

Office of the Deputy Director

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

18 May 2005

Steven Aftergood
Federation of American Scientists
1717 K Street N.W., Suite 209
Washington, DC 20036


Dear Mr. Aftergood:

This is in response to your letter dated 7 April 2005, appealing the determination you received from us, dated 29 March 2005, in response to your request for ". . . a copy of all unclassified portions of the NRO Congressional Budget Justification Book (CJB) for Fiscal Year 2006."

Your request was processed in accordance with the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended, and Section 502 of the Intelligence Authorization Act of 2003. Your appeal is denied pursuant to the Intelligence Authorization Act of 2003. After a complete review, responsive records would be contained in operational files. Please note that according to the Intelligence Authorization Act of 2003, operational files of the National Reconnaissance Office are exempt from the publication, disclosure, search, and review provisions of the FOIA, 5, U.S.C. § 522. As such, the files that would contain responsive records, should any exist, are not subject to search in response to your request.

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. § 522, as amended.

Sincerely,


Pamela S. Tennyson
Deputy Director for
Administration