



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

Serial: N0855  
17 June 1983

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Lieutenant General Marshall S. Carter, USA (Ret)  
655 Bear Paw Lane North  
Colorado Springs, CO 80906

Dear General Carter:

As I had promised you in our telephone call of the other day, I am writing to supplement our discussion regarding the authority for NSA's actions in April of this year at the Marshall Library.

The authority of NSA to classify materials in the Library is derived from Executive Order 12356. More specifically, section 1.3 of that Order sets forth, inter alia, the categories of information which may be subject to classification. I have attached a copy of the Executive Order for your convenience.

As you know, we frequently use the word "sensitive" to describe information which must be protected from disclosure. Sensitive information, sometimes referred to as protected information, includes not just classified or classifiable (that which may but has not yet been, or cannot be, marked as classified) information, but also information which is, even if unclassified, properly protected pursuant to statutory authority.


One such statute, specific to NSA which is cited as authority for protecting particular kinds of information, whether classified or not, is Section 6 of the National Security Agency Act of 1959 (50 U.S.C. §402 note, Public Law 86-36). This statute permits the protection of information related to the functions, activities, organizations, and personnel of NSA. Examples of unclassified information which we protect pursuant to this statute are the names of personnel, intra-agency organizational identifiers, and information related to various communications security activities.

Two other statutes, not specific to NSA, are frequently cited to protect sensitive information. These are 50 U.S.C. 403(d)(3) (The National Security Act of 1947, Section 102(d)(3)) which permits the protection of intelligence sources and methods, and 18 U.S.C. §798 which prohibits the unauthorized disclosure of classified information related to, among other things, communications intelligence.

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I have also enclosed for your use copies of each of the statutes I have cited.

Sincerely,

*for*   
LINCOLN D. FAURER  
Lieutenant General, USAF  
Director, NSA/Chief, CSS

4 Encls:  
a/s


Copy Furnished:  
Mr. Hadsel, Marshall Library

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cc: DIR  
D/DIR  
C/S  
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DDPP  
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Q43

M/R: General Carter called the Director to ask for a clarification of the Agency's authority to classify materials in the Marshall Library and for our definition of "sensitive" information. Fred Hadsel of the library called to ask if a copy of our letter to General Carter could be sent directly to the library.

PL 86-36/50 USC 3605

  
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