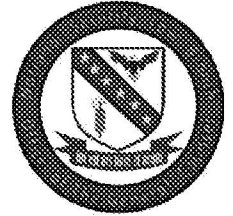


b6 -1
b7C -1

Training on the FBI's Presidential Policy Directive 28 Policies and Procedures

National Security & Cyber Law Branch
Office of the General Counsel

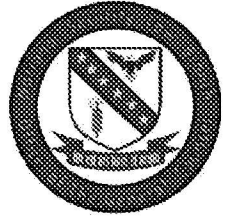


Presidential Policy Directive/PPD-28

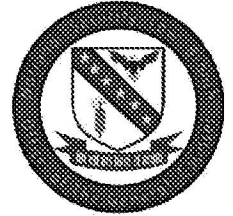
- Issued January 17, 2014
- Articulates principles to guide why, whether, when, and how the U.S. conducts signals intelligence (SIGINT) activities for authorized foreign intelligence and counterintelligence purposes
- Section 4 – Safeguarding Personal Information Collected Through Signals Intelligence
 - Requires agencies to establish policies and procedures for safeguarding personal information collected from SIGINT



Presidential Policy Directive/PPD-28



- “[A]ll persons should be treated with dignity and respect, regardless of their nationality or wherever they might reside, and all persons have legitimate privacy interests in the handling of their personal information.”
- Mandates appropriate safeguards for the personal information of all individuals, regardless of the nationality of the individual to whom the information pertains or where the individual resides



FBI's PPD-28 Policy

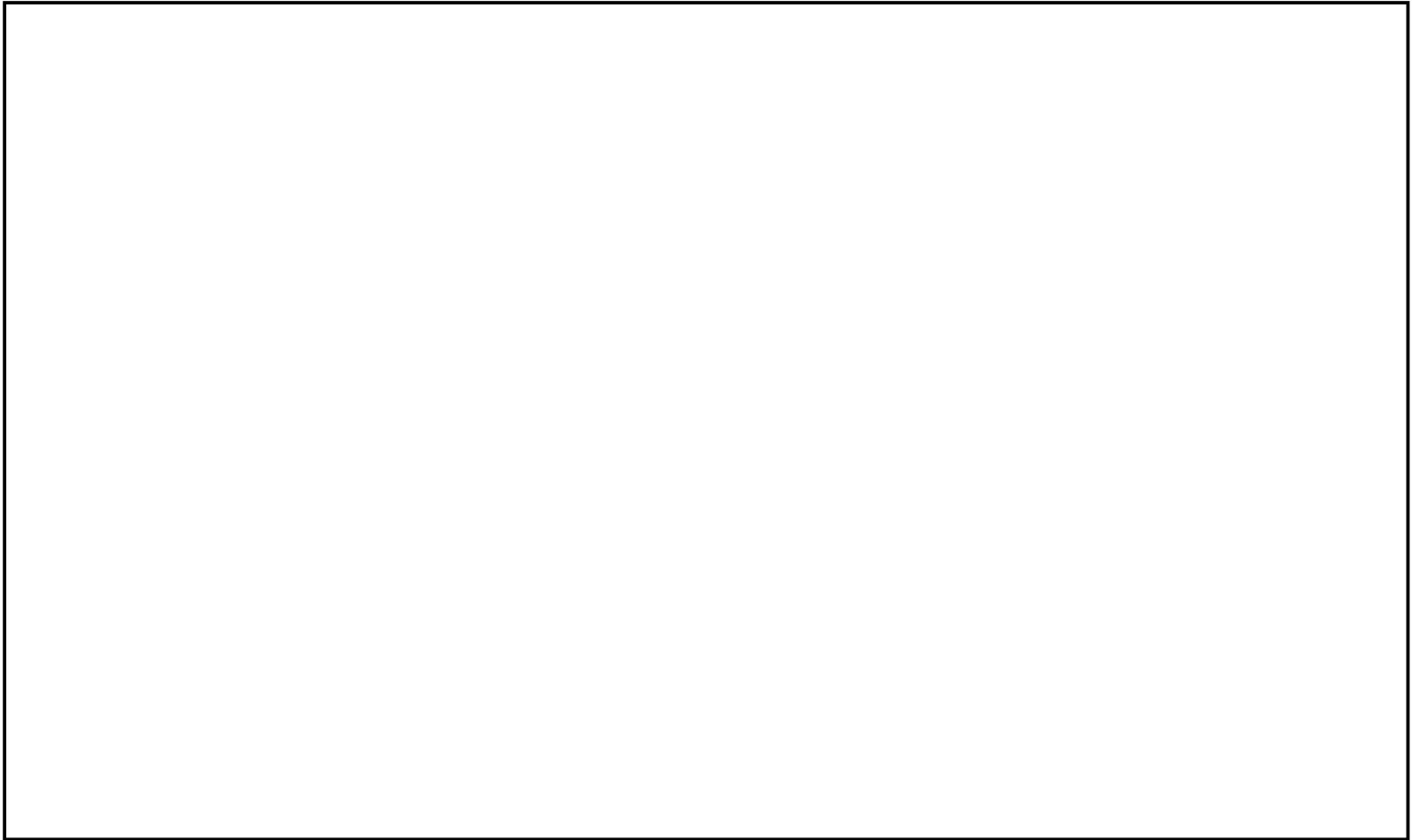
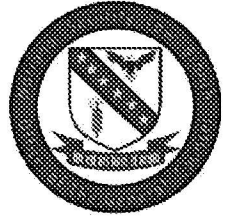
- “Although the FBI does not conduct ‘signals intelligence activities,’ the FBI is applying the relevant provisions of PPD-28 to information it collects pursuant to FISA section 702 to further [PPD-28’s] principles.”



