

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STEVEN AFTERGOLD)
)
Plaintiff,)
)
v.)
)
NATIONAL RECONNAISSANCE)
OFFICE)
)
Defendant.)
_____)

Case No. 05-1307 (RBW)

SECOND DECLARATION OF STEVEN AFTERGOLD

1. My name is Steven Aftergood. I am the plaintiff *pro se* in this Freedom of Information Act proceeding, which seeks disclosure of unclassified portions of the Fiscal Year 2006 Congressional Budget Justification Book for the National Reconnaissance Office (NRO).

2. The purpose of this declaration is to describe my previous experience in using the Freedom of Information Act (FOIA) to obtain the releasable material contained in the NRO Congressional Budget Justification Book (CBJB).

3. Several years ago I requested under FOIA a copy of unclassified portions of the Fiscal Year 1998 NRO CBJB.

4. NRO initially denied my request in 2003 on grounds that the CBJB was an “operational record” that was exempt from FOIA processing. But upon administrative appeal, the agency reversed itself in 2004, and the CBJB proved to contain significant releasable

material.

5. In fact, more than 100 partially or completely declassified pages out of the approximately 300 pages contained in the FY 1998 CBJB were released in response to my FOIA request. (I estimate the total page count in the FY 1998 CBJB at “approximately 300 pages” because the final section of the document listed in the table of contents begins on page 295.)

6. I have posted all of this material here: <http://www.fas.org/irp/nro/fy98/index.html> .

7. The releasable material from the FY 1998 CBJB included unclassified or declassified discussion of: Imagery Collection and Processing; SIGINT Collection and Processing; MASINT Collection and Processing; Multidisciplinary Collection and Processing; Infrastructure; Security and Counterintelligence; and Congressional Directed Actions.

8. I have read virtually every NRO public statement and all unclassified NRO testimony since the fact of the agency’s existence was officially acknowledged in September 1992. To my knowledge, the CBJB material released under FOIA provided the most detailed official account of NRO programs and activities at the time that has ever been publicly disclosed.

9. In summary, my experience has shown that the CBJB contains significant releasable information. I know of no case in which FOIA processing of the CBJB failed to produce significant releasable information.

I hereby certify under penalty of perjury that the contents of this declaration are true and correct to the best of my knowledge and belief.

Executed this _9th_ day of January 2006.

STEVEN AFTERGOOD