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(U) Welcome to **CRSK1304: FAA702 Practical Applications**. Please select a lesson below. Please note: the lesson will launch in a new window. When you have completed that lesson, close that window and select your next lesson from this screen.

- [\(U\) Lesson 1: Overview of FAA702 Authority](#)
- [\(U//~~FOUO~~\) Lesson 2: How Do I Create TAR Statements?](#)
- [\(U\) Lesson 3: How Do I Create a Foreignness Explanation?](#)
- [\(U\) Lesson 4: How Do I Sustain FAA702 Targeting?](#)
- [\(U\) Lesson 5: How Do I Handle Targeting Incidents?](#)

(U) Once you have reviewed all the lesson content above, select the "Submit Completion" button. Once you have done so, the Final Assessment will then become available to you. Upon selecting the Assessment link from the menu, you will presented with instructions on how to proceed.

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~~TOP SECRET//SI//~~ [REDACTED]

# (U) CRSK1304, Lesson 1: Overview of FAA702 Authority

## Glossary | Resources

### (U) Introduction

(U//~~FOUO~~) Welcome to CRSK1304, *FAA702 Practical Application*. Like other courses in the Smart Targeting curriculum, this course focuses on tools and techniques that targeting analysts use on the job—particularly those used when targeting under **FISA Amendment Act (FAA) 702** (check the Glossary in the Resources for all **bolded** terms).

(U//~~FOUO~~) By the end of this lesson, you should be able to:

- Identify key features of FAA702
- Describe how using FAA702 can improve targeting
- List the general mission areas eligible for FAA702 targeting
- List the [REDACTED] FAA702 Certifications and their respective mission descriptions
- Identify your oversight responsibility
- Identify cases where using FAA702 authority is not appropriate

(U) Let's jump right in with a definition of FAA702 targeting.

### (U) FAA702 Overview

(U//~~FOUO~~) As you learned in OVSC1203, FAA702 provides NSA/CSS with the means to compel U.S. electronic communications service providers to assist in acquiring foreign intelligence information from communications. Three requirements form the foundation of that authority:

- The **target** isn't a **U.S. Person**
- The target is reasonably believed to be located outside the U.S.
- The target possesses, OR is likely to receive, OR is likely to communicate foreign intelligence information regarding an approved target set

(~~TS//SI//NF~~) FAA702 doesn't limit the types of targets (that can be acquired) to persons who are themselves foreign powers or agents of a foreign power. We also target people who possess, OR are likely to receive, foreign intelligence information about a foreign power.

### (U) Target Criteria

(U//~~FOUO~~) Let's examine who can be targeted using FAA702 authorities. FAA702 allows the **Attorney General (AG)** and the **Office of the Director of National Intelligence (ODNI)** to approve Certifications authorizing SIGINT collection against specified groups of non-U.S. Persons located outside the U.S.

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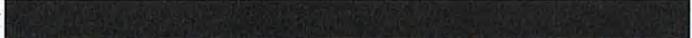
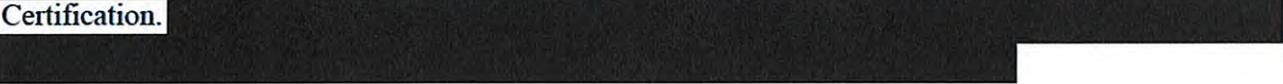
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(S//SI//)  


(S//SI//)  


(S//NF//)  


(S//SI//) In order to target under the FAA702 authority, you must have a reasonable belief that your target isn't located in the U.S. If you're following a target and suspect that he or she is likely to roam into the U.S., detarget the related selector(s) before that happens, or it'll be a compliance incident. Remember that U.S. territory includes territorial waters and airspace; it also extends to the unincorporated U.S. territories (Guam and Puerto Rico).  


(S//) When a target  identified in one of the Certifications, their selector(s) qualify for targeting under that Certification.  


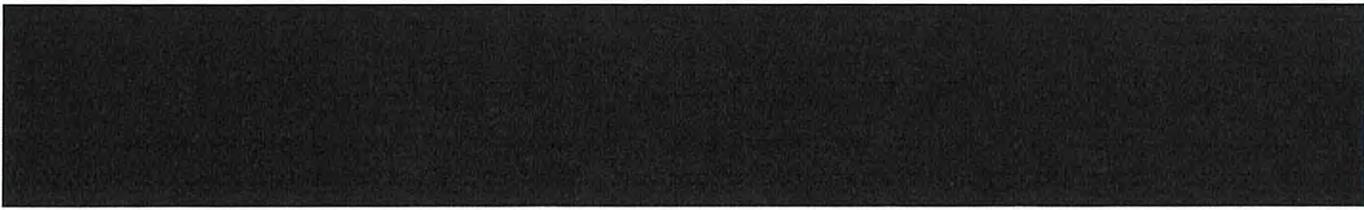
**(U) How We Implement FAA702**

(U//~~FOUO~~) As you recall from OVSC1203, FAA702 is unique in that broader topic-based Certifications are used instead of target-specific warrants (court orders) to compel collection from U.S. providers.

(S//) NSA/CSS operates under  Certifications; each includes:

- Affidavit signed by the **Director of NSA (DIRNSA)** that describes the foreign intelligence to be acquired and identifies the targeting and minimization procedures to be used
- Exhibit A - NSA Targeting Procedures
- Exhibit B - NSA Minimization Procedures
- Exhibit F - 

(U) To read the actual Certification and associated affidavits and exhibits, please refer to the Resources.



(U) How We Acquire FAA702 Data

(TS//SI//NF) Collection programs operating under the FAA702 authority [REDACTED]

(TS//SI//NF) The AG and ODNI issue directives to certain U.S. companies that fit the description of "electronic communications service providers," compelling them to assist the U.S. Government in its acquisition of various types of data.

(TS//SI//NF) FAA702 data is acquired in two ways: (b) (3) (A) [REDACTED] and UPSTREAM. Let's discuss (b) (3) (A) [REDACTED] first.

(U//FOUO) Acquiring FAA702 Data: (b) (3) (A) [REDACTED]

(TS//SI//NF) The first method, (b) (3) (A) [REDACTED] collection, is what NSA/CSS obtains [REDACTED]. We use (b) (3) (A) [REDACTED] to obtain communications TO or FROM a foreign target's electronic communications account [REDACTED]

(TS//SI//NF) [REDACTED]

(U//FOUO) Acquiring FAA702 Data: UPSTREAM

(TS//SI//NF) The second way to obtain surveillance data is from [REDACTED] known as UPSTREAM collection. We use UPSTREAM to obtain communications TO, FROM, and ABOUT a foreign target. **Abouts collection** means we can collect traffic that contains the targeted selector [REDACTED] *even when the traffic isn't TO or FROM that selector.* [REDACTED]

(U//FOUO) Multiple Communications Transactions

(TS//SI//NF) UPSTREAM [REDACTED] collect transactions which might include multiple communications in a single transaction. **Multiple Communications Transactions (MCT)** require special handling and use. The FISC, NSA, ODNI, and the Department of Justice (DoJ) continue to review issues around handling and minimization procedures for MCTs. When collecting certain MCTs containing targeted selectors, NSA/CSS

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**MIGHT** also acquire information that isn't TO, FROM, or ABOUT the target or selector found in that collection

For example,

(U//~~FOUO~~) Below is the cautionary banner we use for UPSTREAM collection. For more information on handling MCT, visit the MCT page on the FAA702 homepage.

*(~~TS//SI~~) This traffic could contain a multiple communications transaction (MCT) with information that is not to, from, or about tasked selectors. If this is an MCT, you are only permitted to use the discrete communication that you can positively identify as being specifically to, from, or about tasked selectors. Do not use this data until you review the additional guidance.*

**(U) Practical Advantages**

(~~TS//SI~~) Now that you've reviewed the basics of FAA702, we'll describe some practical advantages of the collection it authorizes.

(U) Advantage-

(~~S/~~)

(U) Advantage-

(~~TS//SI//NF~~)

(U) Advantage-

(~~TS//SI//NF~~)

(U) Advantage-Sharing

(U//~~FOUO~~) Collaboration and sharing between NSA/CSS, Central Intelligence Agency (CIA), and FBI are

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permissible as outlined in the minimization procedures in the Certifications.

(S//NF) [Redacted]

(U) Why We Have Oversight

(U//FOUO) OK, we've examined the FAA702 authority, and the qualifications and benefits it can offer. Now let's take a moment to discuss the need for oversight. FAA702 authorizes the use of sensitive collection techniques against qualified targets. If we, as an Agency, don't use the access responsibly, we could lose it. Oversight ensures the responsible use of FAA702 tools and accesses.

(U) Comply with Laws & Policies

(U//FOUO) For your team's targets, it's your job to ensure that FAA702 targeting is compliant with all U.S. laws and NSA/CSS policies. One way that happens is through maintaining awareness of your team's target activities so you can collaborate about their movements and adjust targeting as needed.

(U) Congress Mandates Oversight

(U//FOUO) Congress requires external oversight of FAA702 implementation, which includes formal accounting of all incidents and periodic reviews of all FAA702 targeting by the DoJ and the ODNI.

(U) You Have Help

(U//FOUO) You have many colleagues within NSA/CSS who will help you remain compliant—for example, the (b) (3) (A) [Redacted] or other senior personnel in your PL, office of Oversight and Compliance (SV) Auditors, FAA702 Adjudicators, or SV41 personnel. Your colleagues know the selectors and incidents will all be reviewed, and that good targeting benefits the whole Agency's mission.

