

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

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

December 2009 Report

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~~Classified by: David S. Kris, Assistant Attorney
General, NSD, DOJ~~

~~Reason: 1.4(c)~~

~~Declassify on: 28 December 2034~~

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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**.¹ Consistent with the Department of Justice's (DOJ's) efforts to keep Congress fully informed of FISA activities in a manner consistent with the national security, this report contains information beyond that required by the statutory provisions set forth above. 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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Not pertinent/Outside the scope of the request. [Redacted]

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[Redacted]

[Redacted]

D. Emergency Electronic Surveillance or Physical Search (U)

During this reporting period, the Attorney General⁹ 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. These emergency authorizations resulted in (b)(

[Redacted] and three applications for authority to conduct pen (b)(

[Redacted]

[Redacted]

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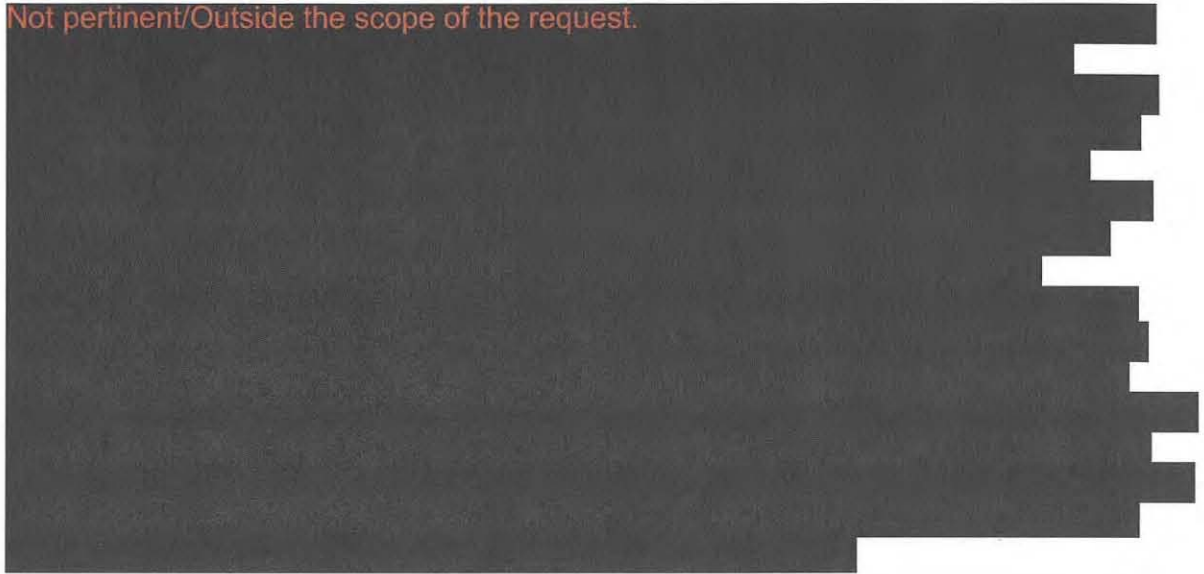
register/trap and trace surveillance. Applications were filed with the FISC within the time limits set forth in FISA. The FISC approved all of the applications. ~~(S)~~

Out of scope/non-responsive

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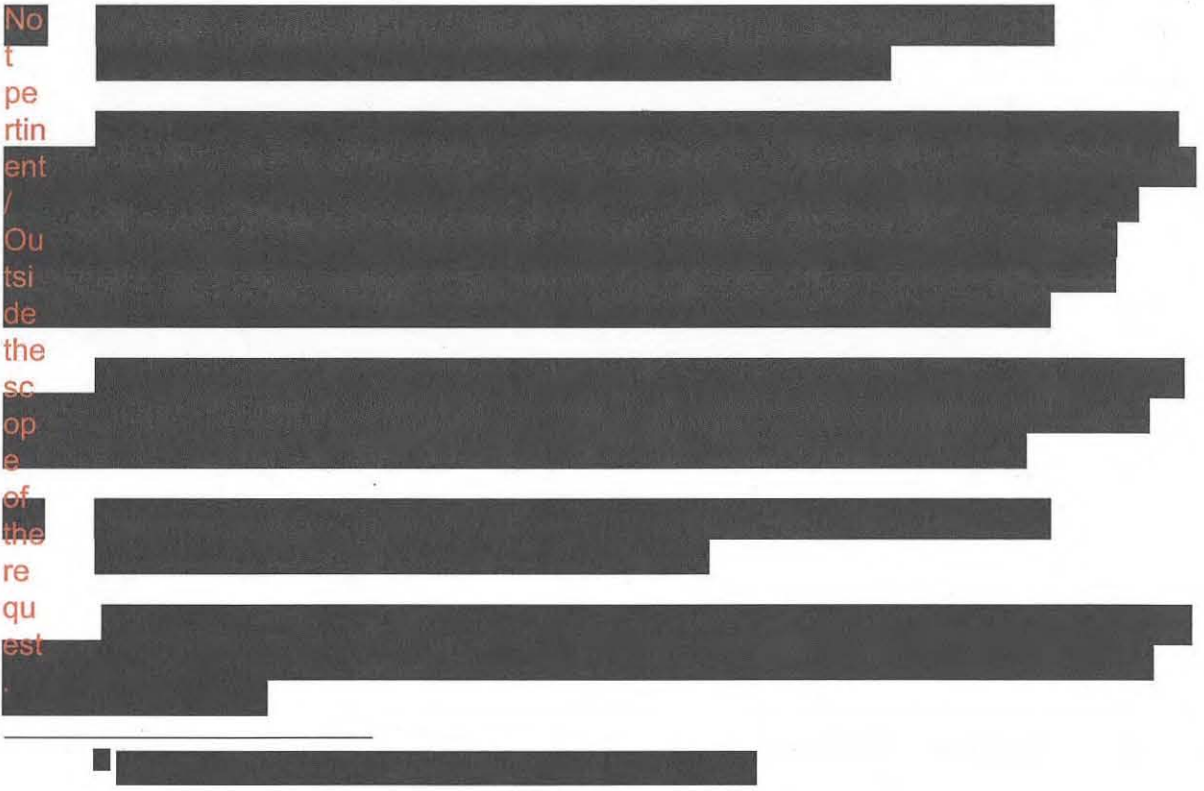
Not pertinent/Outside the scope of the request.



