



## FISA SECTION 702 VALUE

Section 702 of the Foreign Intelligence Surveillance Act (FISA) authorizes intelligence collection on foreign intelligence targets located overseas. It can never be used to target Americans anywhere or anyone located in the United States. Sorting through collected FISA 702 data is how the Intelligence Community generates crucial information to protect the United States from threats, including terrorism, cyber-attacks, narcotics trafficking, and weapons proliferation.

### FISA Section 702 Metrics

**23%** of NSA's intelligence reports in 2023 contained Section 702 information

**100%** of the President's intelligence priorities topics reported on by NSA were supported by Section 702 information in 2023

**70%** of CIA's successful weapons and counterproliferation disruptions with USG partners from 2018 to 2022 stemmed from FISA 702 data

**70%** of CIA's illicit synthetic drug disruptions with partners in 2023 stemmed from FISA 702 data

**60%** of President's Daily Brief articles in 2023 contained Section 702 information reported by NSA

**40%** of products in CIA's World Intelligence Review daily analytic production in 2022 relied on FISA Section 702 information

### Counternarcotics

Section 702 has been an important authority for use in the context of countering narcotics trafficking and, in many respects, used to help support our foreign partners in interdictions. Section 702-acquired information revealed: insights that have informed the U.S. government's understanding of the Chinese origins of a chemical used to synthesize fentanyl; foreign actors' illicit plans to smuggle methamphetamine across the U.S. border; the quantities and potency of drugs, including fentanyl, destined for illegal transfer to the United States, as well as specific smuggling techniques used to avoid detection.

**FENTANYL DISRUPTION:** CIA leveraged Section 702 intelligence on a foreign actor overseas that supplied pill press machinery and other equipment to a drug cartel in Mexico making illicit fentanyl. CIA used this intelligence to alert a partner, and following further investigation, the partner raided a location tied to the network and seized machinery made in China and otherwise destined for illicit fentanyl production in the United States and Mexico. This machinery would have been capable of producing millions of fentanyl pills per hour. Synthetic opioids like fentanyl are now the leading cause of death for Americans aged 18 to 49. We are losing 110,000 Americans a year to drug overdoses. Without Section 702's support to the disruption of drug traffickers, the loss of life undoubtedly would be even higher.

### Counterterrorism

**THREAT TO U.S. MILITARY IN MIDDLE EAST:** In late October 2023, FBI Section 702 collection identified a threat from foreign terrorists against multiple U.S. military installations overseas inspired by the Israel-Gaza conflict. The FBI immediately warned the U.S. Department of Defense as well as the relevant host nations of the threat.

In 2020, Section 702-acquired information allowed analysts to identify members of a terrorist cell that was planning an attack on a U.S. facility in a Middle Eastern country. Analysts were able to monitor the group's communications through Section 702 information. As U.S. intelligence-gathering focused on this plot, Section 702 was a critical,



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unique collection method in gathering information for the government because of the terrorists' travel through multiple countries. The U.S. government, working with allies in the region, was able to disrupt the attack.

**COUNTER-ISIS:** Section 702 informed planning for the February 2022 U.S. military operation that resulted in the death in Syria of Hajji 'Abdallah, the leader of ISIS. Section 702 collection on Hajji 'Abdallah contributed to the U.S. assessment of the ISIS leader's presence in Syria. This information provided military planners and senior policy makers confidence in their decision to send U.S. troops on the mission.

**VETTING SUPPORT:** The National Security Agency uses Section 702 to support the federal government's vetting, for counterterrorism purposes, of non-U.S. persons who are being processed for travel to the United States or a benefit under U.S. immigration laws (a "travel or immigration applicant").