(U) When Not to Use FAA702

(U//FOUO) The best way to safeguard FAA702 authority is to avoid preventable targeting incidents. If your research doesn't yield enough information to support a reasonable belief of **foreignness**, OR if you can't link the target with one of the existing Certifications, you can't use FAA702. [Redacted]

(U//FOUO) IF YOU CAN'T LINK THE TARGET WITH ONE OF THE CERTIFICATIONS, THEN YOU CAN'T USE FAA702!

(U) When Not to Use FAA702—Specifics

(S//NF) You should not use FAA702 if:

- [Redacted]

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- [REDACTED]
- The selector is authorized simultaneously under another **Foreign Intelligence Surveillance Act (FISA)** authority
- [REDACTED]
- The target is a U.S. Person OR located in a U.S. territory
- [REDACTED]
- The target is part of a mission that's not supported by the existing FAA702 Certifications
- [REDACTED]

**(U) Knowledge Check**

(U) Let's take a break with a knowledge check. If you're unclear on anything we've just discussed, you might want to review it before beginning the knowledge check. Knowledge checks aren't graded; they're just to help reinforce concepts. Good luck!

**(U) Question 1**

~~(S)~~ [REDACTED]

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]

**(U//~~FOUO~~) Feedback:** (b) (3) (A) [REDACTED]

**(U) Question 2**

**(U//~~FOUO~~)** For a target to be valid in FAA702, the target must be [REDACTED] listed in a Certification, plus \_\_\_\_\_ and \_\_\_\_\_ (select two answers).

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]
- e. [REDACTED]
- f. [REDACTED]

**(U//~~FOUO~~) Feedback:** (b) (3) (A) [REDACTED]

**(U) Question 3**

**(TS//SI//NF)** Which of the following statements is true of FAA702 collection?

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- a.
- b.
- c.
- d.

~~(b) (3) (A)~~ [Redacted]

~~(TS//SI//NF)~~ Feedback:

[Redacted]

**(U) Lesson Summary**

(U//~~FOUO~~) You should now be able to:

- Identify key features of FAA702
- Describe how using FAA702 can improve targeting
- List the general mission areas eligible for FAA702 targeting
- List the [Redacted] FAA702 Certifications and their respective mission descriptions
- Identify your oversight responsibility
- Identify cases where using FAA702 authority is not appropriate

(U) That's it for Lesson 1. You may close this window and select the next lesson to proceed.

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~~TOP SECRET//SI~~ [REDACTED]

# (U//~~FOUO~~) CRSK1304, Lesson 2: How Do I Create TAR Statements?

## Glossary + Resources

### (U) Introduction

(U) Welcome to Lesson 2!

(U//~~FOUO~~) Now that you've reviewed the FAA702 authority in Lesson 1, this lesson examines the request process, and focuses on the first component of every new **Targeting Request (TR): the Targeting Rationale (TAR) Statement**, critical to all approved FAA702 TRs.

(~~S//SI~~ [REDACTED]) By the end of this lesson, you should be able to:

- Identify the review process for an FAA702 TR
- Describe TAR Statements
- Given target information, write a TAR Statement

### (U) The TR Process

#### (U) Introduction

(U//~~FOUO~~) Let's review the basic workflow for submitting a TR in the (~~b~~) (3) (A) [REDACTED]. We'll step through the process to learn what happens at each stage.

#### (U) The Targeting Analyst

(~~S//SI~~ [REDACTED]) Be mindful of what you learned in CRSK1301 concerning how, when, and where you can conduct queries. Remember in (~~b~~) (3) (A) [REDACTED] foreign searching (~~b~~) (3) (A) [REDACTED] to see if your target's selector has already been targeted. Foreignness for a DNI selector [REDACTED] include a wide spectrum of evidence, such as (but not limited to):

- [REDACTED]
- [REDACTED]
- [REDACTED]

(~~S//SI~~ [REDACTED]) Research for a [REDACTED] selector **MUST** include [REDACTED]  
It **MAY** include:

- (~~b~~) (3) (A) [REDACTED]
- Background or lead information

(U) ~~(b) (3) (A)~~ All withheld information exempt under (b)(1) and (b)(3) unless otherwise noted.

(U//~~FOUO~~) The ~~(b) (3) (A)~~ checks the TR to determine if the FAA702 Certification you've chosen applies to the inte ~~(b) (3) (A)~~ e or she will also work with you to ensure the whole request is cohesive and consistent with all FAA702 criteria. The ~~(b) (3) (A)~~ works with you to refine the request and approves it for Adjudicator review.

(U) Adjudicator

(S//SI//~~(b) (3) (A)~~) Adjudicators must replicate all queries done by the Analyst and perform additional mandatory checks to ensure the selector isn't used by a U.S. Person and hasn't been the subject of an FAA702 incident.

(S//SI//~~(b) (3) (A)~~) Adjudicators focus on consistency within the TR. For example, ~~(b) (3) (A)~~ then the Foreignness Explanation section of the request needs to explain why this inconsistency exists.

(U) ~~(b) (3) (A)~~

(U//~~FOUO~~) ~~(b) (3) (A)~~, formerly ~~(b) (3) (A)~~ only reviews targeting that fails auto-approval for any reason *other than* FAA702 targeting. ~~(b) (3) (A)~~

(U) Task to Sites

(U//~~FOUO~~) Once an Adjudicator and ~~(b) (3) (A)~~ have approved your request as needed, ~~(b) (3) (A)~~ tasks ~~(b) (3) (A)~~ you've chosen to start collection on your target.

(TS//SI//~~(b) (3) (A)~~) ~~(b) (3) (A)~~

(TS//SI//NF) ~~(b) (3) (A)~~

(U) When a TR is Denied

(U//~~FOUO~~) If a ~~(b) (3) (A)~~ Adjudicator, or ~~(b) (3) (A)~~ Reviewer finds something wrong with your TR, they'll deny the request. They're required to choose a ~~(b) (3) (A)~~ Denial Code and provide comments to assist you in understanding the reason for the denial—this shouldn't be looked at as a punishment, but as a learning opportunity! If information is needed, the TR may be revised and resubmitted, but if the target isn't eligible for FAA702 collection, then ~~(b) (3) (A)~~ consider other targeting alternatives. If errors described in a TR are unclear, work with your ~~(b) (3) (A)~~ or Adjudicator to clearly understand the denial and respond accordingly.

(U//~~FOUO~~) FAA702 ~~(b) (3) (A)~~ Denial Codes are predominantly in the ~~(b) (3) (A)~~ code values. We'll talk more about these in the next lesson, but you can access the list of Denial Codes in the Resources, and scroll down to the ~~(b) (3) (A)~~

**(U) Preparing a TR**

(U//~~FOUO~~) The two areas of a TR that consistently challenge analysts are the TAR Statement and the Foreignness Explanation. Each fulfills a different function in the TR.

**(U) TAR**

(U//~~FOUO~~) A TAR identifies why you're proposing a new selector. It identifies the target's connection to the chosen Certification and the foreign intelligence expected to be gained, by providing a short, concise, but complete explanation as to why you're targeting this selector.

**(U) FOREIGNNESS EXPLANATION**

(U//~~FOUO~~) A Foreignness Explanation identifies your reasonable belief that your target is located outside the U.S. [REDACTED] We'll cover Foreignness Explanations in the next lesson.

**(U) Let's Review**

(U//~~FOUO~~) Let's recap what you've learned in this lesson. So far, you've:

- Identified the key stakeholders involved in a TR
- Identified key steps in the review process for FAA702 TRs
- Differentiated between the purposes of TAR Statements and Foreignness Explanations

**(U//~~FOUO~~) What's the TAR Statement's Purpose?**

(U//~~FOUO~~) Now that you've reviewed the facts about targeting using FAA702 authority, let's examine TAR Statements in more detail, and complete some practice exercises.

(S//~~FOUO~~) [REDACTED] As you know from Lesson 1, for a target to be eligible for one of the FAA702 Certifications, a concrete link must exist between the target and [REDACTED] in one of the Certifications. For external overseers, the TAR explicitly identifies the foreign intelligence value of the targeting—as it relates to the Certification selected—and the foreign intelligence purpose to be gained. Let's examine a few to learn how they're formatted.

**(U//~~FOUO~~) How is a TAR Statement Formatted?**

(U//~~FOUO~~) The TAR is identified by the text field labeled *TAR*; it should provide the:

- Written statement indicating the link between the User and the selector to be tasked
- Foreign purpose specific to FAA702 Certification
- Foreign intelligence expected to be gained by tasking the selector

(U//~~FOUO~~) The TAR Statement format looks like this: *TAR = User + Connection to Certification + Foreign Intelligence Purpose + Foreign Intelligence expected to be gained.*

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(U//~~FOUO~~) You can review the TAR guidance for FAA702 by typing *go TAR* in your browser. Here's an example of a good TAR: [REDACTED]

### (U) Consider Your Audience

(U//~~FOUO~~) TAR Statements are reviewed by external overseers, so avoid acronyms, abbreviations, names, project names, "probable cause"-like information, and unexplained/vague terms such as *associated*, *affiliated*, *related*, or *involved with*. TARs shouldn't contain any classification markings (the [REDACTED] Targeting block will be classified as a whole), selector information, or subjective statements. The TAR succinctly identifies how your TR is appropriate for the FAA Certification you've chosen. You can get a lot more guidance at *go tar*:

### (U) Let's Practice

(U//~~FOUO~~) Now it's time to practice. In the exercises, we'll show you how to refine a statement, then we'll do it together step-by-step, and finally, you'll do it on your own and compare your results with those of an expert.

