

**AFFIDAVIT OF GENERAL KEITH B. ALEXANDER, UNITED STATES ARMY,
DIRECTOR, NATIONAL SECURITY AGENCY**

**IN THE MATTER OF FOREIGN GOVERNMENTS, FOREIGN FACTIONS, FOREIGN
ENTITIES, AND FOREIGN-BASED POLITICAL ORGANIZATIONS**

DNI/AG 702(g) Certification 2010-A

(S) Pursuant to subsection 702(g)(2)(C) of the Foreign Intelligence Surveillance Act of 1978, as amended ("the Act"), and in support of DNI/AG 702(g) Certification 2010-A, I affirm that the following is true and accurate to the best of my knowledge and belief:

1. (U//FOUO) There are reasonable procedures in place that the National Security Agency (NSA) will use to ensure that any acquisition under this certification is limited to targeting non-United States persons reasonably believed to be located outside of the United States. In addition, these targeting procedures are reasonably designed to prevent the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States. These targeting procedures are attached herewith as Exhibit A.
2. (TS//SI//NF) As described below, NSA's acquisition of foreign intelligence information pursuant to this certification involves obtaining foreign intelligence information from or with the assistance of electronic communication service providers, as that term is defined in subsection 701(b)(4) of the Act.

3-4 (U//FOUO) COMPARTMENTED

5. (TS//SI//NF) Pursuant to the above-referenced certification, NSA seeks to acquire foreign intelligence information concerning foreign powers as defined in 50 U.S.C. § 1801(a)(1) ("foreign governments or any components thereof, whether or not recognized by the United States"); 50 U.S.C. § 1801(a)(2) ("factions of foreign nations, not substantially composed of United States persons"); 50 U.S.C. § 1801(a)(3) ("entities openly acknowledged by a foreign government or governments to be directed and controlled by such foreign government or governments"); 50 U.S.C. § 1801(a)(5) ("foreign-based political organizations, not substantially composed of United States persons"); and 50 U.S.C. § 1801(a)(6) ("entities directed and controlled by a foreign government or governments"). A list of such foreign powers is attached herewith as Exhibit F. NSA

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Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20320108

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believes that the non-United States persons reasonably believed to be located outside the United States who will be targeted for collection under this certification possess, are expected to receive, and/or are likely to communicate foreign intelligence information concerning these foreign powers. Thus, a significant purpose of the acquisition is to obtain:

- (1) information that relates to, and if concerning a United States person is necessary to, the ability of the United States to protect against --
 - a. actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;
 - b. sabotage, international terrorism, or the international proliferation of weapons of mass destruction by a foreign power or an agent of a foreign power; or
 - c. clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or
- (2) information with respect to a foreign power or foreign territory that relates to, and if concerning a United States person is necessary to --
 - a. the national defense or the security of the United States; or
 - b. the conduct of the foreign affairs of the United States.

If NSA seeks to acquire foreign intelligence information concerning additional foreign powers as defined in 50 U.S.C. § 1801(a)(1), (2), (3), (5), or (6), NSA may target under this certification non-United States persons reasonably believed to be located outside the United States who possess, are expected to receive, and/or are likely to communicate foreign intelligence information concerning those additional foreign powers, provided that NSA notifies the Attorney General and Director of National Intelligence within five business days of implementing such targeting. Such notification will include a description of the factual basis for NSA's determination that the additional government, faction, entity, or political organization is a foreign power as defined in 50 U.S.C. § 1801(a)(1), (2), (3), (5), or (6).

6. (U//FOUO) With respect to the information NSA acquires pursuant to the above-referenced certification, NSA will follow the minimization procedures attached herewith as Exhibit B.
7. (S//SI//NF) NSA may provide to the Central Intelligence Agency (CIA) unminimized communications acquired pursuant to the above-referenced certification. CIA will identify to NSA targets for which NSA may provide unminimized communications to CIA. CIA will process any such unminimized communications received from NSA in accordance with the CIA minimization procedures adopted by the Attorney General, in consultation with the Director of National Intelligence, pursuant to subsection 702(e) of the Act.

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8. (S//SI) NSA may provide to the Federal Bureau of Investigation (FBI) unminimized communications acquired pursuant to the above-referenced certification. The FBI will identify to NSA targets for which NSA may provide unminimized communications to the FBI. The FBI will process any such unminimized communications received from NSA in accordance with the FBI minimization procedures adopted by the Attorney General, in consultation with the Director of National Intelligence, pursuant to subsection 702(e) of the Act.

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(U) I declare under penalty of perjury that the foregoing is true and correct.

Signed this _____ day of July, 2010.

KEITH B. ALEXANDER
General, U.S. Army
Director, National Security Agency

This affidavit was signed by DIRNSA on 15 July 2010