

Please attribute the following information to "an NSA spokesperson."

The National Security Agency ("NSA") is seeking authority for the Director of NSA, in coordination with the Director of Central Intelligence, to exempt files that document the means by which foreign intelligence or counterintelligence is collected through technical systems.

This exemption is modeled after CIA's exemption in the CIA Information Act of 1984 (P.L. 98-477, Oct. 15, 1984) and is virtually identical to the exemptions Congress granted to the National Imagery and Mapping Agency in 1999 (P.L. 106-120, Dec. 3, 1999) and to the National Reconnaissance Office last year (P.L. 107-300 Nov. 27, 2002). In fact, NSA is seeking no new authority beyond what has already been granted to these other intelligence agencies.

The exemption will not affect how much information FOIA requesters get or how much information will be reviewed and released under the historical review program. Nor would the exemption include intelligence information NSA disseminates to its customers in the form of foreign signals intelligence reports.

The exemption is intended to be limited to technical material that documents the conduct of signals intelligence, or "SIGINT," activities. This is information that goes to the "nuts and bolts" of the sources and methods used in conducting SIGINT activities. It would include information about how NSA does its SIGINT business at the operational level, i.e., the means by which SIGINT is collected. It is this type of technical operational information to which the exemption is intended to apply.

NSA remains committed to declassifying and releasing as much material as possible in response to FOIA requests and as part of its mandatory and systematic declassification review programs.