



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

FOIA Case: 42544
23 December 2003

Mr. William Ferroggiaro
The National Security Archive
The George Washington University
Gelman Library, Suite 701
2130 H. Street, N.W.
Washington, D.C. 20037

RECEIVED DEC 24 2003

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Dear Mr. Ferroggiaro:

This responds to your Freedom of Information Act (FOIA) request submitted via facsimile, which was received by this office on 5 February 2003, for "National Security Agency reports concerning activities of the Government of Rwanda or Interim Government of Rwanda (IGOR) during the genocide in Rwanda from April 6, 1994 through July 22, 1994." Your request has been assigned Case Number 42544. For the purpose of fee assessment, you have been placed into the "media" fee category for this request. There were no assessable fees for this request; therefore, your request for a fee waiver was not addressed.

Your request has been processed under the provisions of the FOIA. Twenty (20) documents (53 pages) responsive to your request have been reviewed by this Agency as required by the FOIA and have been found to be currently and properly classified in accordance with Executive Order 12958, as amended. These documents meet the criteria for classification as set forth in Subparagraphs (c) and (g) of Section 1.4 and remain classified TOP SECRET and SECRET as provided in Section 1.2 of Executive Order 12958, as amended. The documents are classified because their disclosure could reasonably be expected to cause exceptionally grave and serious damage to national security. Because the documents are currently and properly classified, they are 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 also 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 403-3(c)(7); and Section 6, Public Law 86-36 (50 U.S. Code 402 note). No portion of the information is reasonably segregable.

Since your request has been denied, you are hereby advised of this Agency's appeal procedures. Any person notified of an adverse determination 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 after the date of the initial denial. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority (DC321), 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 FOIA 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 "Louis F. Giles".

LOUIS F. GILES
Director of Policy