. Moschella  
Assistant Attorney General

• Attachments

cc: The Honorable John Conyers, Jr.  
Ranking Minority Member

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

~~TOP SECRET//NOFORN//X1~~

DEC 29 2005

The Honorable Arlen Specter  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act, all requests for pen register and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, et. seq. These reports cover the period January 1, 2005, through June 30, 2005.

Sincerely,

*William E. Moschella*

William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable Patrick J. Leahy  
Ranking Minority Member

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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DEC 29 2005

The Honorable Pat Roberts  
Chairman  
Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act, all requests for pen registers and trap and trace surveillance, and all requests for access to certain business records (including the production of tangible things) under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, et. seq. These reports cover the period January 1, 2005, through June 30, 2005.

Sincerely,

William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable John D. Rockefeller IV  
"Vice Chairman"

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, 1861-1862. It covers all electronic surveillance, physical searches, pen register/trap and trace surveillance, and requests for access to certain business records for foreign intelligence purposes conducted under the Act by the Federal Bureau of Investigation (FBI), and electronic surveillance conducted by the National Security Agency (NSA), during the period January 1, 2005, through June 30, 2005. ~~(S)~~

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C. Pen Registers/Trap and Trace Devices (U)

The aggregate number of persons targeted for orders for pen registers/trap and trace devices issued under section 402 of the Act, 50 U.S.C. § 1842, from January 1, 2005, through June 30, 2005, was at least 130.<sup>2</sup> (S)

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the  
business records portion of the combined applications seeks  
telecommunications subscriber information for telephone numbers  
in conjunction with the Court-authorized installation and use of  
pen registers/trap and trace devices. ~~(S)~~

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Out of scope/non-responsive

D. Emergency Surveillance or Physical Search (U)

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b).  
These emergency authorizations resulted in <sup>Out of scope/non-</sup>  
<sub>Out of scope/non-responsive</sub>

and two applications for pen register/trap and trace surveillance.<sup>15</sup> Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization (for electronic surveillance and/or physical search applications), or within 48 hours (for pen register/trap and trace applications). The FISC approved all of the applications and/or accepted the other pleadings. (S)

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As was discussed in the previous semi-annual report, many of the requests for the production of tangible things pursuant to 50 U.S.C. § 1861 are now being presented to the FISC in a combined format with pen register/trap and trace applications. ~~(b)(1), (b)(7)(E)~~

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G. Other Legal Interpretations under FISA by the FISC (U)

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K. FISA Process Improvements (U)

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3. Update to Incidents Reported in 04-1 (U)

Incident 04-1-4 (U)  
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Incident 04-1-22 (U)  
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4. Update to Incidents Reported in 04-2 (U)

Incident 04-2-1 (U)

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Incident 04-2-7 (U)  
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Incident 04-2-10 (U)  
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• Incident 04-2-13 (U)  
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Incident 05-1-5 (U)  
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Incident 05-1-6 (U)  
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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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JUL 20 2006

The Honorable Pat Roberts  
Chairman  
Senate Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act and all requests for pen registers and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, *et. seq.* These reports cover the period July 1, 2005, through December 31, 2005.

We appreciate your flexibility in working with the Department in connection with the filing of this semi-annual report while the offices involved in the preparation of the report were displaced from the Main Justice Building as of June 26, 2006, due to flooding.

Sincerely,

*William E. Moschella*  
William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable John D. Rockefeller IV  
Vice Chairman

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

~~TOP SECRET//COMINT//NOFORN//X1~~

JUL 20 2006

The Honorable Arlen Specter  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act and all requests for pen registers and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, *et. seq.* These reports cover the period July 1, 2005, through December 31, 2005.

We appreciate your flexibility in working with the Department in connection with the filing of this semi-annual report while the offices involved in the preparation of the report were displaced from the Main Justice Building as of June 26, 2006, due to flooding.

Sincerely,

*William E. Moschella*  
William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable Patrick J. Leahy  
Ranking Minority Member

~~TOP SECRET//COMINT//NOFORN//X1~~  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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JUL 20 2006

The Honorable F. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act and all requests for pen register and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, *et seq.* These reports cover the period July 1, 2005, through December 31, 2005.

We appreciate your flexibility in working with the Department in connection with the filing of this semi-annual report while the offices involved in the preparation of the report were displaced from the Main Justice Building as of June 26, 2006, due to flooding.

Sincerely,

Handwritten signature of William E. Moschella in black ink.  
William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable John Conyers, Jr.  
Ranking Minority Member

~~TOP SECRET//COMINT//NOFORN//XI~~  
UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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JUL 20 2006

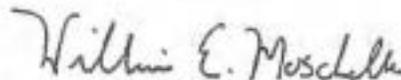
The Honorable Peter Hoekstra  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act and all requests for pen registers and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, *et. seq.* These reports cover the period July 1, 2005, through December 31, 2005.

We appreciate your flexibility in working with the Department in connection with the filing of this semi-annual report while the offices involved in the preparation of the report were displaced from the Main Justice Building as of June 26, 2006, due to flooding.

Sincerely,

  
William E. Moschella  
Assistant Attorney General

Attachments

cc: The Honorable Jane Harman  
Ranking Minority Member

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UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED

Classified by: [Signature]  
U.S. DOJ/NSD

Date: 18 March 2014

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THE ATTORNEY GENERAL'S SEMI-ANNUAL REPORT  
UNDER THE  
FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978, AS AMENDED  
BY SECTION 6002 OF THE  
INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004  
June 2006

This report is submitted pursuant to the Foreign Intelligence Surveillance Act of 1978 ("FISA" or the "Act"), as amended, 50 U.S.C. §§ 1801 et seq., and covers the period July 1, 2005, through December 31, 2005. (U)

I. Aggregate Number of Persons Targeted for Orders Under the Act (U)

Section 601(a)(1) of FISA requires the Attorney General to report on "the aggregate number of persons targeted for orders issued under the Act" for electronic surveillance, physical search, pen registers, and access to records. FISA defines "person" as "any individual, including any officer or employee of the Federal Government, or any group, entity, association, corporation, or foreign power." 50 U.S.C. § 1801(m). (U)

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

~~(TS)~~

Classified by: ~~James A. Baker, Counsel  
for Intelligence Policy, Office of  
Intelligence Policy and Review,  
U.S. Department of Justice~~

Reason: ~~1.4(c)~~

Declassify on: ~~X1~~

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, 1861-1862. It covers all electronic surveillance, physical searches, pen register/trap and trace surveillance, and requests for access to certain business records for foreign intelligence purposes conducted under the Act by the Federal Bureau of Investigation (FBI), and electronic surveillance conducted by the National Security Agency (NSA), during the period July 1, 2005, through December 31, 2005. ~~(S)~~

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C. Pen Registers/Trap and Trace Devices (U)

The aggregate number of persons targeted for orders for pen registers/trap and trace devices issued under section 402 of the Act, 50 U.S.C. § 1842, from July 1, 2005, through December 31, 2005, was at least 138.<sup>1</sup> ~~(S)~~

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IV. Summary of Significant Legal Interpretations (U)

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

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D. Emergency Surveillance or Physical Search (U)

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b). Out of scope/ These emergency authorizations resulted in Out of scope/non-responsive

and zero applications for pen register/trap and trace surveillance. O

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

As noted above, on March 9, 2006, 50 U.S.C. §§ 1861 and 1842 were amended. See USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (March 9, 2006). As part of the revisions, 50 U.S.C. § 1842 (the FISA Pen Register provision) was amended to include telephone subscriber information in the information that must be disclosed by the wire or electronic communication service upon request of the Department through a pen register or trap and trace device. Because of this amendment to the statute, the Department anticipates that the number of requests for production of tangible things pursuant to Section 215 will decrease in future reporting periods. (S)

#### D. Scope of FISC's Jurisdiction (U)

In connection with combined applications for authority to install and use pen registers and trap and trace devices and obtain business records under FISA, OIPR has sought, and the FISC has granted, (b) (1), (b) (7)(E)

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

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

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Incident 04-1-22 (U)  
(b) (1), (b) (7)(E)

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Incident 04-2-7 (U)  
(b) (1), (b) (7)(E)

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

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Incident 04-2-10 (U)  
(b) (1), (b) (7)(E)

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(U)

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Incident 04-2-13 (U)  
(b) (1), (b) (7)(E)

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Incident 05-1-5 (U)  
(b) (1), (b) (7)(E)

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

Incident 05-1-6 (U)  
(b) (1), (b) (7)(E)

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Out of scope/non-responsive (U)

~~(S)~~

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Incident 05-2-11 (U)  
(b) (1), (b) (7)(E)

Incident 05-2-12 (U)  
(b) (1), (b) (7)(E)

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

Incident 05-2-13 (U)  
(b) (1), (b) (7)(E)

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~~(S)~~

Incident 05-2-15 (U)  
(b) (1), (b) (7)(E)

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Incident 05-2-17 (U)  
(b) (1), (b) (7)(E)

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

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

December 21, 2006

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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The Honorable P. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1826, 1846, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning physical searches conducted under the Act and all requests for pen register and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, *et. seq.* These reports cover the period January 1, 2006, through June 30, 2006.

Sincerely,

James H. Clinger  
Acting Assistant Attorney General

Attachments

cc: The Honorable John Conyers, Jr.  
Ranking Minority Member

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~  
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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

December 21, 2006

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

---

The Honorable Arlen Specter  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act and all requests for pen registers and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, et. seq. These reports cover the period January 1, 2006, through June 30, 2006.

Sincerely,

A handwritten signature in cursive script that reads "James H. Clinger".

James H. Clinger  
Acting Assistant Attorney General

Attachments

cc: The Honorable Patrick J. Leahy  
Ranking Minority Member

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

December 21, 2006

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---

The Honorable Peter Hoekstra  
Chairman  
Permanent Select Committee on Intelligence  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act and all requests for pen registers and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, *et. seq.* These reports cover the period January 1, 2006, through June 30, 2006.

Sincerely,

A handwritten signature in black ink that reads "James H. Clinger".

James H. Clinger  
Acting Assistant Attorney General

Attachments

cc: The Honorable Jane Harman  
Ranking Minority Member

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

December 21, 2006

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

---

The Honorable Pat Roberts  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with Sections 1808(a), 1826, and 1862 of the Foreign Intelligence Surveillance Act of 1978, as amended, I am submitting herewith the semi-annual reports of the Attorney General concerning electronic surveillances and physical searches conducted under the Act and all requests for pen registers and trap and trace surveillance under the Act. In addition, in accordance with Section 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, I am submitting herewith the semi-annual report of the Attorney General also concerning certain activities under and legal interpretations of the Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. § 1801, *et. seq.* These reports cover the period January 1, 2006, through June 30, 2006.

Sincerely,

A handwritten signature in cursive script that reads "James H. Clinger".

