# NATIONAL SECURITY AGENCY CENTRAL SECURITY SERVICE

# (U//FOUO) CLASSIFICATION GUIDE FOR FOREIGN INTELLIGENCE SURVEILLANCE ACT (FISA)/PROTECT AMERICA ACT (PAA)/FISA AMENDMENTS ACT (FAA) ACTIVITIES (2-48)

Effective Date: 4 August 2009

Revised Date(s): 8 February 2012

Classified by: William M. Crumm SIGINT Director

Reason(s) for Classification: E.O. 12958 1.4(c)

Declassify on: 25 years\*

Endorsed by: Joseph J. Brand Associate Director for Community Integration, Policy & Records

| <b>(U)</b> | Change | Register |
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|            |        |          |

| Change No. | Change  | Date Made<br>mm/dd/yy | By<br>(initials) |
|------------|---|-----------------------|------------------|
| 1.         | (U) Added change register.  | 02/07/12              | nnh              |
| 2.         | (U//FOUO) Included the two S02 OCA decisions in the 25<br>October 2010, "Classification Decision Regarding NSA<br>Activities Conducted under the Foreign Intelligence<br>Surveillance Act Amendments Act" SPF as items 2.10. and<br>2.11. Renumbered the rest of section 2 appropriately. | 02/07/12              | nnh              |
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#### (U) NSA/CSS CLASSIFICATION GUIDE NUMBER: 2-48

#### (U) PUBLICATION DATE:

#### (U//FOUO) PROJECT ACTIVITY NAME: Foreign Intelligence Surveillance Act/Protect America Act/FISA Amendments Act (FISA/PAA/FAA) Activities

(U) OFFICE OF ORIGIN: SID Oversight & Compliance, SV

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(U//FOUO) CLASSIFIED BY: S, SIGINT Director, William M. Crumm

#### (U) DECLASSIFICATION DATE: 25 Years\*

(U//FOUO) This guide provides classification guidance for FISA/PAA/FAA. FISA governs the conduct of certain electronic surveillance activities within the United States and against U.S. persons, regardless of location, and requires surveillances be authorized by the United States Foreign Intelligence Surveillance Court (USFISC), or in certain limited circumstances, by the Attorney General. PAA was an interim version of the FISA modernization legislation and allowed the DNI and the Attorney General to jointly authorize the acquisition of foreign intelligence information concerning persons reasonably believed to be outside the United States. FAA is the permanent FISA modernization legislation and is authorized by the USFISC.

(TS//NF) FISA includes all NSA FISA (to include Business Records, Large Content & FAA) and FBI FISA (to include Pen Register Trap Trace).

(U//FOUO) The phrases, "seeks or obtains FISA authority" and "seeks or obtains PAA authority" used throughout this document include the fact that NSA collects/ processes/ analyzes/ retains/ produces and then disseminates foreign intelligence information and data.

(U//FOUO) Unless otherwise specified, classification guidance which concern NSA FISA activities apply to all forms of NSA FISA, including FAA.

(U//FOUO) Consult with the Office of General Counsel or the SID Office of Oversight and Compliance for guidance on when FISA or other special authorities are needed to conduct SIGINT activities.

(U//FOUO) Note: Timetable for FISA/PAA/FAA: FISA, 1978 – present; PAA and Continuation, August 2007 – July 2008; FAA, July 2008 – present.

# (U) FISA/PAA/FAA Activities:

| Description of   | Classification/              | Reason  | Declassification | Remarks  |
|--|------------------------------|---------|------------------|--|
| Information  | Markings                     |         | Date             |  |
| 1. GENERAL FACTS   |                              |         |                  |  |
| 1.1. (U) The fact that NSA<br>conducts activities under<br>Foreign Intelligence<br>Surveillance Act (FISA) or<br>Protect America Act<br>(PAA).   | UNCLASSIFIED                 | N/A     | N/A              |  |
| 1.2. (U) The fact that NSA<br>targets/ collects/ processes<br>the communications of<br>unspecified foreign<br>governments/<br>organizations/ terrorist<br>groups/ individuals under<br>FISA/PAA. | UNCLASSIFIED                 | N/A     | N/A .            | (U) Section 2<br>provides<br>classification<br>guidance when<br>communications<br>entities are<br>specified. |
| 1.3. (U) The fact that<br>unspecified selectors are<br>targeted and collected<br>under FISA/PAA.   | UNCLASSIFIED                 | N/A     | N/A              | (U) See Section 2.18<br>for classification<br>guidance when<br>selectors are<br>specified.                   |
| 1.4. (U) The fact that the<br>PAA allows electronic<br>surveillance of<br>communications of persons<br>reasonably believed to be<br>foreign and outside the<br>U.S.                              | UNCLASSIFIED                 | N/A     | N/A              |  |
| 1.5. (U) The fact that NSA<br>acquires foreign<br>intelligence information<br>from or with the assistance<br>of an unspecified<br>communications provider<br>to collect PAA-authorized<br>data.  | UNCLASSIFIED                 | N/A     | N/A              | (U) Identifying a<br>specific<br>communications<br>provider would<br>make this fact<br>classified.           |
| 1.6. (S//REL TO USA,<br>FVEY) The fact that PAA-<br>authorized activities were<br>or may be conducted at an<br>unspecified<br>communications facility in<br>the U.S.                             | SECRET//<br>REL TO USA, FVEY | 1.4(c)* | 25 Years*        |  |
| 1.7. (S//REL TO USA,<br>FVEY) The fact that the<br>Foreign Intelligence<br>Surveillance Court (FISC)<br>approved, on 22 July 2002,<br>a motion to allow NSA to                                   | SECRET//<br>REL TO USA, FVEY | 1.4(c)* | 25 Years*        | (S//REL TO USA,<br>FVEY) The CIA<br>also receives this<br>raw data.<br>(U//FOUO)<br>Classified based on      |