### (U//~~FOUO~~) TAR Example

(S//SI// [REDACTED]) Here's a TAR submitted by a [REDACTED] analyst:

(S//SI// [REDACTED]) TAR: [REDACTED]

(U//~~FOUO~~) Consider what you just learned about TAR Statements and note any mistakes that you find in this one. Then continue reading to see what mistakes the experts identified.

(U//~~FOUO~~) This TAR Statement has a number of problems. Let's list them:

1. Classification marking shouldn't be in a TAR
2. There's too much detail provided; selectors or specific details like the phone number don't belong in a TAR
3. Use of the definite article, '... [REDACTED] ...' is equivalent to using a name because it uniquely identifies one individual
4. It doesn't include the foreign intelligence expected to be gained

### (U//~~FOUO~~) TAR Example Solution

(U//~~FOUO~~) Let's take a look at the TAR Statement after this analyst spoke with an Adjudicator:

(S//SI// [REDACTED]) TAR: *User* [REDACTED]

(U//~~FOUO~~) Notice that the correct version starts with the keyword *User*. Unique names and details shouldn't be included, but the specific foreign intelligence purpose from [REDACTED] is stated. The method of contact is left out, but it states specifically that [REDACTED], and provides the expected foreign intelligence to be gained.

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**(U//~~FOUO~~) TAR Statement Exercise Instructions**

(U//~~FOUO~~) You'll now be presented with a number of different scenarios. Read through each scenario and construct your own TAR using the data provided. Don't worry—at each step, you'll receive the correct answer and an explanation of why it's correct.

(S//~~FOUO~~) Remember that you can use the Resources link to review documents.

**(U//~~FOUO~~) TAR Statement Exercises**

**(U//~~FOUO~~) TAR Statement Exercise 1**

(TS//~~FOUO~~) Scenario:

(U//~~FOUO~~) At the beginning of any TAR Statement, you should identify the Target. Choose the correct identity that you want to include in this TAR.

- a. (b) (3) (A)
- b.
- c.
- d.

(U//~~FOUO~~) Feedback: (b) (3) (A)

(S//~~FOUO~~) Identify the connection between the User and the foreign intelligence purpose in a simple concrete statement.

- a.
- b.
- c.
- d.
- e.

(U//~~FOUO~~) Feedback:

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(S// [redacted]) The third part of the TAR is to identify the foreign intelligence purpose that connects this User with the Certification. Choose the correct foreign intelligence purpose [redacted]

- a. [redacted]
- b. [redacted]
- c. [redacted]
- d. [redacted]

(S// [redacted]) Feedback: [redacted]

(S// [redacted]) The fourth part of the TAR is to identify the foreign intelligence expected to be gained by targeting this selector. Choose the correct foreign intelligence below.

- a. [redacted]
- b. [redacted]
- c. [redacted]
- d. [redacted]

(S// [redacted]) Feedback: [redacted]

(S//SI// [redacted]) Correct Answer for TAR Statement Exercise #1 — TAR: [redacted]

(U//FOUO) TAR Statement Exercise #2

(S// [redacted]) Scenario: [redacted]

(U//FOUO) For the TR, identify the correct FAA702 TAR Statement for the given situation.

- a. [redacted]
- b. [redacted]
- c. [redacted]
- d. [redacted]

(U//FOUO) Feedback: [redacted]

(U//FOUO) Correct Answer for TAR Statement Exercise #2 — [redacted]

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(U//FOUO) TAR Statement Exercise #3

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(S//SI//) Scenario: [Redacted]

(U//FOUO) At the beginning of any TAR Statement you should identify the Target. Choose the correct identity for the user you want to include in this TAR:

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//FOUO) Feedback: [Redacted]

(U//FOUO) Identify the connection between the User and the foreign intelligence purpose in a simple, concrete statement.

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//FOUO) Feedback: [Redacted]

(S//SI//) The third part of the TAR identifies the foreign intelligence purpose that connects this User with the Certification. [Redacted]

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(S//SI//) Feedback: [Redacted]

(S//SI//) The fourth part of the TAR is to identify the foreign intelligence expected to be gained by targeting this selector. Choose the correct foreign intelligence below.

- a. [Redacted]
- b. [Redacted]

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- c. [REDACTED]
- d. [REDACTED]

(S//SI// [REDACTED] **Feedback:** [REDACTED]  
 [REDACTED]

(S//SI// [REDACTED] ) **Correct Answer for TAR Statement Exercise #3 — TAR:** [REDACTED]  
 [REDACTED]

(U//FOUO) TAR Statement Exercise #4

(S// [REDACTED] ) **Scenario:** [REDACTED]  
 [REDACTED] et's walk through this TAR step-by-step.

(S// [REDACTED] ) **At the beginning of any TAR Statement you should identify the Target. Choose the correct identity for the user that you want to include in this TAR:**

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]

(U//FOUO) **Feedback:** [REDACTED]  
 [REDACTED]

(U//FOUO) **Identify the connection between the User and the foreign intelligence purpose in a simple, concrete statement.**

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

(U//FOUO) **Feedback:** [REDACTED]  
 [REDACTED]

(S// [REDACTED] ) **The third part of the TAR connects this user with the Certification. Choose the correct foreign intelligence purpose** [REDACTED]  
 [REDACTED]

- a. [REDACTED]
- b. [REDACTED]

(S// [REDACTED] ) **Feedback:** [REDACTED]  
 [REDACTED]

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(S// [redacted]) The fourth part of the TAR is to identify the foreign intelligence expected to be gained by targeting this selector. Choose the correct foreign intelligence below.

- a. [redacted]
- b. [redacted]
- c. [redacted]
- d. [redacted]

(S// [redacted]) Feedback: [redacted]

(S// [redacted]) Correct Answer for TAR Statement Exercise #4 — TAR: [redacted]

(U//FOUO) TAR Statement Exercise #5

(S// [redacted]) Scenario: [redacted] Let's walk through this TAR step-by-step.

(U//FOUO) At the beginning of any TAR Statement you should identify the Target. Choose the correct identity for the person that you want to include in this TAR:

- a. [redacted]
- b. [redacted]
- c. [redacted]

(U) Feedback: [redacted]

(U//FOUO) Identify the connection between the User and the foreign intelligence purpose in a simple, concrete statement.

- a. [redacted]
- b. [redacted]
- c. [redacted]

(U//FOUO) Feedback: [redacted]

(S// [redacted]) The third part of the TAR connects this User with the Certification. Choose the correct foreign intelligence purpose [redacted].

- a. [redacted]
- b. [redacted]
- c. [redacted]

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(S//~~FOUO~~) **Feedback:**

(S//~~FOUO~~) The fourth part of the TAR is to identify the foreign intelligence expected to be gained by targeting this selector.

- a.
- b.
- c.
- d.

(S//~~FOUO~~) **Feedback:**

(S//~~FOUO~~) **Correct Answer for TAR Statement Exercise #5 — TAR:**

#### (U//~~FOUO~~) TAR Statements Wrap-up

(U//~~FOUO~~) As you can see, TAR Statements tie the User to a FAA702 Certification and provide an explanation for why we're targeting this selector. It's like a package tied up with a neat little bow, delivered to DoJ and ODNI reviewers so they can see that there's good cause for targeting [REDACTED]. The goal is to provide a simple, straightforward rationale for targeting the selector. [REDACTED] The specific details, such as the selector, or sources used to establish the facts; they merely present the foreign intelligence purpose and how the target is tied to it.

#### (U) Lesson Review

(U) Here are some important points you should take away from this lesson:

- (U//~~FOUO~~) Any (b)(3) (A) [REDACTED] can submit TRs for selectors. The selectors are reviewed by a separate (b)(3) (A) [REDACTED] Releaser in your [REDACTED] office. They are then reviewed by Adjudicators and (b)(3) (S) [REDACTED] for FAA702 and E.O. 12333 compliance before being approved and tasked.
- (S//SI//~~FOUO~~) [REDACTED] All new FAA702 TRs include a TAR Statement and a Foreignness Explanation.
- (U//~~FOUO~~) In (b)(3) (A) [REDACTED] the TAR has a specific text field. The TAR Statement ties the User to the foreign intelligence purpose for a specific FAA702 Certification, and includes the foreign intelligence expected to be gained. It doesn't contain any technical or extraneous details and doesn't identify the User or selector.

#### (U) Knowledge Check

ACLU 16-CV-8936 (RMB) 000934

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(U//~~FOUO~~) Now we'll check your knowledge on the rest of this lesson—no more TAR Statement exercises here! The Knowledge Check is graded, but don't worry, we're not recording your score!

1. (U//~~FOUO~~) Which targeting work role is most concerned with creating a valid TR and conducting target maintenance?

- a. (b) (3) (A)
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U) Feedback: (b) (3) (A) [Redacted]

2. (U//~~FOUO~~) Which targeting work role primarily focuses on the applicability of the chosen FAA702 Certification?

