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October 3, 2013

The Honorable Edward J. Markey
United States Senate
Suite SR-218
Russell Building
Washington, DC 20510-2107

Dear Senator Markey:

I am responding to your letter dated September 12, 2013 to our Chairman and CEO, Randall Stephenson, asking AT&T to provide information concerning the law enforcement requests for wireless customer information it received in 2012.

As you note in your letter, wireless carriers play a crucial role in assisting law enforcement with their investigations. AT&T takes its responsibilities to protect the privacy of its customers while also fulfilling its legal responsibilities seriously. AT&T's policies require appropriate legal process for responses to law enforcement requests for information.

Our answers to your specific questions are provided below and in the attachments to this letter.

- 1. In 2012, how many total requests did your company receive from law enforcement to provide information about your customers' phone usage?**
 - a. Within that total, please list the amount of requests your company received for each type of usage, including but not limited to the following: 1) Geolocation of device (please distinguish between historical and real-time); 2) Call detail records (i.e., pen register and trap and trace); 3) Text message content; 4) Voicemail; 5) Cell tower dumps; 6) Wiretapping; 7) Subscriber information; 8) Data requests (e.g., Information on URLs visited).**

Answer: Please see Attachment A for the approximate number of requests AT&T has received from law enforcement, as well as a breakdown by the specified types of usage. In reviewing these totals please note the following:

- Because law enforcement requests frequently ask for more than one type of information, the totals provided in Attachment A include some duplication. For example, a request for Call Detail Records may also ask for Real-Time Geolocation and Historical Cell Tower Location. That single request will be

reflected three separate times in Attachment A – once for each of the specified usage types.

- Law enforcement requests also frequently ask for information on both wireless and wireline telephone numbers. Although AT&T can separate wireline and wireless requests for certain subpoenas, it does not make that separation on all requests. For that reason, the totals reflected on Attachment A also include some requests made for wireline numbers.
- For the “geolocation of device” usage request, we have interpreted “historical” location to refer to requests for the location of cell towers used by a mobile device, and “real-time” location to refer to requests for information about the approximate latitude/longitude of a device provided on a real time basis.
- We do not track law enforcement requests for Voicemail and Text message content separately, so we have provided a combined total in Attachment A.
- AT&T has provided the number of packet data surveillance requests (e.g., real time web browsing surveillance) in response to No. 1(a)(8).

b. Within that total, how many of the requests were made in emergency circumstances, and how many were in non-emergency situations?

Answer: *See Attachment A.*

c. Within that total, how many of the requests did your company fulfill and how many did it deny? If it denied any requests, for what reasons did it issue those denials?

Answer: *See Attachment A.*

As explained in last year’s letter, AT&T rejects requests for information about customer phone usage when the form of process received is not appropriate for the type of information requested, or when there is a procedural defect that prevents the request from meeting legal requirements.

For example, a request may be rejected because it is defective in form – i.e., law enforcement issues a subpoena when a court order is required, the order does not

contain a signature, the order fails to include the subject of the request, the order includes a number or name that does not match AT&T's records, etc.

AT&T provides a written explanation for the rejection to the submitting law enforcement agency. The law enforcement agency may then file a corrected request or pursue resolution through the court system.

- d. Within that total, please breakdown how many of the requests were made by Federal authorities, how many by state authorities, and how many by local authorities.**

Answer: AT&T does not track this information.

- 2. For each type of usage in 1(a), how long does your company retain the records?**

Answer: AT&T's 2012 retention period for each type of usage specified in Question 1(a) is provided below. Please note that actual retention may vary from these standard retention periods as necessary to comply with legal and operational requirements.