b7E -1,2



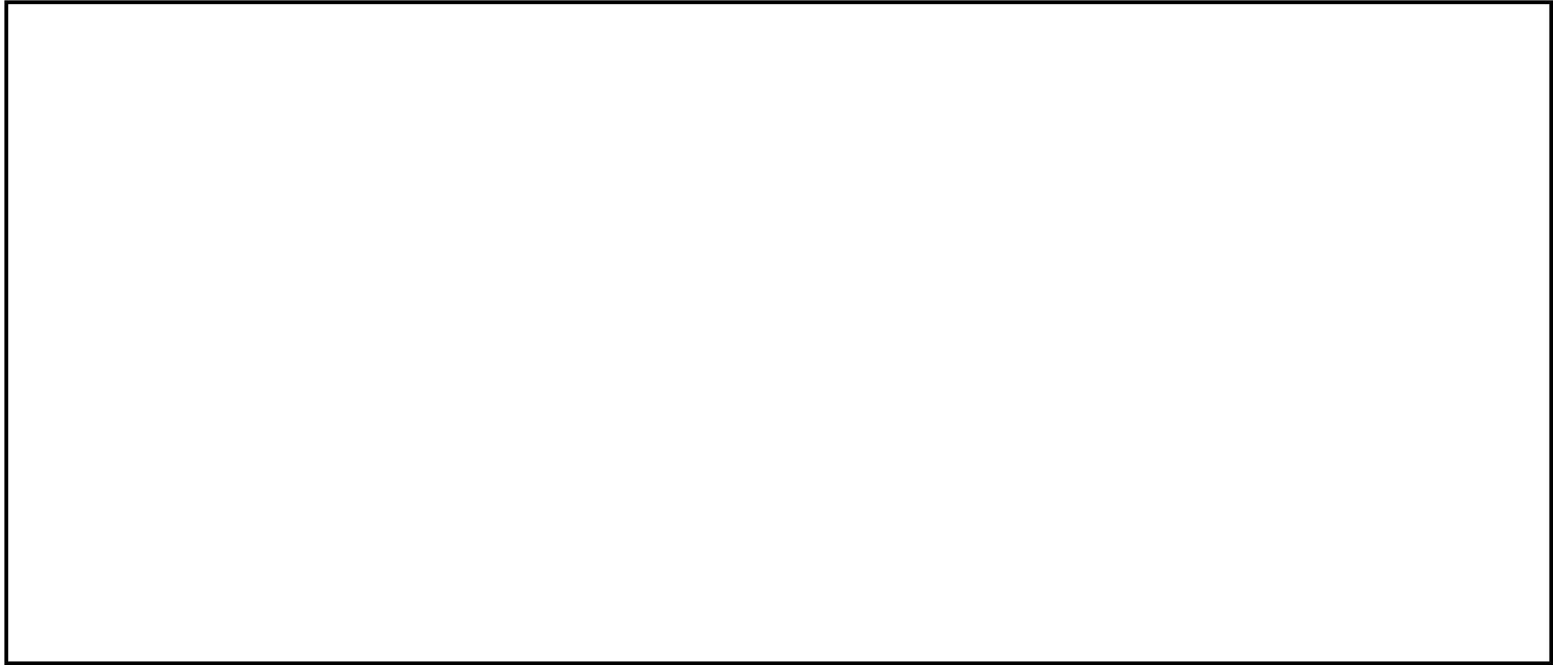
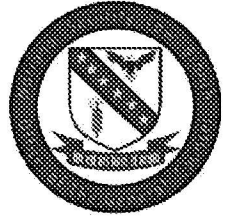
FBI's PPD-28 Policy and FISA Section 702 SMP



