



governmentattic.org

"Rummaging in the government's attic"

Description of document: Administrative processing file/folder contents associated with the handling of National Institute of Standards and Technology (NIST) FOIA requests: 09-11 and 09-48, 2008 - 2010

Requested date: 03-January-2010

Released date: 03-May-2011

Posted date: 23-May-2011

Date/date range of documents: 13-November-2008 – 11-January-2010

Source of document: National Institute of Standards and Technology
FOIA & Privacy Act Officer
100 Bureau Drive, STOP 1710
Gaithersburg, MD 20899-1710
Email: foia@nist.gov

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UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899-

MAY 03 2011

This letter is the final response to your January 3, 2010 Freedom of Information Act (FOIA) request Log # 10-038 to the National Institute of Standards and Technology (NIST), in which you requested "the contents of the administrative processing file/folder (including emails) associated with the handling of either of the following two NIST FOIA requests: 09-11 and 09-48. By administrative processing file/folder, I mean any materials including emails concerning the processing of the request but not the underlying requested records." On January 12, 2010, we received your clarified request saying that you "are interested in the administrative processing file contents and email associated with **BOTH** prior FOIA requests 09-11 and 09-48."

Two documents consisting of two (2) pages are being released with some redactions pursuant to FOIA exemption 5 U.S.C. § 552 (b)(4).

Exemption (b)(4) of the FOIA (5 U.S.C. Section 552(b)(4)), which exempts from disclosure "trade secrets and commercial or financial information obtained from a person and privileged or confidential."

Ten (10) documents consisting of twenty-seven (27) pages are being released with some redactions pursuant to FOIA exemption 5 U.S.C. § 552 (b)(5).

Nineteen (19) documents consisting of twenty-eight (28) pages are being withheld in their entirety pursuant to FOIA exemption 5 U.S.C. § 552 (b)(5).

Exemption (b)(5) of the FOIA (5 U.S.C. Section 552(b)(5)), permits NIST to withhold documents that are reflective of the deliberative process. Because the records are "predecisional and antecedent to the adoption of an agency policy," and "a direct part of the deliberative process in that it makes recommendations or expresses opinions on legal or policy matters," they are properly withholdable under the FOIA.

Three (3) documents consisting of seven (7) pages are being released with some redactions pursuant to FOIA exemptions 5 U.S.C. § 552 (b)(5) and (b)(6).

Exemption (b)(6) of the FOIA (5 U.S.C. Section 552(b)(6)), exempts from disclosure "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

NIST

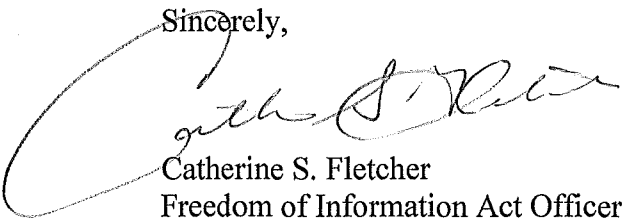
Forty-two (42) documents consisting of sixty-four (64) pages are being released with some redactions pursuant to FOIA exemptions 5 U.S.C. § 552 (b)(6).

You have the right to appeal a denial or partial denial of the FOIA request. An appeal must be received within 30 calendar days of the date of this response letter.

Assistant General Counsel for Administration (Office)
U.S. Department of Commerce
14th and Constitution Avenue
Room 5898-C
N.W. Washington, D.C. 20230

Your appeal may also be sent by e-mail FOIAAppeals@doc.gov or by facsimile (fax) to 202-482-2552. The appeal must include a copy of the original request, the response to the request and a statement of the reason why withheld records should be made available and why denial of the records was in error. The submission (including e-mail and fax submissions) is not complete without the required attachments. The appeal letter, the envelope, the e-mail subject line, and the fax cover sheet should be clearly marked "Freedom of Information Act Appeal." The e-mail, fax machine, and Office are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, fax machine or Office after normal business hours will be deemed received on the next normal business day.