|                               | l                | T       |           |                        |
|-------------------------------|------------------|---------|-----------|------------------------|
| receive raw data from         |                  |         |           | Docket number 02-      |
| Court-authorized electronic   |                  |         |           | 431, 22 July 2002.     |
| surveillance and physical     |                  |         |           |                        |
| search acquired by the FBI    |                  |         |           |                        |
| of international terrorist    |                  |         |           |                        |
| groups, their agents, and     |                  |         |           |                        |
| related targets.              |                  |         |           |                        |
| 1.8. (S//REL TO USA,          | SECRET//         | 1.4(c)* | 25 Years* | (TS//SI//NF) For       |
| FVEY) The fact that FBI       | REL TO USA, FVEY |         |           | FBI Pen Register       |
| obtains FISA                  |                  |         |           | Trap Trace (PR/TT),    |
| counterterrorism court        |                  |         |           | classification is      |
| orders on behalf of NSA.      |                  |         |           | TOP SECRET//SI//       |
|                               |                  |         |           | NOFORN.                |
| 1.9. (S//REL TO USA,          | SECRET//         | 1.4(c)* | 25 Years* | (S//REL TO USA,        |
| FVEY) The fact that FBI       | REL TO USA, FVEY |         |           | FVEY) This will        |
| enables FISA-authorized       |                  |         |           | apply to either NSA-   |
| surveillances, without        |                  |         |           | or FBI-secured court   |
| identification of targets, on |                  |         |           | orders.                |
| behalf of NSA.                |                  |         |           |                        |
| 1.10. (S//SI//REL TO USA,     | SECRET//SI//     | 1.4(c)* | 25 Years* |                        |
| FVEY) The fact that NSA       | REL TO USA, FVEY |         |           |                        |
| acquired or acquires          |                  |         |           |                        |
| signaling, dialing, routing   |                  |         |           |                        |
| and addressing information    |                  |         |           |                        |
| of electronic                 |                  |         |           |                        |
| communications targeted       |                  |         |           |                        |
| under PAA from                |                  |         |           |                        |
| communications service        |                  |         |           |                        |
| providers.                    |                  |         |           |                        |
| 1.11. (U//FOUO) The           | UNCLASSIFIED//   | Ex. 3*  | N/A       | (U//FOUO) These        |
| association of any            | FOUO             |         |           | data labels will be    |
| RAGTIME data labels,          |                  |         |           | applied to FISA raw    |
| e.g., RAGTIME-C, etc.,        |                  |         |           | traffic to ensure that |
| with NSA FISA or PAA          |                  |         |           | only those who are     |
| activities.                   |                  |         |           | properly trained to    |
|                               |                  |         |           | handle, retain, and    |
|                               |                  |         |           | disseminate FISA or    |
|                               |                  |         |           | PAA-authorized         |
|                               |                  |         |           | collection may do      |
|                               |                  |         |           | so.                    |
| 1.12. (C//REL TO USA,         | CONFIDENTIAL//   | 1.4(c)* | 25 Years* |                        |
| FVEY) The fact that NSA       | REL TO USA, FVEY |         |           |                        |
| FISA surveillances are        |                  |         |           |                        |
| subject to an Interagency     |                  |         |           |                        |
| Review Panel (IRP) policy     |                  |         |           |                        |
| approval process, with or     |                  |         |           |                        |
| without mention of the        |                  |         |           |                        |
| specific participants in that |                  |         |           |                        |
| process or their roles.       |                  |         |           |                        |
| 2. (U) TARGETING/CO           |                  |         |           |                        |
| 2.1. (U) The fact that NSA    | SECRET//SI//     | 1.4(c)* | 25 Years* |                        |
| seeks or obtains FISA         | REL TO USA, FVEY | 1       | <u> </u>  |                        |

