

U.S. Department of Homeland Security

February 18, 2004

Steven Aftergood, Senior Research Analyst
Federation of American Scientists
1717 K Street, N.W., Suite 209
Washington, D.C. 20036

Re: DSHQ04-110

Dear Mr. Aftergood:

I am writing in response to your Freedom of Information Act request to the Department of Homeland Security, dated December 8, 2003, for "a copy of the Non-Disclosure Agreement that is required by the Department of Homeland Security as a condition for sharing of sensitive homeland security information"

Please be advised that there are no records responsive to your request. Pursuant to Section 892 of the Homeland Security Act, the Department of Homeland Security is currently working to develop procedures for the sharing of sensitive homeland security information. At this time, however, these procedures have not been finalized.

If you are dissatisfied with my action on this request, you have the right to seek an administrative appeal of my determination within sixty (60) days of the date of this letter. You should write to the following address: FOIA/PA Appeals Officer, Department of Homeland Security, Washington, D.C. 20528. Your envelope and letter should be marked "Freedom of Information Act Appeal."

Sincerely,



Elizabeth Withnell
Acting Departmental Disclosure
Officer