Sincerely,



Catherine S. Fletcher
Freedom of Information Act Officer

Enclosures

Date: Wed, 4 Feb 2009 08:42:28 -0600 [09:42:28 AM EST]

From: "Geoffrey Ritchey" [REDACTED] (b)(6)

To: foia@nist.gov

Subject: NIST FOIA Request

Printed By: foia@nist.gov

National Institute of Standards and Technology
Catherine S. Fletcher, FOIA & Privacy Act Officer
100 Bureau Drive, STOP 1710
Gaithersburg, MD 20899-1710

Freedom of Information Act Request

I respectfully request copies of the following NIST records:

Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7.

Disclosure of the requested information to me is not in my commercial interest.

Thank you for your consideration of this request.

Sincerely,

Geoffrey Walter Ritchey

RECEIVED

FEB 05 2009

MANAGEMENT & ORGANIZATION
DIVISION

FOIA Request

#09-48

Date: Fri, 06 Feb 2009 09:26:20 -0500 [09:26:20 AM EST]

From: foia@nist.gov

To: "Geoffrey Ritchey" [REDACTED] (b)(6)

Subject: Regarding : NIST FOIA Request (#09-48)

Printed By: foia@nist.gov

Dear Mr. Ritchey,

This email acknowledges receipt of your February 4, 2009, Freedom of Information Act (FOIA) request to the National Institute of Standards and Technology (NIST) in which you requested copies of ?Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7.?"

Your request was received at the FOIA Control Desk on February 6, 2009, and was assigned FOIA Log #09-48.

For the purpose of the FOIA, you are in the "all other requester" category. This means that you will be charged for the search and duplication of responsive documents excluding the cost of the first 2 hours of search and the first 100 pages of duplication. Upon completion of the fee estimate, I will be in contact with you as to the amount owed to process your request.

Sincerely,
Darla Yonder
Management Analyst
/for/
Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

[Hide Quoted Text]

National Institute of Standards and Technology
Catherine S. Fletcher, FOIA & Privacy Act Officer
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Gaithersburg, MD 20899-1710

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Thank you for your consideration of this request.

Sincerely,

Geoffrey Walter Ritchey

Geoffrey Walter Ritchey

Date: Thu, 12 Feb 2009 12:16:04 -0500 [12:16:04 PM EST]

From: foia@nist.gov

To: "Geoffrey Ritchey" [REDACTED] (b)(6)

Subject: Re: Regarding : NIST FOIA Request (#09-48)

Part(s): 2 09-48FeeEstimateLetter-Scanned.pdf 518 KB

Printed By: foia@nist.gov

1 unnamed 2.27 KB

Mr. Ritchey,
Attached to this email is the fee estimate letter detailing the estimated cost to process your FOIA request.
Thank you,
Darla Yonder

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

[Hide Quoted Text]

Glad to hear your investigating this. Since I'm requesting computer input and output, I would expect it to be on computer readable medium rather than hard copy paper printouts. Don't you agree that there probably won't be any charge for more than "100 pages of duplication"?

On Fri, Feb 6, 2009 at 8:26 AM, <foia@nist.gov> wrote:

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Sincerely,
Darla Yonder
Management Analyst
/for/
Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

National Institute of Standards and Technology

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Thank you for your consideration of this request.

Sincerely,

Geoffrey Walter Ritchey

Date: Thu, 12 Feb 2009 12:21:01 -0600 [01:21:01 PM EST]
From: "Geoffrey Ritchey" [REDACTED] (b)(6)
To: foia@nist.gov
Subject: Re: Regarding : NIST FOIA Request (#09-48)
Printed By: foia@nist.gov

A few more questions if you don't mind... Are those text files or binary files? Is the 400 Gig compressed or uncompressed? What are the sizes each of the input and output? I would expect the input to be substantially smaller than the output.

On Thu, Feb 12, 2009 at 11:16 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
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Thank you,
Darla Yonder

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

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Sincerely,
Darla Yonder
Management Analyst
/for/

Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" [REDACTED]: (b)(6)

National Institute of Standards and Technology

Catherine S. Fletcher, FOIA & Privacy Act Officer
100 Bureau Drive, STOP 1710
Gaithersburg, MD 20899-1710

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Disclosure of the requested information to me is not in my commercial interest.

