



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 74434B
1 July 2014

JACK GILLUM
THE ASSOCIATED PRESS
1100 13TH ST NW STE 700
WASHINGTON DC 20005

Dear Mr. Gillum:

This is a final response to your Freedom of Information Act (FOIA) request of 21 August 2013 for "Access to and copies of all emails and documents advising or discussing with U.S. or United Kingdom government officials the destruction or apprehension of computer hard drives and other electronic materials at The Guardian newspaper's offices in 2013." A copy of your request is enclosed. Your request has been processed under the FOIA and the documents you requested are enclosed. Certain information, however, has been deleted from the enclosures.

Some of the withheld information has been found to be currently and properly classified in accordance with Executive Order 13526. The information meets the criteria for classification as set forth in Subparagraphs (b), (c), (d) and (g) of Section 1.4 and remains classified TOP SECRET and SECRET as provided in Section 1.2 of Executive Order 13526. The information is classified because its disclosure could reasonably be expected to cause exceptionally grave and serious damage to the national security. Because the information is currently and properly classified, it is exempt from disclosure pursuant to the first exemption of the FOIA (5 U.S.C. Section 552(b)(1)).

In addition, this Agency is authorized by various statutes to protect certain information concerning its activities. We have determined that such information exists in these documents. Accordingly, those portions are exempt from disclosure pursuant to the third exemption of the FOIA which provides for the withholding of information specifically protected from disclosure by statute. The specific statutes applicable in this case are Title 18 U.S. Code 798; Title 50 U.S. Code 3024(i); and Section 6, Public Law 86-36 (50 U.S. Code 3605).

In addition, some of the information has been deleted from the enclosures pursuant to the fifth exemption of the FOIA. This exemption applies to inter-agency or intra-agency memoranda or letters which would not be available by law to a party in litigation with the agency, protecting information that is normally privileged in the civil discovery context, such as information that is part of a predecisional deliberative process.

Personal information regarding individuals has also been deleted from the enclosures in accordance with 5 U.S.C. 552 (b)(6). This exemption protects from disclosure information that would constitute a clearly unwarranted invasion of personal privacy. In balancing the public interest for the information you request against the privacy interests involved, we have determined that the privacy interests sufficiently satisfy the requirements for the application of the (b)(6) exemption.

The Initial Denial Authority for NSA information is the Associate Director for Policy and Records, David J. Sherman. Since these deletions may be construed as a partial denial of your request, you are hereby advised of this Agency's appeal procedures. Any person denied access to information may file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal must be postmarked no later than 60 calendar days from the date of the initial denial letter. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DJ4), National Security Agency, 9800 Savage Road STE 6248, Fort George G. Meade, MD 20755-6248. The appeal shall reference the initial denial of access and shall contain, in sufficient detail and particularity, the grounds upon which the requester believes release of the information is required. The NSA/CSS Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela N. Phillips".

PAMELA N. PHILLIPS
Chief
FOIA/PA Office

Encls:
a/s

Soule Trumbull D NSA-DC USA CIV

From: Alexander Keith B GEN NSA-D USA USA
Sent: Sunday, July 21, 2013 1:19 PM
To: Ledgett Richard H Jr NSA-D USA CIV; [redacted] NSA-DC USA CIV
Cc: DL medialeaks_staff (ALIAS) K1; Inglis John C NSA-D USA CIV; Fleisch Frances J NSA-D USA CIV; Brooks Elizabeth R NSA-DC USA CIV; Shea Teresa H NSA-S USA CIV; [redacted] NSA-S USA CIV; Ensor Leonel K NSA-Q USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-F32 USA CIV; [redacted] NSA-F32 USA CIV; DL soo (ALIAS) K1; DL NSOCSMM
Subject: RE: (U) RE: Guardian data being destroyed

