



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

Serial: LEG/003/06

9 January 2006

Dear Mr. Tice:

(U) It has come to my attention that you intend to meet soon with the staff of the House Permanent Select Committee on Intelligence (HPSCI) about what you perceive to be probable unlawful and unconstitutional acts conducted while you were an intelligence officer with the National Security Agency and the Defense Intelligence Agency.

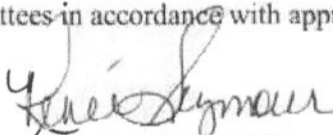
(U) Let me state unequivocally that you have every right to petition Congress for a redress of grievances. This right is guaranteed to you by the First Amendment of the United States Constitution. The National Security Agency has no intent to infringe your rights.

(U) I want to congratulate you that, in the exercise of your rights, you are acting responsibly to protect sensitive intelligence information. In an 18 December 2005 letter purported to be from you to the HPSCI and the Senate Select Committee on Intelligence (SSCI) posted on an open website, you asked them to provide assurances that the staffers or members who will receive your information have the proper security clearances and that the appropriate cleared facilities will be available for these discussions. You state that the information you wish to provide pertains to sensitive intelligence programs and operations known as Special Access Programs, or SAPs.

(U) Seeking such assurances is consistent with the Non-Disclosure Agreement that you signed with NSA. However, I need to inform you that additional steps are required. The SAPs to which you refer are controlled by the Department of Defense (DoD) and I understand that neither the staff nor the members of the HPSCI or SSCI are cleared to receive the information covered by the SAPs. Moreover, I understand you have not notified either DoD or NSA, appropriately cleared individuals, of the improper behavior you allege.

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(U) Therefore, it is the position of the National Security Agency that, before you provide classified information to the HPSCI or SSCI, you provide a statement to the DoD Inspector General or the NSA Inspector General of your complaint or information and notice of your intent to contact the intelligence committees directly and, further, that you obtain and follow direction from the Secretary of Defense, through the DoD Inspector General, or the Director of the NSA, through the NSA Inspector General, on how to contact the intelligence committees in accordance with appropriate security practices.



RENEE SEYMOUR

Director, NSA Special Access Programs Central Office

Copy Furnished:

House Permanent Select Committee on Intelligence

Senate Select Committee on Intelligence