



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

FOIA Case: 107511
26 July 2019

PATRICK EDDINGTON
CATO INSTITUTE
1000 MASSACHUSETTS AVE NW
WASHINGTON DC 20001

Dear Mr. Eddington:

This is an initial response to your Freedom of Information Act (FOIA) request of 19 July 2019 for “copies of any records from any NSA component pursuant to DoD Directive 5200.27, "Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense, between September 18, 2007 and the date of this request.”

Your request has been assigned Case Number 107511. This letter indicates that we have begun to process your request. There will be no assessable fees for this request; therefore, we have not addressed your fee category or request for a waiver of fees.

Your request for expedited treatment has been denied because it does not meet the FOIA's criteria for expedited treatment.

A FOIA request may be expedited if the requester has made a statement certified by the requester to be true and correct to the best of his/her knowledge that a compelling need exists. Compelling need is defined as follows:

1. The failure to obtain the records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual.
2. The information is urgently needed by an individual primarily engaged in disseminating information to inform the public about actual or alleged Federal Government activity. Urgent need means that the information has a particular value that will be lost if not disseminated quickly.

A request will also be handled expeditiously, upon receipt of a certified statement by the requester, if the substantial due process rights of the requester would be impaired by the failure to process the request immediately

Exhibit B

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and the information sought is not otherwise available; there is a humanitarian need which will promote the welfare and interest of mankind; or other narrowly construed exceptional circumstances exist.

We have determined that your request does not meet the requirements stated above. We will process your request in our normal processing queue, and will provide a more substantive response to you as soon as we are able.

Since the denial of expedited treatment 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 FOIA/PA Appeal Authority. If you decide to appeal, you should do so in the manner outlined below. NSA will endeavor to respond within 20 working days of receiving your appeal, absent any unusual circumstances.

- The appeal must be sent via U.S. postal mail, fax, or electronic delivery (e-mail) and addressed to:

NSA FOIA/PA Appeal Authority
National Security Agency
9800 Savage Road STE 6932
Fort George G. Meade, MD 20755-6932

The facsimile number is (443) 479-3612.

The appropriate email address to submit an appeal is FOIARSC@nsa.gov.

- It must be postmarked or delivered electronically no later than 90 calendar days from the date of this letter. Decisions not appealed within 90 days will not be addressed.
- Please include the case number provided above.
- Please describe with sufficient detail why you believe the denial of expedited treatment was unwarranted.

General correspondence related to your request should include the case number assigned to your request, which is included in the second paragraph of this letter. Your letter should be addressed to National Security Agency, FOIA Office (P132), 9800 Savage Road STE 6932, Ft. George G. Meade, MD 20755-6932, or may be sent by facsimile to 443-479-3612. If sent by fax, it should be marked for the attention of the FOIA office. The telephone number of the FOIA office is 301-688-6527.

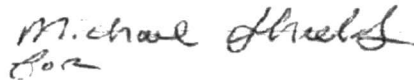
You may also contact our FOIA Public Liaison at foialo@nsa.gov for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the

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National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Rd- OGIS
College Park, MD 20740
ogis@nara.gov
877/684-6448
(Fax) 202/741-5769

Sincerely,


for

JOHN R. CHAPMAN
Chief, FOIA/PA Office
NSA Initial Denial Authority