

[47 CFR 0.459\(b\)](#)

(b) Except as provided in [§ 0.459\(a\)\(3\)](#), each such request shall contain a statement of the reasons for withholding the materials from inspection (see § 0.457) and of the facts upon which those records are based, including:

(Q1) Identification of the specific information for which confidential treatment is sought;

(A1) Any information that ties the program to specific technical information such as frequency and program objectives. This combination of information cannot be released as it could be used to define capabilities of the government end user.

(Q2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission;

(A2) FCC application was submitted to support over the air testing with the government end user.

(Q3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged;

(A3) This testing is support future US government technology. As a result, the information that may expose this technology to adversaries must be guarded.

(Q4) Explanation of the degree to which the information concerns a service that is subject to competition;

(A4) This information could be used by adversaries to determine how the US government is modernizing its capabilities.

(Q5) Explanation of how disclosure of the information could result in substantial competitive harm;

(A5) This information could be used by adversaries to determine how the US Navy is modernizing its capabilities.

(Q6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure;

(A6) All information related to the program is not publicly released.

(Q7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties;

(A7) No information related to this project has been released publicly.

Q(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure; and

(A8) This information may expose the capabilities of the US government.

(Q9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.

(A9) None at this time