James H. Clinger  
Acting Assistant Attorney General

Attachments

cc: The Honorable John D. Rockefeller IV  
Vice Chairman

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~  
~~UNCLASSIFIED WHEN ATTACHMENTS ARE REMOVED~~

USG: [Signature]  
Date: 18 March 2014

~~TOP SECRET//NOFORN//X1~~

THE ATTORNEY GENERAL'S SEMI-ANNUAL REPORT  
UNDER THE  
FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978, AS AMENDED  
BY SECTION 6002 OF THE  
INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004  
December 2006

This report is submitted pursuant to the Foreign Intelligence Surveillance Act of 1978 ("FISA" or the "Act"), as amended, 50 U.S.C. §§ 1801 et seq., and covers the period January 1, 2006, through June 30, 2006. (U)

I. Aggregate Number of Persons Targeted for Orders Under the Act (U)

Section 601(a)(1) of FISA requires the Attorney General to report on "the aggregate number of persons targeted for orders issued under the Act" for electronic surveillance, physical search, pen registers, and access to records. FISA defines "person" as "any individual, including any officer or employee of the Federal Government, or any group, entity, association, corporation, or foreign power." 50 U.S.C. § 1801(m). (U)

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

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Classified by: ~~James A. Baker, Counsel  
for Intelligence Policy, Office of  
Intelligence Policy and Review  
National Security Division  
U.S. Department of Justice~~

Reason: ~~1.4(c)~~

Declassify on: ~~X1~~

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Out of scope/non-responsive

C. Pen Registers/Trap and Trace Devices (U)

The aggregate number of persons targeted for orders for pen registers/trap and trace devices issued under section 402 of the Act, 50 U.S.C. § 1842, from January 1, 2006, through June 30, 2006, was at least 104.<sup>1</sup> (S)

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Out of scope/non-responsive.  
Out of scope/non-responsive. The business records portion of the combined applications seeks telecommunications subscriber information for telephone numbers in conjunction with the Court-authorized installation and use of pen registers/trap and trace devices. ~~(S)~~

<sup>1</sup> Of these, ~~(b) (1)~~ d in pen register/trap and trace applications, ~~(b) (1)~~ in combined pen register-trap and trace/business records applications, and ~~(b) (1), (b) (7)(E)(b) (1), (b) (7)(E)~~ in both pen register/trap and trace applications and combined pen register-trap and trace/business records applications. (S)

<sup>2</sup> Of these, ~~(b) (1)(b) (1)(b) (1)(b) (1)(b) (1)~~ combined pen register-trap and trace/business records applications, ~~(b) (1), (b) (7)(E)~~ is a combined pen register-trap and trace/business records application and a business records application. (S)

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IV. Summary of Significant Legal Interpretations (U)

(b) (1)

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

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Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, 1861-1862. It covers all electronic surveillance, physical searches, pen register/trap and trace surveillance, and requests for access to certain business records for foreign intelligence purposes conducted under the Act by the Federal Bureau of Investigation (FBI), and electronic surveillance conducted by the National Security Agency (NSA), during the period January 1, 2006, through June 30, 2006. (S)

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D. Emergency Surveillance or Physical Search (U)

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b)

These emergency authorizations resulted in <sup>Out of scope/</sup> ~~scope/~~ <sup>non-</sup> ~~scope/non-~~ <sup>and zero</sup> ~~non-~~ <sup>technically</sup> ~~scope/non-~~

applications for pen register/trap and trace surveillance.<sup>11</sup>  
~~Applications or other appropriate pleadings were filed with the~~  
FISC within 72 hours of each emergency authorization (for electronic surveillance and/or physical search applications), or within 48 hours (for pen register/trap and trace applications). The FISC approved all of the applications and/or accepted the other pleadings. ~~(S)~~

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

During this reporting period, the United States filed 120 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 120 applications, at least ~~800~~ United States persons were the targets of pen register/trap and trace surveillance.<sup>13</sup>  
(b) (1), (b) (7)(E)

The FISC denied no applications, as they were originally presented, during this reporting period. Five orders authorizing pen register/trap and trace surveillance were modified by the FISC. ~~(S)~~

Out of scope/non-responsive

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<sup>13</sup> As has been the practice in the past several reports, this report does not include thumbnail descriptions of U.S. person targets of pen register/trap and trace surveillance. The Department notes, however, that all applications for pen register/trap and trace surveillance concerning U.S. persons contain a statement describing the factual circumstances demonstrating to the FISC why the related foreign counterintelligence investigation is not based solely on activities protected by the First Amendment to the Constitution, in accordance with FISA. ~~(S)~~

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

As was discussed in previous semi-annual reports, many of these requests for the production of tangible things pursuant to 50 U.S.C. § 1861 were presented to the FISC in a combined format with pen register/trap and trace applications. Because of that combination, the number of requests for the production of tangible things increased in past semi-annual reports because ~~the practice of filing combined business record and pen register/trap and trace applications continued.~~ (S)

As noted above, however, on March 9, 2006, 50 U.S.C. §§ 1861 and 1842 were amended. See USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (March 9, 2006). As part of the revisions, 50 U.S.C. § 1842 (the FISA Pen Register provision) was amended to include telephone subscriber data as part of the information that must be disclosed by the wire or electronic communication service upon request of the Department through a pen register or trap and trace device. Because of this amendment to the statute, the Department anticipated in the last Semi-Annual Report that the number of requests for production of tangible things pursuant to Section 215 would decrease in future reporting periods. In the last reporting period, there were 78 requests for the production of tangible things pursuant to 50 U.S.C. § 1861, compared to 38 requests during this reporting period. The Department anticipates that the number of requests for production of tangible things pursuant to Section 215 will continue to decline in future reporting periods. (S)

#### E. Scope of FISC's Jurisdiction (U)

In connection with combined applications for authority to install and use pen registers and trap and trace devices and obtain business records under FISA, OIPR has sought, and the FISC has granted, (b) (1), (b) (7)(E)

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

Out of scope/non-responsive

Incident 05-1-6 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

Out of scope/non-responsive

Incident 05-2-13 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

Out of scope/non-responsive

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Incident 05-2-17 (U)  
(b) (1), (b) (7)(E)

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

Out of scope/non-responsive

Incident 06-1-3 (U)  
(b) (1), (b) (7)(E)

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Incident 06-1-4 (U)  
(b) (1), (b) (7)(E)

31

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

Out of scope/non-responsive

Incident 06-1-7 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

Out of scope/non-responsive

Incident 06-1-11 (U)

\_\_\_\_\_ (b) (1), (b) (7)(E)

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

Out of scope/non-responsive

Incident 06-1-12 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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

Incident 06-1-14 (U)  
(b) (1), (b) (7)(E)

Incident 06-1-15 (U)  
(b) (1), (b) (7)(E)

100

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

~~TOP SECRET//COMINT//NOFORN,ORCON//X1~~

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

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013.

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: [Signature]  
USDOJ/NSD  
Date: 18 March 2014

THE ATTORNEY GENERAL'S REPORT ON  
ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH  
UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

June 2007

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, 1861-1862. It includes information concerning electronic surveillance, physical searches, pen register/trap and trace 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 National Security Agency (NSA), and/or the Central Intelligence Agency (CIA) during the period July 1, 2006, through December 31, 2006.<sup>1</sup> Consistent with the Department of Justice's efforts to keep the Congress fully informed about its FISA activities in a manner consistent with the national security, this report contains information beyond that required by the statutory provisions set forth above. In addition to submitting this semi-annual report, the Intelligence Community and the Department provide information to the Congress concerning significant intelligence activities conducted under FISA in a manner consistent with the National Security Act. ~~(TS)~~

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

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<sup>14</sup> Some of the individuals listed below, however, may be current targets of Court-authorized pen register/trap and trace surveillance. (U)

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

D. **Emergency Surveillance or Physical Search** (U)

During this reporting period, the Attorney General (or Deputy Attorney General or Acting Attorney General) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b), Out

These emergency authorizations resulted in Out of

and two <sup>scope</sup> applications for pen register/trap and trace surveillance.<sup>19</sup> Applications or

Out of scope/non-responsive

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization (for electronic surveillance and/or physical search applications), or within 48 hours (for pen register/trap and trace applications). The FISC approved all of the applications and/or accepted the other pleadings. ~~(S)~~

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Out of scope/non-responsive

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Out of scope/non-responsive

Out of scope/non-responsive

**G. Pen Register/Trap and Trace Surveillance (U)**

During this reporting period, the United States filed 98 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. The FISC denied no applications, as they were originally presented, during this reporting period. Eighteen orders authorizing pen register/trap and trace surveillance were modified by the FISC. ~~(S)~~

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C. FISC Modifications of Orders (U)

As reported in previous semi-annual reports, in some cases considered by the FISC during the time period covered by this Semi-Annual Report, the FISC has modified orders submitted by the government. Substantive changes (not technical corrections) to orders, are usually handwritten but sometimes are issued as a separate amendment or addendum to an order. The changes made by FISC judges during the period covered by this report include:

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

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

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

the FISC in a combined format with pen register/trap and trace applications. Because of that combination, the number of requests for the production of tangible things increased in past semi-annual reports because the practice of filing combined business record and pen register/trap and trace applications continued. ~~(S)~~

Out of scope/non-responsive

Out of scope/non-responsive

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

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

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Out of scope/non-responsive

L. **FISA Process Improvements** (U)

Out of scope/non-responsive

In addition to the changes to the FISA process made at the Attorney General's April 2004 direction referenced in prior semi-annual reports, OIPR continues to seek ways to further improve the processing of FISA requests. In particular, and in response to OIPR's growing number of attorneys, as was reported in previous semi-annual reports, OIPR reorganized in November 2004 into sections that reflect the current nature of FISA work and to a significant degree mirror the FBI's internal organization. OIPR's current reorganization is discussed below in Part M. (U)

69

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Out of scope/non-responsive

Incident 05-2-17 (U)  
(b) (1), (b) (7)(E)

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

5. Update to Incidents Reported in 06-1 (U)

Out of scope/non-responsive

Incident 06-1-7 (U)

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

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

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Out of scope/non-responsive

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

Incident 06-1-12 (U)  
(b) (1), (b) (7)(E)

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Incident 06-1-14 (U)  
(b) (1), (b) (7)(E)

Incident 06-1-15 (U)  
(b) (1), (b) (7)(E)

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by:

  
USDOJ/NSD

Date: 18 March 2014

THE ATTORNEY GENERAL'S REPORT ON  
ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH  
UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

December 2007

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, 1861-1862. It includes information concerning electronic surveillance, physical searches, pen register/trap and trace 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 National Security Agency (NSA), and/or the Central Intelligence Agency (CIA) during the period January 1, 2007, through June 30, 2007.<sup>1</sup> Consistent with the Department of Justice's efforts to keep the Congress fully informed about its FISA activities in a manner consistent with the national security, this report contains information beyond that required by the statutory provisions set forth above. In addition to submitting this semi-annual report, the Intelligence Community and the Department provide information to the Congress concerning significant intelligence activities conducted under FISA in a manner consistent with the National Security Act. (TS)

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

<sup>12</sup> Some of the individuals listed below, however, may be current targets of Court authorized pen register/trap and trace surveillance. (U)

7

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Out of scope/non-responsive

**D. Emergency Surveillance or Physical Search (U)**

During this reporting period, the Attorney General (or Deputy Attorney General, Acting Attorney General, or Assistant Attorney General for National Security) authorized emergency electronic surveillance and/or physical search pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b), Out . These emergency authorizations resulted in Out for electronic surveie authority, Out no applications for pen register/trap and trace surveillance.<sup>15</sup> Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization. The FISC approved all of the applications and/or accepted the other pleadings. (S)

Out of scope/non-responsive

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

**G. Pen Register/Trap and Trace Surveillance (U)**

During this reporting period, the United States filed 117 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 117 applications, at least 50 United States persons were the targets of pen register/trap and trace surveillance.

(b)

The FISC denied no applications, as they were originally presented, during this reporting period. Ten orders authorizing pen register/trap and trace surveillance were modified by the FISC. ~~(S)~~

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

IV. Judicial Assessment and Other Oversight Matters (U)

A. FISC Modifications of Orders (U)

Out of scope/non-responsive

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

Out of scope/non-responsive

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

Incident 05-2-17 (U)  
(b) (1), (b) (7)(E)

~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

C. Update to Incidents Reported in 06-1 (U)

Incident 06-1-7 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

Incident 07-1-16 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

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OLS.

