Mr. John Greenewald

REF: FOIA Appeal Case F-2016-00051

Dear Mr. Greenewald:

This is in response to your 11 March 2017 email by which, pursuant to the Freedom of Information Act (FOIA), you appealed the NRO’s denial-in-full response to your 1 April 2016 request for “a copy of the NRO Congressional Budget Justification FY 2015-2016.”

As the Appellate Authority, and after a complete review of your request, I am upholding the initial denial-in-full response to your request.

The information is denied pursuant to FOIA exemptions (b)(1), as properly classified information under Executive Order 13526, Sections 1.4(c), (e), and (g); and (b)(3), which is the basis for withholding information exempt from disclosure by statute. The relevant withholding statute is 10 U.S.C. § 424, which provides (except as required by the President or for information provided to Congress), that no provision of law shall be construed to require the disclosure of the organization or any function of the NRO; the number of persons employed by or assigned or detailed to the NRO; or the name or official title, occupational series, grade, or salary of any such person.

Additionally, as indicated in the initial denial-in-full response, the information also meets criteria specified in 1.7(e) of the Executive Order 13526 that a series of unclassified items in the aggregate reveal associations or relationships not otherwise revealed in the items individually, and these aggregate associations and relationships meet the standards for classification and are not otherwise revealed in the individual items of information.

You are advised that you are entitled to a judicial review of this determination in a United States District Court in accordance with 5 U.S.C. § 552, as amended.

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National Archives and Records Administration  
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College Park, MD 20740-6001  
E-mail: ogis@nara.gov  
Telephone: 301-837-1996  
Facsimile: 301-837-0348  
Toll-free: 1-877-684-6448

If you have any questions or you would like to discuss your request, please contact the NRO FOIA Public Liaison, Patricia Cameresi, by way of the Requester Service Center at (703) 227-9326 and reference appeal case number F-2016-00051.

Sincerely,

Michelle Murphy  
Appellate Authority