



**(U) Write Right: Where Does It Say I Can't?**

FROM: [REDACTED]  
of the Reporting Board (S12R)  
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(U//FOUO) Information Sharing Services (S12), as the dissemination authority for NSA, often gets asked to permit unorthodox dissemination methods - or is made aware of them when they're brought to our attention by someone who says, "I didn't know we could do that." ISS is then many times in the unenviable position of denying permission, or requesting that the activity be discontinued - which invariably draws the question, "Where does it say I can't?"

(U//FOUO) The answer is that that's the wrong question; it should be "Where does it say I CAN?" A frequently overlooked aspect of NSA's mission is that we can engage **only** in those activities that we are specifically permitted to do. Permitted by whom? By the law (from the Constitution to federal statutes and Executive Orders, which have the force of law), by DCI and DNI directive, by the SISR (Signals Intelligence Security Regulations) - as interpreted by NSA's Corporate Policy (DC3), SID Policy, etc.

(U//FOUO) Why do we have to have specific, documented permission? First of all, because We're The Government. Not in the sense of We're The Boss, or What We Say Goes, but in the sense that we work for Uncle Sam - that is, for the taxpayers. As anyone who reads the Enlighten\* FAQ knows, newbies who ask why they can't discuss non-work-related matters on Enlighten are told that use of government communications facilities is subject to much more restriction than are privately or company-owned facilities.\*\* We are accountable to the taxpayers for what we do with equipment they've paid for - and for what we do to accomplish our mission. Because, in a sense, **they're** the boss.

(U//FOUO) Furthermore, this process is mandated by the fundamental American concept of limited government; remember the system of checks and balances you learned about in civics classes? The Founding Fathers purposely set up our system of government in such a way as to prevent too much power from being concentrated in one entity. This is also why NSA, like other federal bodies, has an Office of General Counsel whose job it is to tell us what we can and can't legally do (and what we could do but what would be inadvisable).

(U//FOUO) Policy is not made in a vacuum. NSA organizations charged with establishing policy guidance for NSA activities do not spend their days dreaming up guidelines in order to make our work harder; their job is to interpret national-level directives from the executive, the legislative, and the judicial branches of government to ensure that our activities comply with the law.

(U//FOUO) **This is not to say that policy can't be changed!** It can, and, with increasing frequency, it is. New communications technologies, new intelligence initiatives, new or modified statutes and directives - many things require reinterpretation of policy



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(that's what keeps ISS Policy Services, SID Policy, and Corporate Policy so busy). But it must be done in an orderly, accountable manner to achieve the goal of compliance with all pertinent authorities.

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(U//FOUO) Do you have any thoughts on this topic? Please post your comments on the [SID today blog](#).

Notes:

\* (U) ENLIGHTEN is a long-standing NSA desktop collaboration and information-distribution system. See the [Introduction to ENLIGHTEN](#) for further info.

\*\* (U) According to the [ENLIGHTEN Primer](#), "*The ENLIGHTEN system is an aid to professionals in doing their jobs. All information posted on ENLIGHTEN must pertain to Agency-related (official) business. UNDER NO CIRCUMSTANCES IS ENLIGHTEN AUTHORIZED FOR DISSEMINATING PERSONAL OR NON-OFFICIAL INFORMATION.*

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