

Exemption I Classified Records

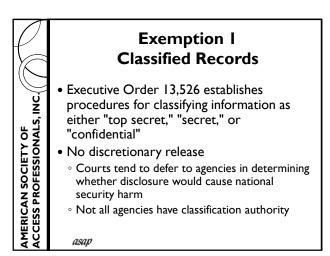
Protects records the disclosure of which would cause harm to national security or foreign policy

Records must be properly classified under procedural & substantive requirements of current Executive Order

4

AMERICAN SOCIETY OF ACCESS PROFESSIONALS, INC

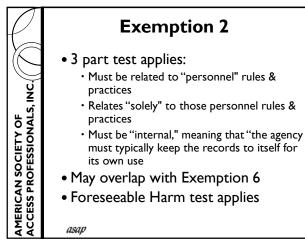
asap

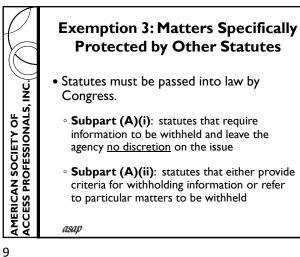


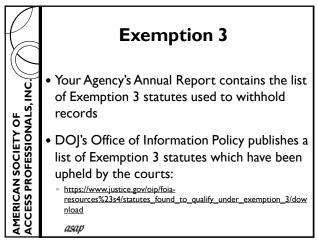
| $\left\{ \right\}$ | Exemption I & "Glomar" |
|--------------------------------------|---|
| INC. | The "Glomar" response:"neither confirm, nor deny…" |
| CAN SOCIETY OF S PROFESSIONALS, I | • Protects abstract fact that agency has requested records |
| SOCIE | • "Glomar" requires a formal denial |
| MERICAN | • Concept is applicable to information that may be withheld under other FOIA exemptions |
| ΨŬ Φ | asap |

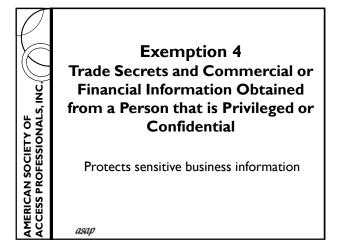


| P (C | Exemption 2 Information Must be Related to "Personnel" Rules & Practices |
|---|---|
| | Information must relate to: |
| AMERICAN SOCIETY OF ACCESS PROFESSIONALS, INC. | "the selection, placement, and training of employees the formulations of policies, procedures, and relations with employees or their representatives'" |
| | Deals with "employee relations or human resources," re "conditions of employment in federal agencies such matters as hiring and firing, work rules and discipline, compensation and benefits" |









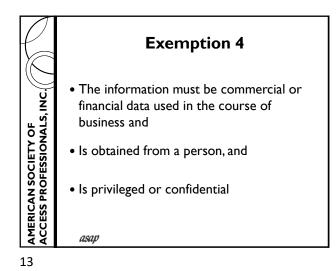
11



Exemption 4

A "trade secret" is narrowly defined as "any secret, commercially valuable plan, formula, process or device that is used for making, preparing, compounding, or processing of trade commodities, that can be said to be the end product of either innovation or substantial efforts"

asap



 Ex. 4 - Confidential – Supreme Court- Food Mktg. Inst. v. Argus Leader Media, 139 S. Ct. 915 (2019),
 The term "confidential" meant then, as it does now, "private" or "secret: Webster's Seventh New Collegiate Dictionary 174 (1963).
 Contemporary dictionaries suggest two conditions that might be required for information communicated to another to be considered confidential.
 In one sense, information communicated to another remains confidential whenever it is customarily kept private, or at least closely held, by the person imparting it.
 In another sense, information might be considered confidential only if the party receiving it provides some assurance that it will remain secret.
 "common usage"
 Where commercial or financial information is both customarily and actually treated as private by its owner and provided to the government under an assurance of privacy, the information is "confidential" within the meaning of Exemption 4.
 Dissent – what about harm requirement?