Classified by: JMN  
USDO/NSD  
Date: 18 March 2014

THE ATTORNEY GENERAL'S REPORT ON  
ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH  
UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

June 2008

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Section 1: Introduction (U)

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, 1861-1862. It includes information concerning electronic surveillance, physical searches, pen register/trap and trace 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 National Security Agency (NSA), and/or the Central Intelligence Agency (CIA) during the period July 1, 2007, through December 31, 2007.<sup>1</sup> Consistent with the Department of Justice's efforts to keep the Congress fully informed about its FISA activities in a manner consistent with the national security, this report contains information beyond that required by the statutory provisions set forth above. In addition to submitting this semi-annual report, the Intelligence Community and the Department provide information to the Congress concerning significant intelligence activities conducted under FISA in a manner consistent with the National Security Act. ~~(TS)~~

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Out of scope/non-responsive

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

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<sup>9</sup> Some of the individuals listed below, however, may be current targets of Court-authorized pen register/trap and trace surveillance. (U)

8

~~TOP SECRET//COMINT//NOFORN,ORCON~~

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Out of scope/non-responsive

D. **Emergency Surveillance or Physical Search** (U)

During this reporting period, the Attorney General (or Deputy Attorney General, Acting Attorney General, or Assistant Attorney General for National Security) authorized emergency electronic surveillance, physical search, and/or pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b), <sup>Out of scope/non-responsive</sup> ~~Out of scope/non-responsive~~. These emergency authorizations resulted ~~Out of scope/non-responsive~~

and seven applications for pen register/trap and trace surveillance.<sup>11</sup> Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization. The FISC approved all of the applications and/or accepted the other pleadings. ~~(S)~~

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Out of scope/non-responsive

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**G. Pen Register/Trap and Trace Surveillance (U)**

During this reporting period, the United States filed 129 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 129 applications, at least 37 United States persons were the targets of pen register/trap and trace surveillance. The FISC denied no applications, as they were originally presented, during this reporting period. Seven orders authorizing pen register/trap and trace surveillance were modified by the FISC. ~~(S)~~

Out of scope/non-responsive

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

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

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Out of scope/non-responsive

D. Incidents Not Previously Reported (U)

Incident 07-2-1 (U)  
(b) (1), (b) (7)(E)

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

Out of scope/non-responsive

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Classified by: [Signature]  
USDOJ/NSD  
Date: 18 March 2014

SEMIANNUAL REPORT OF THE U.S. DEPARTMENT OF JUSTICE ON  
ELECTRONIC SURVEILLANCE AND PHYSICAL SEARCH UNDER  
THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

December 2008 Report

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~Classified by: Matthew G. Olsen,  
Deputy Assistant Attorney General,  
National Security Division,  
U.S. Department of Justice  
Reason: 1.4(e)  
Declassify on: December 30, 2033~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

**SECTION 1: INTRODUCTION (U)**

This report is submitted pursuant to Sections 108(a), 306, 406, and 502 of the Foreign Intelligence Surveillance Act of 1978 (FISA or the Act), as amended, 50 U.S.C. §§ 1801-1811, 1821-1829, 1841-1846, 1861-1862. It includes information concerning electronic surveillance, physical searches, pen register/trap and trace 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 National Security Agency (NSA), and/or the Central Intelligence Agency (CIA) during the period **January 1, 2008 through June 30, 2008.**<sup>1</sup> Consistent with the Department of Justice's efforts to keep the 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. In addition to submitting this semiannual report, the Intelligence Community and the Department provide information to the Congress concerning significant intelligence activities conducted under FISA in a manner consistent with the National Security Act of 1947, as amended. ~~(TS)~~

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Out of scope/non-responsive

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Out of scope/non-responsive

Out of scope/non-responsive

<sup>11</sup> Some of the individuals listed below, however, may be current targets of Court-authorized pen register/trap and trace surveillance. (U)

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

**D. Emergency Electronic Surveillance or Physical Search (U)**

During this reporting period, the Attorney General<sup>15</sup> authorized emergency electronic surveillance, physical search, and/or pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b), These

Out of scope/non-responsive

(b) (1)

~~TOP SECRET//COMINT//NOFORN,ORCON~~

emergency authorizations resulted in Out of scope/non-responsive

and two (2) applications for pen register/trap and trace surveillance.<sup>17</sup> Applications or other appropriate pleadings were filed with the FISC within 72 hours of each emergency authorization. The FISC approved all of the applications and/or accepted the other pleadings. ~~(S)~~

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

**G. Pen Register/Trap and Trace Surveillance (U)**

During this reporting period, the United States filed **110** applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these **110** applications, at least **23** United States persons were the targets of pen register/trap and trace surveillance. The FISC denied **no** applications during this reporting period. **Four orders** authorizing pen register/trap and trace surveillance were **modified** by the FISC. ~~(S)~~

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON~~

C. Update to Incidents Reported in 07-1 (U)  
Out of scope/non-responsive

Incident 07-1-16 (U)  
(b) (1), (b) (7)(E)

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

Incident 08-1-11 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Out of scope/non-responsive

Incident 08-1-14 (U)  
(b) (1), (b) (7)(E)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON~~

617

Classified by: *[Signature]*  
USDOJ/NSD  
Date: 18 March 2014

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

Report for the Period from July 1, 2008 through December 31, 2008

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: David S. Kris, Assistant Attorney  
General, NSD, DOJ  
Reason: 1.4(e)  
Declassify on: 29 December 2034

~~TOP SECRET//COMINT//NOFORN,ORCON~~

**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 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 **July 1, 2008 through December 31, 2008.**<sup>1</sup> 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. In addition to submitting this semiannual report, the Intelligence Community and the Department provide supplemental information to the Congress concerning significant intelligence activities conducted under FISA. ~~(TS)~~

[REDACTED] Not pertinent/ Outside the scope of the request.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request.

[REDACTED]

[REDACTED]

[REDACTED]

**D. Emergency Electronic Surveillance or Physical Search (U)**

During this reporting period, the Attorney General<sup>11</sup> authorized emergency electronic surveillance, physical search, and/or pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b), (b) times.<sup>12</sup> Not pertinent/Outside the scope of the request.

and two (2) applications for pen register/trap and trace surveillance. Applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications. (S)

[REDACTED]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request.

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

During this reporting period, the United States filed 58 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 58 applications, 27 United States persons were the targets of pen register/trap and trace surveillance. The FISC did not deny any applications during this reporting period. No orders authorizing pen register/trap and trace surveillance were modified by the FISC. (S)

Not  
pertinent  
/  
Outside  
the  
scope

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

Not pertinent/  
Outside the scope  
of the request.

[Redacted]

[Redacted]

[Redacted]

Incident 07-1-16 (U)

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

[Redacted]

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Not  
pertinent/  
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[Redacted]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request



Incident 08-1-11 (U)

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



Not pertinent/  
Outside the scope  
of the request.



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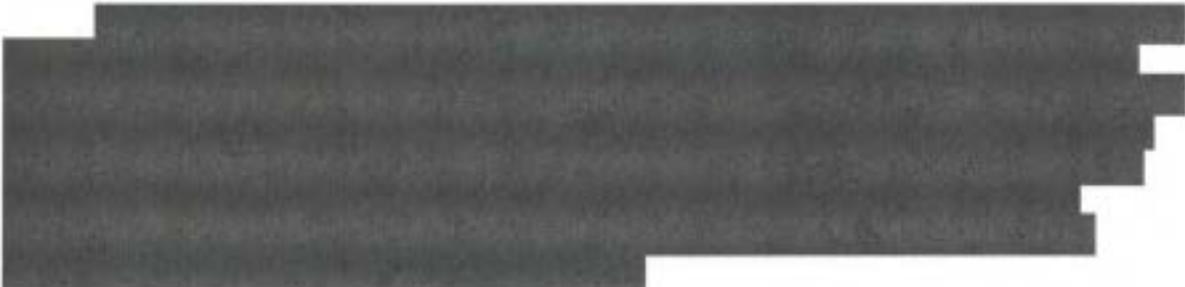
~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request



Incident 08-1-14 (U)

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


Not pertinent/Outside the scope of the request


~~TOP SECRET//COMINT//NOFORN,ORCON~~

018.

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: [Signature]  
USDOJ/NSD  
Date: 18 March 2014

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

December 2009 Report

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: ~~David S. Kris, Assistant Attorney  
General, NSD, DOJ~~  
Reason: ~~1.4(e)~~  
Declassify on: ~~28 December 2034~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

**SECTION 1: INTRODUCTION (U)**

This report is submitted pursuant to §§ 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 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, 2009 through June 30, 2009**.<sup>1</sup> 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. In addition to submitting this semiannual report, the Intelligence Community and the Department provide supplemental information to the Congress concerning significant intelligence activities conducted under FISA. ~~(TS)~~

[Redacted] Not pertinent/ Outside the scope of the request [Redacted]

Not pertinent/Outside the scope of the request [Redacted]

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

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Not pertinent/Outside the scope of the request  
[Redacted]

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[Redacted]

**D. Emergency Electronic Surveillance or Physical Search (U)**

During this reporting period, the Attorney General<sup>9</sup> authorized emergency electronic surveillance, physical search, and/or pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1805(f), 1824(e), or 1843(a)-(b), [redacted] times. These emergency authorizations resulted in [redacted] of [redacted] ; and three applications for authority to conduct [redacted]

[Redacted]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

register/trap and trace surveillance. Applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications. (S)

Out of scope/non-responsive

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request

[Redacted]

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

During this reporting period, the United States filed 39 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct pen register/trap and trace surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 39 applications, 23 United States persons were the targets of pen register/trap and trace surveillance. The FISC did not deny any applications during this reporting period but issued one supplemental order. (S)

Not pertinent/Outside the scope of the request

[Redacted]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/  
Outside the scope of the  
request.

[REDACTED]

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

Not pertinent/  
Outside the scope  
of the request.

[REDACTED]

[REDACTED]

[REDACTED]

Incident 07-1-16 (U)

