

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the William J. Clinton
Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Office of Science and Technology
Series/Staff Member:
Subseries:

OA/ID Number: 43311
FolderID:

Folder Title:
Freedom of Information Act (FOIA) Request, AT&T

Stack:	Row:	Section:	Shelf:	Position:
S	1	1	7	3

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. briefing paper	slides, AT&T briefing, Special Routing Arrangement Service (SRAS) Overview [10 USC 130, DODD 5230.25] (6 pages)	02/28/1997	P3/b(3)
001b. briefing paper	slides, AT&T briefing, Broken Lance Exercise [10 USC 130, DODD 5230.25] (7 pages)	02/28/1997	P3/b(3)

COLLECTION:

Clinton Presidential Records
Office of Science and Technology Policy

OA/Box Number: 43311

FOLDER TITLE:

Freedom of Information Act (FOIA) Request, AT&T

2008-1524-F

kc1212

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

COPY

URGENT – FREEDOM OF INFORMATION ACT REQUEST

(A Response is Required Within 10 Days of Receipt of Request)

REQUEST NUMBER: 98-17

Date Received: 5/13/98 **Date Due:** 6/10/98 (20 days for Appeals)

Requestor: Keith Maydak **Affiliation:** Self

Summary of Request: Appeal to FOIA 98-10 (AT&T & Bell Laboratories)

Action Assigned to: Livingston, Rinaldi, Ferguson

Information to: Hally Gurn

Please provide all information to Barbara Ferguson in order for her to prepare a consolidated response. You are encouraged to call and discuss this request with the requestor any time you are unsure of exactly what the individual is looking for or have any questions regarding the request. On occasion, the scope of a request is modified per a telephone discussion. We are to make every effort not to restrict the requestor's access to documentation. Attached is an explanation of the allowable exemptions when necessary. Also included is background information on FOIA.

Date Interim Response Sent: _____

Date Completed: _____

External Coordination: _____

Keith Maydak
Box 905
Ray Brook, NY 12977

May 5, 1998

FOIA Appeals Officer
Executive Office of the President
Office of Science and Technology Policy
Washington, DC 20502

in re: OSTP FOIA No. 98-10

To the FOIA Appeals Officer:

In response to the letter dated April 27, 1998, of which denied access to (3) documents pursuant to 5 USC 552(b)(4) and (6) documents pursuant to 5 USC 552(b)(1), I hereby appeal.

Specifically, I contend that the matters would not disclose trade secrets and commercial or privileged information obtained from a person that is privileged or confidential. On the contrary, the information was submitted by AT&T or Bell Laboratories voluntarily and without recourse to any privilege of non-disclosure. Moreover, such matters would not consist of any trade secret or commercial and financial information which is privileged or confidential.

Finally, the other (6) documents would not or should not reasonably consist of matters which could be considered national security information. Further, the items are not described.

Therefore, I request that your office provide the documents.

Thank you,


Keith Maydak

98 MAY 13 PM 2:56

OSTP

Cecilia D. Lafoe

05/07/98 12:26:48

PM

Record Type: Record

To: Steven M. Rinaldi/OSTP/EOP, Martha A. Livingston/OSTP/EOP, Barbara A. Ferguson/OSTP/EOP

cc:

Subject: FOIA 98-10

Ms. Robyn Berger of DISA called today about this FOIA. DISA received a briefing prepared by AT&T and they're wondering why they were asked to review it. They said Release Authority should come from AT&T.

Robyn can be reached at 703-607-6515

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20502

June 9, 1998

MEMORANDUM FOR BARBARA FERGUSON

FROM: STEVE RINALDI *SR*

SUBJECT: FOIA Request 98-17 (ATT Documents)

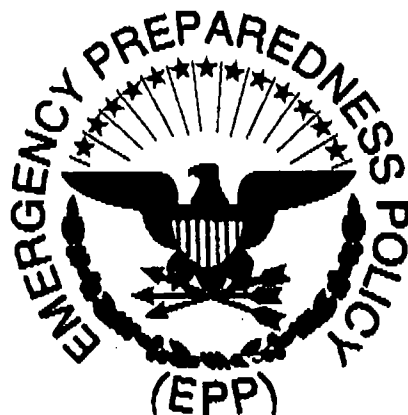
During my records examination for FOIA request 98-17, I found nine sets of briefing charts that I considered to be sensitive and possibly not releasable. Seven sets were from a course taught by Bellcore on vulnerabilities in the public switched telephone network and two concerned the Special Routing Arrangement Service (SRAS) system. None of the charts were marked proprietary or classified; nevertheless given the sensitive nature of the material, I questioned whether the documents should or should not be released. The following paragraphs describe the documents and the actions we have undertaken to determine if they can be released.

1. Briefing Charts, Bellcore Course. In May 1997, Bellcore presented a two-day course on vulnerabilities in the public switched telephone network (PSN). The course handouts consisted of seven sets of briefing charts, none of which were marked proprietary or classified. However, the course was held at a classified level so that discussions of specific PSN vulnerabilities could take place. I took a considerable number of notes on the viewgraphs. Given the nature of the course and my notes on the slides, I felt it best that the viewgraphs not be released without further review from Bellcore.

