



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

September 30, 2011

Mr. Christopher Soghoian  
Center for Applied Cybersecurity Research  
Indiana University  
PO Box 2266  
Washington, DC 20013

Dear Mr. Soghoian:

This responds to your Freedom of Information Act (FOIA) request to the Office of Management and Budget (OMB) dated June 23, 2011. Your request asked for a copy of all communications, documents and notes from meetings related to discussions between the Office of the U.S. Intellectual Property Coordinator and any federal agency, the National Cable and Telecommunications Association, AT&T, Verizon, Time Warner Cable, CableVision, Charter Communications, Comcast, and Qwest Communications, The Recording Industry Association of America and Motion Picture Association of America, and any individual record and movie studios regarding graduated responses to subscriber copyright infringement. (Please note that under FOIA, as the Federal courts have held, the term "agency" does not include the White House, the Office of the Vice President, and those parts of the Executive Office of the President whose sole function is to advise and assist the President.)

In response to your request, OMB has conducted a search of its files and has identified 205 pages that are potentially responsive to your request.

We are withholding 16 pages in full pursuant to FOIA Exemption 5, and are releasing the other 189 pages in whole or in part with redactions made pursuant to FOIA Exemptions 4, 5 and 6, 5 U.S.C. § 552(b)(4), (b)(5) and (b)(6).

Under Exemption 4, portions have been redacted because they constitute voluntary submissions of confidential business information that the businesses would not customarily release to the public. Under Exemption 5, portions have been redacted because they constitute inter-agency or intra-agency pre-decisional deliberative communications, the disclosure of which would inhibit the frank and candid exchange of views that is necessary for effective government decision making. Under Exemption 6, certain portions of the materials have been redacted (such as private citizens' cell phone numbers and e-mail addresses), because their disclosure would constitute a clearly unwarranted invasion of personal privacy.

This is my personal decision, for which you may file an administrative appeal pursuant to OMB's FOIA regulations, at 5 C.F.R. § 1303.

In addition, as part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation.

You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 301-837-1996  
Facsimile: 301-837-0348  
Toll-free: 1-877-684-6448

If you have any questions, please feel free to contact me at 202-395-3642.

Sincerely,

  
Dionne Hardy  
FOIA Officer

Enclosures