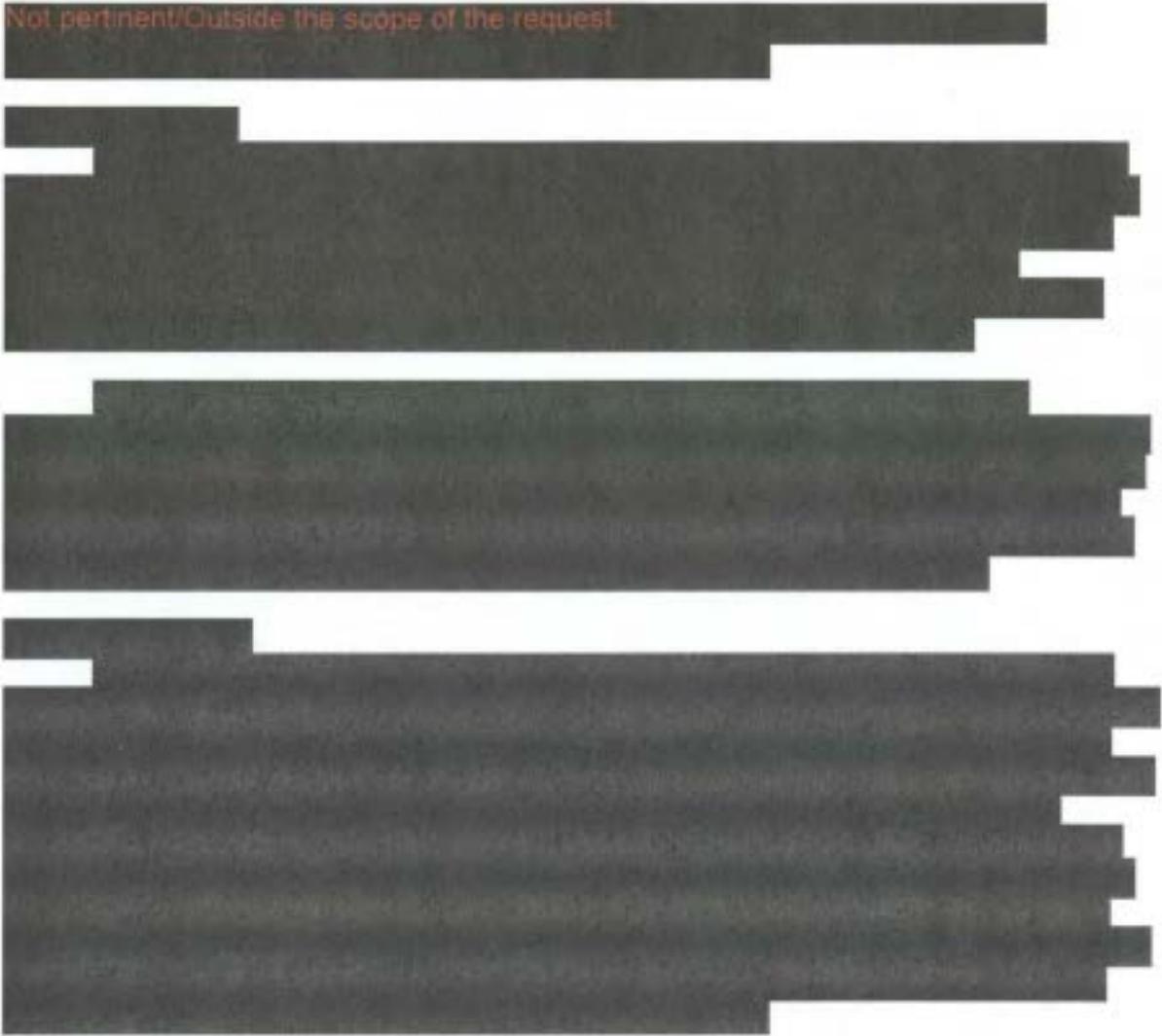
(b) (1) (A), (b) (7)(E)

[REDACTED]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request



Incident 08-1-11 (U)

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



~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

**F. Update to Incidents Reported in 08-2 (U)**

Incident 08-2-4 (U)

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



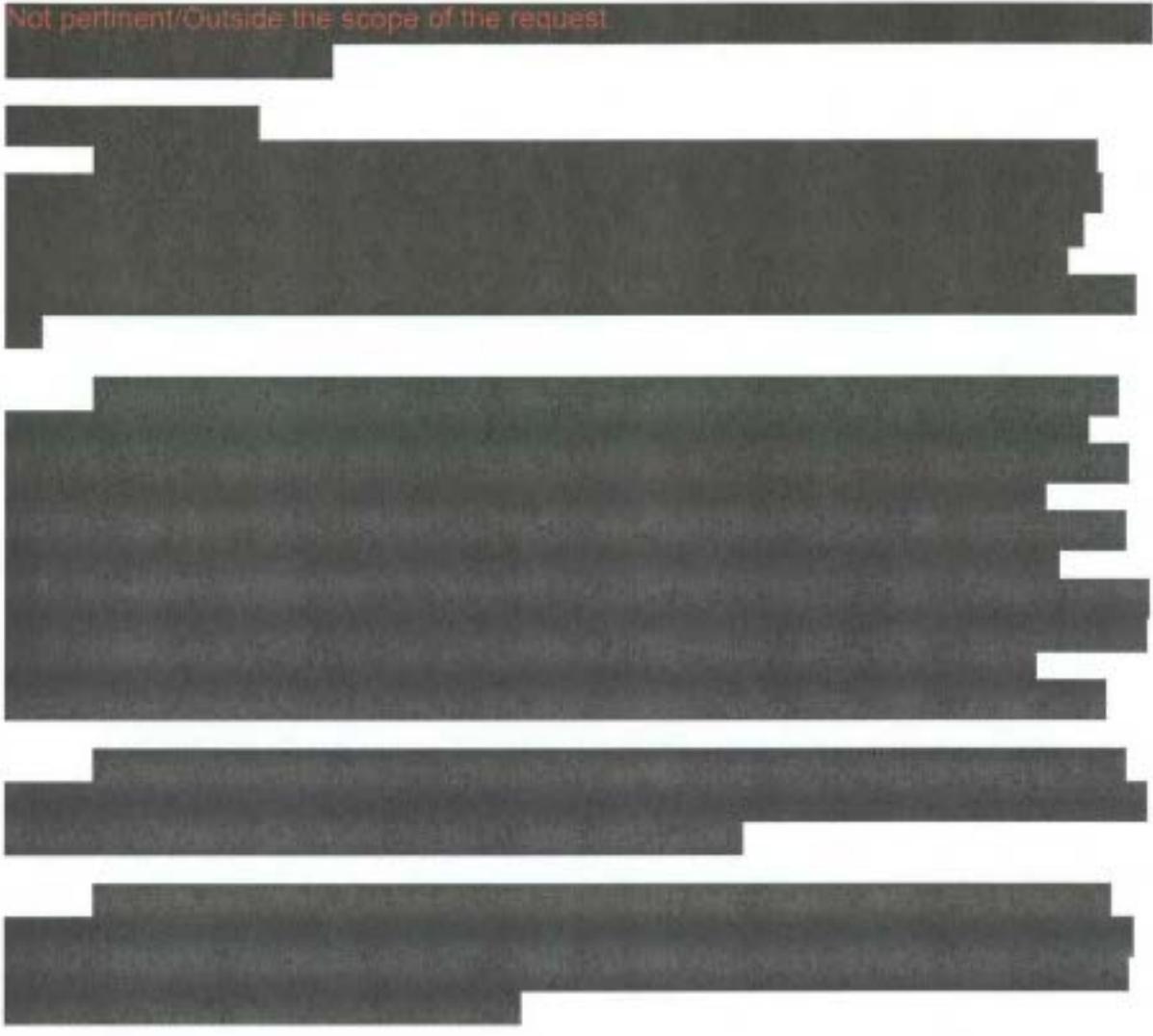
Not pertinent/Outside the scope of the request.



~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request



Incident 09-1-17 (U)

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



~~TOP SECRET//COMINT//NOFORN,ORCON~~

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: [Signature]  
US OIG/NSD  
Date: 18 March 2014

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

June 2010

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: ~~David S. Kris, Assistant Attorney  
General, NSD, DOJ~~  
Reason: ~~1.4(e)~~  
Declassify on: ~~30 June 2035~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

### Executive Summary

#### Statistics

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[REDACTED]

- The United States filed 53 pen register/trap and trace (PR/TT) applications; a total of 27 U.S. persons were targeted in these applications. For the previous period, the United States had filed 39 applications, targeting a total of 32 United States persons. (S)

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**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 **July 1, 2009 through December 31, 2009.**<sup>1</sup> 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)

[REDACTED] Not pertinent/ Outside the scope of the request

**Highlights of the July 1 – December 31, 2009 Reporting Period (U)**

Type of Application	Number Filed	Number Approved	Number Modified	U.S. Persons Targeted
Not pertinent/	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Pen Register/Trap and Trace	53	53	0	27
Not pertinent/ Outside the scope of the request.	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request.

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

During this reporting period, the United States filed 53 applications with the FISC seeking authorization for the FBI and/or the NSA to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 53 applications, 27 U.S. persons were the targets of PR/TT surveillance. The FISC did not modify or deny any PR/TT applications during this reporting period. (S)

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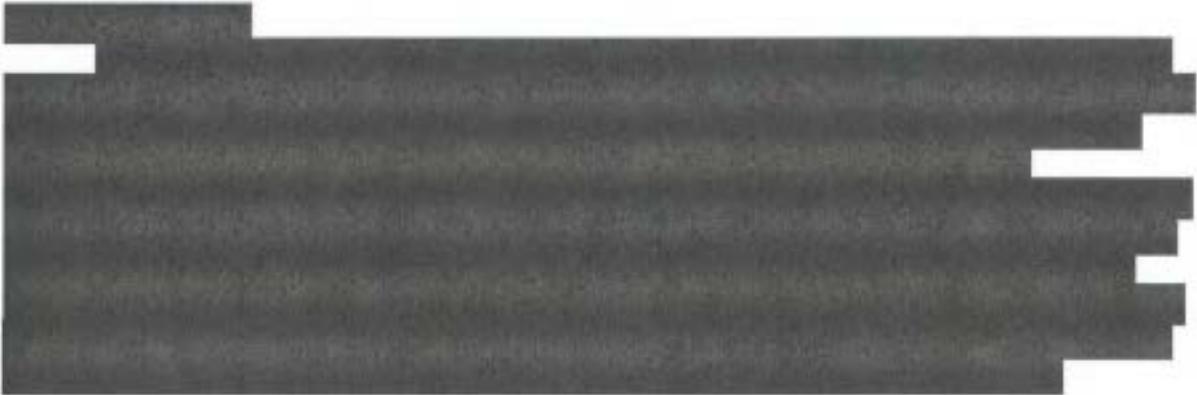
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(b) (1) (A), (b) (7)(E)



Not pertinent/  
Outside the scope  
of the request.



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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: [Signature]  
USDOJ/NSD  
Date: 8 March 2014

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

December 2010

~~TOP SECRET//COMINT//NOFORN,ORCON~~

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

~~TOP SECRET//COMINT//NOFORN,ORCON~~

## Executive Summary

### Statistics

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- 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)

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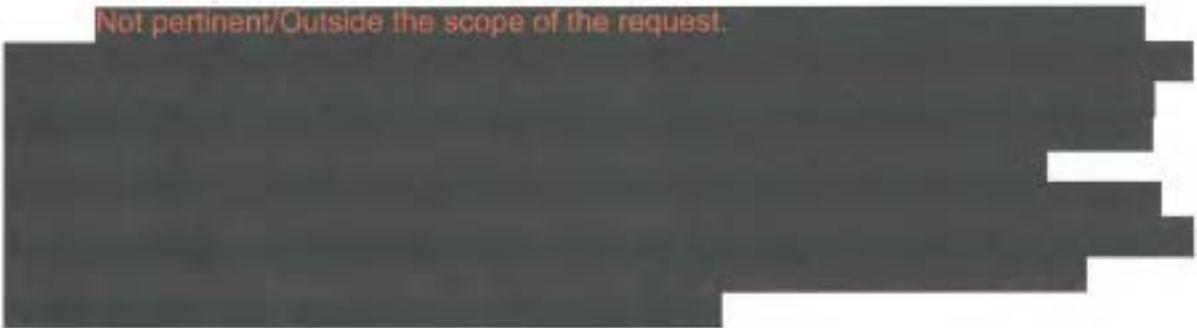
~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

**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.**<sup>1</sup> 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)

Not pertinent/Outside the scope of the request.