Classification: ~~SECRET//NOFORN~~

Rick,
Thanks.
GEN A

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

From: Ledgett Richard H Jr NSA-D USA CIV
Sent: Sunday, July 21, 2013 11:27 AM
To: Alexander Keith B GEN NSA-D USA USA; [redacted] NSA-DC USA CIV
Cc: DL medialeaks_staff (ALIAS) K1; Inglis John C NSA-D USA CIV; Fleisch Frances J NSA-D USA CIV; Brooks Elizabeth R NSA-DC USA CIV; Shea Teresa H NSA-S USA CIV; [redacted] NSA-S USA CIV; Ensor Leonel K NSA-Q USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-F32 USA CIV; DL soo (ALIAS) K1; DL NSOCSMM
Subject: RE: (U) RE: Guardian data being destroyed

Classification: ~~SECRET//NOFORN~~

Sir,

[redacted]

v/

Rick

Rick Ledgett
Media Leaks Task Force

(b)(1)
(b)(3)-P.L. 86-36

From: Alexander Keith B GEN NSA-D USA USA
Sent: Saturday, July 20, 2013 6:46 PM
To: [redacted] NSA-DC USA CIV
Cc: DL medialeaks_staff (ALIAS) K1; Inglis John C NSA-D USA CIV; Fleisch Frances J NSA-D USA CIV; Brooks Elizabeth R NSA-DC USA CIV; Shea Teresa H NSA-S USA CIV; [redacted] NSA-S USA CIV; Ensor Leonel K NSA-Q USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-F32 USA CIV; Ledgett Richard H Jr NSA-D USA CIV
Subject: RE: (U) RE: Guardian data being destroyed

Classification: ~~SECRET//NOFORN~~

[redacted]

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

Thanks. Keep us posted on this
GEN A

From: [redacted] NSA-DC USA CIV (b)(3)-P.L. 86-36
Sent: Saturday, July 20, 2013 5:10 PM
To: Alexander Keith B GEN NSA-D USA USA
Cc: DL medialeaks_staff (ALIAS) K1; Inglis John C NSA-D USA CIV; Fleisch Frances J NSA-D USA CIV; Brooks Elizabeth R NSA-DC USA CIV; Shea Teresa H NSA-S USA CIV; [redacted] NSA-S USA CIV; Ensor Leonel K NSA-Q USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-F32 USA CIV; [redacted] NSA-F32 USA CIV; [redacted] NSA-F32 USA CIV
Subject: RE: (U) RE: Guardian data being destroyed

Classification: ~~SECRET/NOFORN~~

(b)(1)
(b)(3)-P.L. 86-36

Good evening Sir,

[redacted]

Have a wonderful weekend

[redacted]

From: Alexander Keith B GEN NSA-D USA USA
Sent: Saturday, July 20, 2013 2:23 PM
To: Ledgett Richard H Jr NSA-D USA CIV
Cc: Inglis John C NSA-D USA CIV; Fleisch Frances J NSA-D USA CIV; Brooks Elizabeth R NSA-DC USA CIV; Shea Teresa H NSA-S USA CIV; [redacted] NSA-S USA CIV; Ensor Leonel K NSA-Q USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-S2D USA CIV; DL medialeaks_staff (ALIAS) K1; [redacted] NSA-F32 USA CIV; [redacted] NSA-F32 USA CIV
Subject: (U) RE: Guardian data being destroyed

Classification: ~~SECRET/NOFORN~~

Rick,
Can you confirm that this actually occurred?
Thanks
GEN A

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

From: Ledgett Richard H Jr NSA-D USA CIV
Sent: Friday, July 19, 2013 10:32 AM
To: Alexander Keith B GEN NSA-D USA USA
Cc: Inglis John C NSA-D USA CIV; Fleisch Frances J NSA-D USA CIV; Brooks Elizabeth R NSA-DC USA CIV; Shea Teresa H NSA-S USA CIV; [redacted] NSA-S USA CIV; Ensor Leonel K NSA-Q USA CIV; [redacted] NSA-S2D USA CIV; [redacted] NSA-S2D USA CIV; DL medialeaks_staff (ALIAS) K1; [redacted] NSA-F32 USA CIV; [redacted] NSA-F32 USA CIV
Subject: Guardian data being destroyed
Importance: High

Sir,

[Redacted]

Good news, at least on this front

v/r,

Rick

Rick Ledgett
Media Leaks Task Force

From: [Redacted]

Sent: Friday, July 19, 2013 10:16 AM

To: Ledgett Richard H Jr NSA-D USA CIV

Subject: RE: (U) Event Lead

(b)(1)
(b)(3)-P.L. 86-36

Classification: [Redacted]

Rick,

No doubt this has been another very hectic week for you.