Bellcore has subsequently reviewed the viewgraphs and my notes and determined that the seven sets of viewgraphs can be released under the FOIA request.

2. SRAS Briefing Charts. On February 28, 1997, OSTP and representatives from the National Communications System received two briefings on SRAS from AT&T. The two sets of charts do not have proprietary or classified markings. Given that SRAS is directly connected to national security/emergency preparedness uses, I felt that the briefing charts should not be released until further review by the SRAS program office.

In a separate memo to OSTP, the Defense Logistics Agency determined that the two sets of briefing charts are not releasable under a FOIA request.



FAX COVER SHEET

TO: OSTP ATTN: MR STEVE RINALDI

TEL: (602) 456-6057; EXT:

FROM: EPP SECURITY (M. DILLEY)

TEL: (703) 681-9741 X645

EPP UNCLAS FAX: (703) 681-9744
DSN 761-9744

COMMENTS: PLEASE CALL MR. RINALDI TO
PICK THIS UP.

Thompson

RE: [Signature]

THERE ARE 2 PAGES INCLUDING THE
COVER SHEET

Memo concerning FOIA request

1. The documents should not be released.
2. The information contained in these papers falls within FOIA exemption category 3, reason e, specifically technical data developed exclusively with Federal funds and within the meaning of 10 USC 130, Authority to Withhold from Public Disclosure Certain Technical Data, and DOD Directive 5230.25, Withholding of Unclassified Technical Data from Public Disclosure. Under usual circumstances, documents prepared by AT&T on this subject contain AT&T Proprietary markings; these do not because they were briefing slides but the information contained therein is nonetheless protected from disclosure.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20502

April 27, 1998

OSTP FOIA No. 98-10

Dear Mr. Dilley:

While processing the Freedom of Information Act request of Mr. Keith Maydak (copy enclosed), we have identified two documents originated by AT&T which may be responsive to the request. We have informed the requestor that we are forwarding these documents to you for review. Please review the enclosed documents and reply to OSTP with your disclosure determination. OSTP will reply to the requestor.

Please contact Cecilia Lafoe at (202) 456-6007 should you have any questions concerning this request

Sincerely,

Barbara Ferguson
Assistant Director for Budget and Administration

Enclosures (3)

Mr. Michael Dilley
Defense Logistics Agency
Attn: CAC
5111 Leesburg Pike
Suite 624
Falls Church, VA 22041

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20502

June 9, 1998

OSTP FOIA NO. 98-17

Dear Mr. Maydak:

I have reviewed your May 5, 1998 letter to the Office of Science and Technology Policy (OSTP) appealing our response to your December 14, 1997 letter under the Freedom of Information Act (FOIA), 5 U.S.C. § 552.

Please note an error to the April 27, 1998 letter from Ms. Barbara Ann Ferguson in which she notified you of six (6) documents being exempt from disclosure pursuant to 5 U.S.C. § 552 (b)(1). There are seven documents in total. I have, however, determined that these seven (7) documents may be released in their entirety.

In response to the three documents exempt from disclosure pursuant to 5 U.S.C. § 552 (b)(4), which protects "trade secrets and commercial or financial information obtained from a person that is privileged or confidential." The information contained in these papers falls within FOIA exemption category 3, reason (e), specifically technical data developed exclusively with Federal funds and within the meaning of 10 USC 130, Authority to Withhold from Public Disclosure Certain Technical Data, and DOD Directive 5230.25, Withholding of Unclassified Technical Data from Public Disclosure. Under usual circumstances, documents prepared by AT&T on this subject contain AT&T Proprietary markings; these do not because they were briefing slides but the information contained therein is nonetheless protected from disclosure.

If you are not satisfied with the results of your appeal, you have the right to seek judicial review of this determination under 5 U.S.C. § 552(a) (4).

Sincerely,



Holly Gwin
General Counsel

Keith Maydak
613 Cross Street
E. McKeesport, PA 15035

Enclosure

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. briefing paper	slides, AT&T briefing, Special Routing Arrangement Service (SRAS) Overview [10 USC 130, DODD 5230.25] (6 pages)	02/28/1997	P3/b(3)

COLLECTION:

Clinton Presidential Records
Office of Science and Technology Policy

OA/Box Number: 43311

FOLDER TITLE:

Freedom of Information Act (FOIA) Request, AT&T

2008-1524-F
kc1212

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. briefing paper	slides, AT&T briefing, Broken Lance Exercise [10 USC 130, DODD 5230.25] (7 pages)	02/28/1997	P3/b(3)

COLLECTION:

Clinton Presidential Records
Office of Science and Technology Policy

OA/Box Number: 43311

FOLDER TITLE:

Freedom of Information Act (FOIA) Request, AT&T

2008-1524-F
kc1212

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]