- a. (b) (3) (A)
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U) Feedback: (b) (3) (A) [Redacted]

3. (U//~~FOUO~~) In an FAA702 TR, a TAR Statement identifies that the User is: (select all that apply)

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

4. (U//~~FOUO~~) FAA702 Adjudicators review TRs to certify that the requested selector is: (select all that apply)

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U) Feedback: (b) (3) (A) [Redacted]

5. (S//SI// [Redacted]) If a [Redacted] selector is targeted using FAA702 authority, it: (select all that apply)

- a. [Redacted]
- b. [Redacted]

c.  
d.

[REDACTED]

(U//FOUO) Feedback:

[REDACTED]

**(U) Lesson Summary**

(S//SI// [REDACTED]) You should now be able to:

- Identify the review process for an FAA702 TR
- Describe TAR Statements
- Given target information, write a TAR Statement

(U//FOUO) Thank you for taking this lesson. As your knowledge of TAR Statements improves, FAA702 TRs should become easier to employ. You may close this window and select the next lesson to proceed.

~~TOP SECRET//SI//~~ [REDACTED]

~~TOP SECRET//SI//~~ [REDACTED]

# (U) CRSK1304, Lesson 3: How Do I Create a Foreignness Explanation?

## Glossary | Resources

### (U) Introduction

~~(S//SI//~~ [REDACTED] Welcome to Lesson 3! So, you've mastered the TAR Statement portion of an FAA702 TR. Now it's time to establish a reasonable belief of foreignness for your TR. By the end of this lesson, you should be able to:

- Describe Foreignness Explanations
- Identify the critical components of a Foreignness Explanation

### (U) Foreignness in ~~(b)(3)~~ [REDACTED]

~~(S//SI//~~ [REDACTED] In addition to the TAR Statement, you must establish a reasonable belief of foreignness for the TR. This is where you provide the specifics of the FAA702 special authorization. In ~~(b)(3)~~ [REDACTED] it consists of four parts:

- Foreign intelligence purpose
- Foreign Factor
- Foreignness Source ID
- Foreignness Explanation

(U//~~FOUO~~) TRs are more commonly denied because of this section than any other, so let's review and practice establishing foreignness. In particular, we'll focus on the Foreignness Explanation.

### (U) Select an Authority

~~(S//~~ [REDACTED] Before you get to those four parts in ~~(b)(3)~~ [REDACTED] you must select a special authority; ~~(b)(3)~~ [REDACTED] will have a dropdown list. You may select only one Certification for a TR. Once you do that, a tailored window appears where you can enter the foreignness information.

### (U) Select a Foreign Intelligence Purpose

~~(S//~~ [REDACTED]

If the foreign intelligence purpose you want isn't included in the list, you can't use that Certification for targeting.

### (U) Select a Foreign Factor

~~(S//SI//~~ [REDACTED] Second part of foreignness: the list of Foreign Factors is the same for every Certification. It's

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crucial that the Foreign Factor matches the foreignness evidence presented in the next section as reasonable belief that your target is located outside the U.S. Here are the Foreign Factor options:

- [REDACTED]

**(U) FAA702 Standard of Evidence**

(U//~~FOUO~~) You must have a reasonable belief that your target is a non-U.S. Person located outside the U.S. to use FAA702. In OVSC1203, you learned this is based on *the totality of circumstances*. Now you're ready to document your foreignness belief; the people in your PL or your Adjudicator can help you identify the level of documentation required for specific FAA702 TRs.

(U//~~FOUO~~) [REDACTED] some information is necessary to establish foreignness. Use the most current information available to support your documentation. If no information can be found to support a reasonable belief that the target is located outside the U.S., then *you can't use the FAA702 authority*.

**(U) Documentation**

(S//SI [REDACTED]) Once you've done your due diligence on establishing a reasonable belief of foreignness, documenting that belief can be as simple as [REDACTED].

(S//SI [REDACTED]) However, documentation might need to be more detailed, depending on your available evidence. Let's consider some of the Foreign Factors identified for FAA702 targeting, and think about how you would use those Foreign Factors to document foreignness.

(U//~~FOUO~~) Once you've established that your target is reasonably believed to be located outside the U.S.— [REDACTED] the target is a non-U.S. Person. To read more Foreign Factor examples, type *go 702faa* in your browser.

**(U) The Foreignness Source and Explanation**

(U//~~FOUO~~) The Foreignness Source ID(s) is always paired with a Foreignness Explanation, and these are mandatory text-entry fields. We strongly encourage you to provide the *most-current, most-accurate*

foreignness for the requested selector.

[Redacted]

- Foreign Factor:
- Foreignness Source ID:
- Foreignness Explanation:

[Redacted]

**(U) The Foreignness Source ID**

~~(S//SI)~~ The Foreignness Source ID must allow any reviewer to find and replicate your source. Your evidence can be a combination of one or more of the following:

- 
- 
- 
- 
- 
- 

[Redacted]

~~(S//SI)~~ All sources used for foreignness must be included in the Foreignness Source ID field. If there's more than one, they should be separated by a semi-colon.

[Redacted]

~~(S//SI)~~ If you're using FAA702 traffic to show foreignness and that traffic was collected between 6 Jan 2012 and 7 Nov 2013, additional checks may be needed. Please reference guidance at *go 702FAA*.

**(U) Foreignness Source ID Examples**

~~(S//SI)~~ Let's pair some Foreign Factors with some Foreignness Source IDs, and then we'll move to the Foreignness Explanations. Notice that in each case below, the Foreign Factor and Foreignness Source ID are logically connected. Each Foreignness Source ID should point uniquely to a source detailed in the Foreignness Explanation. Below are some examples:

- 
- 
- 

[Redacted]

**(U) The Foreignness Explanation and the Four Ws**

~~(U//FOUO)~~ The last part is the Foreignness Explanation, where you make your case that the user is located

outside the U.S. and is a non-U.S. Person.

(U//~~FOUO~~) The explanation should state the "four Ws" concisely, related to the evidence that supports a foreign location for the target. This is a very important step, and one where many mistakes are made. Let's look closely at the Foreignness Explanation.

**(U) Foreignness Explanation Tips**

(U//~~FOUO~~) Be sure to check your work for accuracy and completeness. Here are some tips to help you craft a solid Foreignness Explanation:

- Be concise, but articulate *The What*—what you knew at the time *The Who*—the selector—was targeted.
- Give more detail than just the existence of a selector. Include the selector, *The When*—date of source, and *The Where*—a summary explaining how the source shows foreignness.
- You may need more than one foreignness source to make your case. Be sure to list all sources in the Foreignness Source ID box.
- Make sure the Foreignness Source ID applies to the Foreign Factor.
- Make sure all information is correct.

**(U) What to Avoid in the Foreignness Explanation**

- (U) Acronyms (if you must use them, be sure to expand them)
- (U//~~FOUO~~) Multiple Certifications (only one Certification is allowed per TR)
- (U//~~FOUO~~) FOREIGNNESS: UNKNOWN (this isn't a valid explanation)
- (U//~~FOUO~~) Sources dated before or during a period of U.S. roaming aren't allowed

• (U//~~FOUO~~) [Redacted]

• (U//~~FOUO~~) [Redacted]

1. [Redacted]
2. [Redacted]
3. [Redacted]
4. [Redacted]

**(U) Foreignness Explanation Exercises, Pt. 1**

(U//~~FOUO~~) For the first few exercises, we'll provide you with a well-written Foreignness Explanation, and ask you to identify the four critical components (WHO, WHAT, WHERE, and WHEN). Remember that the whole TR tells a unified story.

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(S//~~FOUO~~) Before we begin answering the four Ws in this Foreignness Explanation, note that WHY we're targeting this individual isn't among the four Ws; the WHY is covered by this TAR Statement:

[Redacted]

(U) Foreignness Explanation Sample Exercise–Scenario

FOREIGN FACTOR: (U//~~FOUO~~) [Redacted]

FOREIGN SOURCE ID: (U//~~FOUO~~) [Redacted]

FOREIGNNESS EXPLANATION: (S//~~FOUO~~) [Redacted]

(U//~~FOUO~~) Let's identify WHO the TR is targeting. Specifically, this would be the target [Redacted]

(U//~~FOUO~~) Secondly, you want to identify the source that provides us with a reasonable belief that the Target is located outside the U.S. WHAT is the source? [Redacted]

(U//~~FOUO~~) Third, WHERE is the target reasonably believed to be located? In this case, [Redacted] is believed to be located in [Redacted]. [Redacted]

(U//~~FOUO~~) Lastly, WHEN was the target identified as being located outside the U.S.? [Redacted] Now that you've reviewed a sample exercise, it's time for YOU to identify the four Ws.

(U) Foreignness Explanation Exercise 1–Scenario

FOREIGN FACTOR: (U) [Redacted]

FOREIGN SOURCE ID: (S//~~FOUO~~) [Redacted]

FOREIGNNESS EXPLANATION: (S//~~FOUO~~) [Redacted]

1. (U//~~FOUO~~) WHO is your target? In this case you want to identify the selector or user explicitly. The spelling must be consistent throughout your TR.

