Overview (U)

Introduction (U) This is an informal guide to USSID '18 for areas concerning U.S. Identities. It briefly addresses the regulations and directives which guide NSA's authorities, collection and reporting issues for threat and non-threat situations, and lists procedures for U.S. identity release. This informal guide directs the reader to the specific USSID '18 sections and is not a substitute for USSID '18, but should be used in conjunction with it. Use of this guide does not relieve the reader of his or her obligation to review E.O. 12333, DoD Reg 5240.1-R, NSA/CSS Directive 16-30 and USSID '18 at least annually.

U.S. Identities may be released to customers under specific conditions. Procedures for release of U.S. identities appearing in SIGINT are outlined in the memorandum on pages 7 and 3.

Comments and questions may be addressed to the following POCs:
- PMIB Collection and Retention Guidance 961-2164
- PMIB Reporting Guidance 961-1911
- PMIB Customer Requests for Disclosure of U.S. Identities 961-3453
Guidance Regulations (U)

SECRET

Executive Order 12333 sets forth NSA’s basic authorities—to collect, process, and disseminate SIGINT information for NATIONAL FOREIGN INTELLIGENCE PURPOSES and to support military operations.

SECRET: NSA/CSS implements EO 12333 and DoD Reg 5240.1-R through NSA/CSS Directive 10-30 and USSID 18, which addresses the way in which we conduct our SIGINT mission while protecting U.S. persons.

SECRET: USSID 18 provides specifics on whom we may target, how we collect, select, and store such information, and how we disseminate information on U.S. persons.
<table>
<thead>
<tr>
<th>USSID 18 Issues for Threat Situations</th>
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<tbody>
<tr>
<td><strong>Consensual Collection Procedures</strong></td>
<td><strong>(FOUO)</strong></td>
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<tr>
<td>(FOUO) Individuals may fill out a consent agreement, allowing the Agency to collect either their communications or information about them (USSID 18, Section 4.1.c.(1)).</td>
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<tr>
<td>(DOOO) After the consent agreement is completed and forwarded to P0212.</td>
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<td>(DOOO) P0212 prepares an SPF for Deputy Director approval and obtains proper coordination through the system.</td>
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<tr>
<td>(DOOO) After Deputy Director approval, P0212 prepares a memorandum for the workforce to implement collection and processing.</td>
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<td><strong>Implied Consent Procedures</strong></td>
<td>(FOUO)</td>
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<td>(FOUO) Used in cases where a U.S. person is held captive by a foreign power or a group engaged in international terrorism and contact for NSA collection could be implied (USSID 18, Section 4.1.c.2).</td>
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<tr>
<td>(DOOO) P0212 prepares an SPF for DIA/NSA's approval and obtains proper coordination through the system.</td>
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<td>- The 509 can authorize collection if DIA/NSA is not available, but DIA/NSA approval must be obtained by the next morning.</td>
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<td>- Memorandum dated 21 January 1997, subject: Handling Procedures for the Approval of Collection, Processing, and Dissemination Under &quot;Implied Consent.&quot;</td>
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<td>(FOUO) After approval, P0212 notified all appropriate elements and orders termination when the situation warrants.</td>
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<td><strong>Reporting Threat Information</strong></td>
<td><strong>(FOUO)</strong></td>
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<td>(FOUO) When specific, actionable threat information involving U.S. persons is obtained:</td>
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<td>- Reporting elements issue a report with as much information as possible, including U.S. names, in the interest of protecting U.S. pers-</td>
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As soon as the report is issued as practicable, the reporting element sends a memorandum explaining the situation to PXX, with courtesy copies to PXX12 and PXX13.

Reporting elements also account for dissemination in Quarterly Report to the IG (ISSN 0016-3347), Section 7.2.c.(3) and U.S. Identifiers in SIGINT, page 4 and 41.

Appropriate customers may be notified by phone as soon as the report is released.

Collateral information (C) Collateral information may be included in SIGINT reporting when it contributes to the report by amplifying, clarifying, explaining, or supplementing the SIGINT information.

When collateral is found after the SIGINT report has been released, the originator of the collateral may be contacted with a request that the originator redact the collateral as appropriate.

If time does not permit notifying the originator of the collateral, the originator of the IG has indicated that SIGINT personnel may include field notes and rough operational abstracts in SIGINT; the originator should be notified as soon as possible.
COMMUNITY GUIDELINES FOR THE COLLECTION, USE, AND SHARING OF COMMUNICATIONS AND CONVERSATIONS

SECRET
USSID 18 and Non-Threat Situations (FO40)

Communications from, to, or about a U.S. person may not be intentionally collected without further legal authorities. (USSID 18, Section 4 applies.)

Communications incidentally collected during foreign communications in a foreign country may be processed and reported if there is valid foreign intelligence. The report is focused on the foreign side of the communication, and USSID 18 guidelines are followed for reporting.

Communications solely between U.S. persons inadvertently intercepted during foreign communications collection are to be destroyed upon recognition. There are exceptions where the Director may waive destruction and allow reporting. Example of this are such communications that contain significant foreign intelligence or positive evidence of a crime. (USSID 18, Section 5.4 applies.)

Communications to or from an employee of the U.S. Government, or any state or local government, will not be intentionally intercepted. Inadvertent INTERCEPTIONS of such communications (including those between foreign TARGETS and U.S. officials) should be destroyed. (USSID 18 5.4.c)

HANDLE VIA COMM. CHANNELS ONLY
SECRET
Access to raw traffic surveillance systems which contain identities of U.S. PERSONS must be limited to SIGINT production personnel.

Any U.S. identity, even if allowed, is only to be used when necessary to understand or assess the foreign intelligence.

Only senior executive branch officials may be identified by title (all others are generic).

The United States Government Manual determines which officials are senior.

Members of the Judicial and legislative branches must be rendered generically.

Property names state/local officials organizations by using generic terms.

Only senior U.S. officials in intelligence organizations may be identified by title (use generic terms for all others). (Senior officials are those who can make decisions on behalf of the organization).

Identities of U.S. private entities must be rendered generically.

Avoid contextual identification of U.S. entities.

Focus on foreign intelligence/counterintelligence and on the foreign perspective.

Minimize incidental U.S. communications.

HANDLE VIA COMINT CHANNELS ONLY

SECRET