|   |                                      |         |           | T   |
|---|--------------------------------------|---------|-----------|---|
| authority against a<br>specified country, with<br>identification of specific<br>foreign target facilities or<br>their locations outside of<br>the U.S.  | at a minimum                         |         |           |   |
| 2.2. (U) The fact that NSA<br>seeks or obtains FISA<br>authority against a<br>specified country, with<br>identification of specific<br>foreign target facilities or<br>their locations inside the<br>U.S.   | TOP SECRET//SI//<br>NOFORN           | 1.4(c)* | 25 Years* |   |
| 2.3. (U) The fact that NSA<br>seeks or obtains FISA<br>authority against a<br>specified country, without<br>identification of specific<br>foreign target facilities or<br>their locations.  | TOP SECRET//SI//<br>NOFORN           | 1.4(c)* | 25 Years* | (U//FOUO) When<br>the foreign target<br>entity or location is<br>not specified, the<br>default is that the<br>activity could be<br>taking place in the<br>U.S., and therefore<br>such information is<br>classified at the<br>TOP SECRET//SI//<br>NOFORN level in<br>accordance with 2.2<br>above. |
| 2.4. (TS//SI//NF) The fact<br>that NSA seeks or obtains<br>FISA authority against an<br>international organization<br>inside the U.S., with or<br>without identification of<br>specific communications<br>entities.                                     | TOP SECRET//SI//<br>NOFORN           | 1.4(c)* | 25 Years* | (TS//SI//NF) The<br>classification level is<br>TOP SECRET//SI//<br>NOFORN regardless<br>of whether the<br>international<br>organization is<br>specified for which<br>NSA is seeking or<br>obtaining FISA<br>authority.  |
| 2.5. (TS//SI//NF) The fact<br>that NSA seeks or obtains<br>FISA authority against an<br>international organization<br>that includes 2nd Party<br>governments, with or<br>without identification of<br>specific foreign target<br>entities or locations. | TOP SECRET//SI//<br>NOFORN           | 1.4(c)* | 25 Years* |   |
| 2.6. (TS//SI//REL TO<br>USA, FVEY) The fact that<br>NSA seeks or obtains FISA<br>authority, if necessary,   | TOP SECRET//SI//<br>REL TO USA, FVEY | 1.4(c)* | 25 Years* | (TS//SI//REL TO<br>USA, FVEY) The<br>classification level is<br>TOP SECRET//SI//  |

| against an international<br>organization outside of the<br>U.S. that does not include<br>2nd Party governments,<br>with or without<br>identification of specific<br>foreign target entities.                     |                            |         |           | REL TO USA,<br>FVEY regardless of<br>whether the<br>international<br>organization is<br>specified for which<br>NSA is seeking or<br>obtaining FISA<br>authority.  |
|--|----------------------------|---------|-----------|---|
| 2.7. (TS//SI//NF) The fact<br>that NSA seeks or obtains<br>FISA authority against<br>financial or commercial<br>organizations, with or<br>without identification of<br>specific target entities or<br>locations. | TOP SECRET//SI//<br>NOFORN | 1.4(c)* | 25 Years* | (TS//SI//NF) The<br>classification level is<br>TOP SECRET//SI//<br>NOFORN regardless<br>of whether the<br>financial or<br>commercial<br>organization is<br>specified for which<br>NSA is seeking or<br>obtaining FISA<br>authority.   |
| 2.8. (TS//SI//NF) The fact<br>that NSA seeks or obtains<br>FISA authority against an<br>agent of a foreign power in<br>the U.S., with or without<br>specific foreign target<br>entity locations.                 | TOP SECRET//SI//<br>NOFORN | 1.4(c)* | 25 Years* |   |
| 2.9. (U//FOUO) The fact<br>that NSA seeks or obtains<br>FISA authority against<br>specified U.S. persons.  | TOP SECRET//SI//<br>NOFORN | 1.4(c)* | 25 Years* | <ul> <li>(U//FOUO) Refer to<br/>the FAA web site<br/>located at<br/><u>http://siteworks.nsa/</u></li> <li>?p_id=9969 for<br/>additional<br/>information<br/>concerning FAA<br/>authority.</li> <li>(U) When the U.S.<br/>person is not<br/>specified, this fact is<br/>UNCLASSIFIED//<br/>FOR OFFICIAL<br/>USE ONLY.</li> </ul> |
| 2.10. (U) The fact that<br>NSA conducts activities<br>and/or targets and collects<br>under FAA against an<br>unspecified person.   | UNCLASSIFIED               | N/A     | N/A       | (U//FOUO) S02<br>OCA decision, 25<br>October 2010,<br>"Classification<br>Decision Regarding<br>NSA Activities<br>Conducted under the<br>Foreign Intelligence<br>Surveillance Act  |