- **Geolocation:**
 - Historical Cell Tower Location: 5 years
 - Other Historical Geolocation: In 2012, AT&T maintained individual geolocation information for a small fraction of the wireless devices on our network. The retention period for this data was 60 days. This information was used solely for network analytics and improvement processes, and was not readily available on an individual subscriber basis.
- **Call Detail Records:** 5 years
- **Text Message Content:** AT&T does not retain the content of text messages in its SMS systems once those messages are delivered to the recipient. If AT&T is not able to deliver a text message within 72 hours, it is deleted from those systems. There are two exceptions to this general practice: (1) a wireless customer may choose to subscribe to AT&T Messages, which permits the customer to store their text messages in AT&T's cloud storage system. We generally store those messages until deleted by the customer; and (2) AT&T caches text message content for the purpose of detecting and eliminating spam and other malicious activity for a 48 hour rolling period. This system is not designed to enable retrieval and reporting on an individual subscriber basis. Messages marked as potentially malicious, including spam, may be retained for longer periods of time

depending on the circumstances of the analysis. In addition, AT&T also saves SMS sent by customers to AT&T's spam reporting short code (7726, or spam on the dialing keypad), for use in identifying and mitigating future misuse of our network.

- **Voicemail Messages:**

- Voicemail messages stored by AT&T Messages customers in AT&T's cloud storage facilities generally are retained until deleted by the customer.
- Voicemail messages stored on AT&T's standard mobility voicemail platforms generally are retained for the time frames provided below, unless deleted sooner by the customer:

Mobility Standard VM

Voicemail	14 days
Enhanced Voicemail	30 days

Mobility Visual VM

Visual Voicemail (Android, windows, Blackberry)	14 days
Visual Voicemail (Apple)	30 days

- **Subscriber Information:** Retained for the length of time the customer is active, plus 7 years.
- **Information on URLs visited:** In 2012, AT&T did not have the ability to retrieve and report web browsing activity on an individual subscriber basis.

3. What is the average amount of time law enforcement requests for one cell tower dump (e.g., one hour, 90 minutes, two hours, etc.)? For each hour of a cell tower dump that your company provides, on average how many mobile device numbers are turned over to law enforcement?

Answer: The average time period for the cell tower search requests AT&T received in 2012 is 1 hour and 20 minutes. AT&T does not keep records in a manner that would allow us to easily provide an average number of mobile device numbers provided per hour covered by each of the cell tower search requests responded to last year.

4. In 2012, how many requests did your company receive under Section 215 of the Patriot Act?

Answer: Without stating whether or not AT&T is in receipt of any Order under Section 215 of the Patriot Act, we do note that any recipient of such an Order would be prohibited from disclosing receipt of such Order except in circumstances not applicable here.¹ Attachment B to this letter is a copy of a report by the Department of Justice to Congress providing, among other things, the total number of Applications for Access to Certain Business Records (Including the Production of Tangible Things) made by the Government during the 2012 calendar year pursuant to § 502 of the Foreign Intelligence Surveillance Act, 50 U.S.C. §1862(c)(1). According to this report, the Government made a total of 212 such requests last year. The report does not disclose the businesses to which those requests were directed.

5. What protocol or procedure does your company employ when receiving these requests?

a. What legal standard do you require law enforcement to meet for each type of usage in 1 (a)?

Answer: The legal standard AT&T requires for each type of usage specified in Question 1(a) is provided below:

- **Geolocation:**
 - Historical: § 2703(d) Court Order, unless a Search Warrant is legally required
 - Real-time: Search Warrant
- **Call Detail Records:**
 - Pen Register/Trap and Trace: Pen Register/Trap and Trace Order
 - Other (historical): Subpoena, unless Court Order or Search Warrant is legally required
- **Text Message Content:** Wiretap Order, Search Warrant or (if stored longer than 180 days), a § 2703(d) Order or Subpoena, unless more stringent state requirements apply.