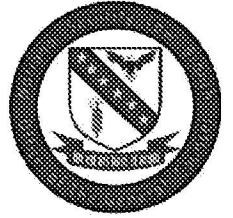
b7E -1,2



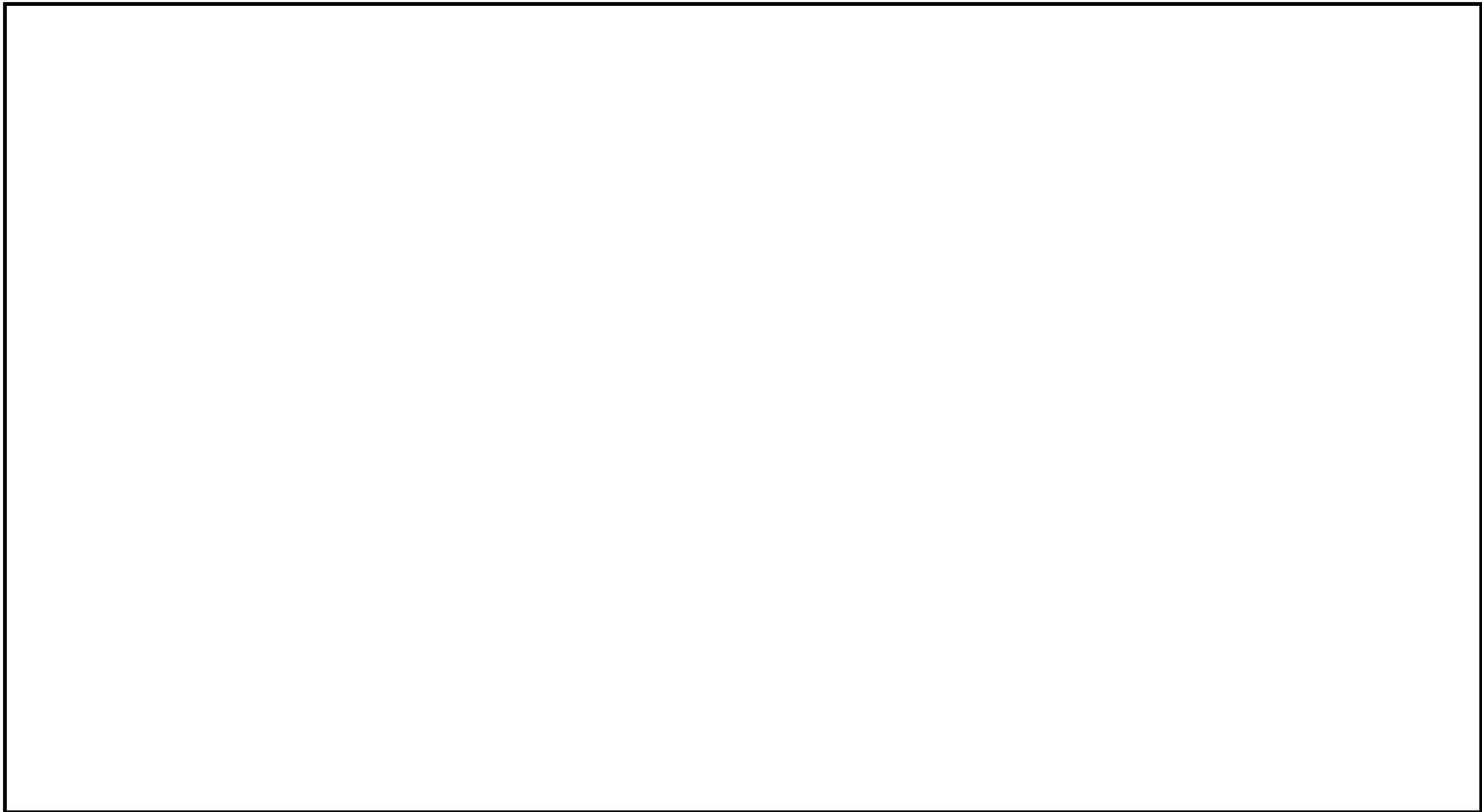
FBI's PPD-28 Policy



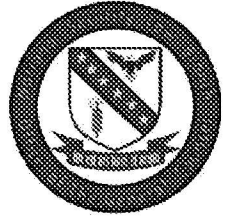
b7E -1,2



Acquisition Protections



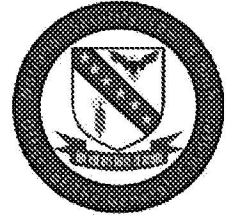
b7E -1,2



Acquisition Protections

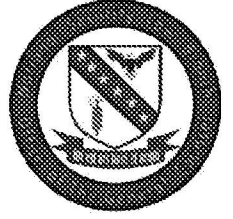
- [REDACTED] ensures that all collection, retention, and dissemination of non-U.S. person information complies with PPD-28.

b7E -1,2



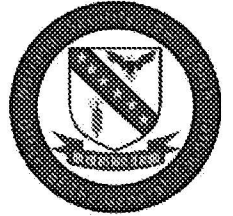
Retention Protections

- “Need to Know” – Access to all Section 702 collection, including personal info concerning non-U.S. persons, is limited to personnel who require access to perform their authorized duties.
- Securing Info – All Section 702 collection, including personal info concerning U.S. persons, must be maintained in a secure system or facility with limited access, unless the info has been declassified.



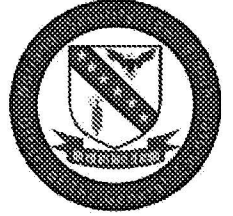
Retention Protections

- Queries – Queries of Section 702 collection that are intended to identify personal info concerning non-U.S. persons may only be conducted in order to identify information relevant to:
 - An activity authorized by the AG, or
 - An intelligence requirement authorized by the DNI
- In other words, such queries may only be conducted in furtherance of the FBI's mission.



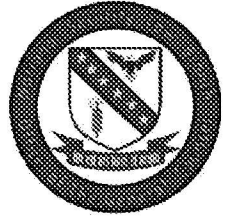
Retention Protections

- Review of Section 702 Collection – Personnel must minimize their review of Section 702-acquired personal info that is not pertinent to either an intelligence requirement or an authorized law enforcement activity.
- In other words, personnel should not review portions of Section 702-acquired personal info that they know is not pertinent to the FBI's mission.



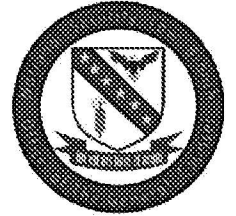
Dissemination Protections