|   |  | 1       | T         | Amendments Act"  |
|---|--|---------|-----------|--|
| 2.11. (U) The fact that,<br>pursuant to sections 702,<br>704 and/or 705 of the FAA,<br>NSA conducts electronic<br>surveillance activities<br>and/or targets and collects<br>against an unspecified<br>person. | UNCLASSIFIED                                     | N/A     | N/A       | (U//FOUO) S02<br>OCA decision, 25<br>October 2010,<br>"Classification<br>Decision Regarding<br>NSA Activities<br>Conducted under the<br>Foreign Intelligence<br>Surveillance Act<br>Amendments Act"  |
| 2.12. (U) The fact that<br>NSA seeks or obtains FISA<br>authority or sought PAA<br>authority against<br>unspecified terrorists or<br>terrorist groups.  | UNCLASSIFIED                                     | N/A     | N/A       | (U) See Sections<br>2.11, 2.12, and 2.15<br>for classification<br>guidance when<br>terrorists or terrorist<br>groups are specified.  |
| 2.13. (U) The fact that<br>NSA seeks or obtains FISA<br>authority or sought PAA<br>authority against specified<br>terrorists or terrorist<br>groups, outside the U.S.   | SECRET//SI//<br>REL TO USA, FVEY<br>at a minimum | 1.4(c)* | 25 Years* | (TS//SI//NF) For<br>FBI Pen Register<br>Trap Trace (PR/TT),<br>classification is<br>TOP SECRET//SI//<br>NOFORN.  |
| 2.14. (U) The fact that<br>NSA seeks or obtains FISA<br>authority against specified<br>terrorists or terrorist<br>groups, inside the U.S.   | TOP SECRET//SI//<br>NOFORN                       | 1.4(c)* | 25 Years* |  |
| 2.15. (TS//SI//NF) The fact<br>that NSA seeks or obtains<br>FISA authority against<br>communications from<br>foreign governmental and<br>diplomatic facilities in the<br>U.S.                                 | TOP SECRET//SI//<br>NOFORN                       | 1.4(c)* | 25 Years* | (TS//SI//NF) The<br>classification level is<br>TOP SECRET//SI//<br>NOFORN regardless<br>of whether the<br>foreign<br>governmental or<br>diplomatic facility in<br>the U.S. is specified<br>for which NSA is<br>seeking or obtaining<br>FISA authority.               |
| 2.16. (S//SI//REL TO USA,<br>FVEY) The fact that NSA<br>seeks or obtains FISA<br>authority against<br>communications from<br>foreign governmental or<br>diplomatic facilities outside<br>the U.S.             | SECRET//SI//<br>REL TO USA, FVEY<br>at a minimum | 1.4(c)* | 25 Years* | (S//SI//REL TO<br>USA, FVEY) The<br>classification level is<br>SECRET//SI//<br>REL TO USA,<br>FVEY regardless of<br>whether the foreign<br>government or<br>diplomatic facility<br>outside the U.S. is<br>specified for which<br>NSA is seeking or<br>obtaining FISA |

|   |  |         |           | authority.   |
|---|--|---------|-----------|--|
| 2.17. (U) The fact that<br>NSA seeks or obtains PAA<br>authority against the<br>communications of a<br>specified foreign<br>government, terrorist<br>group, organization, or<br>individual.           | SECRET//SI//<br>REL TO USA, FVEY<br>at a minimum | 1.4(c)* | 25 Years* | (U) Sensitivity of<br>the target entity may<br>also result in the<br>application of<br>NOFORN.   |
| 2.18. (TS//SI//NF) The fact<br>that NSA seeks FISA<br>authority to obtain business<br>records (BR) for terrorist<br>groups.   | TOP SECRET//SI//<br>NOFORN                       | 1.4(c)* | 25 Years* | (TS//SI//NF) The<br>classification level is<br>TOP SECRET//SI//<br>NOFORN regardless<br>of whether the<br>terrorist group is<br>specified for which<br>NSA is seeking or<br>obtaining FISA BR<br>authority.          |
| 2.19. (TS//SI//NF) The fact<br>that NSA receives or<br>requests from FBI Pen<br>Register Trap Trace<br>(PR/TT) FISA warrants in<br>order to get data about<br>terrorist groups.                       | TOP SECRET//SI//<br>NOFORN                       | 1.4(c)* | 25 Years* | (TS//SI//NF) The<br>classification level is<br>TOP SECRET//SI//<br>NOFORN regardless<br>of whether the<br>terrorist group is<br>specified for which<br>NSA is seeking or<br>obtaining FISA<br>PR/TT authority.       |
| 2.20. (S//SI//REL TO USA,<br>FVEY) The identification<br>of specific selectors (e.g.,<br>specific phone numbers;<br>specific e-mail addresses)<br>targeted in FISA warrants<br>or PAA certifications. | SECRET//SI//<br>REL TO USA, FVEY<br>at a minimum | 1.4(c)* | 25 Years* | (U) Classify at the<br>same level as the<br>classification<br>assigned to the<br>target (e.g., selectors<br>for a target classified<br>as TS//SI//NF per<br>section 2.2, would<br>also be classified<br>TS//SI//NF). |
| 2.21. (U) The identification of, or relationships with, providers.  | TOP SECRET//SI//<br>NOFORN<br>at a minimum       | 1.4(c)* | 25 Years* | (U) Refer to<br>appropriate ECI<br>classification guides<br>for additional<br>instructions.  |
| 2.22. (U) The identification<br>of specific communications<br>methods/ technologies<br>targeted/ collected/<br>processed under FISA or<br>PAA.  | SECRET//<br>REL TO USA, FVEY<br>at a minimum     | 1.4(c)* | 25 Years* | (U) Handle at the<br>same classification<br>level as required for<br>the specific<br>communications<br>methods or<br>technologies<br>targeted/collected/<br>processed. Certain                                       |

