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#### UNITED STATES

FOREIGN INTELLIGENCE SURVEILLANCE COUR

WASHINGTON, D.C.



UNDER SEAL

Docket No.

## GOVERNMENT'S SUPPLEMENTAL REPORT REGARDING NSA'S POST-TARGETING ANALYSIS (S)

THE UNITED STATES OF AMERICA, through the undersigned Department of Justice attorney, respectfully submits the attached supplemental report regarding the processes that the National Security Agency (NSA) has implemented to comply with its targeting procedures under section 702 of the Foreign Intelligence Surveillance Act of 1978, as amended. These processes were discussed in part during a hearing before the Court on 2010. (S//OC,NF)

(b)(6); (b)(7)(C)

Attorney-Advisor National Security Division United States Department of Justice

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Classified by:

David S. Kris, Deputy Assistant
Attorney General, NSD, DOJ

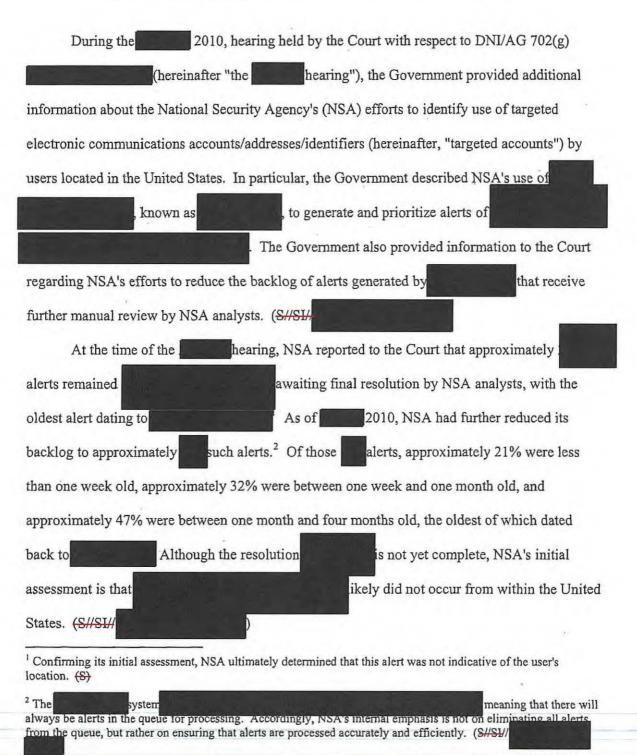
Reason:

Declassify on:

2035

ACLU 16-CV-8936 (RMB) 000664

#### Supplemental Report Regarding NSA's Post-Targeting Analysis (S)



Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20350401

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| NSA is taking active steps to continue to reduce this backlog. As discussed in part during        |
|---|
| the hearing, since inception of the process, each business day                                    |
| NSA conducts an initial triage on alerts generated the prior day (or days, for alerts generated   |
| over a weekend or holiday). This initial triage is done by NSA analysts i                         |
| This  |
| NSA to more quickly identify those alerts that have a higher probability of being indicative of a |
| target's presence in the United States even those alerts that may                                 |
| As a result of this triage, alerts with a low probability of being                                |
| indicative of location and thus more likely to be false positives will be reviewed after other    |
| alerts that are more likely to indicate that a targeted account has been active from the United   |
| States. Therefore, alerts assessed as likely false positives                                      |
|   |
| (TS//SI)  |
| Subsequent to the hearing, NSA established guidelines to ensure that the                          |
| post-tasking checks required by the NSA targeting procedures are completed in a                   |
| timely and effective manner. First, the initial triage of all new prioritized alerts (described   |
| above) will continue to occur the same business day that the alerts are received. Second, NSA     |
| will begin a further assessment of each prioritized alert no later than five business days after  |
| receipt. This further assessment may include:   |
|   |
|   |
|   |

| All withheld information exempt under (b)(1) and (b)(3) unl  TOP SECRET//COMINT//   | Release |
|---|---------|
|   |         |
| Although this further research must begin within five business days, depending on the   | s chila |
| complexity and volume of alerts, in some cases, it may take NSA longer than five business of  | lays    |
| to fully resolve an alert. (TS//SI/   |         |
| In order to meet the above-described guidelines, NSA has increased personnel resour   | ces     |
| devoted to conducting post-tasking checks; NSA will continue to monitor these   |         |
| resources and adjust them as needed. Additionally, NSA has implemented improved   |         |
| management of the initial triage process, to include  |         |
| reprioritization of alerts most likely to be indicative of U.S. location. With respect to   |         |
| By doing this, NSA believes its analysts were able to resolve numerous related alerts at the same time, making the process more efficient |         |
| NSA also is in the process of implementing several other improvements:  |         |
|   |         |
|   |         |
|   |         |
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# Current efforts have already removed at alerts in this manner, and continued modification will help prevent future alerts TS//SI/-

The Department of Justice and the Office of the Director of National Intelligence will continue to closely monitor both the alerts in process and NSA's implementation of the improvements it has made or is in the process of making in order to comply with its newly-established internal guidelines. Moreover, as NSA continues to improve its capabilities to ensure the alerts are processed accurately and efficiently, these guidelines and processes may be further refined over time. (TS//SL)

Respectfully submitted,



Signals Intelligence Directorate National Security Agency

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