¹ Indeed in a filing dated September 30, 2013 at the Foreign Intelligence Surveillance Court, in responding to petitions by Google, Microsoft, Yahoo, LinkedIn and Facebook to disclose more information about national surveillance orders, the U.S. Government argued “[b]ecause revealing FISA data on a company-by-company basis would cause serious harm to national security, such data has been classified by the FBI. That classification decision establishes that unilaterally disclosing the information would undermine the secrecy of the surveillance, in violation of this Court’s orders, which require any company that has received a FISA order to protect the secrecy of the intelligence acquisitions. . . . The secrecy provisions in the orders flow from statutory requirements that, according to their plain language, protect such sources and methods, not just particular collections efforts.” *See Response of the United States to Motions for Declaratory Judgment by Google Inc., Microsoft Corporation, Yahoo! Inc., Facebook, Inc. And LinkedIn Corporation*, dated September 30, 2013, <http://www.uscourts.gov/uscourts/courts/fisc/motion-declaratory-judgement-131002.pdf>, at 4.

- **Voicemail Messages:** Search Warrant, or (if stored longer than 180 days) a §2703(d) Order or Subpoena, unless more stringent state requirements apply.
- **Cell Tower Information:** § 2703(d) Order unless Search Warrant is legally required.
- **Wiretapping:** Wiretap Order.
- **Subscriber Information:** Subpoena, unless more stringent state requirements apply.
- **Data Requests (Information on URLs visited):** Wiretap or Pen Register Order for packet data surveillance.

b. Does your company distinguish between emergency cell phone tracking requests from law enforcement and non-emergency tracking requests? If yes, what are the distinctions?

Answer: Yes. Non-emergency tracking requests require a search warrant or probable cause order. Before responding to emergency tracking requests, AT&T requires law enforcement to provide a written description of the emergency and to certify the facts presented are true and that they constitute an emergency involving danger of death or serious physical injury to a person, requiring disclosure without delay.

The certification must be signed and submitted to AT&T before AT&T will provide the requested information. If AT&T determines that a particular request does not fit the criteria for an emergency response, the requesting law enforcement agency is advised that the information cannot be provided without legal process.

c. Have any of these practices changed since your May 2012 correspondence?

Answer: No.

6. Did your company encounter misuse of cell phone tracking by police departments during 2012? If yes, in what ways has tracking been misused? And if yes, how has your company responded?

Answer: AT&T has not encountered misuse of cell phone tracking by police departments.

7. Does your company have knowledge of law enforcement authorities that use their own tracking equipment (e.g., Stingray phone trackers)? If yes, please explain. Does your company cooperate with law enforcement that uses its own tracking equipment? If yes, how?

Answer: AT&T does not know whether the police departments to which it has lawfully provided information own their own tracking equipment.

- 8. In 2012, did your company receive money or other forms of compensation in exchange for providing information to law enforcement? If yes, how much money did your company receive? And if yes, how much does your company typically charge for specific services (please refer to the list in 1(a) above)?**

Answer: In some cases AT&T is compensated for the cost of collecting and submitting customer phone usage information to law enforcement in response to lawful requests for that information. In 2012, AT&T received approximately \$10,298,000 in reimbursements for responses to the law enforcement requests reflected in Attachment A. The amount AT&T charges for providing responses to specific types of requests (referencing the usage types specified in question 1(a)) are itemized in Attachment C.

As noted in last year's letter, AT&T employs more than 100 full time workers and operates on a 24x7 basis for the purposes of satisfying law enforcement requests for information. AT&T's charges are intended to recoup at least a portion of our costs incurred in providing these required responses, and we believe we fall far short of our actual costs. For example, the scope of providing CALEA compliance alone is so broad and touches so many different areas within our company that capturing actual costs is virtually impossible.

- a. Does your company charge different amounts depending upon whether the request is for emergency or non-emergency purposes? Does your company charge fees for emergency cell phone tracking requests from police departments?**

Answer: AT&T imposes no charges for handling emergency requests.

- b. Please include any written schedule of any fees that your company charges law enforcement for these services.**

Answer: *See Attachment C.*

Honorable Edward Markey
October 3, 2013
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I trust that this letter and the attachments provide the information you requested. Please do not hesitate to contact me should you have any additional questions.