Thank you for your consideration of this request.

Sincerely,

Geoffrey Walter Ritchey

Date: Fri, 13 Feb 2009 16:08:24 -0600 [02/13/2009 05:08:24 PM EST]

From: "Geoffrey Ritchey" <[REDACTED]> (b)(6)

To: foia@nist.gov

Cc: jkeogh@ae911truth.org

Subject: Re: Regarding : NIST FOIA Request (#09-48)

Printed By: foia@nist.gov

I agree to pay \$227.98 for the ANSYS computer data.

The data may be shipped to:

Geoffrey Ritchey
c/o Justin Keogh
4526 E Duncan St
Tucson, AZ 85712

On Thu, Feb 12, 2009 at 11:16 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
Attached to this email is the fee estimate letter detailing the estimated cost to process your FOIA request.
Thank you,
Darla Yonder

Quoting "Geoffrey Ritchey" <[REDACTED]> (b)(6)

Glad to hear your investigating this. Since I'm requesting computer input and output, I would expect it to be on computer readable medium rather than hard copy paper printouts. Don't you agree that there probably won't be any charge for more than "100 pages of duplication"?

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Sincerely,
Darla Yonder
Management Analyst
/for/
Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" <[REDACTED]>

(b)(6)

National Institute of Standards and Technology

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Sincerely,

Geoffrey Walter Ritchey

NIST-766A
(REV. 7-2003)
ADMAN 8.05

PAGE 1 OF 1
U.S. DEPARTMENT OF COMMERCE
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

TRANSMITTAL SHEET FOR CASH COLLECTIONS

HAND CARRY ORIGINAL AND THREE COPIES (AND ALL COLLECTIONS) TO ACCOUNTS RECEIVABLES, FINANCIAL OPERATIONS DIVISION, BUILDING 101, ROOM A822 MAIL STOP 3751. RETAIN ONE COPY.

FROM (NAME AND MAILING ADDRESS)

Janet Brumby
101/A521

DATE

02/27/2009

NUMBER OF ATTACHMENTS

1

INSTRUCTIONS: COLUMN 1 - INCLUDE PAYOR REFERENCE AND DATE OF CHECK.
COLUMN 2 - EXAMPLES: STANDARD REFERENCE MATERIAL, TRAVEL, FEES, ADVANCES, GIFTS, ETC.
INDICATE WHETHER CASH OR DOCUMENT: IF DOCUMENT LIST NUMBER; IN ADDITION INCLUDE BILLING REFERENCE, TRAVEL ORDER NUMBER, AND/OR OTHER PERTINENT DATA.
ACCS BLOCK - INDICATE ACCS INFORMATION: IF MULTIPLE ACCS LINES NEEDED, POPULATE COLUMNS 1-2 ONLY ONCE AND COMPLETE THE REMAINING ACCS INFORMATION

1. NAME AND ADDRESS OF REMITTER	CHECK DATE	2. PURPOSE/EXPLANATION OF REMITTANCE
Architects & Engineers for 9/11 Truth 1862 Cannon Drive Walnut Creek, CA 94596	02/27/2009	FOIA Request # 09-48

BUREAU (xx)	FUND (xx)	FCFY* (xx)	PROJECT-TASK (xxxxxxxx-xxx)	ORGANIZATION (xx-xx-xxxx-xx-xx-xx-xx)	OBJECT CLASS (xx-xx-xx-xx)	AMOUNT
						\$227.98

1. NAME AND ADDRESS OF REMITTER	CHECK DATE	2. PURPOSE/EXPLANATION OF REMITTANCE

DOCUMENT CONTAINS COLORED BACKGROUND ON WHITE PAPER. VOID* FEATURE, SIMULATED WATERMARK (REVERSE SIDE) MICRO-PRINT BORDER.

