



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

FOIA Case: 75359A
17 December 2013

This responds to your Freedom of Information Act (FOIA) request submitted via the Internet on 19 October 2013, which was received by this office on 30 October 2013, for "all agency records (including but not limited to electronic records) relating to the NSA's review of and input on the configuration of the Microsoft Windows Vista operating system."

Your request has been assigned Case Number 75359. Please refer to this case number when contacting us about your request. For purposes of this request and based on the information you provided in your letter, you are considered an all other requester. Unless you qualify for a fee waiver or reduction, you must pay for duplication in excess of the first 100 pages. There are no assessable fees associated with your request.

Your request has been processed under the provisions of the FOIA. We have determined that 135 documents (646 pages) responsive to your request are protected from disclosure in their entirety pursuant to the exemptions of the FOIA. No portion of the information is reasonably segregable.

This Agency is authorized by statute to protect certain information concerning its activities, as well as the names of its employees. We have determined that such information exists in these documents. Accordingly, those portions are 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, formerly 50 U.S. Code 402 note).

In addition, commercial and financial information that is privileged or otherwise confidential is also exempt from disclosure pursuant to the fourth exemption of the FOIA.

Finally, some of the information has been withheld from disclosure pursuant to the fifth exemption of the FOIA. This exemption applies to inter-agency or intra-agency memoranda or letters which would not be available by law to a party in litigation with the agency, protecting information that is normally privileged in the

civil discovery context, such as information that is part of a pre-decisional deliberative process or attorney-client privileged information.

The Initial Denial Authority for NSA information is the Associate Director for Policy and Records, David J. Sherman. 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 (DJ4), 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 "Pamela N. Phillips".

PAMELA N. PHILLIPS

Chief

FOIA/PA Office