

CLASSIFIED BY NSICG J89J28T90
REASON: 1.4 (c)
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**(U) SUPPLEMENTAL GUIDELINES FOR COLLECTION, RETENTION,
AND DISSEMINATION OF FOREIGN INTELLIGENCE**

ALL INFORMATION
CONTAINED HEREIN IS
UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

I. (U) PURPOSE OF GUIDELINES-

Pursuant to Executive Order 12333, as amended, the FBI is authorized to engage in the collection, retention, and dissemination of foreign intelligence. Part IV.A of the *Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection* (NSIG) establishes procedures through which the FBI may engage in the collection, retention, and dissemination of foreign intelligence. These Supplemental Guidelines establish additional procedures through which the FBI may engage in the collection, retention, and dissemination of foreign intelligence consistent with all existing interagency agreements and ensuring that its activities are integrated with other collection agencies. These Guidelines are specifically intended to supplement Part IV.A of the NSIG. They should be construed in conjunction with the provisions of the NSIG, and activities under these Supplemental Guidelines are subject to the provisions of the NSIG.

Executive Order 12333 provides that “[t]imely and accurate information about the activities, capabilities, plans, and intentions of foreign powers, organizations, and persons and their agents, is essential to the national security of the United States” and to “informed decisionmaking in the areas of national defense and foreign relations.” Hence, “[a]ll reasonable and lawful means must be used to ensure that the United States will receive the best intelligence available,” and the “[c]ollection of such information is a priority objective that will be pursued in a vigorous, innovative...manner.” At the same time, intelligence gathering activities must be carried out in a “responsible manner that is consistent with the Constitution and applicable law.” When collecting foreign intelligence, the FBI may have the option to [REDACTED]

[REDACTED] In such situations, the Executive Order requires “use [of] the least intrusive collection techniques feasible within the United States or directed against United States persons abroad.” The FBI should consider such factors as the effect on privacy, civil liberties, and potential damage to reputation. Accordingly, the FBI will, whenever practical, and considering the totality of the circumstances, operate openly and consensually with U.S. persons when collecting foreign intelligence.

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II (U) *GENERAL PRINCIPLES*

A. (U) *DEFINITIONS*

1. ~~(S)~~

[REDACTED]

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2. (U) *OTHER TERMS DEFINED IN PART VIII OF THE NSIG*-All other terms defined in Part VIII of the NSIG that appear in these Supplemental Guidelines have the same definition as in the NSIG.

B. ~~(S//NF)~~

[REDACTED]

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~~(S)~~

[REDACTED]

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~~(S)~~

[REDACTED]

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~~(S)~~

[REDACTED]

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~~(S)~~

[REDACTED]

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C. (U) *RESPECT FOR LEGAL RIGHTS*-These Supplemental Guidelines do not authorize investigating or maintaining information on United States persons solely for the purpose of monitoring activities protected by the First Amendment or the lawful exercise of other rights secured by the Constitution or laws of the United States. Rather, all activities under these Guidelines must

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have a valid purpose consistent with these Guidelines, and must be carried out in conformity with the Constitution and all applicable statutes, executive orders, Department of Justice regulations and policies, and Attorney General guidelines.

III. ~~(S/NF)~~

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IV. (U) NOTICE-

A. (U) A field office shall notify FBI Headquarters [REDACTED]

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The notice of initiation, whether the collection is initiated by a field office or FBI Headquarters, shall identify the topical requirement or requirements addressed, if any, and describe any sensitive foreign intelligence matter that may be involved.

B. (U) FBI Headquarters shall provide the notice of initiation of foreign intelligence collection to the National Security Division of the Department of Justice (NSD), and the NSD shall notify the Attorney General and the Deputy Attorney General. The notice shall be provided to the [REDACTED]

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C. (U) The FBI shall notify the NSD and the Deputy Attorney General if FBI Headquarters disapproves a field office's initiation or request for initiation of foreign intelligence collection.