|   |  |         |           | facts about<br>technologies<br>collected under<br>FISA or PAA may<br>be determined to be<br>UNCLASSIFIED,<br>while other facts<br>may be higher than<br>SECRET//<br>REL TO USA,<br>FVEY.<br>(U//FOUO) If the<br>FISA or PAA target<br>entity is specified,<br>refer to the<br>classification<br>guidance throughout<br>Section 2. |
|---|--|---------|-----------|---|
| 2.23. (S//SI//REL TO USA,<br>FVEY) Statistics or<br>statistical trends relating to<br>NSA FISA targets,<br>including numbers of court<br>orders, IRP policy<br>approvals, targets,<br>facilities, or selectors, or<br>combinations or<br>subcategories thereof,<br>without mention of<br>techniques involved. | TOP SECRET//SI//<br>NOFORN                       | 1.4(c)* | 25 Years* |   |
| 2.24. (S//REL TO USA,<br>FVEY) Statistics or<br>statistical trends relating to<br>FBI FISA targets,<br>including numbers of court<br>orders, targets, facilities, or<br>selectors, or combinations<br>or subcategories thereof,<br>without mention of<br>techniques involved.                                 | SECRET//<br>REL TO USA, FVEY                     | 1.4(c)* | 25 Years* | (TS//SI//NF) For<br>FBI Pen Register<br>Trap Trace (PR/TT),<br>the classification is<br>TOP SECRET//SI//<br>NOFORN.   |
| 2.25. (S//REL TO USA,<br>FVEY) Statistics or<br>statistical trends relating to<br>PAA targets, including<br>number of certifications,<br>targets, facilities, selectors,<br>or combinations of<br>subcategories thereof,<br>without mention of<br>techniques involved.  | SECRET//SI//<br>REL TO USA, FVEY<br>at a minimum | 1.4(c)* | 25 Years* |   |

| 3. (U) DATA HANDLI  | NG  |         |           |   |
|---|---|---------|-----------|---|
| 3.1. (TS//SI//NF)<br>Unminimized<br>unevaluated NSA FISA<br>data (e.g., BR, large<br>content, FAA) encrypted or<br>unencrypted. | TOP SECRET//SI//<br>NOFORN<br>(U) See Remarks | 1.4(c)* | 25 Years* | (U//FOUO) Within<br>NSA/CSS, the data<br>must be labeled<br>with appropriate<br>RAGTIME-series<br>markings.   |
|   |   |         |           | (U//FOUO) Traffic<br>remains subject to<br>FISA minimization<br>procedures<br>described in USSID<br>SP0018, Annex A,<br>plus supplemental<br>minimization<br>procedures as<br>required. |
|   |   |         |           | (U//FOUO) Data<br>may only be<br>released to foreign<br>partners when<br>specifically<br>approved by an<br>appropriate authority<br>on a case-by-case<br>basis.                         |
| 3.2. (U//FOUO)<br>Unminimized<br>unevaluated PAA data,<br>encrypted or unencrypted.   | TOP SECRET//SI//<br>NOFORN<br>(U) See Remarks | 1.4(c)* | 25 Years* | (U//FOUO) Within<br>NSA/CSS, the data<br>must be labeled<br>with appropriate<br>RAGTIME-series<br>markings.   |
|   |   |         |           | (U//FOUO) Traffic<br>remains subject to<br>minimization<br>procedures<br>described in USSID<br>SP0018, Annex A,<br>and those prescribed<br>under the respective<br>PAA certifications.  |
|   |   |         |           | (U//FOUO) Data<br>may only be<br>released to foreign<br>partners when<br>specifically<br>approved by an<br>appropriate authority<br>on a case-by-case                                   |

