

PRESIDENTIAL POLICY DIRECTIVE 28
POLICIES AND PROCEDURES

I. Introduction

Presidential Policy Directive 28 regarding signals intelligence activities (hereinafter “PPD-28”), issued January 17, 2014, articulates principles to guide why, whether, when, and how the United States conducts signals intelligence activities for authorized foreign intelligence and counterintelligence purposes. Specifically, section 4 of PPD-28 sets forth principles for safeguarding personal information collected from signals intelligence activities and requires Intelligence Community (“IC”) elements to establish policies and procedures to apply such principles, consistent with technical capabilities and operational needs.

As stated in PPD-28, all 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. 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 these principles.

Although the FBI does not conduct signals intelligence activities and does not have access to unevaluated, raw, or unminimized signals intelligence, it does receive from other IC elements engaged in such activities signals intelligence information that has been evaluated, minimized, or otherwise included in finished intelligence products. These policies and procedures also address the manner in which the FBI will handle signals intelligence information in these finished intelligence products.

II. General Provisions and Authorities

Pursuant to section 1.7(i) of Executive Order 12333, as amended, the FBI is authorized to:

- (1) Collect (including through clandestine means), analyze, produce, and disseminate foreign intelligence and counterintelligence to support national and departmental missions, in accordance with procedural guidelines approved by the Attorney General, after consultation with the Director;
- (2) Conduct counterintelligence activities; and
- (3) Conduct foreign intelligence and counterintelligence liaison relationships with intelligence, security, and law enforcement services of foreign governments or international organizations in accordance with section 1.3(b)(4) and 1.7(a)(6) of E.O. 12333.