V. ~~(S/NF)~~

A. ~~(S/NF)~~

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B. ~~(S/NF)~~

[REDACTED]

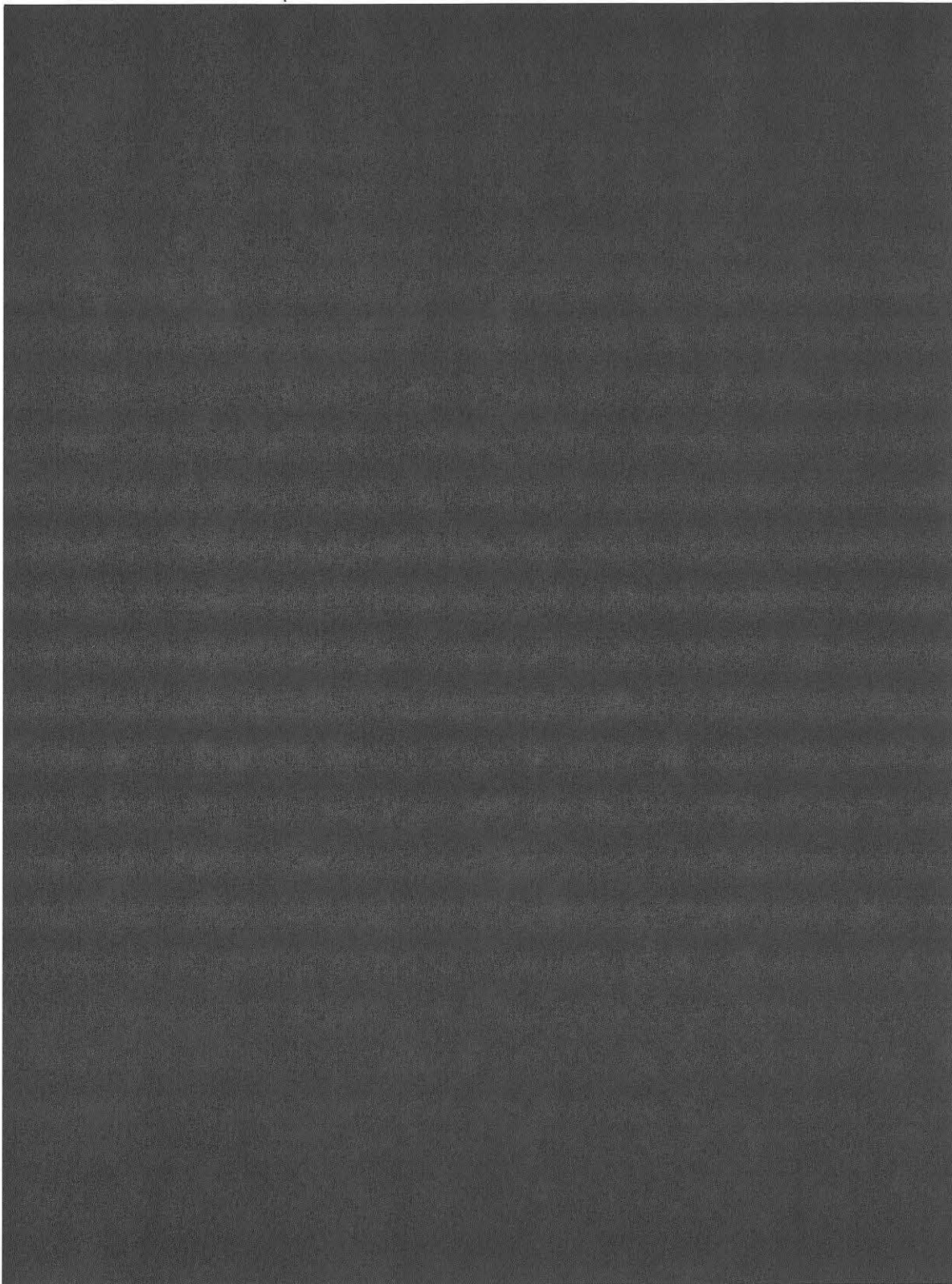
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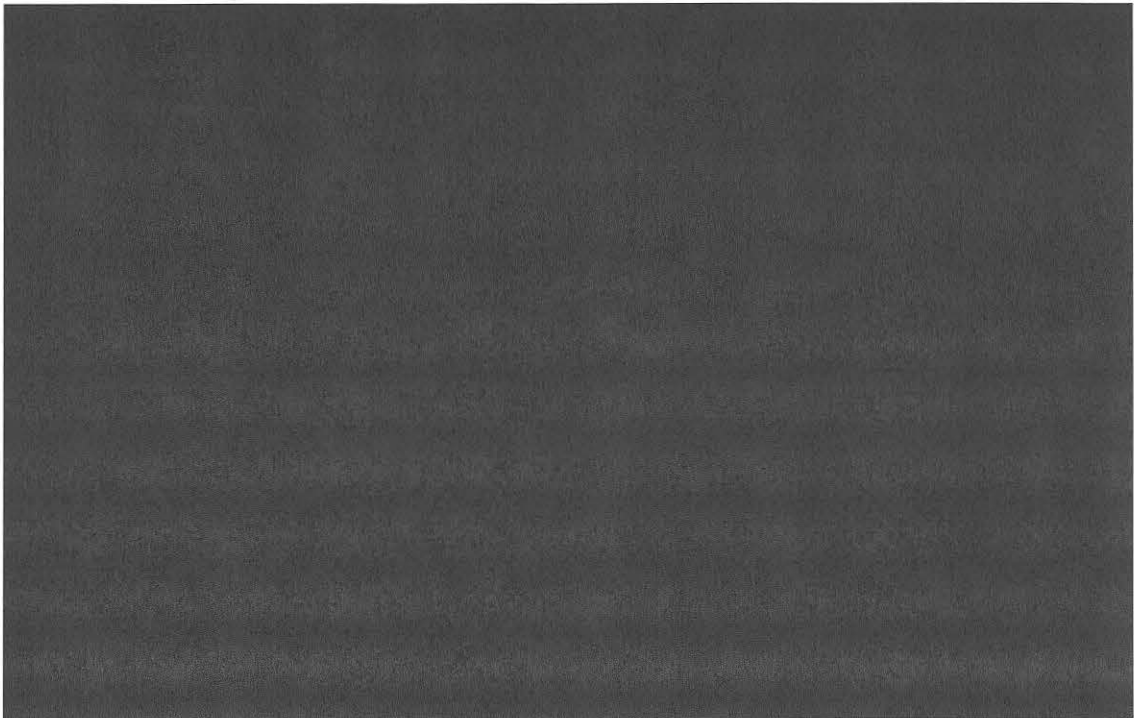