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|                         |                  |         |           | basis.                                 |
|-------------------------|------------------|---------|-----------|--|
| 3.3. (U//FOUO)          | SECRET//SI//     | 1.4(c)* | 25 Years* | (U//FOUO) Within                       |
| Unminimized             | NOFORN           |         |           | NSA/CSS, the data                      |
| unevaluated FBI FISA    |                  |         |           | must be labeled                        |
| data, encrypted or      | at a minimum     |         |           | with appropriate                       |
| unencrypted.            |                  |         |           | <b>RAGTIME-series</b>                  |
|                         | (U) See Remarks  |         |           | markings.                              |
|                         |                  |         |           | (U//FOUO) Traffic remains subject to   |
|                         |                  |         |           | FISA minimization<br>procedures,       |
|                         |                  |         |           | described in USSID                     |
|                         |                  |         |           | SP0018, Annex A,<br>plus supplemental  |
|                         |                  |         |           | minimization                           |
|                         |                  |         |           | procedures as required.                |
|                         |                  |         |           | (U//FOUO) Target                       |
|                         |                  |         |           | offices will also add                  |
|                         |                  |         |           | the additional caveat                  |
|                         |                  |         |           | statement required for FISC reporting. |
|                         |                  |         |           | (U//FOUO) Data                         |
|                         |                  |         |           | may only be<br>released to foreign     |
|                         |                  |         |           | partners when                          |
|                         |                  |         |           | specifically                           |
|                         |                  |         |           | approved by an                         |
|                         |                  |         |           | appropriate authority                  |
|                         |                  |         |           | on a case-by-case                      |
|                         |                  |         |           | basis.                                 |
| 3.4 (TS//SI//NF)        | TOP SECRET//SI// | 1.4(c)* | 25 Years* | (U//FOUO) Within                       |
| Unminimized             | NOFORN           |         |           | NSA/CSS, the data                      |
| unevaluated FBI PR/TT   |                  |         |           | must be labeled                        |
| FISA data, encrypted or | (U) See Remarks  |         |           | with appropriate                       |
| unencrypted.            |                  |         |           | RAGTIME-series                         |
|                         |                  |         |           | markings.                              |
|                         |                  |         |           | (U//FOUO) Traffic                      |
|                         |                  |         |           | remains subject to                     |
|                         |                  |         |           | FISA minimization                      |
|                         |                  |         |           | procedures,                            |
|                         |                  |         |           | described in USSID                     |
|                         |                  |         |           | SP0018, Annex A,                       |
|                         |                  |         |           | plus supplemental                      |
|                         |                  |         |           | minimization                           |
|                         |                  |         |           | procedures as                          |
|                         |                  |         |           | required.                              |
|                         |                  |         |           | (U//FOUO) Data                         |

| 3.5. (TS//SI//NF)   | TOP SECRET//SI//  | 1.4(c)* | 25 Years* | may only be<br>released to foreign<br>partners when<br>specifically<br>approved by an<br>appropriate authority<br>on a case-by-case<br>basis.<br>(U//FOUO) Within   |
|---|---|---------|-----------|---|
| Unminimized evaluated<br>NSA FISA data (e.g., BR,<br>large content, FAA) such<br>as a verbatim transcript or<br>gisted traffic, that does not<br>disclose specific methods<br>or techniques.    | (U) See Remarks   |         |           | NSA/CSS, the data<br>must be labeled<br>with appropriate<br>RAGTIME-series<br>markings.<br>(U//FOUO) Traffic<br>remains subject to<br>FISA minimization<br>procedures,<br>described in USSID<br>SP0018, Annex A,<br>plus supplemental<br>minimization<br>procedures as<br>required. |
|   |   |         |           | governed by the<br>classification guides<br>applicable to the<br>specific methods<br>involved.<br>(U//FOUO) Data<br>may only be<br>released to foreign<br>partners when<br>specifically<br>approved by an<br>appropriate authority  |
| 3.6. (S//SI//REL TO USA,<br>FVEY) <b>Unminimized</b><br>evaluated PAA data, such<br>as a verbatim transcript or<br>gisted traffic, that does not<br>disclose specific methods<br>or techniques. | SECRET//SI//<br>NOFORN<br>at a minimum<br>(U) See Remarks | 1.4(c)* | 25 Years* | on a case-by-case<br>basis.<br>(U//FOUO) Within<br>NSA/CSS, the data<br>must be labeled<br>with appropriate<br>RAGTIME-series<br>markings.  |
|   |   |         |           | (U//FOUO) Traffic<br>remains subject to<br>minimization<br>procedures   |

|  |                 |         |           | described in USSID                         |
|--|-----------------|---------|-----------|--|
|  |                 |         |           | SP0018, Annex A,                           |
|  |                 |         |           | plus supplemental minimization             |
|  |                 |         |           | procedures as                              |
|  |                 |         |           | required, and those                        |
|  |                 |         |           | prescribed under the                       |
|  |                 |         |           | respective PAA certifications.             |
|  |                 |         |           |  |
|  |                 |         |           | (U) Methods are                            |
|  |                 |         |           | governed by the classification guides      |
|  |                 |         |           | applicable to the                          |
|  |                 |         |           | specific methods                           |
|  |                 |         |           | involved.                                  |
|  |                 |         |           | (U//FOUO) Data                             |
|  |                 |         |           | may only be released to foreign            |
|  |                 |         |           | partners when                              |
|  |                 |         |           | specifically                               |
|  |                 |         |           | approved by an                             |
|  |                 |         |           | appropriate authority<br>on a case-by-case |
|  |                 |         |           | basis.                                     |
| 3.7. (S//REL TO USA,                                 | SECRET//SI//    | 1.4(c)* | 25 Years* | (U//FOUO) Within                           |
| FVEY) <b>Unminimized</b><br>evaluated FBI FISA data, | NOFORN          |         |           | NSA/CSS, the data must be labeled          |
| such as a verbatim                                   | at a minimum    |         |           | with appropriate                           |
| transcript or gisted traffic,                        |                 |         |           | RAGTIME-series                             |
| that does not disclose<br>specific methods or        | (U) See Remarks |         |           | markings.                                  |
| techniques.  |                 |         |           | (U//FOUO) Traffic                          |
|  |                 |         |           | remains subject to                         |
|  |                 |         |           | FISA minimization procedures,              |
|  |                 |         |           | described in USSID                         |
|  |                 |         |           | SP0018, Annex A,                           |
|  |                 |         |           | plus supplemental                          |
|  |                 |         |           | procedures as                              |
|  |                 |         |           | required.                                  |
|  |                 |         |           | (U//FOUO) Target                           |
|  |                 |         |           | offices will also add                      |
|  |                 |         |           | the additional caveat                      |
|  |                 |         |           | statement required for FISC reporting.     |
|  |                 |         |           |  |
|  |                 |         |           | (U) Methods are                            |
|  |                 |         |           | governed by the classification guides      |
|  | L <u></u>       |         |           | classification guides                      |

