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U.S. FOREIGN INTELLIGENCE SURVEILLANCE COURT

2024 DEC 16 PM12: 47

(U) EXHIBIT C

MAURA PETERSON (U) (S//N/F) PROCEDURES USED BY THE FEDERAL BUREAU OF INVESTIGATION COURT FOR TARGETING NON-UNITED STATES PERSONS REASONABLY BELIEVED TO BE LOCATED OUTSIDE THE UNITED STATES TO ACQUIRE FOREIGN INTELLIGENCE INFORMATION CONCERNING THE INTERNATIONAL PRODUCTION, DISTRIBUTION, OR FINANCING OF CERTAIN ILLICIT DRUGS PURSUANT TO SECTION 702 OF THE FOREIGN INTELLIGENCE

SURVEILLANCE ACT OF 1978, AS AMENDED

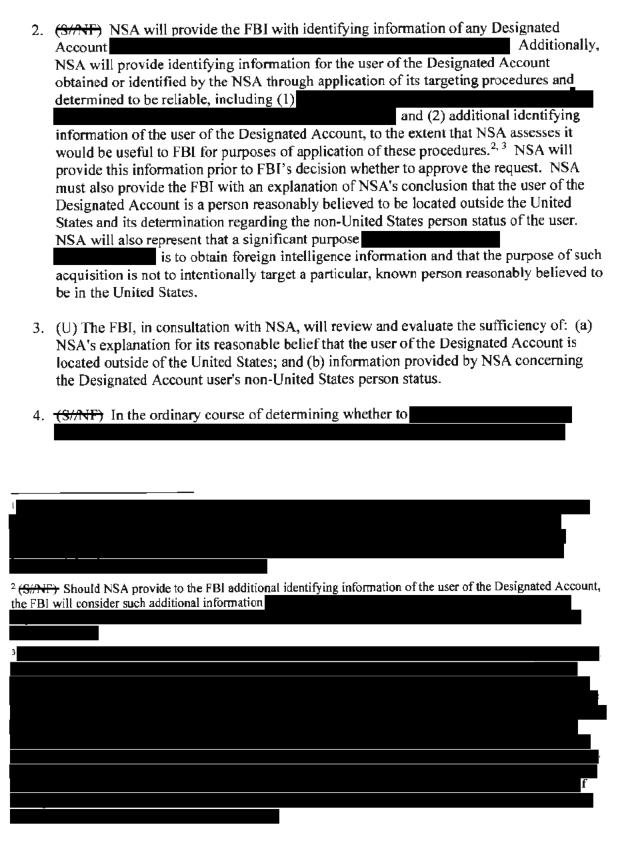
(S//NF) Although the Federal Bureau of Investigation (FBI) will not acquire information for its own operational or analytic purposes pursuant to any DNI/AG 702(h) certification entitled "In the Matter of the FBI may acquire foreign intelligence information on behalf of the National Security Agency (NSA) or otherwise provide technical assistance to the NSA, in accordance with these procedures. These procedures address: (I) the process the FBI will use in acquiring foreign by targeting electronic intelligence information, in the form of communications accounts/addresses/identifiers designated by NSA ("Designated Accounts") as being used by non-United States persons reasonably believed to be located outside the United States, (II) the FBI's documentation of that process, and (III) compliance and oversight. I. (U) DETERMINATION OF WHETHER A PERSON IS REASONABLY BELIEVED TO BE LOCATED OUTSIDE THE UNITED STATES AND NOT A UNITED STATES PERSON I. (S//NF) adopted by the Attorney General, in consultation with the Director of National Intelligence, pursuant to subsection 702(d) of the Act, for determining that the user of the Designated Account is a person reasonably believed to be located outside the United States and is not a United States person. NSA will also be responsible for determining that a significant purpose of the acquisition is to obtain foreign intelligence information.

