



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

FOIA Case: 101890
27 June 2017

BRETT M KAUFMAN
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
125 BROAD ST 18TH FL
NEW YORK NY 10004

Dear Mr. Kaufman:

This is an initial response to your Freedom of Information Act (FOIA) request of 13 June 2017, which was received by this office on 19 June 2017, for the following items:

1. All agreements, memoranda of understanding, or other arrangements with foreign countries concerning the sharing between the United States and any other country of foreign-intelligence surveillance data.
2. All policies, guidelines, opinions, reports, and memoranda concerning:
 - a. The circumstances in which the United States may share foreign-intelligence surveillance data with another country.
 - b. Any limitations on the sharing of foreign-intelligence surveillance data with other countries.
 - c. The circumstances in which the United States may request or otherwise acquire electronic-surveillance data from another country.
 - d. Any limitations on the acquisition (whether by request or otherwise) of electronic-surveillance data from another country.
 - e. Any limitations on the United States' retention, use, or dissemination of electronic-surveillance data requested or otherwise acquired from another country, including the use of such data (or data derived from it) in civil, criminal, administrative, or other proceedings.
 - f. The circumstances, if any, in which the United States may request or otherwise acquire electronic-surveillance data from another country where the United States itself could not lawfully acquire the same data in the same manner.

Your request has been assigned Case Number 101890. This letter indicates that we have begun to process your request. There will be no assessable fees for this request; therefore, we did not address your fee category, or your request for a waiver of fees.

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 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.

Per information provided in your request, your request for expedited processing has been denied based on item 2 of compelling need. While there may be some public interest regarding the topic ("arrangements with foreign countries concerning the sharing between the United States and any other country of foreign-intelligence surveillance data"), the value of the information will not be lost if not disseminated quickly. You may appeal this decision. If you decide to appeal, you should do so in the manner outlined below. We will process your request in our normal processing queue.

- The appeal must be in writing and addressed to:

NSA/CSS FOIA/PA Appeal Authority (P132)
National Security Agency
9800 Savage Road STE 6932
Fort George G. Meade, MD 20755-6932

- It must be postmarked no later than 90 calendar days of the date of this letter. Decisions appealed after 90 days will not be addressed.
- Please include the case number provided above.
- Please describe with sufficient detail why you believe the denial for expedited processing, was unwarranted.
- NSA will endeavor to respond within 20 working days of receiving your appeal, absent any unusual circumstances.

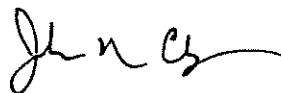
Due to a significant increase in the number of requests being received by this Agency, we are experiencing delays in processing. We will provide a more substantive response to you as soon as we are able.

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 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
(202)741-5770
Fax (202)741-5769

Sincerely,



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