Mr. James C. Duff
Director
Administrative Office of the United States Courts
Washington, DC 20544

Dear Mr. Duff:


During calendar year 2009, the Government made 1,376 applications to the Foreign Intelligence Surveillance Court (hereinafter “FISC”) for authority to conduct electronic surveillance and physical searches for foreign intelligence purposes. The 1,376 applications include applications made solely for electronic surveillance, applications made solely for physical search, and combined applications requesting authority for electronic surveillance and physical search. Of these, 1,329 applications included requests for authority to conduct electronic surveillance.

Of these 1,329 applications, eight were withdrawn by the Government. The FISC denied one application in whole, and one in part, and made modifications to the proposed orders in fourteen applications. Thus, the FISC approved collection activity in a total of 1,320 of the applications that included requests for authority to conduct electronic surveillance.

We hope that this information is helpful. Please do not hesitate to contact this office if you would like additional assistance regarding this or any other matter.

Sincerely,

Ronald Wein
Assistant Attorney General
Dear Mr. President:

This report is submitted pursuant to sections 107 and 502 of the Foreign Intelligence Surveillance Act of 1978 (the “Act”), as amended, 50 U.S.C. § 1801 et seq., and section 118 of USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report covers all applications made by the Government during calendar year 2009 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2009 for access to certain business records (including the production of tangible things) for foreign intelligence purposes, and certain requests made by the Federal Bureau of Investigation pursuant to national security letter authorities. In addition, while not required to do so by statute, the Government is providing information concerning the number of applications made during calendar year 2009 for authority to conduct physical searches for foreign intelligence purposes.

Applications for Electronic Surveillance Made During Calendar Year 2009 (section 107 of the Act, 50 U.S.C. § 1807)

During calendar year 2009, the Government made 1,376 applications to the Foreign Intelligence Surveillance Court (hereinafter “FISC”) for authority to conduct electronic surveillance and physical searches for foreign intelligence purposes. The 1,376 applications include applications made solely for electronic surveillance, applications made solely for physical search, and combined applications requesting authority for electronic surveillance and physical search. Of these, 1,329 applications included requests for authority to conduct electronic surveillance.

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Applications for Access to Certain Business Records (Including the Production of Tangible Things) Made During Calendar Year 2009 (section 502 of the Act, 50 U.S.C. § 1862(c)(1))

During calendar year 2009, the Government made twenty-one applications to the FISC for access to certain business records (including the production of tangible things) for foreign intelligence purposes. The FISC did not deny, in whole or in part, any such application filed by the Government during calendar year 2009. The FISC made modifications to nine proposed orders in applications for access to business records.


In 2009, the FBI made 14,788 NSL requests (excluding requests for subscriber information only) for information concerning United States persons. These sought information pertaining to 6,114 different United States persons.

Sincerely,

Ronald Weich
Assistant Attorney General
April 30, 2010

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, D.C. 20515

Dear Madam Speaker:

This report is submitted pursuant to sections 107 and 502 of the Foreign Intelligence Surveillance Act of 1978 (the “Act”), as amended, as amended, 50 U.S.C. § 1801 et seq., and section 118 of USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report covers all applications made by the Government during calendar year 2009 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2009 for access to certain business records (including the production of tangible things) for foreign intelligence purposes, and certain requests made by the Federal Bureau of Investigation pursuant to national security letter authorities. In addition, while not required to do so by statute, the Government is providing information concerning the number of applications made during calendar year 2009 for authority to conduct physical searches for foreign intelligence purposes.

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Sincerely,

Ronald Weich
Assistant Attorney General
April 30, 2010

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, D.C. 20510

Dear Mr. Leader:

This report is submitted pursuant to sections 107 and 502 of the Foreign Intelligence Surveillance Act of 1978 (the “Act”), as amended, 50 U.S.C. § 1801 et seq., and section 118 of USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report covers all applications made by the Government during calendar year 2009 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2009 for access to certain business records (including the production of tangible things) for foreign intelligence purposes, and certain requests made by the Federal Bureau of Investigation pursuant to national security letter authorities. In addition, while not required to do so by statute, the Government is providing information concerning the number of applications made during calendar year 2009 for authority to conduct physical searches for foreign intelligence purposes.

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Sincerely,

Ronald Weich
Assistant Attorney General
April 30, 2010

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, D.C. 20510

Dear Senator McConnell:

This report is submitted pursuant to sections 107 and 502 of the Foreign Intelligence Surveillance Act of 1978 (the “Act”), as amended, 50 U.S.C. § 1801 et seq., and section 118 of USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report covers all applications made by the Government during calendar year 2009 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2009 for access to certain business records (including the production of tangible things) for foreign intelligence purposes, and certain requests made by the Federal Bureau of Investigation pursuant to national security letter authorities. In addition, while not required to do so by statute, the Government is providing information concerning the number of applications made during calendar year 2009 for authority to conduct physical searches for foreign intelligence purposes.

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Sincerely,

[Signature]

Ronald Weich
Assistant Attorney General
The Honorable John Boehner  
Minority Leader  
United States House of Representatives  
Washington, D.C. 20515  

Dear Congressman Boehner:

This report is submitted pursuant to sections 107 and 502 of the Foreign Intelligence Surveillance Act of 1978 (the “Act”), as amended, 50 U.S.C. § 1801 et seq., and section 118 of USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report covers all applications made by the Government during calendar year 2009 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2009 for access to certain business records (including the production of tangible things) for foreign intelligence purposes, and certain requests made by the Federal Bureau of Investigation pursuant to national security letter authorities. In addition, while not required to do so by statute, the Government is providing information concerning the number of applications made during calendar year 2009 for authority to conduct physical searches for foreign intelligence purposes.

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Sincerely,

Ronald Weich
Assistant Attorney General
April 30, 2010

The Honorable Steny Hoyer
Majority Leader
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Leader:

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Sincerely,

Ronald Weich
Assistant Attorney General
Dear Madam and Messrs. Chairmen:

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Requests Made for Certain Information Concerning Different United States
Persons Pursuant to National Security Letter Authorities During Calendar
Year 2009 (USA PATRIOT Improvement and Reauthorization Act of 2005, Pub.
L. No. 109-177 (2006))

Pursuant to Section 118 of the USA PATRIOT Improvement and
Reauthorization Act, Pub. L. 109-177 (2006), the Department of Justice provides
Congress with annual reports regarding requests made by the Federal Bureau of
Investigation (FBI) pursuant to the National Security Letter (NSL) authorities

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Sincerely,

Ronald Weich
Assistant Attorney General

cc: The Honorable Jeff Sessions
Ranking Minority Member
Senate Committee on the Judiciary

The Honorable Christopher S. Bond
Vice Chairman
Senate Select Committee on Intelligence

The Honorable Lamar S. Smith
Ranking Minority Member
House Committee on the Judiciary

The Honorable Peter Hoekstra
Ranking Minority Member
House Permanent Select Committee on Intelligence