PLEASE POST THIS PAYMENT FOR OUR MUTUAL CUSTOMER

Account: FOIA REQUEST #09-11

\$227.98

ARCHITECTS & ENGINEERS FOR 9/11 TRUTH
1862 CANNON DR
WALNUT CREEK, CA 94596

Please Direct Any Questions
To: (800) 278-6302
OUR OPERATIONS DEPARTMENT

0000003150

WELLS FARGO BANK NA

February 27, 2009

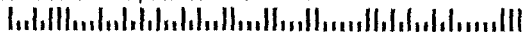
MEMO: FOIA Request #09-48

Pay TWO HUNDRED TWENTY SEVEN AND 98/100 DOLLARS

\$ *****227.98

To
The
Order
Of

UNITED STATES TREASURY
MAIL STOP 1710
100 BUREAU DR
GAITHERSBURG, MD 20899-0003



Void After 180 DAYS.
Signature On File
This check has been authorized
by your depositor.

WARNING: THIS BORDER CONTAINS MICROTYPED TEXT WHICH WILL NOT REPRODUCE ON A COPY.

BUREAU (xx)	FUND (xx)	FCFY* (xx)	PROJECT-TASK (xxxxxxxx-xxx)	ORGANIZATION (xx-xx-xxxx-xx-xx-xx-xx)	OBJECT CLASS (xx-xx-xx-xx)	AMOUNT
						227.98
TOTAL AMOUNT OF REMITTANCE						\$ 227.98
RECEIVED IN ACCOUNTS RECEIVABLES BY				DATE	☐ COPY RETURNED TO DIVISION	
				2/27/09		

*FUND CODE FISCAL YEAR (FISCAL YEAR OF FUNDING)
ADMINISTRATION/PSG ELECTRONIC FORM

DOCUMENT CONTAINS COLORED BACKGROUND ON WHITE PAPER. VOID FEATURE, SIMULATED WATERMARK (REVERSE SIDE) MICRO-PRINT BORDER.

Account: **FOIA REQUEST #09-11**

\$824.98

PLEASE POST THIS PAYMENT FOR OUR MUTUAL CUSTOMER

ARCHITECTS & ENGINEERS FOR 9/11 TRUTH
1862 CANNON DR
WALNUT CREEK, CA 94596

Please Direct Any Questions
To: (800) 278-6302
OUR OPERATIONS DEPARTMENT

(b)(4)
0000003145

February 23, 2009

WELLS FARGO BANK NA

MEMO: FOIA Request #09-11

Pay **EIGHT HUNDRED TWENTY FOUR AND 98/100**

DOLLARS

\$ *******824.98**

To
The
Order
Of

UNITED STATES TREASURY
MAIL STOP 1710
100 BUREAU DR
GAITHERSBURG, MD 20899-0003



Void After 180 DAYS
Signature On File
This check has been authorized
by your depositor

WARNING: THIS BORDER CONTAINS MICRO-TYPE WHICH WILL NOT REPRODUCE ON A COPIER.

(b)(4)

Date: Mon, 16 Mar 2009 09:28:16 -0500 [10:28:16 AM EDT]
From: Geoffrey Ritchey [REDACTED] (b)(6)
To: foia@nist.gov
Cc: jkeogh@ae911truth.org
Subject: Re: Regarding : NIST FOIA Request (#09-48)
Printed By: foia@nist.gov

Its been over a month since I've heard anything about this foia. Can you give me some status information or direct me to a web site?

On Fri, Feb 6, 2009 at 9:26 AM, <foia@nist.gov> wrote:

Dear Mr. Ritchey,

This email acknowledges receipt of your February 4, 2009, Freedom of Information Act (FOIA) request to the National Institute of Standards and Technology (NIST) in which you requested copies of ?Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7.?

Your request was received at the FOIA Control Desk on February 6, 2009, and was assigned FOIA Log #09-48.

For the purpose of the FOIA, you are in the "all other requester" category. This means that you will be charged for the search and duplication of responsive documents excluding the cost of the first 2 hours of search and the first 100 pages of duplication. Upon completion of the fee estimate, I will be in contact with you as to the amount owed to process your request.

Sincerely,
Darla Yonder
Management Analyst
/for/
Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

National Institute of Standards and Technology

Catherine S. Fletcher, FOIA & Privacy Act Officer
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Gaithersburg, MD 20899-1710

Freedom of Information Act Request

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Thank you for your consideration of this request.