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

[Redacted]

2. (S) [Redacted] **WHAT is the source of information that you're using to establish that the target is located outside the U.S.?**

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) **Feedback:** [Redacted]

3. (U//~~FOUO~~) **WHERE is your target located? Remember that the standard of evidence doesn't require an exact location, but stronger evidence is helpful.**

- a. [Redacted]
- b. [Redacted]

(U//~~FOUO~~) **Feedback:** [Redacted]

[Redacted]

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]

(U//~~FOUO~~) **Feedback:** [Redacted]

(U//~~FOUO~~) If you can clearly answer WHO, WHAT, WHERE, and WHEN, then you're reasonably assured of having a good Foreignness Explanation. There are still other items, like typos or TAR Statements, that could cause a TR to be denied, but you've fulfilled the most difficult part of a TR if you find evidence that successfully answers these four questions.

(U) Foreignness Explanation Exercise 2-Scenario

FOREIGN FACTOR: (U) [Redacted]  
FOREIGN SOURCE ID: (U//~~FOUO~~) [Redacted]

FOREIGNNESS EXPLANATION: (S) [Redacted]

[Redacted]

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A [REDACTED]

1. (U//~~FOUO~~) What is the selector being requested in this TR?

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]

(S//~~FOUO~~) Feedback: [REDACTED]

2. (U//~~FOUO~~) WHAT source was used to support a reasonable belief that the target is foreign in this TR?

- a. (b) (3) (A) [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

(U//~~FOUO~~) Feedback: (b) (3) (A) [REDACTED]

3. (U//~~FOUO~~) WHERE is the target in this TR reasonably believed to be located?

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

(U//~~FOUO~~) Feedback: [REDACTED]

4. (U//~~FOUO~~) WHEN was the target reasonably believed to be located outside the U.S.?

- a. (b) (3) (A) [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

(U//~~FOUO~~) Feedback: (b) (3) (A) [REDACTED]

(U//~~FOUO~~) If you can clearly answer WHO, WHAT, WHERE, and WHEN, then you're reasonably assured of having a good Foreignness Explanation.

(U) Foreignness Explanation Exercise 3-Scenario

FOREIGN FACTOR: (U) [REDACTED]

FOREIGN SOURCE ID: (S//~~FOUO~~) [REDACTED]

FOREIGNNESS EXPLANATION: (S//~~FOUO~~) [REDACTED]

[REDACTED]

[Redacted]

1. (U//~~FOUO~~) WHO is your target? In this case you want to identify the selector or user explicitly. The spelling must be consistent throughout your TR.

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) Feedback: (b) (3) (A) [Redacted]

2. (S//~~FOUO~~) WHAT is the source of information that you're using to establish that the target is located outside the U.S.?

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

3. (U//~~FOUO~~) WHERE is your target located? Remember that the standard of evidence doesn't require an exact location, but stronger evidence is helpful.

- a. [Redacted]
- b. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

4. (U//~~FOUO~~) WHEN was the target reasonably believed to be located outside the U.S.? [Redacted]

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]

(U//~~FOUO~~) Feedback: (b) (3) (A) [Redacted]

(U//~~FOUO~~) If you can clearly answer WHO, WHAT, WHERE, and WHEN, then you're reasonably assured of having a good Foreignness Explanation. There are still other items, like typos or TAR Statements, that could cause a TR to be denied, but you've fulfilled the most difficult part of a TR if you find evidence that successfully answers these four questions.

(U) Foreignness Explanation Sample [Redacted]

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(U) The sample format should be familiar to you by now. Then read the answers to the critical four questions in this Foreignness Explanation:

FOREIGN FACTOR: (S//SI// [redacted])

FOREIGN SOURCE ID: (S// [redacted])

FOREIGNNESS EXPLANATION: (S//SI// [redacted])

(S// [redacted]) Here are the answers to the four questions in this Foreignness Explanation:

- [redacted]
- [redacted]
- [redacted]
- [redacted]

(U) Foreignness Explanation Sample [redacted]

(U) Here's another sample, but this time with a [redacted]

FOREIGN FACTOR: (S//SI// [redacted])

FOREIGN SOURCE ID: (S// [redacted])

FOREIGNNESS EXPLANATION: (S//SI// [redacted])

(S// [redacted]) Here are the answers to the four questions in this Foreignness Explanation:

- [redacted]
- [redacted]
- [redacted]
- [redacted]

(U) Foreignness Explanation Exercise #5

(S//SI// [redacted]) Given the following Foreignness Explanation, identify the four Ws about the target. [redacted]

[redacted]

FOREIGN FACTOR: (S//SI// [redacted])

FOREIGN SOURCE ID: (S// [redacted])

FOREIGNNESS EXPLANATION: (S//SI// [redacted])

1. (S// [redacted]) First, WHAT is the selector you want to use to collect your target's communications (WHO)?

- a. [redacted]
- b. [redacted]
- c. [redacted]

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(S//~~SI~~) Feedback: [REDACTED]

2. (U//~~FOUO~~) WHAT is the source(s) that you're relying upon for a reasonable belief of foreignness? Select one answer.

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]

(U//~~FOUO~~) Feedback: [REDACTED]

3. (U//~~FOUO~~) WHERE was the target identified to be located?

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

(U//~~FOUO~~) Feedback: [REDACTED]

4. (U//~~FOUO~~) WHEN was the target identified to be located outside the U.S.? The target was believed to be located outside of the U.S. on \_\_\_\_\_.

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

(U//~~FOUO~~) Feedback: [REDACTED]

(U//~~FOUO~~) Remember that foreignness is more easily determined for [REDACTED], so those TRs can be easier.

(U) Foreignness Explanation Exercise #6

(U) Let's try this exercise one more time:

FOREIGN FACTOR: (S//~~SI~~) [REDACTED]

FOREIGN SOURCE ID: (S//~~SI~~) [REDACTED]

FOREIGNNESS EXPLANATION: (S//~~SI~~) [REDACTED]

1. (S//~~SI~~) What's the selector being requested in this TR (WHO)?

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

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d. [Redacted]

(S//SI// [Redacted] Feedback: [Redacted])

2. (U//~~FOUO~~) WHAT source was used to support a reasonable belief that the target is foreign in this TR?

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

3. (U//~~FOUO~~) WHERE is the target reasonably believed to be located in this TR?

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]

(U) Feedback: [Redacted]

4. (U//~~FOUO~~) WHEN was the target identified to be located outside the U.S.?

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]

(U) Feedback: (b) (3) (A) [Redacted]

(S//SI// [Redacted] You've fulfilled the most difficult part of the TR if you find evidence that can successfully answer these four questions. Now that you've had a chance to practice with Foreignness Explanations, we hope you'll apply what you've learned. Remember that the go 702faa webpage will have more guidance.

(U) Would You Like More Examples?

(U//~~FOUO~~) To continue practicing identifying WHO, WHAT, WHERE, and WHEN in Foreignness Explanations, please check the go 702FAA page (then select the Foreign Factors link under the 702 Guidance header). As you examine the various examples, try to identify the four Ws in each one, and remember your best practices: don't use acronyms, be careful to spell your selector correctly and consistently throughout the TR, and cite sources that can be validated by reviewers.

(U//~~FOUO~~) Remember that Adjudicators focus on the consistency of the entire TR. It's important that the whole request resolve any questions, so make sure you explain any inconsistencies in the TR. Make a complete case that the targeting is valid (i.e., you have a reasonable expectation that the target is outside the U.S., isn't a U.S. Person, and has a valid foreign intelligence purpose).

(U) Introduction to (b) (3) Denial Codes

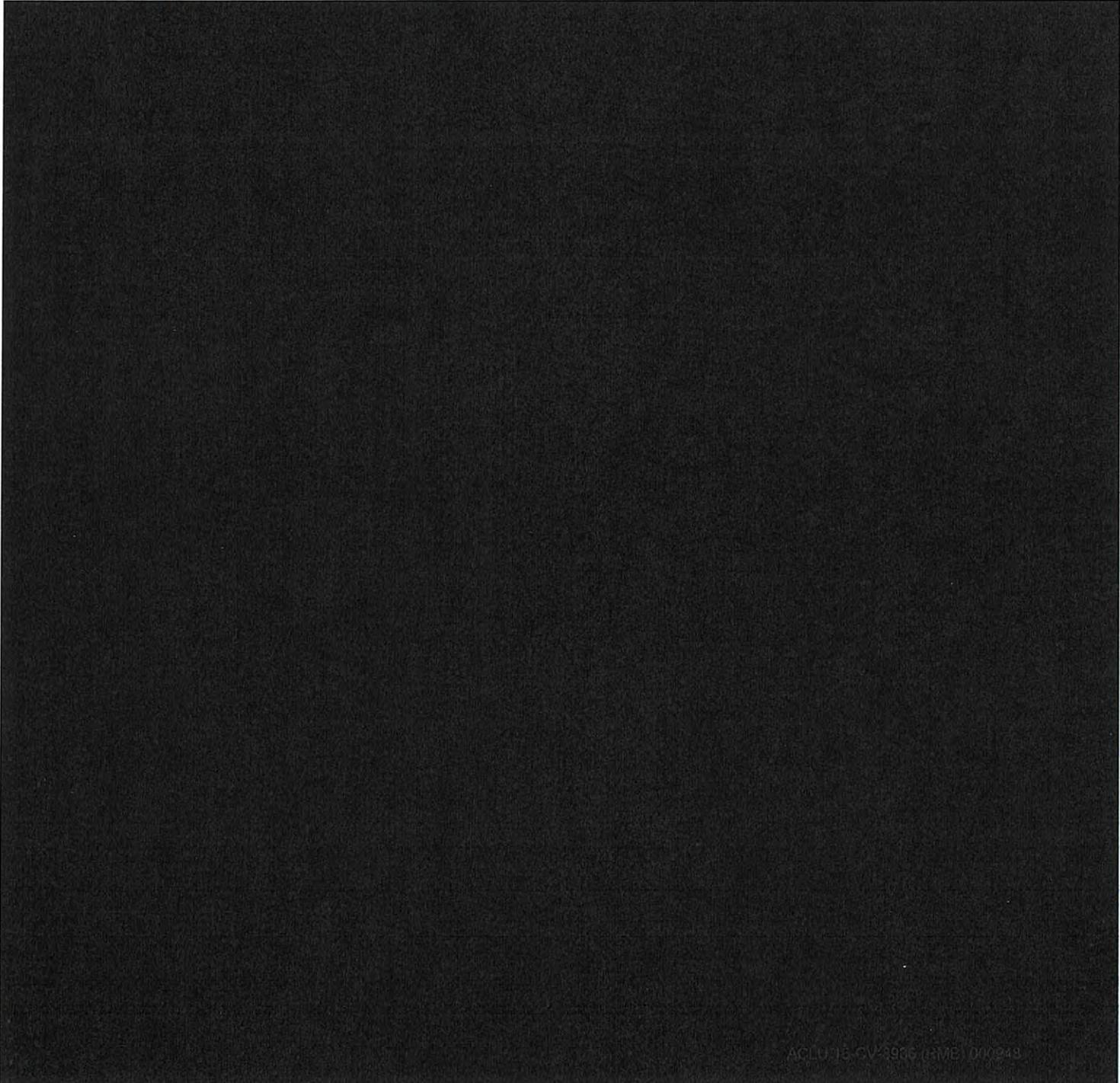
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(S//SI) [redacted] Now that you've completed the exercises on Foreignness Explanations, let's look at (b) (3) Denial Codes, which help Analysts identify why a TR may have been denied. We'll examine the five most frequently used (b) (3) Denial Codes and consider how to avoid them.

