ÀÏ°ÄÃÅ¿ª½±½á¹ûvNSA-13-9198-NSA0012

DOCIP: 4145963

TOP SfCftE'fi/31/INOFORN

(U) Legal Fact Sheet: Executive Order 12333
19 June 2013

• (U) FISA only regulates a subset ofNSA's signals intelligence activities.

• (U) NSA conducts the majority of its SIGINT activities solely pursuant to the authority
provided by Executive Order (EO) 12333.

• (U) Since 1981, EO 12333 has provided the President's authoritative written instruction
for lhe organization and operation of the United States Intelligence Community (IC).

• (U) EO 12333 has its roots in predecessor executive orders that Presidents Ford and
Carter issued in response to the results of the Congressional Church and Pike investigations into IC abuses.

• (U) In 2008, President George W. Bush amended EO 12333 extensively to account for
the Intelligence Reform and Terrorism Prevention Act's creation of the position of the
Director of National Intelligence.

• (U) Although each IC element can point to some other authority as a basis for at least
some of its activities (see, e.g., the National Security Act ofl947, CIA Act of1949, and
NSA Act of 1959), EO 12333 provides comprehensive direction to the IC elements and
provides the DNI with extensive authority to manage the IC on the President's behalf.

• (U)o ((including)Tj -0.0104 Tc 4.245 0 Td (through)Tj -0.0116 Tc 3.3 0 Td (clandestine)Tj -0.0142 Tc 4.607

of

tiatsT as necessary for cover arrangements;

~pproved for Release by NSA on 08-18-2014. I=OIA Case# 70808 {litioation)

(.I:;J) (3) - P. L. 8 6-3 6

Classified s~·:.._l -~_. Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20380601

ÀÏ°ÄÃÅ¿ª½±½á¹ûvNSA-13-9198-NSA0012

DOCID: 4145~63

TOP SECREl)'/31/iNOFORIIJ

5) Provide SIGINT support for national and departmental requirements and for support to military operations;
6) Act as the National Manager for National Security Systems as established in law and policy, and be responsible to the Secretary of Defense and the DNI;
7) Prescribe security regulations covering the operating practices, including the transmission, handling, and distribution of SIGINT and communications security material within and among elements under DIRNSA's control, and exercise necessary supervisory control to ensure compliance with the regulations; and
8) Conduct foreign cryptologic liaison relationships consistent with the foreign
liaison responsibilities of the DNI, Secretary of Defense, and CIA Director.

• (T~//~1/J't~F) NSA uses a

ÀÏ°ÄÃÅ¿ª½±½á¹ûvNSA-13-9198-NSA0012

•·

DOCI._D: 41459'63

(b)"tH·........ ···I (b) (3)-P.L. 8·6."-:36 .....

~~~~iC~•~·)~----------------------------~1

• (U) Although the SIGINT activities that NSA conducts pursuant to EO 12333 are not
within the jurisdiction of the Foreign Intelligence Surveillance Court, NSA's SIGINT
acti:lities are subject to extensive oversight by the Executive and Legislative Branches of
the federal government, to include NSA's Inspector General, the Assistant to the
Secretary of Defense for Intelligence Oversight, the President's Intelligence Oversight
Board. and the Congressional intelligence committees. l\bl (3)-P.L. s6-36 /(q) (5)

• (Ul~l ------------------------------------~

\1

•

~----___.DOJ.co.g~luded that "the incidental collection and processing.O,f..tJnited
States person communicatioris;·when-cont.r..Q.J.led by the minimization proct;:g:Ur~s ...
satisfy the constitutional standard of reasonablene·ss~n. .. ;::: ·

'fOP SECRET/151//NOFORN

. . . . .. ···(~) (1)

(b) (3)-P.L. 86-36
(b) (5)