**Highlights of the January 1 – June 30, 2010 Reporting Period (U)**

Type of Application	Number Filed	Number Approved	Number Modified	U.S. Persons Targeted
Not pertinent/	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Pen Register/Trap and Trace	78	77 (1 not considered during reporting period)	0	30
Not pertinent/ Outside the scope of the request.	[Redacted]	[Redacted]	[Redacted]	[Redacted]



~~TOP SECRET//COMINT//NOFORN,ORCON~~

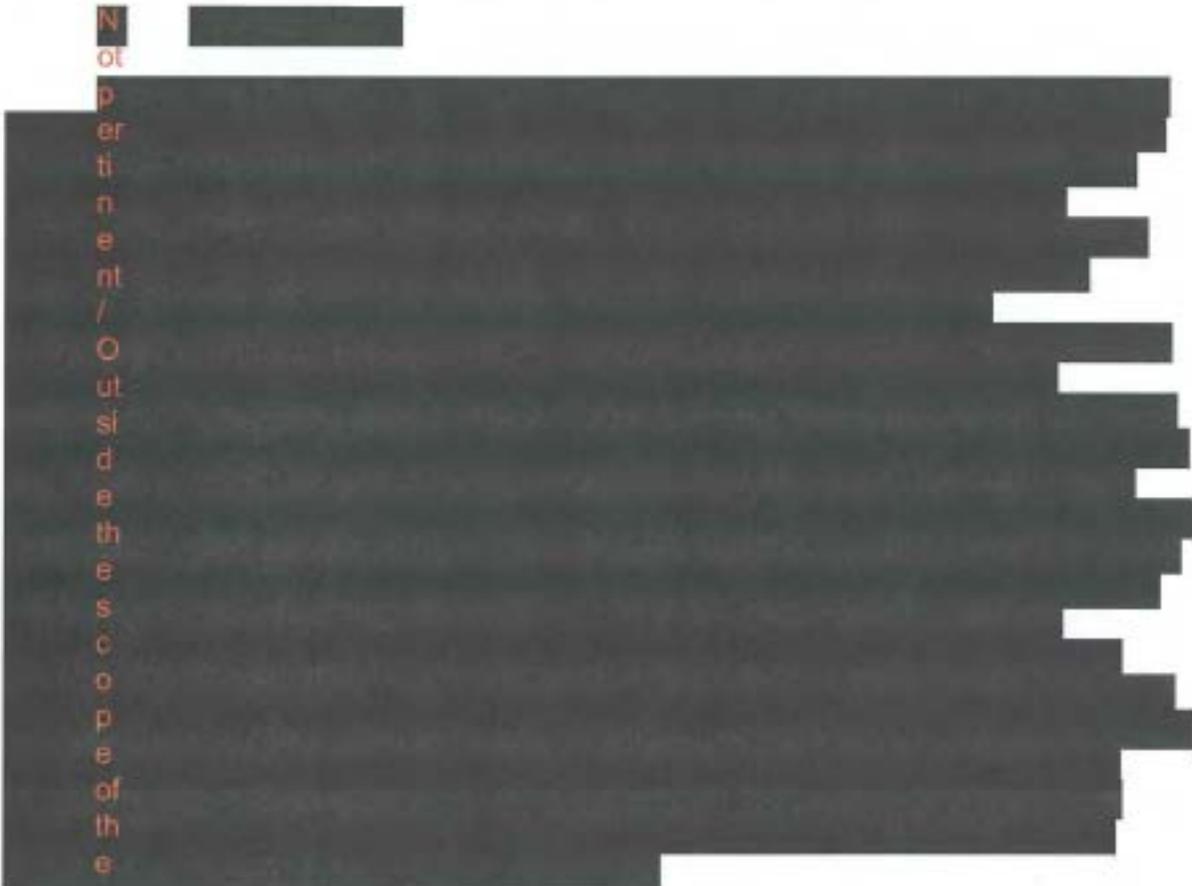
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**C. Emergency Electronic Surveillance or Physical Search (U)**

During this reporting period, the Attorney General<sup>9</sup> 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). (b) (1) (A), (b) (7)(E) These emergency authorizations resulted in Not pertinent/Outside the scope of the request.

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)

Not pertinent / Outside the scope of the



**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

(b)



~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request

[Redacted]

[Redacted]

[Redacted]

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

Incident 07-1-16 (U)

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

[Redacted]

[Redacted]

Not pertinent/Outside the scope of the request.

[Redacted]

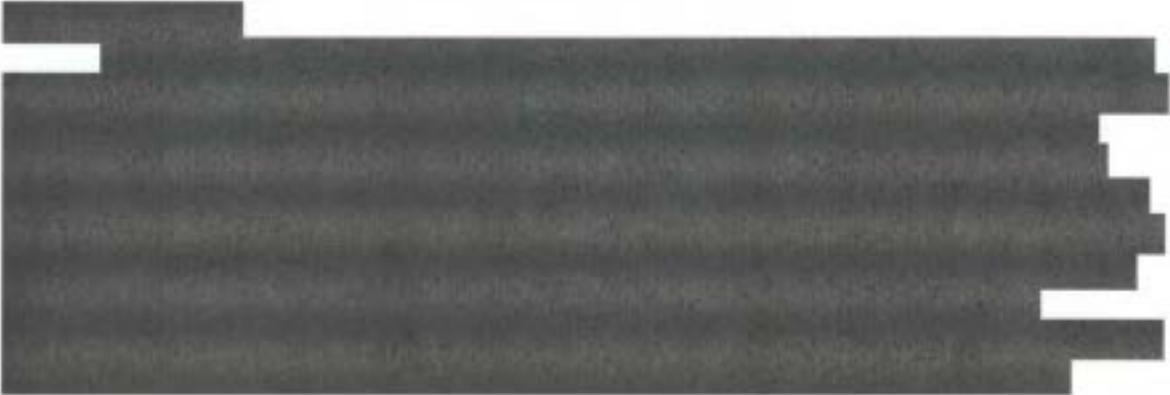
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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request



Incident 10-1-2 (U)

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



Not pertinent/  
Outside the  
scope of the  
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[REDACTED]

**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)

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~~TOP SECRET//COMINT//NOFORN,ORCON~~

Classified by: [Signature]  
LIS/DOJ/NSD  
Date: 18 March 2014

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

June 2011

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~Classified by: Tashina Gauhar, Deputy Assistant Attorney  
General, NSD, DOJ  
Reason: 1.4(e)  
Declassify on: 30 June 2036~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Executive Summary (U)

Statistics (U)

Not pertinent/Outside the scope of the request.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- The United States filed 49 pen register/trap and trace (PR/TT) applications; a total of 26 named U.S. persons were targeted in these applications. For the previous period, the United States had filed 78 applications, targeting a total of 30 named United States persons.

(b) (1) (A), (b) (7)(E)  
[Redacted]

Not pertinent  
[Redacted]

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~~TOP SECRET//COMINT//NOFORN,ORCON~~



~~TOP SECRET//COMINT//NOFORN,ORCON~~

**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, the Central Intelligence Agency, and/or the National Security Agency during the period **July 1, 2010 through December 31, 2010.**<sup>2</sup> 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)

Not pertinent/Outside the scope of the request.

One PR/TT application was denied in part during this period. Not pertinent/Outside the scope of the request.

**Highlights of the July 1 – December 31, 2010 Reporting Period (U)**

Type of Application	Number Filed	Number Approved	Number Modified	U.S. Persons Targeted
Not pertinent/Outside the scope of the request.	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<i>Pen Register/Trap and Trace</i>	49	49 (including one denied in part)	0	26 named U.S. Persons
Not pertinent/Outside the scope of the request.	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request.



**d) Pen Register/Trap and Trace Surveillance (U)**

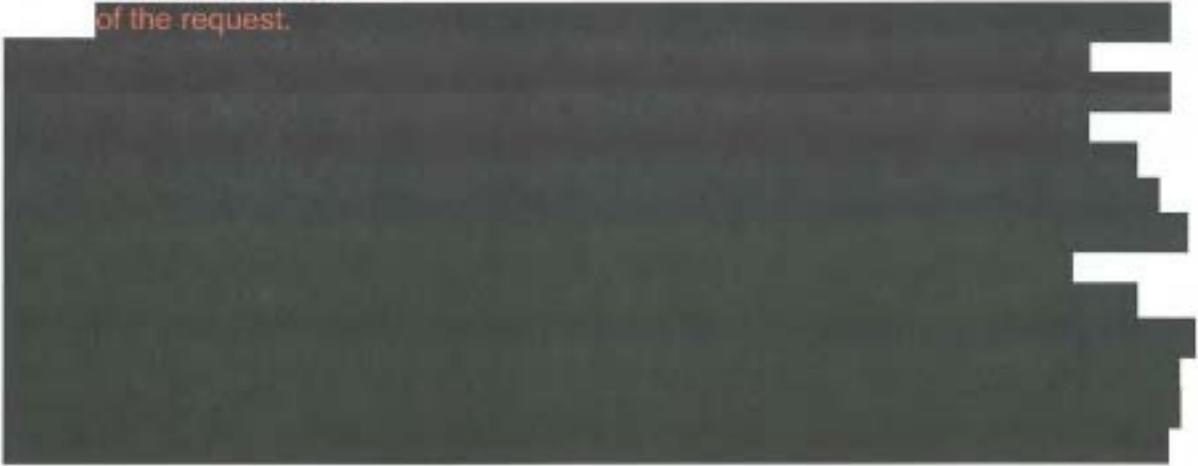
Between July 1 and December 31, 2010, the United States filed 47 applications with the FISC seeking authorization for the FBI to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. In these 47 applications, 26 named U.S. persons were the targets of PR/TT surveillance. The FISC did not deny in whole or in part, or substantively modify any FBI PR/TT applications during this reporting period. (S)

**e) Emergency Electronic Surveillance, Physical Search or PR/TT Surveillance (U)**

During this reporting period, the Attorney General<sup>13</sup> 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), (b) (1). These emergency authorizations resulted in 0

and 3 applications for authority to conduct PR/TT surveillance. All applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications. (S)

Not pertinent/  
Outside the scope  
of the request.



~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

**III. Compliance (U)**

Not pertinent/Outside the scope of the request

On a continuing basis, NSD considers ways to improve the handling of compliance matters. In connection with each incident, NSD asks the FBI to identify what steps have been taken to prevent a recurrence. In addition, NSD meets periodically with certain communications providers; one of the purposes of those meetings is to ensure that the providers understand what the FISC has authorized. (U)

**Update to Incidents Reported in 07-1 (U)**

Incident 07-1-16 (U)

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

Not pertinent/Outside the scope of the request.

~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request



Incident 09-2-13 (U)

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



Not pertinent/Outside the scope of the request.



~~TOP SECRET//COMINT//NOFORN,ORCON~~

~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request.

[REDACTED]

**d) Pen Register/Trap and Trace Surveillance (U)**

During this reporting period, the United States filed two applications with the FISC pursuant to a Not pertinent/Outside the scope of the request to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. The matter has been the subject of congressional briefings. One of these cases was approved in part and denied in part; the other was approved. ~~(S)~~

Not pertinent/Outside the scope of the request.

[REDACTED]

~~TOP SECRET//COMINT//NOFORN,ORCON~~

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~~TOP SECRET//COMINT//ORCON,NOFORN~~

Classified by: [Signature]  
USDO/NSD  
Date: 18 March 2014

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

December 2011

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~Classified by: Lisa O. Monaco, Assistant Attorney  
General, NSD, DOJ  
Reason: 1.4(e)  
Declassify on: 31 December 2036~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Executive Summary (U)

Statistics (U)

Not pertinent/Outside the scope of the request

[Redacted]

[Redacted]

[Redacted]

[Redacted]

- The Government filed 55 PR/TT applications; a total of (b) (7) U.S. persons were targeted in these applications. For the previous period, the Government had filed 49 applications, targeting a total of (b) (7) U.S. persons. (S)

Not pertinent

[Redacted]

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~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request  
[Redacted]

Annual Statistics for the Previous Five Years (U)

The following chart presents, for the past five years, significant statistics pertaining to FISA.