Sincerely,
Geoffrey Walter Ritchey

Date: Tue, 17 Mar 2009 07:48:01 -0400 [07:48:01 AM EDT]
From: foia@nist.gov
To: Grosshandler, William L <william.grosshandler@nist.gov>
Cc: shanille.nelson@nist.gov, Fletcher, Catherine S <catherine.fletcher@nist.gov>
Subject: Fwd: Re: Regarding : NIST FOIA Request (#09-48)
Part(s): 2.0 Forwarded Message: Re: Regarding : NIST FOIA Request (#09-48) 7.61 KB

Printed By: foia@nist.gov

1 unnamed 0.55 KB

Good morning Bill,

Can you tell me the status of FOIA Request #09-48? On February 18, 2009, I forwarded a request to your attention requesting that BFRL proceed with the actual search and duplication of the records responsive to this request.

Yesterday I received an email from the requester asking for status of his FOIA. I need to follow up with him regarding the status of his request, so any updates you can provide would be appreciated.

Please call me on x4064 with any questions and thank you in advance for your assistance, Darla

Date: Mon, 16 Mar 2009 09:28:16 -0500
From: Geoffrey Ritchey [REDACTED] (b)(6)
To: foia@nist.gov
Cc: jkeogh@ae911truth.org
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Darla Yonder
Management Analyst
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Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)
National Institute of Standards and Technology

Catherine S. Fletcher, FOIA & Privacy Act Officer
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Sincerely,

Geoffrey Walter Ritchey

Date: Tue, 17 Mar 2009 07:37:26 -0400 [07:37:26 AM EDT]

From: foia@nist.gov

To: Geoffrey Ritchey [REDACTED] (b)(6)

Subject: Re: Regarding : NIST FOIA Request (#09-48)

Printed By: foia@nist.gov

Mr. Ritchey,

I have contacted the office responsible for gathering the records you have requested and once I hear back from that office, I'll be in touch with you on the status of your request.

Darla Yonder
Management Analyst
NIST FOIA Office

Quoting Geoffrey Ritchey [REDACTED] (b)(6)

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Sincerely,

Geoffrey Walter Ritchey

Date: Tue, 17 Mar 2009 13:12:19 -0500 [02:12:19 PM EDT]
From: Geoffrey Ritchey [REDACTED] (b)(6)
To: foia@nist.gov
Subject: Re: Regarding : NIST FOIA Request (#09-48)
Printed By: foia@nist.gov

Thank you very much for your work on this.

On Tue, Mar 17, 2009 at 6:37 AM, <foia@nist.gov> wrote:

Mr. Ritchey,

I have contacted the office responsible for gathering the records you have requested and once I hear back from that office, I'll be in touch with you on the status of your request.

Darla Yonder
Management Analyst
NIST FOIA Office

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This means that you will be charged for the search and duplication of responsive documents excluding the cost of the first 2 hours of search and the first 100 pages of duplication. Upon completion of the fee estimate, I will be in contact with you as to the amount owed to process your request.

Sincerely,
Darla Yonder
Management Analyst
/for/
Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

National Institute of Standards and Technology

Catherine S. Fletcher, FOIA & Privacy Act Officer
100 Bureau Drive, STOP 1710
Gaithersburg, MD 20899-1710

Freedom of Information Act Request

I respectfully request copies of the following NIST records:

Case B input and output from the ANSYS analysis as described on page 35
of
NCSTAR 1A, "The Final Report on the Collapse of World Trade Center
Building
7.

Disclosure of the requested information to me is not in my commercial
interest.

Thank you for your consideration of this request.

Sincerely,

Geoffrey Walter Ritchey

Date: Mon, 6 Apr 2009 12:03:43 -0500 [01:03:43 PM EDT]
From: Geoffrey Ritchey [REDACTED] (b)(6)
To: foia@nist.gov
Subject: Re: Regarding : NIST FOIA Request (#09-48)
Printed By: foia@nist.gov

Hi Darla,

Its been another 3 weeks and I haven't gotten even a status on this. Maybe I'm just being a little too anxious but is this normal? I have determined that the check for the hard drive was cashed on March 5.