- Dissemination for Mission Purposes Only – Personnel are only permitted to disseminate Section 702-acquired personal info concerning a non-U.S. person if the info relates specifically to:
 - An activity authorized by the AG, or
 - An intelligence requirement authorized by the DNI
- In other words, personnel may only disseminate Section 702-acquired personal info concerning a non-U.S. person if the info furthers the FBI's mission.



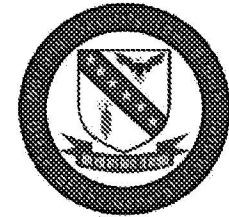
Dissemination Protections

- Relevance of Personal Info – Personnel are only permitted to disseminate Section 702-acquired personal info concerning a non-U.S. person if that info is relevant to the underlying purpose of the dissemination.
 - Dissemination of personal info based solely on the person’s non-U.S. person status is prohibited.
- In other words, personnel should only include such personal info if inclusion would further the FBI’s mission.



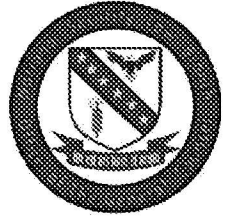
Dissemination Protections

- Prohibited Disseminations - FBI personnel are prohibited from disseminating any Section 702-acquired personal information:
 - For the purpose of suppressing or burdening criticism or dissent;
 - For disadvantaging persons based on their ethnicity, race, gender, sexual orientation, or religion; or
 - Solely because of a person's non-U.S. person status or location outside the U.S.



Dissemination Protections

- Prohibited Disseminations - Personnel are prohibited from disseminating foreign private commercial information or trade secrets to afford a competitive advantage to U.S. companies or U.S. business sectors commercially.
- Adherence to IC Directives – Personnel must comply with IC directives when disseminating any personal info, including personal info concerning a non-U.S. person, in FBI intelligence products.



Contact your NSCLB attorney if you
have any questions.