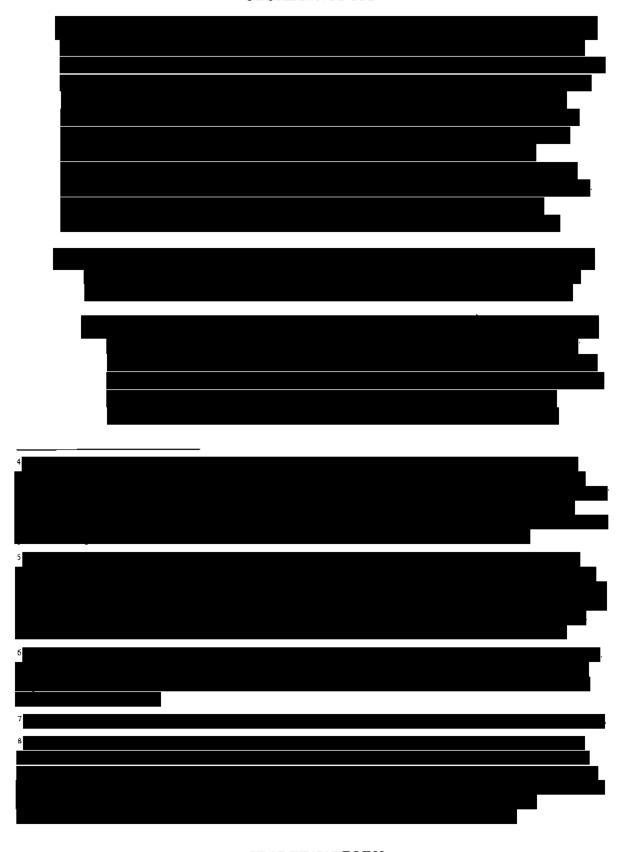
UNSEALED ON JULY 11, 2025

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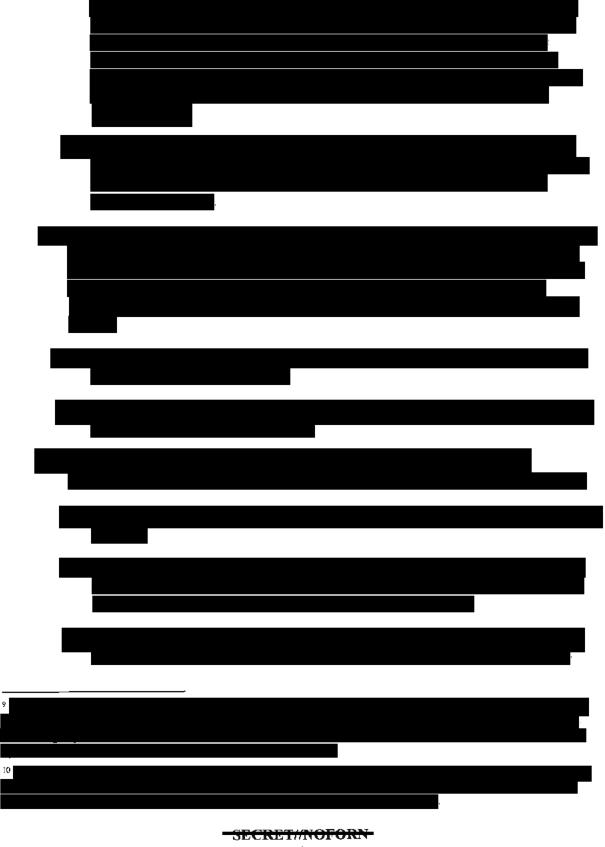
Classified by: The Assistant Attorney General for National Security Derived from: DOJ/NSI SCO 1 RVT dated 2012 Declassify on: 20491216