[Redacted]

From: rhiedg [Redacted]

Sent: 14 July 2013 16:28

To: [Redacted]

Cc: Ledgett Richard H Jr NSA-D USA CIV

Subject: (U) Event Lead

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted]

DOCID: ~~4128915~~

[Redacted]

[Redacted]

My secure number here is 969-5011s.

(b)(1)
(b)(3)-P.L. 86-36

v/r,

Rick

Rick Ledgett
Media Leaks Task Force

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

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

Declassify On: 20380701

Classification: ~~SECRET//NOFORN~~

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~SECRET//NOFORN~~

Classified By: rhledge

Derived From: NSA/CSSM 1-52

Dated: 20070108

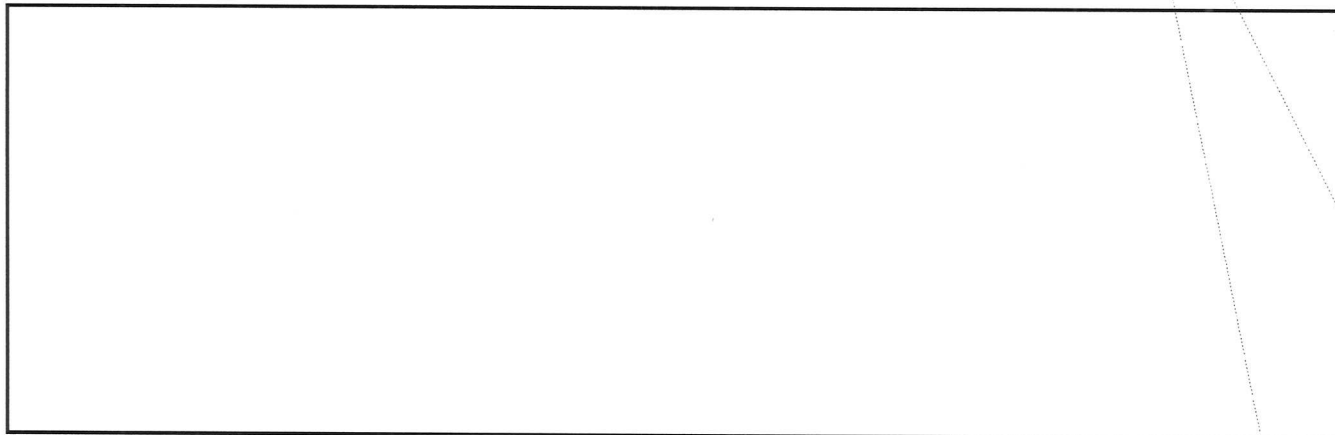
Declassify On: 20380701

Classification: ~~SECRET//NOFORN~~

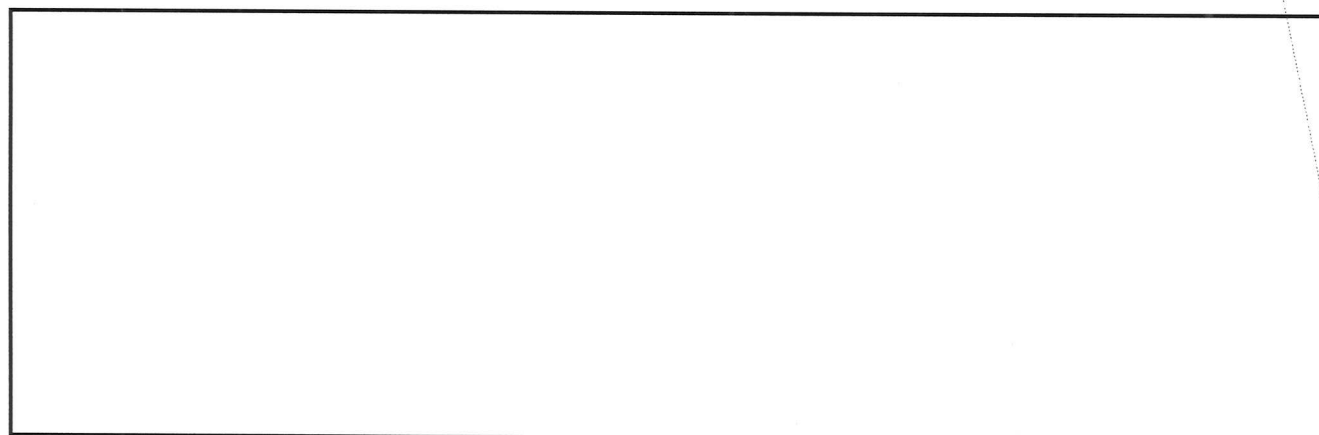
(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

Talking Points for CI Implications (Worst Case Scenario)

Significant impact to:



Moderate impact to:



Current as of: 23 July 2013

POC: Rick Ledgett, Media Leaks Task Force

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

Soule Trumbull D NSA-DC USA CIV

From: Ledgett Richard H Jr NSA-D USA CIV
Sent: Tuesday, July 23, 2013 10:09 AM
To: Inglis John C NSA-D USA CIV; Alexander Keith B GEN NSA-D USA USA
Cc: Fleisch Frances J NSA-D USA CIV; [redacted] NSA-D USA CIV; Soule Trumbull D NSA-DC USA CIV
Subject: [redacted]
Signed By: rhledg [redacted]

(b)(1)
(b)(3)-P.L. 86-36

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[redacted]

Rick Ledgett
Media Leaks Task Force