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|-------------------------------|------------------|--|---------------------------------------|-----------------------|
|                               |                  |  |                                       | applicable to the     |
|                               |                  |  |                                       | specific methods      |
|                               |                  |  |                                       | involved.             |
|                               |                  |  |                                       |                       |
|                               |                  |  |                                       | (U//FOUO) Data        |
|                               |                  |  |                                       | may only be           |
|                               |                  |  |                                       | released to foreign   |
|                               |                  |  |                                       | partners when         |
|                               |                  |  |                                       | specifically          |
|                               |                  |  |                                       | approved by an        |
|                               |                  |  |                                       | appropriate authority |
|                               |                  |  |                                       | on a case-by-case     |
|                               |                  |  |                                       | basis.                |
| 3.8. (TS//SI//NF)             | TOP SECRET//SI// | 1.4(c)*                                | 25 Years*                             | (U//FOUO) Data        |
| Unminimized evaluated         | NOFORN           |  |                                       | may only be           |
| FBI PR/TT data that does      |                  |  |                                       | released to foreign   |
| not disclose specific         |                  |  |                                       | partners when         |
| methods or techniques.        |                  |  |                                       | specifically          |
|                               |                  |  |                                       | approved by an        |
|                               |                  |  |                                       | appropriate authority |
|                               |                  |  |                                       | on a case-by-case     |
|                               |                  |  |                                       | basis.                |
| 3.9. (U//FOUO)                | TOP SECRET//SI// | 1.4(c)*                                | 25 Years*                             | (U//FOUO) Target      |
| Minimized evaluated NSA       | REL TO USA, FVEY |  |                                       | offices may add       |
| FISA data, such as            |                  |  |                                       | caveats (e.g.,        |
| verbatim transcript or        | (U) See Remarks  |  |                                       | NOFORN, ORCON,        |
| gisted traffic, that does not |                  |  |                                       | etc.) if the          |
| disclose specific methods     |                  |  |                                       | intelligence product  |
| or techniques.                |                  |  |                                       | itself warrants such  |
| or veening week               |                  |  |                                       | protection.           |
|                               |                  |  |                                       | p                     |
|                               |                  |  |                                       | (U) Methods are       |
|                               |                  |  |                                       | governed by the       |
|                               |                  |  |                                       | classification guides |
|                               |                  |  |                                       | applicable to the     |
|                               |                  |  |                                       | specific methods      |
|                               |                  |  |                                       | involved.             |
| 3.10. (TS//SI//NF)            | TOP SECRET//SI// | 1.4(c)*                                | 25 Years*                             | (U) Methods are       |
| Minimized evaluated NSA       | NOFORN           |  | 20 1 0010                             | governed by the       |
| BR and large content FISA     |                  |  |                                       | classification guides |
| data that does not disclose   |                  |  |                                       | applicable to the     |
| specific methods or           |                  |  |                                       | specific methods      |
| techniques.                   |                  |  |                                       | involved.             |
| 3.11. (U//FOUO)               | SECRET//SI//     | 1.4(c)*                                | 25 Years*                             | (U//FOUO) Target      |
| Minimized evaluated PAA       | REL TO USA, FVEY | 1.4(0)                                 | 25 10015                              | offices may add       |
| data, such as a verbatim      |                  |  |                                       | caveats (e.g.,        |
| transcript or gisted traffic, |                  |  |                                       | NOFORN, ORCON,        |
| that does not disclose        | at a minimum     |  |                                       | etc.) if the          |
| specific methods or           |                  |  |                                       | intelligence product  |
| techniques.                   |                  |  |                                       | itself warrants such  |
| coninques.                    |                  |  |                                       | protection.           |
| 1                             |                  |  |                                       | protection.           |
|                               |                  |  |                                       | (U) Methods are       |
| L                             | l                |  |                                       |                       |

