



Office of the Prime Minister

Prime Minister
Minister of Tourism

Ministerial Services
Minister in Charge of the
NZ Security Intelligence Service
Minister Responsible for the GCSB

Mr Corey Fuimaono
Email: fyi-request-1456-f5bdf5a4@requests.fyi.org.nz

Dear Mr Fuimaono

Official Information Act Request Relating to any Information Exchanged with the NSA

I refer to your Official Information Act request of 12 February 2014, in which you request: *"Information that could explain how much documentation (in terms of quantities of files) has been both requested by the NSA in the United States of America and how many files have been given over from the GCSB to the NSA and other Govt. Intelligence Agencies, over the last five years (2009 – 2014). It is acceptable for this data to be generated into an infographic image."*

As you would expect, the Government Communications Security Bureau (GCSB) and the National Security Agency of the United States (NSA) have a working relationship and as part of that working relationship there are regular business communications about a number of matters. I can confirm that any exchange of information is done according to the law and subject to external oversight of the Inspector-General of Intelligence and Security.

No separate record is kept or retained on the number of communications exchanged so there is no easy way to compile the information you have requested on the amount of documentation or number of files exchanged.

To provide the information you have requested would involve staff in the GCSB analysing all communications in any form over the last five years to ascertain whether it may be relevant to your request. To identify all such communications and compile information on both the amount of documentation requested and the amount supplied over the last five years would require substantial research and collation. For that reason, your request as it is currently framed is declined under section 18(f) of the Official Information Act *"that the information requested cannot be made available without substantial collation or research."* In reaching this decision, I first considered the factors contained in sections 18A(1) and 18B of the Official Information Act. However, I did not consider that taking any of these steps would allow the request to be answered.

I would note that, even if it were possible to compile information on the amount of documentation requested and supplied (for instance, over a considerably shorter time period), it is probable that there would be good reasons to withhold the information under section 6(a) of the Official Information Act on the basis that it would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand.

You are entitled to ask the Ombudsman to review this response, under section 28(3) of the Official Information Act.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'W. Eagleson', with a long horizontal flourish extending to the right.

Wayne Eagleson
Chief of Staff