[NSL p. 675. Insert at the end of Note 3.]

In December 2019, the FISC issued an 83-page ruling approving new querying rules for Section 702 data. *Document re: Section 702 2019 Certification* (FISA Ct. 2019), https://www.intelligence.gov/assets/documents/702%20Documents/declassified/2019_702_Cert_FISC_Opinion_06Dec19_OCR.pdf. The heavily redacted opinion was released to the public on September 4, 2020, when it was declassified and published online by ODNI. Although presiding Judge James Boasberg approved the new rules for the FBI and NSA, he criticized the FBI for analyst violations of the prior rules in paying insufficient attention to the requirement that queries have a foreign intelligence or law enforcement purpose. Judge Boasberg cited an example from August 2019, when the FBI made a query using the identifiers of about 16,000 people, even though only seven of them had ties to an investigation. In a similar vein, NSA chose to ignore a procedure designed to prevent the collection of domestic communications because they were concerned about losing foreign intelligence.

The ODNI also provided the targeting, minimization, and querying procedures for the FBI, NSA, CIA, and NCTC associated with the 2019 certifications. All of the documents are available in full-text searchable format on Intel.gov (https://www.intel.gov/index.php/ic-on-the-record-database/results/995-release-of-documents-related-to-the-2019-fisa-section-702-certifications) and IC on the Record (https://icontherecord.tumblr.com/post/628356110309572608/release-of-documents-related-to-the-2019-fisa).