|  |   |         |           | governed by the<br>classification guides<br>applicable to the  |
|--|---|---------|-----------|--|
|  |   |         |           | specific methods involved.   |
| 3.12. (S//SI//REL TO USA,<br>FVEY) <b>Minimized</b><br>evaluated FBI FISA data,<br>such as a verbatim<br>transcript or gisted traffic,<br>that does not disclose<br>specific methods or<br>techniques. | SECRET//SI//<br>REL TO USA, FVEY/<br>FISA<br>at a minimum | 1.4(c)* | 25 Years* | <ul> <li>(U//FOUO) Target<br/>offices may add<br/>caveats (e.g.,<br/>NOFORN, ORCON,<br/>etc.) if the<br/>intelligence product<br/>itself warrants such<br/>protection.</li> <li>(U//FOUO) Target<br/>offices will also add<br/>the additional caveat<br/>statement required<br/>for FISC reporting.</li> <li>(U) Methods are<br/>governed by the<br/>classification guides<br/>applicable to the<br/>specific methods</li> </ul> |
| 3.13. (TS//SI//NF)   | TOP SECRET//SI//  | 1.4(c)* | 25 Years* | involved.<br>(U) Methods are   |
| Minimized evaluated FBI<br>PR/TT FISA data that does<br>not disclose specific<br>methods or techniques.  | NOFORN  |         |           | governed by the<br>classification guides<br>applicable to the<br>specific methods<br>involved.   |
| 4. (U) DISSEMINATIO  | DN  | _L      |           |  |
| 4.1. (TS//SI//REL TO<br>USA, FVEY) SIGINT<br>product derived from<br>encrypted or unencrypted<br>NSA FISA collection.  | TOP SECRET//SI//<br>REL TO USA, FVEY<br>(U) See Remarks   | 1.4(c)* | 25 Years* | (U//FOUO) Target<br>offices may add<br>caveats (e.g.,<br>NOFORN, ORCON,<br>etc.) if the<br>intelligence product<br>itself warrants such<br>protection.   |
| 4.2. (TS//SI//NF) SIGINT<br>product derived from<br>encrypted or unencrypted<br>NSA FISA-warranted BR<br>or large content FISA<br>collection.  | TOP SECRET//SI//<br>NOFORN                                | 1.4(c)* | 25 Years* | (U//FOUO) Target<br>offices may add<br>caveats (e.g.,<br>ORCON) if the<br>intelligence product<br>itself warrants such<br>protection.  |
| 4.3. (U//FOUO) SIGINT<br>product derived from<br>encrypted or unencrypted<br>PAA-authorized collection.  | SECRET//SI//<br>REL TO USA, FVEY<br>at a minimum          | 1.4(c)* | 25 Years* | (U//FOUO) Target<br>offices may add<br>caveats (e.g.,<br>NOFORN, ORCON)  |

| 4.4. (S//SI//REL TO USA,<br>FVEY) SIGINT product<br>derived from encrypted or<br>unencrypted FBI FISA-<br>warranted collection when<br>associated with NSA or<br>SIGINT. | SECRET//SI//<br>REL TO USA, FVEY<br>at a minimum | 1.4(c)* | 25 Years* | if the intelligence<br>product itself<br>warrants such<br>protection.<br>(U//FOUO) Target<br>offices may add<br>caveats (e.g.,<br>NOFORN, ORCON)<br>if the intelligence<br>product itself<br>warrants such<br>protection.<br>(S//REL TO USA,<br>FVEY) Target<br>offices will also add<br>the additional caveat<br>statement required |
|--|--|---------|-----------|--|
| 4.5. (TS//SI//NF) SIGINT<br>product derived from<br>encrypted or unencrypted   | TOP SECRET//SI//<br>NOFORN                       | 1.4(c)* | 25 Years* | the additional caveat<br>statement required<br>for FBI FISA<br>reporting.<br>(U//FOUO) Target<br>offices may add<br>caveats (e.g.,   |
| FBI PR/TT FISA-<br>warranted collection.   |  |         |           | ORCON) if the<br>intelligence product<br>itself warrants such<br>protection.   |

\*25 years: Declassification in 25 years indicates that the information is classified for 25 years from the date a document is created or 25 years from the date of this original classification decision, whichever is later.

\*1.4(c): Section 1.4(c) of E.O. 12958, as amended

\*Ex 3: Exemption 3 of the Freedom of Information Act

(U//FOUO) Additional Remarks: The denial of any facts in this guide concerning NSA's collection/processing/analyzing/retaining/producing and then disseminating of entities under FISA/PAA/FAA authority carries the same level of classification as the fact of NSA's performing such functions.

(U) Acronyms

(U) BR - Business Records

(U) ECI – Exceptionally Controlled Information

(U) FAA – FISA Amendments Act

(U) FISA – Foreign Intelligence Surveillance Act

(U) FISC – Foreign Intelligence Surveillance Court

(U) IRP – Interagency Review Panel

(U) PAA – Protect America Act
(U) PR/TT – Pen Register Trap Trace
(U) USSID – United States Signals Intelligence Directive