	2006	2007	2008	2009	2010
Not pertinent/Outside the scope of the request	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Pen Register/Trap and Trace Applications	218 approved 0 denied	246 approved 0 denied	168 approved 0 denied	92 approved 0 denied	126 approved 1 denied in part
Not pertinent/Outside the scope of the request	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

Not pertinent/Outside the scope of the request

[Redacted]

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~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

**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, 2011 through June 30, 2011.**<sup>2</sup> 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)~~

Out of scope/non-responsive



~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Highlights of the January 1 – June 30, 2011 Reporting Period (U)

Type of Application	Number Filed	Number Approved	Number Modified	U.S. Persons Targeted
Not pertinent/ Outside the				
<i>Pen Register/Trap and Trace</i>	55	51 (4 approved outside reporting period)	0	32 named U.S. Persons
Not pertinent/ Outside the scope of the request.				

(S)

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request.



**d) Pen Register/Trap and Trace Surveillance (U)**

Between January 1 and June 30, 2011, the Government filed 52 applications with the FISC seeking authorization for the FBI to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. Four of these applications were filed during the reporting period, but approved

~~TOP SECRET//COMINT//ORCON,NOFORN~~

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outside the reporting period. Thus, the FISC approved 48 pen register applications during the reporting period. In these 48 applications, 32 named U.S. persons were the targets of PR/TT surveillance. The FISC did not deny in whole or in part, or substantively modify any FBI PR/TT applications during this reporting period. (S)

e) Emergency Electronic Surveillance, Physical Search or PR/TT Surveillance (U)

During this reporting period, the Attorney General<sup>13</sup> authorized emergency electronic surveillance, physical search or PR/TT surveillance pursuant to 50 U.S.C. §§ 1805(e), 1824(e), 1843(a)-(b), or 1881c(d). Not [redacted] These emergency authorizations resulted in Not pertinent/ Outside the scope of the [redacted] and 4 applications for authority to conduct PR/TT surveillance. All applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications. (S)

Not pertinent/  
Outside the scope  
of the request.

[Large redacted block]

[Redacted block]

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/  
Outside the scope  
of the request.

[REDACTED]

[REDACTED]

[REDACTED]

Incident 11-1-17 (U)

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

[REDACTED]

Not pertinent/  
Outside the scope  
of the request.

[REDACTED]

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the  
scope of the request.

[REDACTED]

[REDACTED]

[REDACTED]

**d) Pen Register/Trap and Trace Surveillance (U)**

During this reporting period, the Government filed three applications with the FISC pursuant to (b) (1) (A), (b) (7)(E) to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. The matter has been the subject of congressional briefings. All of these applications were approved. (S)

Not pertinent/Outside the  
scope of the request.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Classified by: *JBW*  
USDOJ/NSD  
Date: 18 March 2014

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

June 2012

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Classified by: ~~Lisa O. Monaco, Assistant Attorney  
General, NSD, DOJ~~  
Reason: ~~1.4(e)~~  
Declassify on: ~~30 June 2037~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Executive Summary (U)

Statistics (U)

The following statistics are an amalgamation of all cases filed on behalf of all agencies (FBI, NSA, and CIA) during the period from July 1, 2011 through December 31, 2011:

Not pertinent  
Outside the scope of the request

[REDACTED]

[REDACTED]

[REDACTED]

- The Government filed 53 PR/TT applications; a total of (b) (1) U.S. persons were targeted in these applications. For the previous period, the Government filed 55 applications, targeting a total of (b) (1) U.S. persons. (S)

- Not pertinent/  
Outside the scope of the request.  
[REDACTED]

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request.

Annual Statistics for the Previous Five Years (U)

The following chart presents, for the past five years, significant statistics pertaining to FISA.

	2007	2008	2009	2010	2011
Not pertinent/Outside the					
Pen Register/Trap and Trace Applications	246 approved 0 denied	168 approved 0 denied	92 approved 0 denied	126 approved 1 denied in part	107 approved 0 denied
Not pertinent/					

Not pertinent/Outside the scope of the

request

[Redacted content]

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

**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 **July 1, 2011 through December 31, 2011.**<sup>2</sup> 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)~~

~~Out of scope/non-responsive~~  


**Highlights of the July 1 – December 31, 2011 Reporting Period (U)**

Type of Application	Number of Applications	Number Approved	Number Modified	U.S. Persons Targeted
<del>Not pertinent Outside the</del>	<del></del>	<del></del>	<del></del>	<del></del>
<i>Pen f Register/Trap and Trace</i>	53	57 (4 approved during period, but filed before reporting period)	2	(b) (1) U.S. Persons
<del>Not pertinent Outside the scope of the request.</del>	<del></del>	<del></del>	<del></del>	<del></del>



~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request  
[Redacted]

**d) Pen Register/Trap and Trace Surveillance (U)**

Between July 1 and December 31, 2011, the Government filed 52 applications with the FISC seeking authorization for the FBI to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. Four applications were filed before the reporting period, but were approved during the reporting period. Thus, the FISC approved 56 PR/TT applications during the reporting period. In these 56 applications, (b) (1), (b) U.S. persons were the targets of PR/TT surveillance. The FISC did not deny in whole or in part, any FBI PR/TT application during this reporting period. (b) (1) (A), (b) (7)(E)

[Redacted]

**e) Emergency Electronic Surveillance, Physical Search or PR/TT Surveillance (U)**

During this reporting period, the Attorney General<sup>12</sup> authorized emergency electronic surveillance, physical search or PR/TT surveillance pursuant to 50 U.S.C. §§ 1805(e), 1824(e), 1843(a)-(b), or 1881c(d). (b) (1) These emergency authorizations resulted in Not pertinent/Outside the scope of the (b) (1) (A), and (b) application for authority to conduct PR/TT surveillance (b) (1) (A). (1) All applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications.<sup>13</sup> (S)

Not pertinent/Outside the scope of the request  
[Redacted]

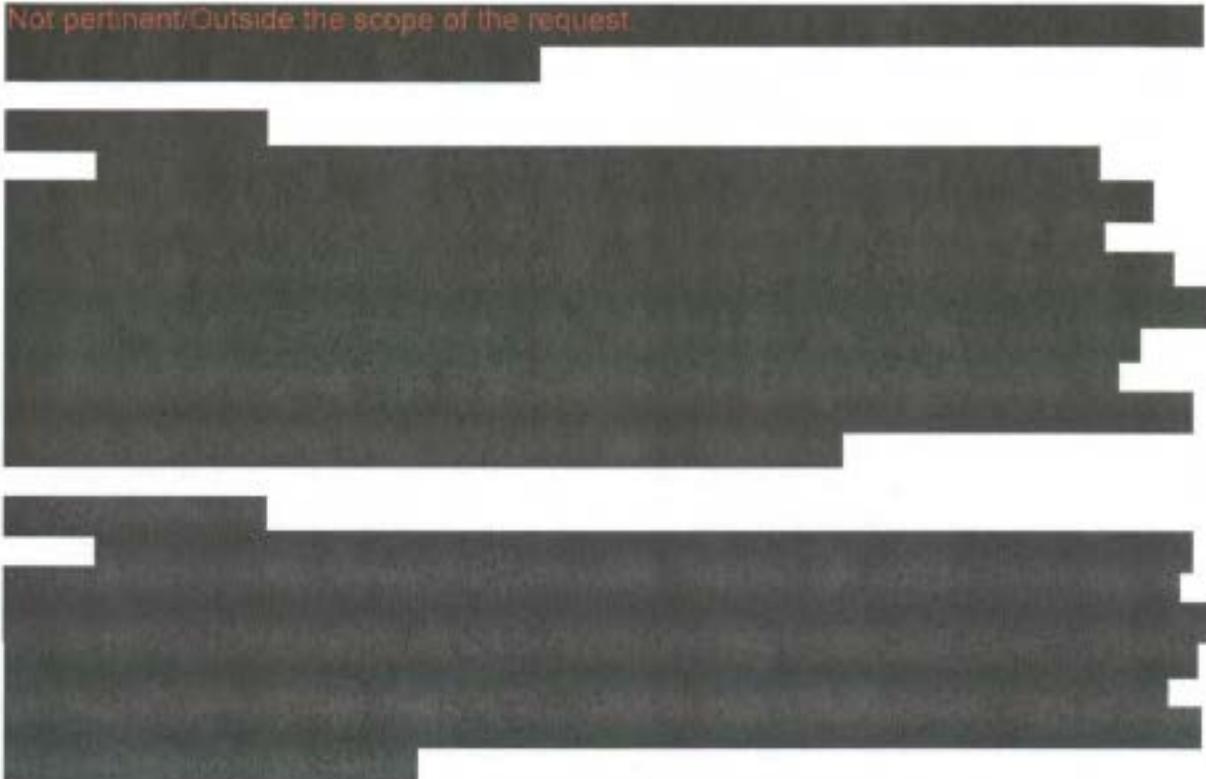
[Redacted]

[Redacted]

~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request

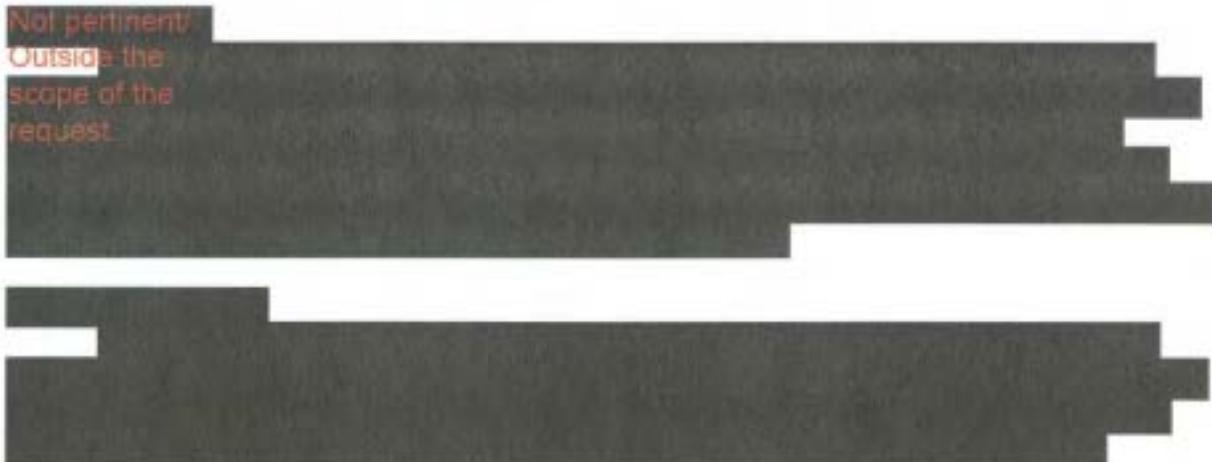


Incident 11-1-17 (U)

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



Not pertinent/  
Outside the  
scope of the  
request.