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VI. ~~(S//NF)~~



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VII. ~~(S//NF)~~



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A. ~~(S//NF)~~



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B. ~~(S//NF)~~



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VIII. (U)



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[REDACTED]

IX. (U) CONSULTATION AND OVERSIGHT-The Director of the FBI, the Director of National Intelligence, and the Assistant Attorney General for National Security shall, whenever requested by any of them, consult concerning the operation of the foreign intelligence collection program under these guidelines so that the Assistant Attorney General for National Security, the Director of the FBI, and the Director of National Intelligence can review aspects of the program, including, but not limited to:

- A. (U) Topical areas in which foreign intelligence is being collected, and the quality and utility of the resulting information;
- B. (U) The nature of the collection techniques employed in foreign intelligence collection, and the types of persons and entities in relation to whom the techniques are used;
- C. (U) Training provided for FBI and NSD personnel who participate in the foreign intelligence collection program;
- D. (U) The quality and timeliness of assistance by NSD and FBI personnel in the collection of foreign intelligence, including obtaining or providing (authorizations required by law or Department of Justice policy for the use of collection techniques;
- E. (U) Any other matters that the Director of the FBI, the Director of National Intelligence or the Assistant Attorney General for National Security consider appropriate.

(U) The Director of the FBI shall provide such information as the Assistant Attorney General for National Security may request concerning the operation of the foreign intelligence collection program, which may include regular reviews by the NSD of the FBI's activities under these Guidelines. The information and/or reports to be provided upon request of the Assistant Attorney General for National Security include, but are not limited to, reports reflecting the information set forth in Part VII, FBI records and files, and other information pertaining to collection, retention, use, or dissemination of foreign intelligence.

Date: November 29, 2006



ALBERTO R. GONZALES
ATTORNEY GENERAL

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