

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

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~~

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), b(7)(E)  
[Redacted] (S)

N  
o  
t  
p  
e  
r  
t  
i  
n

[Redacted]

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

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.

	2006	2007	2008	2009	2010
Not pertinent/Outside the	[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	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Not pertinent/Outside the scope of the request.

[REDACTED]

~~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				
Pen Register/Trap and Trace	49	49 (including one denied in part)	0	26 named U.S. Persons
Not pertinent/Outside the scope of the request.				

Not pertinent/Outside the scope of the request.



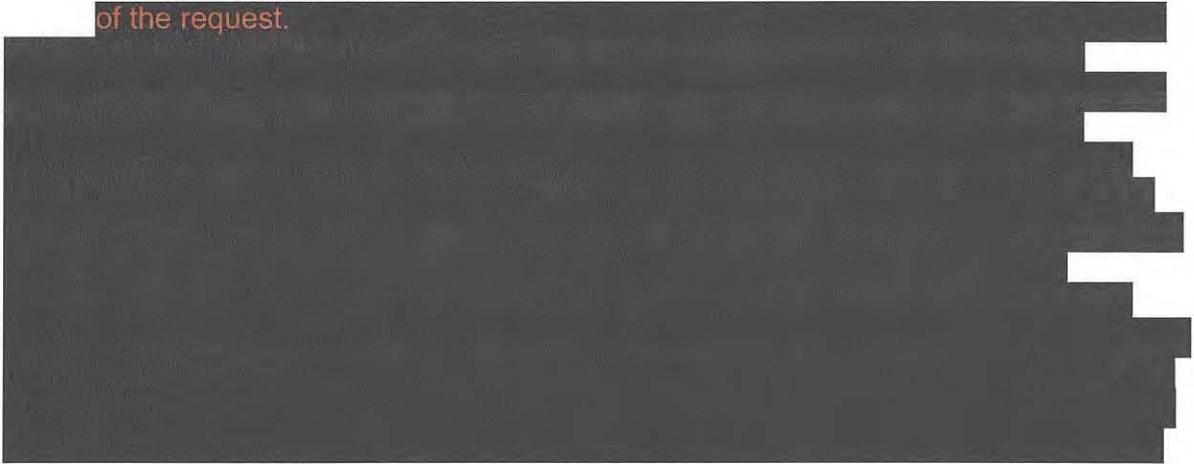
**d) Pen Register/Trap and Trace Surveillance (U)**

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 out of 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~~

**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), b(7)(E)

[Redacted]

~~(S)~~

Not pertinent/Outside the scope of the request.

[Redacted]

[Redacted]

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

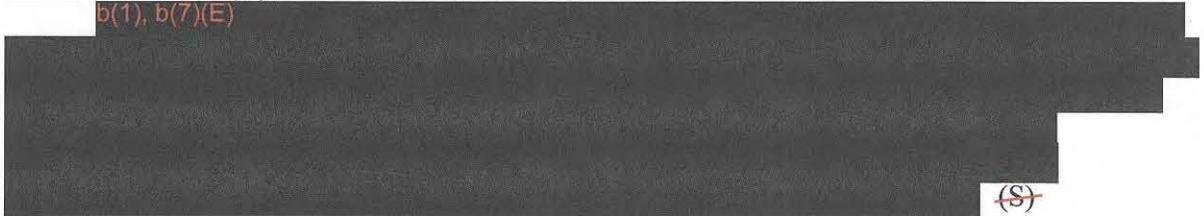
~~TOP SECRET//COMINT//NOFORN,ORCON~~

Not pertinent/Outside the scope of the request.



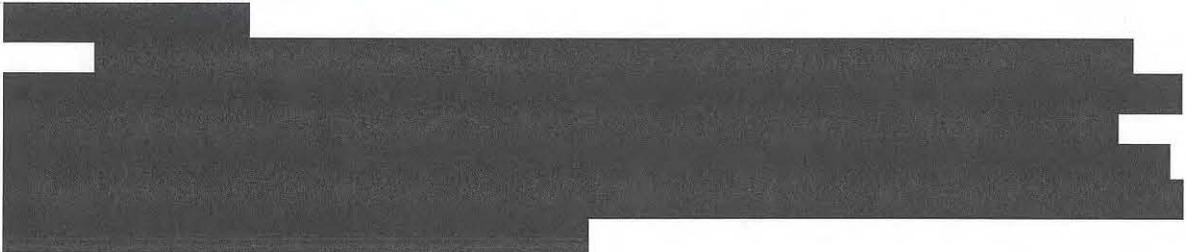
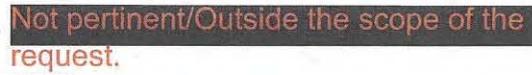
Incident 09-2-13 (U)

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



~~(S)~~

Not pertinent/Outside the scope of the request.



~~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 ~~b(1) and b(3)~~ 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]