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~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request



Incident 11-2-13 (U)

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



Not pertinent/  
Outside the scope  
of the request



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~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request



Incident 11-2-17 (U)

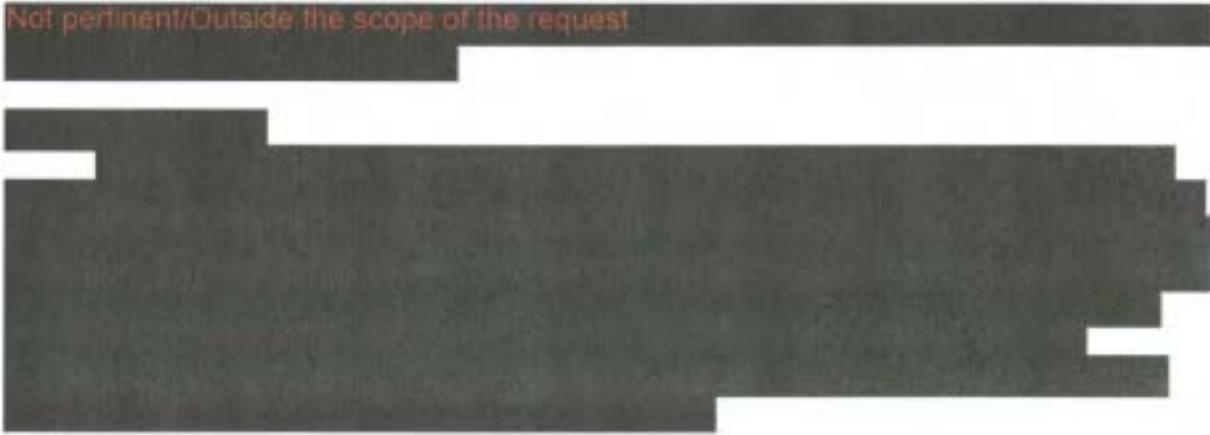
(b) (1) (A), (b) (7) (E)

Not pertinent/  
Outside the scope  
of the request

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Not pertinent/Outside the scope of the request



Incident 11-2-39 (U)

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



Not pertinent/  
Outside the  
scope of the  
request



~~TOP SECRET//COMINT//ORCON,NOFORN~~

~~TOP SECRET//COMINT//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request.

[REDACTED]

**d) Pen Register/Trap and Trace Surveillance (U)**

During this reporting period, the Government filed one application with the FISC pursuant to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. This matter has been the subject of congressional briefings. The FISC approved the application.

(b) (1) (A), (b) (7) (E) (TS//SI//NF) (7) (E)

Not pertinent/Outside the scope of the request.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

~~TOP SECRET//COMINT//ORCON,NOFORN~~



**TOP SECRET//SI//ORCON,NOFORN**

**Executive Summary (U)**

**Statistics (U)**

The following statistics are an amalgamation of all cases filed on behalf of all agencies (FBI, NSA, and CIA) during the period from January 1, 2012 through June 30, 2012:

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Not pertinent/Outside the scope of the request.



- The Government filed **64** PR/TT applications; a total of **30** named U.S. persons were targeted in these applications. For the previous period, the Government filed 53 applications, targeting a total of 32 named U.S. persons. (S)

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Annual Statistics for the Previous Five Years (U)

The following chart presents, for the past five years, significant statistics pertaining to FISA.

	2007	2008	2009	2010	2011
<i>Electronic</i>	Not pertinent/				
	Outside the scope of the				
<i>Pen Register/Trap and Trace Applications</i>	246 approved 0 denied	168 approved 0 denied	92 approved 0 denied	126 approved 1 denied in part	107 approved 0 denied
Not pertinent/					

Not pertinent/ Outside the scope of the requests

[Redacted content]

[Redacted content]

~~TOP SECRET//SI//ORCON,NOFORN~~

~~TOP SECRET//SI//ORCON,NOFORN~~

**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, 2012 through June 30, 2012.**<sup>2</sup> 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)

*Out of scope/non-responsive*  
 [Redacted]

**Highlights of the January 1 – June 30, 2012 Reporting Period (U)**

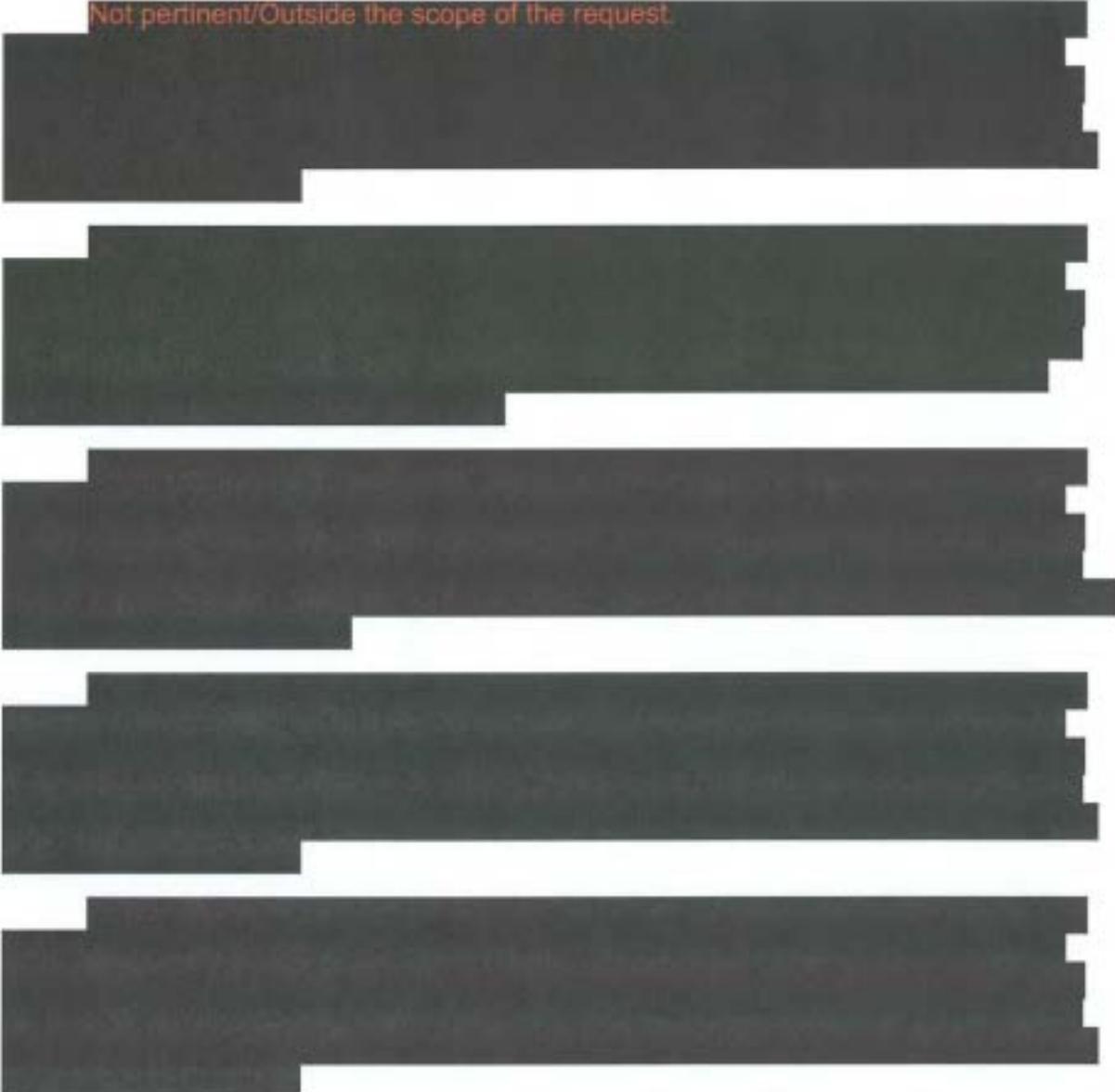
Type of Application	Number of Applications Filed	Number Approved	Number Modified	U.S. Persons Targeted
<i>Not pertinent/ Outside the</i>	[Redacted]	[Redacted]	[Redacted]	[Redacted]
<i>Pen Register/Trap and Trace</i>	64	64	0	30 named U.S. Persons
<i>Not pertinent/ Outside the scope of the request.</i>	[Redacted]	[Redacted]	[Redacted]	[Redacted]

[Redacted]

~~TOP SECRET//SI//ORCON,NOFORN~~

~~TOP SECRET//SI//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request.



**d) Pen Register/Trap and Trace Surveillance (U)**

Between January 1 and June 30, 2012, the Government filed **64** applications with the FISC seeking authorization for the FBI to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. The FISC approved all **64** PR/TT applications filed during the reporting period. In these **64** applications, **30** named U.S. persons were the targets of PR/TT surveillance. The FISC did not deny in whole or in part, any FBI PR/TT application during this reporting period. No PR/TT applications were modified during the reporting period. (S)

~~TOP SECRET//SI//ORCON,NOFORN~~

~~TOP SECRET//SI//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b) (1) (A), (b) (7) (E)  
[Redacted]

Not pertinent/Outside the scope of the request

[Redacted]

(b)

[Redacted]

Not pertinent/Outside the scope of the request

[Redacted]

~~TOP SECRET//SI//ORCON,NOFORN~~

~~TOP SECRET//SI//ORCON,NOFORN~~

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

Out of scope/non-responsive

~~TOP SECRET//SI//ORCON,NOFORN~~

~~TOP SECRET//SI//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Incident 12-1-12 (U)

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

[REDACTED]

[REDACTED]

~~TOP SECRET//SI//ORCON,NOFORN~~

~~TOP SECRET//SI//ORCON,NOFORN~~

Not pertinent/Outside the scope of the request

[Redacted]

[Redacted]

[Redacted]

d) Pen Register/Trap and Trace Surveillance (U)

During this reporting period, the Government 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. ~~(TS//SI)~~

Not pertinent/Outside the scope of the request.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

~~TOP SECRET//SI//ORCON,NOFORN~~

**TOP SECRET//SI//ORCON//NOFORN**

025.

USDOJ/NSD

Date: 18 March 2014

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

June 2013

**TOP SECRET//SI//ORCON//NOFORN**

Classified by: ~~The Attorney General~~  
Reason: ~~1.4(e)~~  
Declassify on: ~~30 June 2038~~

~~TOP SECRET//SI//ORCON/NOFORN~~

Executive Summary (U)

(U) Statistics

The following statistics are an amalgamation of all cases filed on behalf of all agencies (FBI, NSA, and CIA) during the period from July 1, 2012 through December 31, 2012:

- (S) During this reporting period, the Government filed ~~Not pertinent/~~ with the Foreign Intelligence Surveillance Court (FISC), ~~Not pertinent/Outside the scope of~~ 69 ~~PR/TT~~ ~~trap and trace (PR/TT)~~, ~~Not pertinent/Outside the scope of the request.~~
- (S) The Government filed 69 PR/TT applications; a total of 32 named U.S. persons were targeted in these applications. For the previous period, the Government filed 64 applications, targeting a total of 30 named U.S. persons.

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

~~TOP SECRET//SI//ORCON/NOFORN~~

**TOP SECRET//SI//ORCON/NOFORN**

(U) Annual Statistics for the Previous Five Years

(S) The following chart presents, for the past five years, significant statistics pertaining to FISA.

	2008	2009	2010	2011	2012
Not pertinent/Outside the	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Pen Register/Trap and Trace Applications	168 approved 0 denied	92 approved 0 denied	126 approved 1 denied in part	107 approved 0 denied	133 approved 0 denied
Not pertinent	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Not pertinent/Outside the scope of the request.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**TOP SECRET//SI//ORCON/NOFORN**

~~TOP SECRET//SI//ORCON/NOFORN~~

(U) SECTION 1: INTRODUCTION

(S) 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 **July 1, 2012 through December 31, 2012.**<sup>2</sup> 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.

Out of scope/non-responsive

[Redacted]

(U) Highlights of the July 1 – December 31, 2012 Reporting Period

(S)

Type of Application	Number of Applications Filed	Number Approved	Number Modified	U.S. Persons Targeted
Not pertinent/ Outside the [Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
<i>Pen Register/Trap and Trace</i>	69	69	0	32 named U.S. Persons
Not pertinent/ Outside the scope of the request. [Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

[Redacted]

~~TOP SECRET//SI//ORCON/NOFORN~~

~~TOP SECRET//SI//ORCON/NOFORN~~

Not pertinent/Outside the scope of the request  
[Redacted]

**(U) d) Pen Register/Trap and Trace Surveillance**

(S) Between July 1 and December 31, 2012, the Government filed 69 applications with the FISC seeking authorization for the FBI to conduct PR/TT surveillance pursuant to 50 U.S.C. §§ 1841-1846, as amended. The FISC approved all 69 PR/TT applications filed during the reporting period. In these 69 applications, 32 named U.S. persons were the targets of PR/TT surveillance. The FISC did not deny in whole or in part, any FBI PR/TT applications during this reporting period. No PR/TT applications were modified during the reporting period.