**THREAT TO CRITICAL INFRASTRUCTURE:** In 2023, the FBI disrupted a potentially imminent attack by a terrorist who had researched and identified specific critical infrastructure sites inside the United States, less than a month after he was first identified and subsequently queried against Section 702 information. The results of a U.S. person query provided important intelligence that contributed to the additional investigation of the U.S. person terrorist. Importantly, the case team used iterative U.S. person queries to stay ahead of the terrorist's plans as his plot developed and he shifted communications platforms. Each time a U.S. person query, or other investigation, identified new terms of interest, the agents and analysts conducted additional queries to stay ahead of the threat and ensure we were not missing important intelligence on the plot.

Section 702 has identified threats to U.S. troops and disrupted planned terrorist attacks both at home and abroad, and contributed to the United States' successful operation against Ayman al-Zawahiri in 2022.

## Counter-Proliferation

**COUNTER-BIOWEAPONS:** In 2023, U.S. person queries of FBI Section 702 information identified intelligence on the potential illicit transfer of export-controlled technology that could be used in bioweapons production, including possible connections to a foreign government.

**MONITORING INTERNATIONAL OBLIGATIONS:** Without Section 702 collection, the State Department's ability to hold nations accountable for adhering to international obligations regarding weapons of mass destruction would be significantly degraded. For example, Section 702 information is a critical input to and provides some of the most meaningful reporting in the classified portion of the 2023 Annual Report on Compliance with the Chemical Weapons Convention.

**WMD COMPONENT INTERDICTION:** Section 702-acquired information related to sanctioned foreign adversaries was used in U.S. government efforts to stop components for weapons of mass destruction from reaching foreign actors.

**ATTEMPTS TO ACQUIRE WMD INFORMATION:** After receiving intelligence from another agency that a U.S. person was in contact with adversarial foreign intelligence officers, FBI queried that U.S. person's identifiers against the FBI's Section 702 collection. The query results enabled FBI's investigation. FBI determined the U.S. person to be unwitting of the illicit activities of foreign intelligence officers from two adversarial governments. FBI interviewed the U.S. person, obtaining important intelligence on a hostile foreign government's attempts to acquire sensitive information relating to the proliferation of weapons of mass destruction.

## Cyber

**THREATS TO CRITICAL INFRASTRUCTURE:** Section 702-acquired information has been used to identify multiple foreign ransomware attacks on U.S. critical infrastructure. This intelligence positioned the U.S. government to respond to and mitigate these events, and in some instances prevent significant attacks on U.S. networks.



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In 2022, Section 702 allowed the FBI to discover that state-supported hackers had infiltrated computer systems on utilities in several locations in the U.S. The FBI was able to warn the systems' operators, help them expel the hackers from their systems, and monitor other infrastructure for further victims.

U.S. person queries against Section 702 acquired information helped FBI to identify intrusion efforts against a transportation hub in the United States. In that case, the U.S. person queries helped FBI to identify where the Chinese hackers had achieved successful compromises of network infrastructure. This enabled FBI to alert the network operators so they could take action to mitigate the intrusions.

**RANSOMWARE ATTACK ON COLONIAL PIPELINE:** Section 702 played an important role in the U.S. government's response to the cyberattack on Colonial Pipeline in 2021. Using Section 702, the Intelligence Community acquired information that verified the identity of the hacker, as well as information that enabled U.S. government efforts to recover most of the ransom.

**IRANIAN RANSOMWARE ATTACKS:** Section 702-acquired information has supported the FBI's investigation of Iranian state-supported hackers' efforts to spear-phish a wide variety of U.S. victims. U.S. person queries of Section 702 holdings allowed the FBI to determine that the hackers were in the process of gathering information on one of the possible victims, a former head of a federal department. With this information, the government was able to notify and warn the potential victim, and provide defensive advice to stay ahead of the threat.

Section 702-acquired information successfully identified and mitigated an Iranian ransomware attack against a non-profit organization's systems in 2022. Within one week, this intelligence enabled the U.S. government to respond to, mitigate, and ultimately recover the organization's information without paying the ransom.