Sincerely,

A handwritten signature in black ink that reads "Jim McKone". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending to the right.

**AT&T RESPONSE
ATTACHMENT A**

ATTACHMENT A
Response to Question No. 1

1	Total Requests Received*	297,500
1(a)(1)	Geolocation	77,800
	• Historical (Cell Tower Location)	31,000
	• Real-Time	46,800
1(a)(2)	Call Detail Records	135,300
	• Pen Register/Trap & Trace/Wiretap	2,300
	• Historical (All Other Detail Records)	133,000
1(a)(3)(4)	Text Message Content / Voicemail**	4,200
1(a)(5)	Cell Tower Dumps (Searches)	600
1(a)(6)	Wiretapping	500
1(a)(7)	Subscriber Information	129,300
1(a)(8)	Data Requests (Packet Data Surveillance)	1,200
1(b)	Emergency	83,400
	• 911	65,500
	• Exigent	17,900
	Non-Emergency (Total Requests minus Emergency Requests)	214,100
	Denied Requests ***	1,300
1(c)	Rejected Surveillance Orders	800
	Rejected Subpoenas (Electronically Submitted)	500

* Because some law enforcement requests seek more than one type of customer information, the number of requests reflected in response to Question 1(a) is greater than the total number of requests received.

** Because all centers did not track such requests, this total understates the actual number.

*** Because AT&T does not track rejections of other types of process, this total understates the actual number of denied requests.

**AT&T RESPONSE
ATTACHMENT B**



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, DC 20510

APR 30 2013

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 the USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report provides information regarding all applications made by the Government during calendar year 2012 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2012 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 2012 for authority to conduct physical searches for foreign intelligence purposes.

Applications Made to the Foreign Intelligence Surveillance Court During Calendar Year 2012 (section 107 of the Act, 50 U.S.C. § 1807)

During calendar year 2012, the Government made 1,856 applications to the Foreign Intelligence Surveillance Court (the "FISC") for authority to conduct electronic surveillance and/or physical searches for foreign intelligence purposes. The 1,856 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, 1,789 applications included requests for authority to conduct electronic surveillance.

Of these 1,789 applications, one was withdrawn by the Government. The FISC did not deny any applications in whole or in part. The FISC made modifications to the proposed orders

in 40 applications.¹ Thus, the FISC approved collection activity in a total of 1,788 of the applications that included requests for authority to conduct electronic surveillance.

Applications for Access to Certain Business Records (Including the Production of Tangible Things) Made During Calendar Year 2012 (section 502 of the Act, 50 U.S.C. § 1862(c)(1))

During calendar year 2012, the Government made 212 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 2012. The FISC made modifications to 200 proposed orders in applications for access to business records.


Requests Made for Certain Information Concerning Different United States Persons Pursuant to National Security Letter Authorities During Calendar Year 2012 (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 provided in 12 U.S.C. § 3414, 15 U.S.C. § 1681u, 15 U.S.C. § 1681v, 18 U.S.C. § 2709, and 50 U.S.C. § 436.

In 2012, the FBI made 15,229 NSL requests (excluding requests for subscriber information only) for information concerning United States persons. These sought information pertaining to 6,223 different United States persons.

We hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Peter J. Kadzik
Principal Deputy Assistant Attorney General

¹The FISC modified one order for an application made in a prior reporting period during the current reporting period.



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Nancy Pelosi
Minority Leader
United States House of Representatives
Washington, DC 20515

APR 30 2013

Dear Madam 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 the USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report provides information regarding all applications made by the Government during calendar year 2012 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2012 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 2012 for authority to conduct physical searches for foreign intelligence purposes.

