



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

FOIA Case: 78399
1 July 2014

MATTHEW KEYS
[REDACTED]

Dear Mr. Keys:

This responds to your Freedom of Information Act (FOIA) request of 27 June 2014, which was received by this office on 30 June 2014, for "any and all e-mails sent by Edward Snowden using the e-mail address ejsnowd@nsa.ic.gov to any and all NSA officials, including officials at the office of General Counsel, for the time period between January 1, 2013 and June 1, 2013." Your request has been assigned Case Number 78399. For purposes of this request and based on the information you provided in your letter, you are considered an "all other" requester. There are no assessable fees for this request.

Your request has been processed under the provisions of the FOIA. One document responsive to your request is enclosed. The names of NSA/CSS employees have been deleted from the enclosure. This information is 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 statute applicable in this case is Section 6, Public Law 86-36 (50 U.S. Code 3605).

The remaining records that this Agency maintains pertaining to Mr. Snowden, including his emails, are exempt from release in accordance with 5 U.S.C. 552(b)(1), 5 U.S.C. 552(b)(3), 5 U.S.C. 552(b)(6), and 5 U.S.C. 552(b)(7).

Records pertaining to Mr. Snowden are withheld pursuant to the seventh exemption of the FOIA (5 U.S.C. Section 552(b)(7)), which protects from disclosure records or information compiled for law enforcement purposes. This includes information that, if released, could interfere with enforcement proceedings, could cause an unwarranted invasion of personal privacy, could reveal the identities of confidential sources, or would reveal law enforcement

techniques and procedures. All of the information maintained by this Agency relating to Mr. Snowden meets the threshold requirements for withholding under exemption 7 of the FOIA and is withheld under (b)(7)(A), (b)(7)(C), (b)(7)(D), and (b)(7)(E) of the FOIA.

The sixth exemption of the FOIA (5 U.S.C. Section 552(b)(6)) protects from disclosure information which 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.

In addition, this Agency is authorized by statute to protect certain information concerning its activities, as well as the names of its employees. Such information is exempt from disclosure pursuant to the third exemption of the FOIA (5 U.S.C. Section 552(b)(3)), which provides for the withholding of information specifically protected from disclosure by statute. The specific statute applicable in this case is Section 6, Public Law 86-36 (50 U.S. Code 3605). We have determined that such information exists in these records, and it has been withheld accordingly. Other statutes that apply are Title 18 U.S. Code 798 and Title 50 U.S. Code 3024(i).

Some of the withheld information was also found to be currently and properly classified in accordance with Executive Order 13526. This 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, SECRET, and CONFIDENTIAL as provided in Section 1.2 of the Executive Order. The information is classified because its disclosure could reasonably be expected to cause exceptionally grave 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)).

The Initial Denial Authority for NSA information is the Associate Director for Policy and Records, David J. Sherman. Since information was withheld from the enclosed document, and because the rest of your request is being denied, 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 of 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 adverse determination and shall

FOIA Case: 78399

contain, in sufficient detail and particularity, the grounds upon which the requester believes that the determination is unwarranted. The NSA/CSS FOIA Appeal Authority will endeavor to respond to the appeal within 20 working days after receipt, absent any unusual circumstances.

For your information, there are no emails indicating that Mr. Snowden contacted agency officials to raise concerns about NSA programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela N. Phillips". The signature is written in a cursive style with a large initial "P".

PAMELA N. PHILLIPS
Chief
FOIA/PA Office

Encl:
a/s