From: Inglis John C NSA-D USA CIV
Sent: Tuesday, July 23, 2013 9:39 AM
To: Ledgett Richard H Jr NSA-D USA CIV; Alexander Keith B GEN NSA-D USA USA
Cc: Fleisch Frances J NSA-D USA CIV; [redacted] NSA-D USA CIV; Soule Trumbull D NSA-DC USA CIV
Subject: RE: [redacted]

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

(b)(1)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

Classification: ~~TOP SECRET//COMINT//ORCON//NOFORN~~

Rick,

The DA summary is excellent (no BS). Thanks. [redacted]

[redacted]

Chris

From: Ledgett Richard H Jr NSA-D USA CIV
Sent: Tuesday, July 23, 2013 9:33 AM
To: Inglis John C NSA-D USA CIV; Alexander Keith B GEN NSA-D USA USA
Cc: Fleisch Frances J NSA-D USA CIV; [redacted] NSA-D USA CIV; Soule Trumbull D NSA-DC USA CIV
Subject: [redacted]

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

Classification: ~~TOP SECRET//SI//ORCON//NOFORN~~

Chris,

(b)(1)
(b)(3)-P.L. 86-36

FISA list: [redacted] is addressing.

[redacted]

Damage assessment points. New version attached; let me know if this is closer to the mark.

CI summary. Will forward by 1030

v/r,

Rick

Rick Ledgett
Media Leaks Task Force

From: Inglis John C NSA-D USA CIV
Sent: Tuesday, July 23, 2013 8:28 AM
To: Ledgett Richard H Jr NSA-D USA CIV; Alexander Keith B GEN NSA-D USA USA
Cc: Fleisch Frances J NSA-D USA CIV; [redacted] NSA-D USA CIV; Soule Trumbull D NSA-DC USA CIV
Subject: ACTION: [redacted]

Classification: ~~SECRET//REL TO USA, FVEY~~

Rick

Trying to prep for the WH session and could use the following:

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

Thanks

Chris

From: Ledgett Richard H Jr NSA-D USA CIV
Sent: Tuesday, July 23, 2013 8:07 AM
To: Alexander Keith B GEN NSA-D USA USA; clappej@dni.ic.gov
Cc: [redacted]; Inglis John C NSA-D USA CIV; Ledgett Richard H Jr NSA-D USA CIV; Fleisch Frances J NSA-D USA CIV; [redacted] (CIO)(FBI); [redacted] (CD)(FBI); [redacted]@fbi.ic.gov
Subject: [redacted]
Importance: High

Classification: ~~SECRET//REL TO USA, FVEY~~

Sirs,

[redacted]

[Redacted]

v/r,

Rick

Rick Ledgett
Media Leaks Task Force

(b)(6)

From: Alexander Keith B GEN NSA-D USA USA
Sent: Sunday, July 21, 2013 1:20 PM

(b)(1)
(b)(3)-P.L. 86-36

To: clappe [Redacted]
Cc: [Redacted]; Inglis John C NSA-D USA CIV; Ledgett Richard H Jr NSA-D USA CIV
Subject: RE: (U) Guardian data being destroyed

Classification: ~~SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

Jim,

[Redacted]

Best
Keith

From: clappe [Redacted]
Sent: Saturday, July 20, 2013 2:30 PM
To: Alexander Keith B GEN NSA-D USA USA
Cc: Alexander Keith B GEN NSA-D USA USA; [Redacted]
Subject: Re: (U) Guardian data being destroyed

(b)(6)

Classification: ~~SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

Classified By: ODNI
Derived From: NSA/CSSM 1-52 dated 20070108
Reason: 1.4 (c)
Declassify On: 20380720

=====
Thanks, Keith... appreciate the conversation today...

Jim

From: Alexander Keith B GEN NSA-D USA USA [Redacted]
To: clappe [Redacted]
Date: 07/20/2013 02:21 PM
Subject: (U) Guardian data being destroyed
Sent by: [Redacted]

Classification: ~~SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

(b)(1)
(b)(3)-P.L. 86-36

Jim,
Here is the report I got.
Best,
Keith

[Redacted]

From: [Redacted]
Sent: Friday, July 19, 2013 10:16 AM
To: Ledgett Richard H Jr NSA-D USA CIV
Subject: RE: (U) Event Lead

Classification: [Redacted]

Rick,
No doubt this has been another very hectic week for you.

[Redacted]

From: rhledge [Redacted]
Sent: 14 Jul 2013 15:28
To: [Redacted]
Cc: Ledgett Richard H Jr NSA-D USA CIV
Subject: (U) Event Lead

(b) (1)
(b) (3) - P.L. 86-36

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[Redacted]

[Redacted]

My secure number here is 969-5011s.

v/r,

(b) (1)

Rick

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

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

Rick Ledgett
Media Leaks Task Force

Classification: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

[Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

=====
Classification: ~~SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~SECRET//REL TO USA, AUS, CAN, GBR, NZL~~

Classified By: rhledge

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~SECRET//REL TO USA, FVEY~~

Classified By: rhledge

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~TOP SECRET//SI//ORCON//NOFORN~~

Derived From: NSA/CSSM 1-52

Dated: 20070108

Declassify On: 20380701

Classification: ~~TOP SECRET//COMINT//ORCON//NOFORN~~

Classification: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

~~TOP SECRET//SI//ORCON//NOFORN~~

(b)(1)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

Damage Assessment Key Points

~~(S//OC/REL TO FVEY)~~ We know that a small number of documents have been leaked to the press:

[Redacted]

~~(S//OC/NF)~~

[Redacted]

~~(TS//SI//OC/NF)~~ The potentially compromised documents provide varying levels of description for:

The requirements levied by policy makers and others on the SIGINT system, and details on the USG's interest in topics, countries, and organizations;

[Redacted]

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

~~TOP SECRET//SI//ORCON//NOFORN~~