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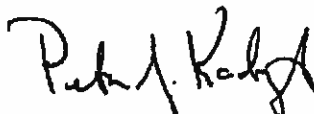
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Peter J. Kadzik

Principal Deputy Assistant Attorney General

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U.S. Department of Justice
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Washington, D.C. 20530

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

APR 30 2013

Dear Mr. Leader:

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The Honorable Mitch McConnell

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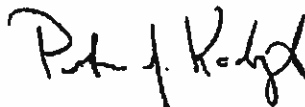
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U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Eric Cantor
Majority Leader
United States House of Representatives
Washington, DC 20515

APR 30 2013

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U.S. Department of Justice
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Office of the Assistant Attorney General

Washington, D.C. 20530

APR 30 2013

The Honorable John Boehner
Speaker
United States House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

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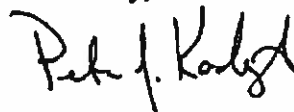
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Pursuant to Section 118 of the USA PATRIOT Improvement and Reauthorization Act, Pub. L. 109-177 (2006), the Department of Justice provides Congress with annual reports regarding requests made by the Federal Bureau of Investigation (FBI) pursuant to the National Security Letter (NSL) authorities provided in 12 U.S.C. § 3414, 15 U.S.C. § 1681u, 15 U.S.C. § 1681v, 18 U.S.C. § 2709, and 50 U.S.C. § 436.

In 2012, the FBI made 15,229 NSL requests (excluding requests for subscriber information only) for information concerning United States persons. These sought information pertaining to 6,223 different United States persons.

We hope that this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Peter J. Kadzik
Principal Deputy Assistant Attorney General

¹ The FISC modified one order for an application made in a prior reporting period during the current reporting period.



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

APR 30 2013

The Honorable Joseph R. Biden, Jr.
President
United States Senate
Washington, DC 20510

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 the USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006).

In accordance with those provisions, this report provides information regarding all applications made by the Government during calendar year 2012 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2012 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 2012 for authority to conduct physical searches for foreign intelligence purposes.

Applications Made to the Foreign Intelligence Surveillance Court During Calendar Year 2012 (section 107 of the Act, 50 U.S.C. § 1807)

During calendar year 2012, the Government made 1,856 applications to the Foreign Intelligence Surveillance Court (the "FISC") for authority to conduct electronic surveillance and/or physical searches for foreign intelligence purposes. The 1,856 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, 1,789 applications included requests for authority to conduct electronic surveillance.

Of these 1,789 applications, one was withdrawn by the Government. The FISC did not deny any applications in whole or in part. The FISC made modifications to the proposed orders

in 40 applications.¹ Thus, the FISC approved collection activity in a total of 1,788 of the applications that included requests for authority to conduct electronic surveillance.

Applications for Access to Certain Business Records (Including the Production of Tangible Things) Made During Calendar Year 2012 (section 502 of the Act, 50 U.S.C. § 1862(c)(1))

During calendar year 2012, the Government made 212 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 2012. The FISC made modifications to 200 proposed orders in applications for access to business records.

Requests Made for Certain Information Concerning Different United States Persons Pursuant to National Security Letter Authorities During Calendar Year 2012 (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 provided in 12 U.S.C. § 3414, 15 U.S.C. § 1681u, 15 U.S.C. § 1681v, 18 U.S.C. § 2709, and 50 U.S.C. § 436.

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Peter J. Kadzik
Principal Deputy Assistant Attorney General

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U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, DC

APR 30 2013

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

The Honorable Dianne Feinstein
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

The Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Mike Rogers
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam and Messrs. Chairmen:

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 the USA PATRIOT Improvement and Reauthorization Act of 2005, Pub. L. No. 109-177 (2006). In accordance with those provisions, this report provides information regarding all applications made by the Government during calendar year 2012 for authority to conduct electronic surveillance for foreign intelligence purposes under the Act, all applications made by the Government during calendar year 2012 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 2012 for authority to conduct physical searches for foreign intelligence purposes.