**(U) e) Emergency Electronic Surveillance, Physical Search or PR/TT Surveillance**

(S) During this reporting period, the Attorney General<sup>13</sup> authorized the FBI to conduct authorized emergency electronic surveillance, physical search or PR/TT surveillance pursuant to 50 U.S.C. §§ 1805(e), 1824(e), and/or 1843(a)-(b) Out of scope/non-responsive. These emergency authorizations resulted in Out of scope/non-responsive

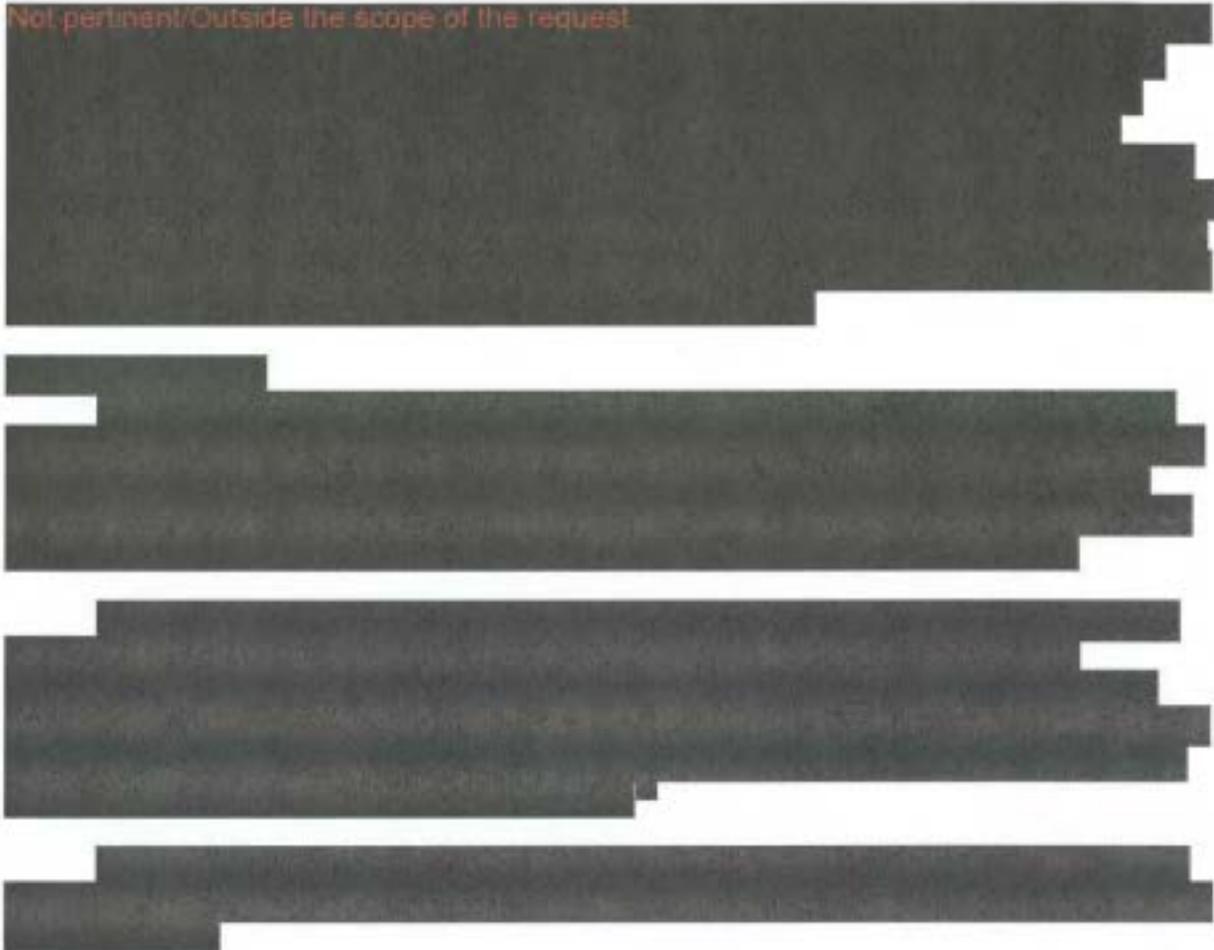
and six applications for authority to conduct PR/TT surveillance. Out of scope/non-responsive All applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications.

Not pertinent/Outside the scope of the request  
[Redacted]

~~TOP SECRET//SI//ORCON/NOFORN~~

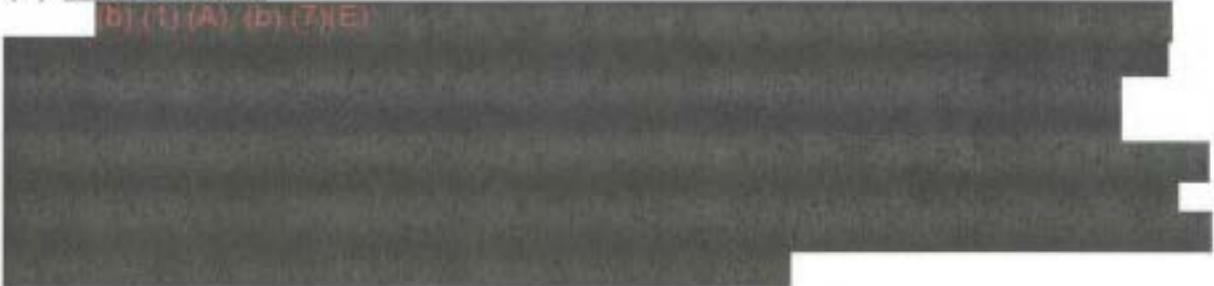
**TOP SECRET//SI//ORCON/NOFORN**

Not pertinent/Outside the scope of the request



(U) Incident 12-2-12

(b) (1) (A) (b) (7) (E)



**TOP SECRET//SI//ORCON/NOFORN**

**TOP SECRET//SI//ORCON/NOFORN**

Not pertinent/Outside the scope of the request

(U) Incident 12-2-37

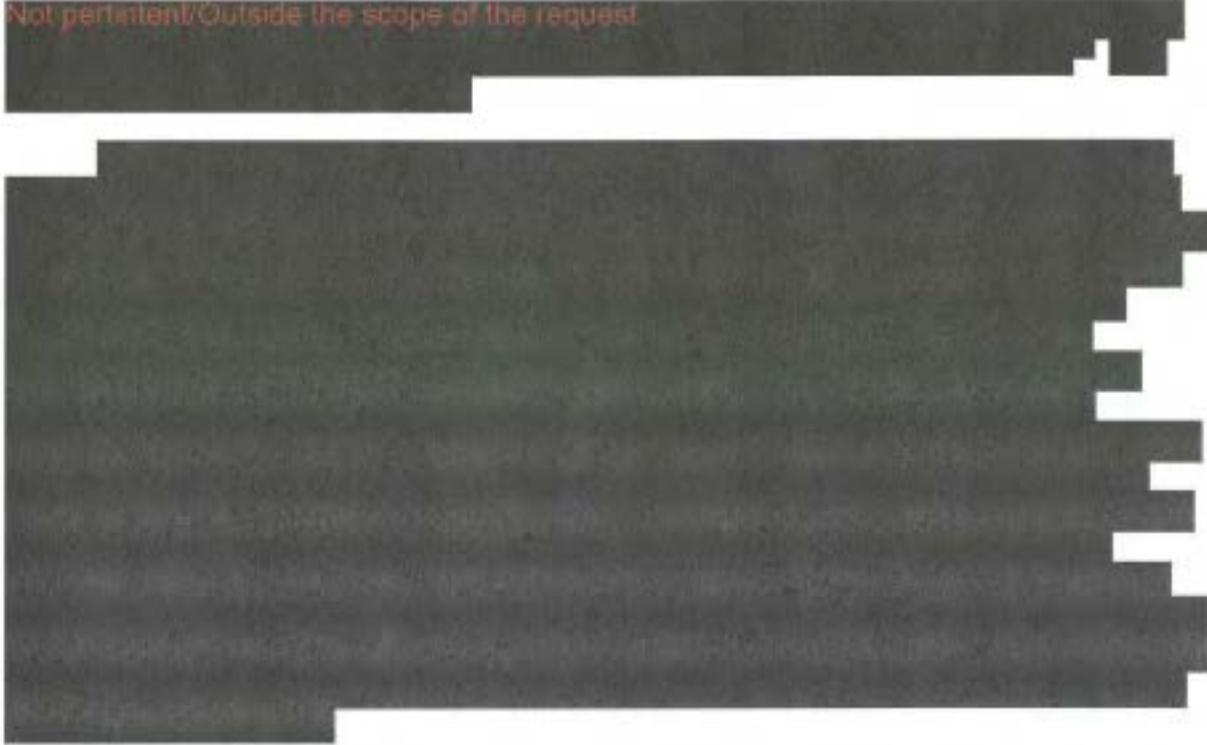
(b) (1) (A) (b) (7)(E)

Not pertinent/  
Outside the scope  
of the request

**TOP SECRET//SI//ORCON/NOFORN**

**TOP SECRET//SI//ORCON/NOFORN**

Not pertinent/Outside the scope of the request

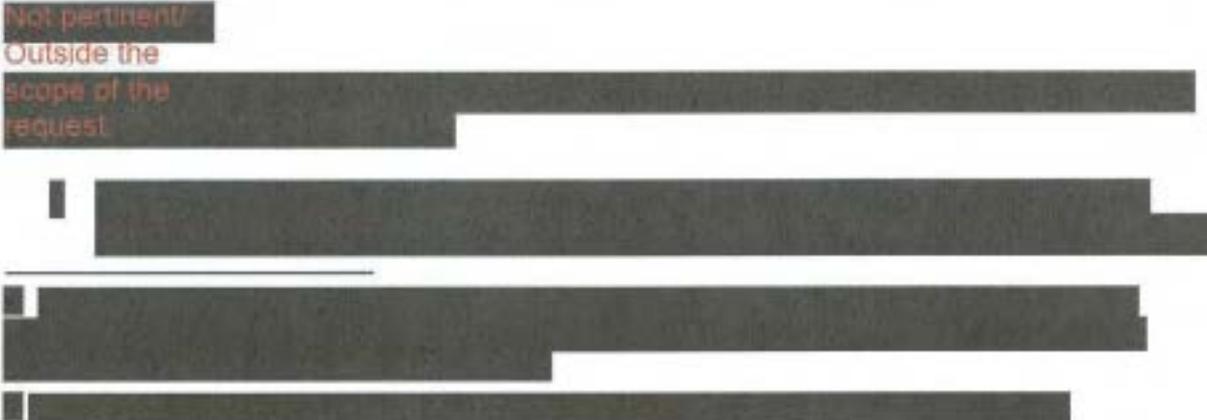


(U) Incident 12-2-48

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



Not pertinent/  
Outside the  
scope of the  
request



**TOP SECRET//SI//ORCON/NOFORN**

**TOP SECRET//SI//ORCON/NOFORN**

Not pertinent/Outside the scope of the request

[REDACTED]

[REDACTED]

[REDACTED]

**(U) d) Pen Register/Trap and Trace Surveillance**

(TS//SI) During this reporting period, the Government 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.

Not pertinent/Outside the scope of the request.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**TOP SECRET//SI//ORCON/NOFORN**