1. (b) (3) (A) [redacted]
2. [redacted]
3. [redacted]
4. [redacted]
5. [redacted]

(U//FOUO) Notice that each one relates to the Foreignness section of the TR. Let's examine these to learn what these (b) (3) Denial Codes mean and how to avoid receiving one on your next TR.



**(U) For More Information**

(U//~~FOUO~~) For more information on Foreignness Explanations or TAR Statements, be sure to consult with a (b) (3) (A) or Adjudicator. They're eager to help you craft TRs that are thorough and internally consistent, so that you're not continually resubmitting TRs because of missing or poorly worded sections.

(U//~~FOUO~~) Also, don't hesitate to work with your office colleagues to obtain the necessary foreignness evidence, or to seek advice if you get stuck; they've probably encountered similar situations and can help you find a simple solution.

**(U) Lesson Review**

(U) Here are some important points you should take away from this lesson:

- (S//SI//~~FOUO~~) All FAA702 TRs include a TAR Statement and a Foreignness Explanation.
- (TS//SI//~~FOUO~~) (b) (3) (A) TRs use a number of fields for the Foreignness Explanation, including a dropdown menu that lists the foreign intelligence purpose tailored to the specific Certification. (b) (3) (A)
- (TS//SI//~~FOUO~~) The Foreignness Source ID uniquely identifies the source(s) of the information used to establish foreignness. The source(s) must be replicable.
- (TS//SI//~~FOUO~~) The Foreignness Explanation is a text-entry box where you can provide the details to justify the foreignness of the target.

**(U) Knowledge Check**

1. (U//~~FOUO~~) In an FAA702 TR, a Foreignness Explanation identifies that the User is \_\_\_\_\_ and the target is \_\_\_\_\_ (select two answers).

- (b) (3) (A)
- a. [Redacted]
  - b. [Redacted]
  - c. [Redacted]
  - d. [Redacted]

(U//~~FOUO~~) Feedback: (b) (3) (A)  
 [Redacted]

2. (S//SI) [Redacted] From this scenario, identify the selector to be targeted (WHO).

FOREIGN FACTOR: [Redacted]  
 FOREIGN SOURCE ID: [Redacted]  
 FOREIGNNESS EXPLANATION: [Redacted]

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]

(S//SI) Feedback: (b) (3) (A)  
 [Redacted]

3. (S//SI) [Redacted] From the same scenario,

FOREIGN FACTOR: [Redacted]  
 FOREIGN SOURCE ID: [Redacted]  
 FOREIGNNESS EXPLANATION: [Redacted]

...identify the source being used to establish a reasonable belief of foreignness (WHAT).

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

4. (S//SI) [Redacted] From the same scenario,

FOREIGN FACTOR: [Redacted]  
 FOREIGN SOURCE ID: [Redacted]  
 FOREIGNNESS EXPLANATION: [Redacted]

...identify the date of the traffic on which this TR bases its reasonable belief of foreignness (WHEN).

- a. (b) (3) (A) [Redacted]

- (b) (3) (A) information exempt under (b)(1) and (b)(3) unless otherwise noted.
- b. [REDACTED]
  - c. [REDACTED]

(U) Feedback: (b) (3) (A) [REDACTED].

5. (S//SI// [REDACTED]) From the same scenario,

FOREIGN FACTOR: [REDACTED]

FOREIGN SOURCE ID: [REDACTED]

FOREIGNNESS EXPLANATION: [REDACTED]

...identify where the target is reasonably believed to be located (WHERE).

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]

(S//SI// [REDACTED]) Feedback: [REDACTED].

6. (S//SI// [REDACTED]) Denial Codes often help you, as a targeting Analyst, to identify:

- a. (b) (3) (A) [REDACTED]
- b. [REDACTED]
- c. [REDACTED]

(S//SI// [REDACTED]) Feedback: (b) (3) (A) [REDACTED]

(U) Lesson Summary

(S//SI// [REDACTED]) You should now be able to:

- Describe Foreignness Explanations
- Identify the critical components of a Foreignness Explanation

(U) Thank you for taking this lesson. As skills improve related to Foreignness Explanations, FAA702 TRs should become easier to employ. You may close this window and select the next lesson to proceed.

~~TOP SECRET//SI// [REDACTED]~~

~~SECRET//SI~~ [REDACTED]

# (U) CRSK1304, Lesson 4: How Do I Sustain FAA702 Targeting?

## Glossary | Resources

### (U) Introduction

(U//~~FOUO~~) Welcome to Lesson 4! This lesson provides an overview of your ongoing maintenance obligations when using FAA702 authority. We'll talk about your legal **Obligation to Review** (OTR), detailing required review cycles and targeting renewals. Next, we'll discuss how to detect and respond when a target enters the U.S. There are times when you **MUST DETARGET** a selector, and times when you **MAY RETARGET** one as well.

(U//~~FOUO~~) When the lesson refers to U.S. Persons or territories, remember to consider [REDACTED] which you can review at the Resources link, ~~(b) (3) (A)~~ [REDACTED].

### (U) Lesson Objectives

(U//~~FOUO~~) By the end of this lesson, you should be able to:

- Describe what's expected under OTR
- Identify the intervals at which you're required to review FAA702 collection
- Determine, given a scenario, whether to detarget a selector
- Determine, given a scenario, when to retarget a selector after detargeting

(U) Pay particular attention to the reasons why you'd need to detarget selectors.

### (U) What's OTR?

(U//~~FOUO~~) FAA702 requires you to review your selectors and traffic on a regular basis—that's OTR. What does this mean for you as an Analyst?

- (U//~~FOUO~~) You should review traffic on your selectors and follow targets *as part of your daily routine*
- (U//~~FOUO~~) You **MUST** review your selectors and traffic at least *once every* [REDACTED] *days*, even if you aren't reviewing the collection on a regular basis

### (U) More on OTR

(U//~~FOUO~~) Imagine if you find that your target is in the U.S., and your incident report states that you haven't reviewed traffic for [REDACTED] days...**REVIEW YOUR COLLECTION!**

### (U) OTR - Murphy's Law

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(U//~~FOUO~~) Since the time you originally targeted this selector:

- (S//~~FOUO~~) [Redacted] Your target may have roamed into a protected territory
- (S//~~FOUO~~) [Redacted]
- (S//~~FOUO~~) [Redacted]

(U) OTR - Warning Signs

(U//~~FOUO~~) Look for warning signs that will tell you to detarget:

- (S//~~FOUO~~) [Redacted]
- (S//~~FOUO~~) [Redacted]

(U) OTR - Belief of Foreignness

(U//~~FOUO~~) For all reviews, you'll need to verify a *reasonable belief of foreignness* by satisfying these criteria:

- The user of the selector is still the intended target
- The target still fits the Certification
- The target remains outside the U.S. [Redacted]

(U) OTR - Research

(U//~~FOUO~~) [Redacted]

(S//~~FOUO~~) [Redacted]

(U) OTR - Timeframes

(U//~~FOUO~~) In the TR, you provided evidence that supported your initial targeting. What happens next? Here are the timeframes to watch out for.

(U) Initial Review

(S//SI) [Redacted] Once your traffic begins to come in, you'll receive a *First-Heard Report*. Within [Redacted] days of receiving it, you must perform an initial review to verify that the selector is being used by the intended target.