Applications Made to the Foreign Intelligence Surveillance Court During Calendar Year 2012 (section 107 of the Act, 50 U.S.C. § 1807)

During calendar year 2012, the Government made 1,856 applications to the Foreign Intelligence Surveillance Court (the "FISC") for authority to conduct electronic surveillance and/or physical searches for foreign intelligence purposes. The 1,856 applications include applications made solely for electronic surveillance, applications made solely for

The Honorable Patrick J. Leahy
The Honorable Dianne Feinstein
The Honorable Bob Goodlatte
The Honorable Mike Rogers
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physical search, and combined applications requesting authority for electronic surveillance and physical search. Of these, 1,789 applications included requests for authority to conduct electronic surveillance.

Of these 1,789 applications, one was withdrawn by the Government. The FISC did not deny any applications in whole or in part. The FISC made modifications to the proposed orders in 40 applications.¹ Thus, the FISC approved collection activity in a total of 1,788 of the applications that included requests for authority to conduct electronic surveillance.

Applications for Access to Certain Business Records (Including the Production of Tangible Things) Made During Calendar Year 2012 (section 502 of the Act, 50 U.S.C. § 1862(c)(1))

During calendar year 2012, the Government made 212 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 2012. The FISC made modifications to 200 proposed orders in applications for access to business records.

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The Honorable Patrick J. Leahy
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We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Peter J. Kadzik
Principal Deputy Assistant Attorney General

cc: The Honorable Charles E. Grassley
Ranking Minority Member
Senate Committee on the Judiciary

The Honorable Saxby Chambliss
Vice Chairman
Senate Select Committee on Intelligence

The Honorable John Conyers, Jr.
Ranking Minority Member
House Committee on the Judiciary

The Honorable C.A. "Dutch" Ruppertsberger
Ranking Minority Member
House Permanent Select Committee on Intelligence

**AT&T RESPONSE
ATTACHMENT C**



AT&T PRICING STRUCTURE

Effective February 25, 2010

	Type of Fee	Cost Per Number For Court Orders, Extensions or Amended Orders
1.a.(2)	PEN REGISTER ORDERS	
	Activation Fee: Includes activation costs per number associated with supporting CALEA compliance and responding to court orders in a timely manner.	\$325.00
	Daily Fee: Applied to each number per day the order is active to support CALEA compliance and delivery of CALEA data over the AT&T network.	\$5.00/Day
1.a.(6)	CONTENT ORDERS	
	Activation Fee: Includes activation costs per number associated with supporting CALEA compliance and responding to court orders in a timely manner.	\$325.00
	Daily Fee: Applied to each number per day the order is active to support CALEA compliance and delivery of CALEA voice/data over the AT&T network.	\$10.00/Day
1.a.(8)	PACKET DATA	
	Activation Fee: Includes activation costs per number associated with supporting CALEA compliance and responding to court orders in a timely manner.	\$325.00
	Daily Fee: Applied to each number per day the order is active to support CALEA compliance and deliver of CALEA packet data over the AT&T network.	\$10.00/Day
1.a.(8)	PACKET DATA (In Conjunction with Voice Charges)	
	Activation Fee: Includes activation costs per number associated with supporting CALEA compliance and responding to court orders in a timely manner.	\$100.00
	Daily Fee: Applied to each number per day the order is active to support CALEA compliance and deliver of CALEA packet data over the AT&T network.	\$10.00/Day
1.a.(1)	GEOLOCATION OF DEVICE (NON-EMERGENCY)	
	Activation Fee: Includes activation costs and email delivery per number.	\$100.00
	Daily Fee: Applied to each number per day.	\$25.00
1.a.(5)	CELL SITE DUMPS (SEARCHES)	
	Requests for all calls processed during a specific time period on a specific cell site.	\$75.00/tower
1.a.(2)	CALL DETAIL RECORDS (SUBPOENAS ONLY)	
	Requests for subscribers' invoices and billed usage.	\$40.00 per hour (Exception California \$24.00 per hour)