On Tue, Mar 17, 2009 at 6:37 AM, <foia@nist.gov> wrote:

Mr. Ritchey,

I have contacted the office responsible for gathering the records you have requested and once I hear back from that office, I'll be in touch with you on the status of your request.

Darla Yonder
Management Analyst
NIST FOIA Office

Quoting Geoffrey Ritchey [REDACTED] (b)(6)

Its been over a month since I've heard anything about this foia. Can you give me some status information or direct me to a web site?

On Fri, Feb 6, 2009 at 9:26 AM, <foia@nist.gov> wrote:

Dear Mr. Ritchey,

This email acknowledges receipt of your February 4, 2009, Freedom of Information Act (FOIA) request to the National Institute of Standards and Technology (NIST) in which you requested copies of ?Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7.?"

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Darla Yonder
Management Analyst
/for/
Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

National Institute of Standards and Technology

Catherine S. Fletcher, FOIA & Privacy Act officer
100 Bureau Drive, STOP 1710
Gaithersburg, MD 20899-1710

Freedom of Information Act Request

I respectfully request copies of the following NIST records:

Case B input and output from the ANSYS analysis as described on page 35
of
NCSTAR 1A, "The Final Report on the Collapse of World Trade Center
Building
7.

Disclosure of the requested information to me is not in my commercial
interest.

Thank you for your consideration of this request.

Sincerely,

Geoffrey Walter Ritchey

Date: Thu, 09 Apr 2009 10:18:55 -0400 [10:18:55 AM EDT]

From: foia@nist.gov

To: Geoffrey Ritchey [REDACTED] (b)(6)

Subject: Re: Regarding : NIST FOIA Request (#09-48)

Printed By: foia@nist.gov

Mr. Ritchey,
Our Legal staff is currently reviewing the records requested. I will let you know when I have received any additional information regarding the status of that review.
Thank you,
Darla

Quoting Geoffrey Ritchey [REDACTED] (b)(6)

Hi Darla,

Its been another 3 weeks and I haven't gotten even a status on this. Maybe I'm just being a little too anxious but is this normal? I have determined that the check for the hard drive was cashed on March 5.

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I have contacted the office responsible for gathering the records you have requested and once I hear back from that office, I'll be in touch with you on the status of your request.

Darla Yonder
Management Analyst
NIST FOIA Office

Quoting Geoffrey Ritchey [REDACTED] (b)(6)

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On Fri, Feb 6, 2009 at 9:26 AM, <foia@nist.gov> wrote:

Dear Mr. Ritchey,

This email acknowledges receipt of your February 4, 2009, Freedom of Information Act (FOIA) request to the National Institute of Standards and Technology (NIST) in which you requested copies of ?Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7."

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Sincerely

Quoting "Geoffrey Ritchey"

(b)(6)

Freedom of Information Act Request

Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7."

Thank you for your consideration of this request.

Geoffrey Walter Ritchey

Date: Wed, 13 May 2009 09:00:17 -0500 [10:00:17 AM EDT]
From: Geoffrey Ritchey <[REDACTED]> (b)(6)
To: foia@nist.gov
Subject: Fwd: Regarding : NIST FOIA Request (#09-48)
Printed By: foia@nist.gov

Darla,

It has been over a month since the status of this foia was in legal review. Can you tell me if that process is still underway and if there is some time estimate about the release date?

sorry, I forgot to include this information... regarding :

This email acknowledges receipt of your February 4, 2009, Freedom of Information Act (FOIA) request to the National Institute of Standards and Technology (NIST) in which you requested copies of ?Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7.?" Your request was received at the FOIA Control Desk on February 6, 2009, and was assigned FOIA Log #09-48. For the purpose of the FOIA, you are in the "all other requester" category. This means that you will be charged for the search and duplication of responsive documents excluding the cost of the first 2 hours of search and the first 100 pages of duplication. Upon completion of the fee estimate, I will be in contact with you as to the amount owed to process your request.