[Redacted]

(U) Every [Redacted] Review

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(C/ [REDACTED] NSA/CSS policy requires that (at a minimum) you review enough pieces of traffic on FAA702 selectors to answer the three OTR questions at least once every [REDACTED] days. You should be reviewing traffic as part of your daily routine while you follow your targets, so the OTR requirement is satisfied. If no one touches the traffic from an FAA702 selector within [REDACTED] days, your targeting team will receive a *Notice of [REDACTED]-day Non-Compliance*. Remember that in the team-based targeting model used at NSA/CSS, the whole team shares responsibility for maintaining each member's FAA702 selectors.

(U//~~FOUO~~) If you're going to be out of the office, make sure you notify someone in your office to review the traffic from your selectors.

#### (U) Annual Targeting Renewal

(C/ [REDACTED] you'll need to verify the target's foreignness status. You should provide a current source and perform an active search to validate your reasonable belief of foreignness. At any time you can choose to detarget a selector, but this is a good time to evaluate the selector and consider detargeting if it's been unproductive. If you don't renew targeting at this time, your selector will be automatically detargeted.

(C/ [REDACTED] This is also a good time to update any target information (e.g., name, affiliation, TAR, or Foreignness Explanation) that you've learned [REDACTED]. This information will help other team members and analysts in other offices whose targets may communicate with your targets. Keep in mind, however, that *if you make any changes, your TR will have to be released and adjudicated again.*

#### (U) Certificate Renewal

(U//~~FOUO~~) Now that you know what the timeframes are for selector reviews, you may wonder what happens when a Certification is renewed. (b) (3) (A) [REDACTED]

(U//~~FOUO~~) Each year when a Certification expires and is renewed, the targeting tools automatically update the Certification number for each selector targeted under that authority. *The Certification's anniversary has no bearing on the TR renewal or OTR timeframes.*

#### (U) Roaming

(S/ [REDACTED] Monitor your target and watch for roaming into U.S. territories, including territorial waters or airspace. Data available to NSA/CSS isn't all-inclusive; information can come from a variety of sources, so be sure to look in:

- [REDACTED]
- [REDACTED]
- [REDACTED]

(U//~~FOUO~~) Whenever possible, anticipate your target's behavior and proactively detarget (and retarget) as necessary. If you're not proactive, you may have to deal with a targeting incident. You'll learn about incident reporting in the next lesson.

#### (U) Post-targeting [REDACTED] Checks

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(S//SI//~~FOUO~~) [redacted] Post-targeting [redacted] checks have been developed to help you identify targets that may have entered the U.S. without your knowledge. [redacted]

[redacted] The FISA Authorities Division of the Office of Oversight and Compliance (SV4) runs these checks every day.

**(U//~~FOUO~~) Detargeting a Selector**

(S//SI//~~FOUO~~) [redacted] (b) [redacted] will immediately detarget any selectors identified in the [redacted], and send an email to your PL. The mission targeting office is then obligated to immediately identify and detarget [redacted]

(S//SI//~~FOUO~~) [redacted] When (b) (3) (A) [redacted] finds a selector to be domestic, it creates an Alert. You'll receive an email providing instructions on the steps you'll need to take. This normally includes immediately researching the selector to confirm or refute the evidence, and adjusting targeting accordingly.

(U//~~FOUO~~) [redacted]

(U) [redacted]

(S//SI//~~FOUO~~) [redacted]

**(U) Detargeting in Other Tools**

(S//SI//~~FOUO~~) [redacted] When you're detargeting a selector, it's very important to remove any recurring queries in other tools as well. Check your traffic to ensure you aren't performing queries on a selector that you just detargeted in (b) (3) [redacted]

**(U//~~FOUO~~) Retargeting after Roaming**

(S//SI//~~FOUO~~) [redacted] Once a selector has been detargeted as a result of roaming, you must have evidence that the target has left the protected territory before retargeting. [redacted]—for example:

- [redacted]
- [redacted]
- [redacted]

(S//SI//~~FOUO~~) [redacted] Each roaming Alert is different. Sometimes the target is:

- [redacted]
- [redacted]
- [redacted]
- [redacted]

[Redacted]

(U//~~FOUO~~) Check *go 702faa>Foreign Factors>Post-roaming Examples* for more general post-roaming situations.

**(U) Knowledge Check**

(U) Now we'll check your knowledge on this lesson.

1. (S// [Redacted] If a selector is detargeted as a result of roaming, which of the following items would be sufficient for retargeting? Note that the sources for retargeting must all be dated after the user was expected to leave the protected territory. Select all that apply.

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]

(S// [Redacted] Feedback: [Redacted]

2. (S// [Redacted] In the course of reviewing your collection, what reasons would require you to immediately detarget the user's selector? Select all that apply.

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]
- e. [Redacted]

(S// [Redacted] Feedback: [Redacted]

3. (U//~~FOUO~~) How often should you review your selectors and traffic?

- a. [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

4. (S// [Redacted] You want to target [Redacted]

What should you do?

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- a.
- b.
- c.
- d.

[Redacted]

(S//SI) Feedback:

[Redacted]

5. (S//SI)

[Redacted]

- a.
- b.
- c.
- d.

[Redacted]

(S//SI) Feedback:

[Redacted]

6. (U//FOUO) If the Certification that you're using is renewed, you must evaluate your selectors immediately to determine if they still fit under the Certification.

- a.
- b.

(b) (3) (A) [Redacted]

(U//FOUO) Feedback: (b) (3) (A)

[Redacted]

7. (U//FOUO) You should review traffic from a new selector as soon as you receive a [Redacted] but you're required to review the initial traffic within \_\_ days of [Redacted]

- a.
- b.
- c.
- d.

[Redacted]

(U//FOUO) Feedback:

[Redacted]

(U) Lesson Summary

(S//SI) Now you know that OTR is a review and validation of content and metadata from an FAA702-authorized selector. That means you should be able to:

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- Describe what's expected under OTR
- Identify the intervals at which you're required to review FAA702 collection
- Determine, given a scenario, whether to detarget a selector
- Determine, given a scenario, when to retarget a selector after detargeting

(U) Done with this lesson! You may close this window and select the next lesson to proceed.

~~SECRET//SI//~~ 

~~SECRET//SI//~~ [REDACTED]

# (U) CRSK1304, Lesson 5: How Do I Handle Targeting Incidents?

## Glossary | Resources

### (U) Introduction & Lesson Objectives

(U//~~FOUO~~) Welcome to Lesson 5! This lesson looks at FAA702 targeting incidents, their outcomes, and how you should handle each situation. We'll focus on the big picture, beyond identifying and reacting to incidents, so that you'll have a broad understanding of what to do if one occurs. By the end of this lesson, you should be able to:

- Define an FAA702 targeting incident
- Identify the steps in the process of reporting a suspected FAA702 targeting incident

### (U) Overview

(U//~~FOUO~~) We'll outline the different types of incidents you'll come across, as well as the proper response for each. This information is critical because targeting incidents *will* occur, and you'll need to know what actions to take. We'll walk step-by-step through the process of handling each situation, and provide practice scenarios so you can test your knowledge.

### (U) Compliance vs. Policy Incidents

(U//~~FOUO~~) As with all targeting governed by the FISA, there are compliance incidents and policy incidents.

#### (U) Compliance

(U//~~FOUO~~) So, what's an FAA702 *compliance incident*? These incidents occur when a legal requirement isn't satisfied. NSA/CSS reports suspected incidents so that overseers like ODNI and DoJ can determine if a law's been broken. Since FAA702 authority can only be used to target non-U.S. Persons located outside the U.S., compliance incidents usually revolve around breaking one of those two requirements.

#### (U) Policy

(U//~~FOUO~~) There are incidents where NSA/CSS policies, such as [REDACTED], haven't been followed. [REDACTED]

[REDACTED] If you suspect that someone hasn't abided by a policy, it's a *policy incident*.

(U//~~FOUO~~) In this course, we've asked you to [REDACTED] [REDACTED] in order to recognize the importance of these policies.

### (U) FAA702 Incident Types

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(U//~~FOUO~~) It's important to know the various types of FAA702 incidents. Review the status-related and location-related incident types below. This isn't an all-inclusive list, but the majority of FAA702 incidents relate to the target's status or location. Improper minimization, dissemination, handling, or [REDACTED] can also cause reportable incidents, but they're beyond the scope of this course.

(S//~~FOUO~~) Status:

- Inadvertent targeting of a U.S. Person
  - Mistaken nationality of a target
  - [REDACTED]
  - Selector not used by intended target
  - Analyst error (e.g., typos, targeting under the wrong Certification)
- Querying unminimized, unevaluated databases using unauthorized U.S. Person selectors (for more info on authorized queries, contact SV/OGC)

(S//~~FOUO~~) Location:

- Active target entering a protected territory
- Discovery that an active target is located in a protected territory

#### (U) Location-related Incidents

(S//~~FOUO~~) Most FAA702 *location-related* incidents occur when a target's communications are collected while he or she is found to be in a territory protected under U.S. law or DO policy. Sometimes your analysis may reveal a target's intended movements so that you can prevent an incident by detargeting selectors before the target enters the U.S.

#### (U) Status-related Incidents

(S//~~FOUO~~) FAA702 *status-related* incidents occur when you discover that your targeted selector is being used by a U.S. Person—even if no collection was obtained. Under FAA702, targeting a U.S. Person is an incident even when it's *unintentional*, but if you collect communications that are incidentally TO, FROM, or ABOUT a U.S. Person while targeting any authorized target, that's generally *not* an incident.