**RUSSIAN RANSOMWARE ATTACKS:** Since 2021, the FBI has been conducting a national security cyber investigation into a Russian-government affiliated ransomware actor responsible for multiple international computer intrusions. FBI personnel identified a set of approximately 21 phone numbers associated with these intrusions which, when combined with other identifiers, resulted in more than 100 query terms. A batch job query of these terms led to the identification of three individuals with potential links to Russian Intelligence Services. The FBI assessed that the phone numbers were reasonably believed to be used by Russian-government linked hackers and that these query terms were reasonably likely to retrieve foreign intelligence and/or evidence of a crime from Section 702-acquired information.

**HACKS TARGETING U.S. OFFICIALS:** The Deputy Attorney General personally attested to the immense value of Section 702 and U.S. person queries. The FBI identified information in its Section 702-collection indicating that a hostile nation state was endeavoring to hack the personal email accounts of former U.S. officials, including her. By querying its Section 702 holdings, the FBI was able to quickly ascertain the full extent of the hostile nation state's efforts to target her, enabling her to take swift measures to protect herself.

Through U.S. person queries of Section 702-acquired information, FBI discovered that Iranian hackers had conducted extensive research on the former head of a Federal Department. FBI then notified that individual and the Department of the specific threat, so they could take action to protect them and help secure their accounts.

## Economic Security

**MALIGN FOREIGN INVESTMENT SCREENING:** Section 702 information has identified key economic security risks, including strategic malign investment by foreign actors in certain U.S. companies.



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## Transnational Repression and Human Rights

**MIDDLE EASTERN STATES TARGETING DISSIDENTS:** In 2021, information derived from Section 702 enabled U.S. diplomats to demarche a Middle Eastern country over its efforts to monitor and track dissidents abroad, as well as dissidents here in the United States.

**PRC TARGETING DISSIDENTS:** Section 702 acquired information has enabled the United States to gain insights in the People's Republic of China's efforts to monitor, track, and persecute Chinese nationals believed to be dissidents.

**PRC HUMAN RIGHTS VIOLATIONS:** Section 702 data helped expose efforts by foreign powers, including the People's Republic of China, to coerce nations to oppose international responses to human rights violations. This reporting enabled U.S. diplomats to assist countries in shielding themselves from coercion and influence.

**RUSSIAN WAR CRIMES:** Section 702 has helped uncover gruesome atrocities committed by Russia in Ukraine—including the murder of noncombatants, the forced relocation of children from Russian-occupied Ukraine to the Russian Federation, and the detention of refugees fleeing violence by Russian personnel. This and other information have helped the United States to galvanize accountability efforts related to Ukraine, by confidently and accurately speaking to the international community about Russia's atrocities.

**EXTRAJUDICIAL PLOTTING:** The FBI used U.S. person queries against Section 702-acquired information to identify the extent of a foreign government's efforts against an activist, which included a kidnapping and assassination plot. The timely identification of the foreign government's plans and intentions in Section 702-acquired information contributed to the FBI's disruption of the plots.

## Counterintelligence

In 2023, the FBI avoided compromising FBI investigations across the country by conducting a U.S. person query of Section 702 collection before taking an overt investigative action. That query revealed an FBI subject was in contact with numerous foreign intelligence targets under investigation in other field offices, all of whom could have been tipped off if FBI had taken that overt investigative action.

Section 702 has resulted in the identification and disruption of hostile foreign actors' attempts to recruit spies in the United States or send their operatives to the United States.

Section 702-acquired information allowed the FBI to disrupt a foreign state actor's operation and prevent them from gaining access to sensitive technology that is used around the world. Specifically, a NATO ally informed the United States it was investigating a spy who was attempting to recruit individuals who could gain access to U.S. companies, leading to the United States and the ally jointly investigating the spy. Using information collected under its Section 702 authority, the United States was able to confirm connections between the spy and the company that was developing the technology. The United States warned the company and provided Section 702-acquired information to the allied country, which that country was not otherwise able to obtain.

For More Information on Section 702, visit <https://www.intel.gov/foreign-intelligence-surveillance-act>



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