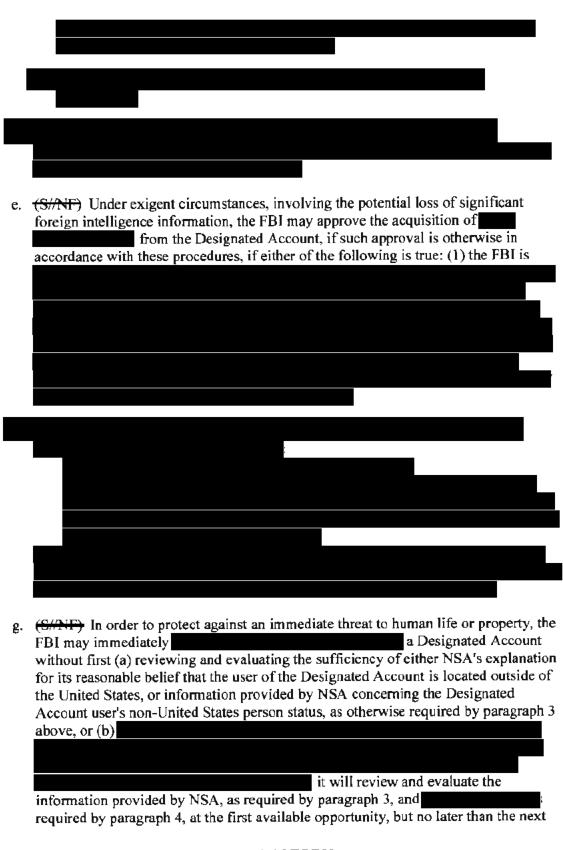




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	business day after is approved by the FBI. The FBI shall promptly report this departure to NSD and ODNI, and NSD shall notify the Foreign Intelligence Surveillance Court (FISC) promptly of such activity.
5.	(S/NF) Unless the FBI locates information indicating that the user of the Designated Account is a United States person or is located inside of the United States, the FBI will
6.	(S//NF) The FBI will convey the and related it receives from the electronic communication service provider to NSA in
	the user of the Designated Account is reasonably believed to be located outside the United States. The FBI may also convey CIA in unminimized form without performing any further processes or procedures to ensure that the user of the
	Designated Account is reasonably believed to be located outside the United States. The FBI will not convey to the National Counterterrorism Center (NCTC). NSA
	and CIA will process any received from the FBI pursuant to these procedures in accordance with minimization and querying procedures adopted by the Attorney General, in consultation with the Director of National Intelligence, pursuant to subsections 702(e) and 702(f)(1) of the Act, respectively. All such communications
	FBI pursuant to a section 702 certification entitled "In the Matter of
	will be processed and retained in accordance with FBI minimization and querying procedures adopted by the Attorney General, in consultation with the Director of National Intelligence, pursuant to subsections 702(e) and 702(f)(1) of the Act, respectively.
7.	(S//NF) If NSA analysis indicates that a user of a Designated
	Account from which pursuant to these procedures is actually located within the United States or is a United States person, NSA will promptly advise

8.	(S/NF) If the FBI the Designated Account is not appropriate for tasking under section 702 (i.e., because the user of the Designated
	Account is a United States person and/or is located inside of the United States), the FBI will inform NSA without delay, and the FBI will not unless and until the FBI
	determines that the Designated Account is in fact appropriate for tasking under section 702.
9.	(S//NF) In addition, the FBI will take appropriate action, which may include the
	determined that the Designated Account is not appropriate for tasking under the
	certification, NSA will be responsible for notifying the Department of Justice (DOJ) and the Office of the Director of National Intelligence (ODNI)
10.	

- 11. (U) United States person means a United States person as defined in the Act. The following guidelines apply in determining whether a person whose status is unknown is a United States person:
 - a. (U) A person known to be located in the United States will be presumed to be a United States person unless identified as an alien who has not been admitted for permanent residence or the circumstances otherwise give rise to a reasonable belief that such person is not a United States person.
 - b. (U) A person known to be located outside the United States or whose location is not known will be presumed to be a non-United States person unless such person is identified as a United States person or the circumstances otherwise give rise to a reasonable belief that such person is a United States person.
 - c. (U) A person known to have been at any time an alien admitted for lawful permanent residence will be presumed to be a United States person, unless a determination that such person is no longer a United States person is made (a) in consultation with the FBI Office of General Counsel after obtaining a copy of either an order revoking that person's United States person status issued by a U.S. federal court or a properly executed and filed United States Citizenship and Immigration Services Form I-407 (Record of Abandonment of Lawful Permanent Resident Status), or (b) in consultation with the FBI Office of General Counsel and NSD. A person known to have been at any time a citizen of the United States will be presumed to be a United States person, unless a determination that such person is no longer a United States person is made in consultation with the FBI Office of General Counsel and NSD. ¹²
 - d. (U) An unincorporated association whose headquarters or primary office is located outside the United States is presumed not to be a United States person unless the circumstances otherwise give rise to a reasonable belief that a substantial number of its members are citizens of the United States or aliens lawfully admitted for permanent residence.

II. (U) DOCUMENTATION

12. (U) The FBI will ensure the retention of information it receives from NSA concerning the non-United States person status of the user of the Designated Account and the factual basis for NSA's determination that the user of the Designated Account is reasonably believed to be located outside the United States in accordance with the National Archives

and that the person is not

currently a United States person. Such written confirmation must represent that the necessary consultation(s) required under this paragraph have been completed and must include the underlying documentation relied upon during those consultations to conclude that the person is not a United States person.

^{12 (}S/AIF) For purposes of these procedures, the FBI can conclude that a person is a non-United States person

and Records Administration (NARA) and, as appropriate, the FBI's Records Management Division and/or Security Division standards, policies, and guidelines.

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III. (U) COMPLIANCE AND OVERSIGHT

14. (S//NF) The FB	I will develop and deliver training regarding the applicable procedures to
ensure that all pe	ersonnel responsible
	under these procedures understand their responsibilities with respect to
	The FBI has established processes for determining
	and for
ensuring	and related
	are accessible only to those who are authorized and have had the
proper training.	

- 15. (U) The FBI Office of Internal Auditing will conduct oversight of the FBI's exercise of these procedures. This oversight will include periodic reviews by FBI Office of Internal Auditing personnel to evaluate the implementation of the procedures and the training given to relevant personnel. Such reviews will occur at least once every two calendar years.
- 16. (U) DOJ and ODNI will conduct oversight of the FBI's exercise of the authority under section 702 of the Act, which will include periodic reviews by DOJ and ODNI personnel to evaluate the implementation of these procedures. Such reviews will occur at least once every sixty days.
- 17. (U) The FBI will report to DOJ through the Deputy Assistant Attorney General in the National Security Division with responsibility for intelligence operations and oversight, to the ODNI Office of General Counsel, and to the ODNI Office of Civil Liberties, Privacy, and Transparency any incidents of noncompliance with these procedures by FBI personnel within five business days of learning of the incident.

12 11/24 Date

MATTHEW G. OLSEN

Assistant Attorney General for National Security