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U.S. FOREIGN  
INTELLIGENCE  
SURVEILLANCE COURT

**AFFIDAVIT OF JAMES B. COMEY  
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION**

2014 JUL 28 PM 3:57

[REDACTED]

COURT

**DNI/AG 702(g) Certification** [REDACTED]

(S//NF) Pursuant to subsection 702(g)(2)(C) of the Foreign Intelligence Surveillance Act of 1978, as amended (FISA or "the Act"), and in support of DNI/AG 702(g) Certification [REDACTED] I affirm the following is true and accurate to the best of my knowledge and belief:

1. (S//NF) The National Security Agency (NSA) has represented to the Federal Bureau of Investigation (FBI) that, in accordance with the NSA targeting procedures attached herewith as Exhibit A, NSA may identify certain electronic communications [REDACTED] ("Designated Accounts") that are used by non-United States persons reasonably believed to be outside the United States and which are reasonably believed to contain foreign intelligence information [REDACTED]

[REDACTED]

2. (S//NF) The FBI's acquisition of [REDACTED] pursuant to NSA's request is consistent with section 702 of the Act because, *inter alia*: the acquisition will be conducted in compliance with the limitations set forth in subsection 702(b) of the Act; the acquisition will involve obtaining foreign intelligence information [REDACTED] [REDACTED] electronic communication service providers; and a significant purpose of the acquisition is to obtain foreign intelligence information.

3. (S//NF) In conducting the acquisition of [REDACTED] as requested by NSA, the FBI will use the procedures attached herewith as Exhibit C to determine that the requested acquisition targets non-United States persons reasonably believed to be located outside the United States.

4. (S//NF) The FBI will convey any [REDACTED] it acquires pursuant to the above-referenced certification to NSA in unminimized form without performing any further processes or procedures to ensure that the user of the Designated Account is a non-United States person reasonably believed to be located outside the United States. If directed by NSA, the FBI will also convey the [REDACTED] of specified Designated Accounts from the electronic communication service provider to the Central

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Intelligence Agency (CIA) in unminimized form without performing any further processes or procedures to ensure that the user of the Designated Account is a non-United States person reasonably believed to be located outside the United States. NSA and CIA shall process any [REDACTED] received from the FBI in accordance with the NSA and CIA minimization procedures, respectively, adopted by the Attorney General, in consultation with the Director of National Intelligence, pursuant to subsection 702(e) of the Act.

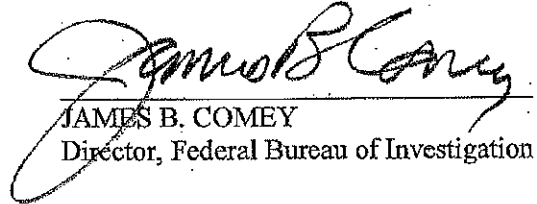
5. ~~(S//NF)~~ The minimization procedures that the FBI will use with respect to any [REDACTED] [REDACTED] it acquires pursuant to the above-referenced certification are attached herewith as Exhibit D.
6. ~~(S//NF)~~ Under the FBI minimization procedures attached herewith as Exhibit D, the FBI may provide the National Counterterrorism Center (NCTC) with access to terrorism-related FISA-acquired information, including minimized information obtained pursuant to section 702 of the Act, through the FBI's general indices (such as the Automated Case Support System (ACS), Sentinel, or successor systems). NCTC does not have a law enforcement function, and therefore the FBI is not permitted to disseminate FISA-acquired information to NCTC that is solely evidence of a crime and not foreign intelligence information. The minimization procedures that NCTC will use with respect to any section 702-derived information that it obtains from FBI that is evidence of a crime, but not foreign intelligence information, which are attached herewith as Exhibit G, were submitted for approval to the Foreign Intelligence Surveillance Court (FISC) in connection with [REDACTED] on July 31, 2013, and were approved by the FISC on August 30, 2013. NCTC will not collect any information pursuant to FISA, and the attached minimization procedures do not permit NCTC to receive unminimized information acquired pursuant to section 702 of the Act.

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

Signed this 10<sup>th</sup> day of July, 2014.

  
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JAMES B. COMEY  
Director, Federal Bureau of Investigation

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