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

During this reporting period, the United States filed **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)

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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), b(7)(E)

[Redacted]

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Not pertinent/Outside the scope of the request.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Incident 08-1-11 (U)

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

[Redacted]

(S)

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

Incident 08-2-4 (U)

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

[REDACTED]

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Not pertinent/Outside the scope of the request.

[REDACTED]

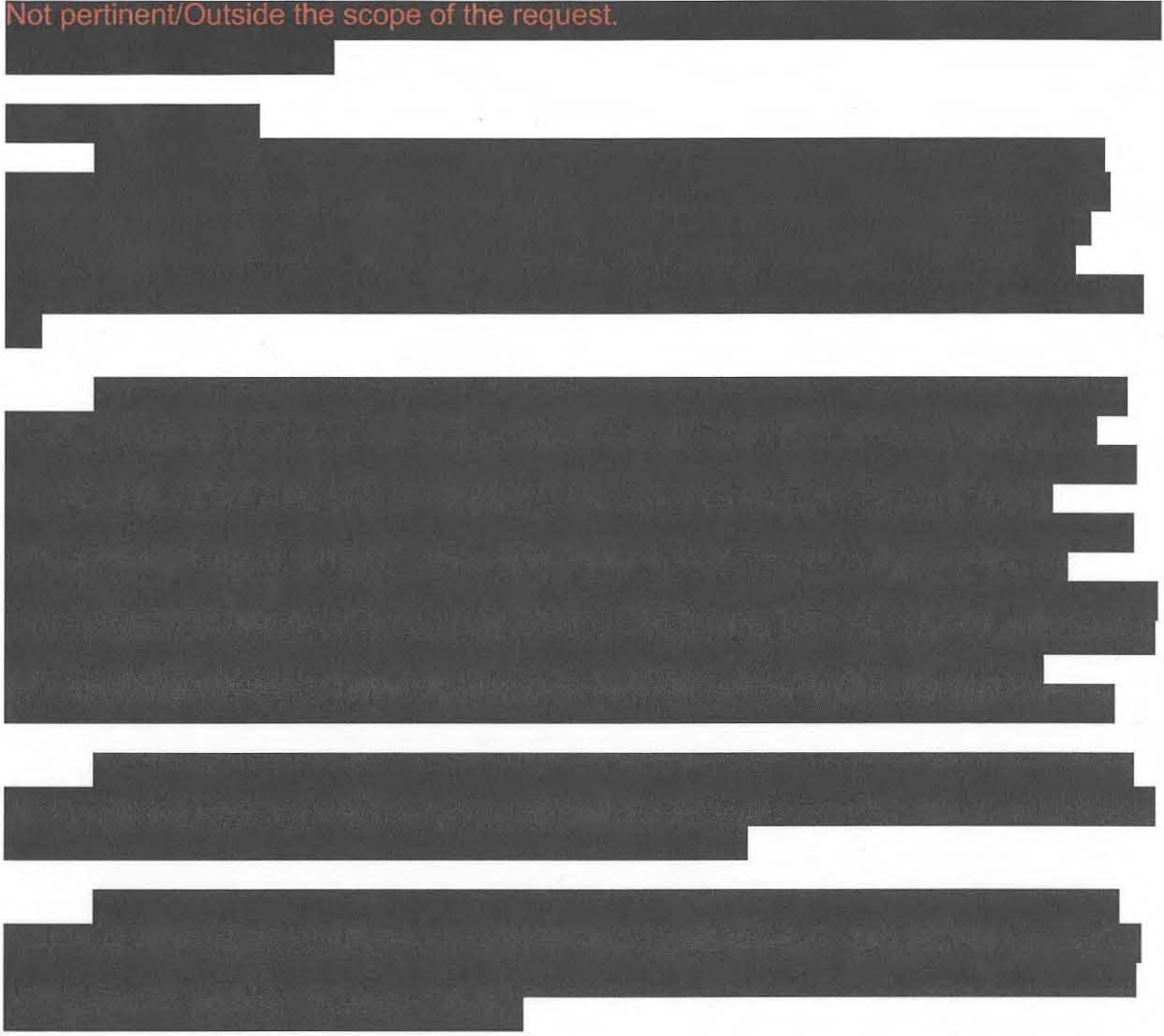
[REDACTED]

[REDACTED]

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Not pertinent/Outside the scope of the request.



Incident 09-1-17 (U)

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

~~(S)~~

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