#### (U) Avoiding Incidents Whenever Possible

(U//~~FOUO~~) You should analyze traffic daily (or as often as possible) to prevent an incident. This not only satisfies your OTR, but helps maintain a reasonable belief that your target is still a non-U.S. Person located outside the U.S. You must have that belief before you submit a TR, and maintain it while the selector remains targeted.

(U//~~FOUO~~) Through analysis, you may detect signs of things that would make targeting noncompliant, before they happen. Pay attention to these signs even if they're not for your selector(s); you play a valuable team role as well.

#### (U) You as a Team Member

(U//~~FOUO~~) Regardless of who discovers the incident, it's important for the matter to be quickly and

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thoroughly researched so that accurate information is provided to internal and external overseers.

(S//~~FOUO~~) This research is conducted jointly by your (b) (3) (A) SV41, SV42, and others as needed. For example, (b) (3) (A) No formal reporting of the incident should take place until preliminary research is completed and the incident is confirmed to have met the reporting criteria.

### (U) Incident Reporting Process

(U//~~FOUO~~) It's also important to know what steps you need to take when you realize a targeting incident might have occurred. Review these steps below, then we'll discuss them in more detail.

#### (U) INCIDENT REPORTING/5-STEP PROCESS:

1. (U//~~FOUO~~) The first step is the initial recognition of the possible incident. This is usually made by you, the Analyst, but you may also be notified by SV41 or SV42.
2. (U//~~FOUO~~) Then it's important to research the scenario to confirm or deny that an incident has taken place, and to provide accurate information to overseers.
3. (U//~~FOUO~~) Once you confirm an incident has taken place, detarget the relevant selectors, delete any standing queries, and verify that these steps have been taken.
4. (U//~~FOUO~~) Email your findings to SV41 immediately upon discovery of the incident; that's it for you until it comes time to take corrective actions, once SV is finished with you!
5. (U//~~FOUO~~) Your PL's compliance officer will pull your initial report and forward it to your (b) (3) (A) **Intelligence Oversight (IO) Quarterly (IOQ) Report.**

#### (U) Step 1: Initial Recognition

(U//~~FOUO~~) Any potential incidents need to be addressed as soon as you recognize the signs. Potential incidents must NOT be ignored or put off until a more convenient time. Most incidents are discovered during the Alerts process, but there are a number of other ways incidents are detected. The three most common ways are Alerts, analysis, and post-tasking review.

- (S//~~FOUO~~) SV may alert you if a selector (b) (3) (A).
- (U//~~FOUO~~) Any Analyst who detects an incident is required to be proactive about resolving it.
- (U//~~FOUO~~) SV, DoJ, and ODNI perform all post-tasking reviews of FAA702 selectors.

#### (U) Step 2: Validate the Incident

(U//~~FOUO~~) The next thing that you do with any potential incident is involve your (b) (3) (A) or supporting colleagues. Sometimes incidents are obvious, but at other times they aren't. Using (b) (3) (A) organization's collective judgment, you may decide to call SV41 for guidance, research the potential incident to validate the indicators, or move quickly to Step 3 because you have a clear incident.

#### (U) Step 3: Stop All Collection

(U//~~FOUO~~) When an incident has occurred, you're required to detarget all relevant selectors in order to prevent further unauthorized collection. You **MUST** perform an emergency detargeting to stop all collection as quickly as possible. Be sure to delete all standing queries as well.

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~~(S//SI)~~ [redacted] If an Alert or post-tasking review detected the incident, a member of SV41 or SV42 will contact you.

**(U) Step 4: Report the Incident**

~~(U//FOUO)~~ Next, it's your responsibility to formally report the incident to either your supervisor or SV41.

- If it's a *policy* incident, file an incident report in the **Incident Reporting Tool (IRT)**.
- If it's a *compliance* incident, report it *via email* to SV41—DON'T put it in the IRT; SV41 will do that. You'll receive a link to the report on SV41's ~~(b) (3) (A)~~ site, as well as notification from the IRT when SV41 enters the report.
- SV41 will ask questions for clarity about *compliance* incidents, and then submit it to OGC within 2 business days of determination; OGC forwards the incident reports to DoJ and ODNI within 3 business days of SV41's determination. In other words, NSA must report a compliance incident to our external overseers within a total of 5 business days.

**(U) Step 5: Purging the Data**

~~(U//FOUO)~~ Your PL's compliance officer will automatically pull your initial report and forward it to your PL's IOQ; you don't have to worry about doing that.

~~(S//SI)~~ [redacted] For *compliance* incidents, NSA/CSS must purge any data acquired while the selector was noncompliant. ~~(b) (3) (A)~~ [redacted] performs discovery and purging when they receive a prompt from the IRT indicating the incident is completed.

**(U) The Research Process**

~~(U//FOUO)~~ Let's try a sample scenario to see how to conduct research after an Alert.

~~(S//SI)~~ [redacted] You've been collecting traffic from [redacted]. You suspect there may be a location-related incident to report because [redacted]. Here are some *suggested* tools (not an all-inclusive list) to perform the research necessary to determine whether or not there's actually a roaming incident:

- [redacted]

~~(U)~~ ~~(b) (3)~~

~~(S//SI)~~ [redacted]

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[Redacted]

(U) (b) (3) (A)

(S//SI) [Redacted]

(U) (b) (3) (A)

(S//SI) [Redacted]

(U) (b)

(S//SI) [Redacted]

(U) (b) (3) (A)

(S//SI) [Redacted]

(U) (b)

(S//SI) [Redacted]

(U) (b)

(S//SI) [Redacted]

(U) (b)

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~~(S//SI)~~ [REDACTED]**(U) Incident Confirmation**

~~(S//SI)~~ [REDACTED] (b) (3) (A) confirmed that this is a roaming incident. You immediately submit an urgent detargeting request and respond to the SV42 Alert Team to let them know of your research, as well as your findings. You need to submit an incident report; SV41 will provide a reporting form and guidance. After taking care of the immediate detargeting requirements, update [REDACTED] (b) (3) (A) with the information from [REDACTED] (b) (3) and [REDACTED] (b) (3) (A) to help potentially anticipate his travel plans in the future.

**(U) Scenario Wrap-up**

~~(S//SI)~~ [REDACTED] Here are some common questions that SV41 may ask you when following up on an incident report:

- Who's the user of this selector and what's your reason for targeting?
- When did the incident take place and is it still happening?
- Are there any alternate selectors currently targeted for this target (DNI or [REDACTED])? If so, please list them here.
- Were there any indications identified, before or after the incident, which foreshadowed it?
- What research was performed prior to targeting?
- Who made the discovery?
- Details about what happened will be requested, but the questions will vary by different types of incidents.

~~(S//SI)~~ [REDACTED] You may be asked more questions, such as:

- How did you discover it? Details like a [REDACTED] or other specifics are desirable.
- When was content last reviewed prior to the incident?
- What was the last known foreign location? Details like a [REDACTED] or other specifics are desirable.
- Has research validated that an incident's taken place? If so, what?

~~(U//FOUO)~~ In your daily work you probably won't encounter many targeting incidents, but the frequency does vary by your PL or target sets. Whenever you detect a potential incident, respond immediately and follow the steps detailed in this lesson. Of course, good judgment is a necessity for any Analyst, so don't foolishly turn a blind eye to any warning signs.

(U) For additional resources on [REDACTED] research techniques for researching your target's location, check the [REDACTED] and search on [REDACTED] [REDACTED] ge checks to see how well you have digested this lesson's materials.

**(U) Knowledge Check**

~~(U//FOUO)~~ Now we'll check your knowledge on this lesson. Review the scenario below and decide whether

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or not there's an incident to report.

1. (~~S//SI~~) [Redacted]

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]

(U//~~FOUO~~) Feedback: [Redacted]

2. (U//~~FOUO~~) An Analyst discovers that an unquestionable roaming incident has occurred and begins immediately gathering the information needed so he can begin answering questions anticipated from SV41. Afterward, he submits the incident to the proper authority and corrective actions are taken. What essential step has been left out of this scenario?

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]

(U//~~FOUO~~) Feedback: (b) (3) (A) [Redacted]

3. (U//~~FOUO~~) [Redacted]

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]

(U//~~FOUO~~) Feedback: (b) (3) (A) [Redacted]

4. (U//~~FOUO~~) A compliance incident will occur if you're using FAA702 authority to target: (select all that apply)

- a. (b) (3) (A) [Redacted]
- b. [Redacted]
- c. [Redacted]
- d. [Redacted]

(U//~~FOUO~~) Feedback: (b) (3) (A) [Redacted]

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(b) (3) (A)

5. (U//~~FOUO~~) Which of these is the **THIRD** step of the Incident Reporting process?

- (b) (3) (A)
- a.
  - b.
  - c.
  - d.
  - e.

(U//~~FOUO~~) Feedback: (b) (3) (A)

(U) Lesson Summary

(U//~~FOUO~~) This concludes the lesson on practical guidance for incident reporting. For more information on targeting incidents and how to handle them, please email [REDACTED]. You should now be able to:

- Define an FAA702 targeting incident
- Identify the steps in the process of reporting a suspected FAA702 targeting incident

(U) Time for the final assessment! You should review all lessons NOW, since you can't open the lessons once you've started the assessment. You will, however, be able to download the course transcript from the Assessment instructions. Good luck!

~~SECRET//SI//~~ [REDACTED]