

**INTERNAL DRAFT
ATTORNEY WORK PRODUCT**

Confidentiality of Information

The Regulations Implementing the Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (Final Rule), codified at 6 C.F.R. Part 25 (June 8, 2006) include a provision at [Section 25.10](#) addressing the safeguarding of proprietary information. Per the intent articulated in the Preamble to the Final Rule at 71 FR 33151, Section II.A., the Department will assert appropriate exemptions in declining to disclose under Freedom of Information Act (FOIA) any information concerning the source of a SAFETY Act application or the contents of an application. The Department does not “portion mark” information contained in the application, or associated case file to delineate between protected proprietary information, referred to as SAFETY Act Confidential Information (see definition in Section 25.2 of the Final Rule), and other less sensitive data. Instead the entirety of the application and associated case file will be treated as confidential under appropriate law.