On Thu, Apr 9, 2009 at 9:18 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
Our Legal staff is currently reviewing the records requested. I will let you know when I have received any any additional information regarding the status of that review.
Thank you,
Darla

Date: Wed, 13 May 2009 08:57:28 -0500 [09:57:28 AM EDT]

From: Geoffrey Ritchey [REDACTED] (b)(6)

To: foia@nist.gov

Subject: Re: Regarding : NIST FOIA Request (#09-48)

Printed By: foia@nist.gov

Darla,

It has been over a month since the status of this foia was in legal review. Can you tell me if that process is still underway and if there is some time estimate about the release date?

On Thu, Apr 9, 2009 at 9:18 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
Our Legal staff is currently reviewing the records requested. I will let you know when I have received any any additional information regarding the status of that review.
Thank you,
Darla

Date: Thu, 14 May 2009 07:28:26 -0400 [07:28:26 AM EDT]

From: foia@nist.gov

To: Geoffrey Ritchey [REDACTED] (b)(6)

Subject: Re: Regarding : NIST FOIA Request (#09-48)

Printed By: foia@nist.gov

Mr. Ritchey,
After receiving your email yesterday - I did ask about the status of the Legal review. The Legal office is still in the review process, and have been extremely busy with some other issues. They indicated they would get back to me as quickly as possible.

I do appreciate your patience in this matter and will be in touch as soon as I have some additional information to share with you. You can reach me with any questions on 301-975-4064.

Darla

Quoting Geoffrey Ritchey [REDACTED]: (b)(6)

Darla,

It has been over a month since the status of this foia was in legal review. Can you tell me if that process is still underway and if there is some time estimate about the release date?

On Thu, Apr. 9, 2009 at 9:18 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
Our Legal staff is currently reviewing the records requested. I will let you know when I have received any any additional information regarding the status of that review.
Thank you,
Darla

Date: Tue, 16 Jun 2009 11:52:18 -0500 [12:52:18 PM EDT]
From: Geoffrey Ritchey [REDACTED] (b)(6)
To: foia@nist.gov
Subject: Re: Regarding : NIST FOIA Request (#09-48)
Printed By: foia@nist.gov

Hi Darla;

Your last email is from May 14th and it is now another month later. Can you tell me if this is still with the legal department and what the hold up is?

On Thu, May 14, 2009 at 6:28 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
After receiving your email yesterday - I did ask about the status of the Legal review. The Legal office is still in the review process, and have been extremely busy with some other issues. They indicated they would get back to me as quickly as possible.

I do appreciate your patience in this matter and will be in touch as soon as I have some additional information to share with you. You can reach me with any questions on 301-975-4064.
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Thank you,
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Thank you,
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Date: Fri, 17 Jul 2009 10:41:48 -0500 [07/17/2009 11:41:48 AM EDT]

From: Geoffrey Ritchey [REDACTED] (b)(6)

To: foia@nist.gov, Daniel Stotter [REDACTED]
Justin Keogh [REDACTED]

Subject: Re: Regarding : NIST FOIA Request (#09-48)

Printed By: foia@nist.gov

Hi Darla,

Another month has passed. Just checking in. Are there any status changes?

On Thu, Jun 25, 2009 at 7:37 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
The responsive documents are still under Legal review, however things are moving quickly. I'll be in touch as developments occur.
Thank you,
Darla

Quoting Geoffrey Ritchey [REDACTED] (b)(6)

Hi Darla;

Your last email is from May 14th and it is now another month later. Can you tell me if this is still with the legal department and what the hold up is?

On Thu, May 14, 2009 at 6:28 AM, <foia@nist.gov> wrote:

Mr. Ritchey,
After receiving your email yesterday - I did ask about the status of the Legal review. The Legal office is still in the review process, and have been extremely busy with some other issues. They indicated they would get back to me as quickly as possible.

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Darla

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Thank you,
Darla

|||

UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology

JAN 6 2010

Mr. Geoffrey Ritchey
[REDACTED]

(b)(6)

Dear Mr. Ritchey,

This letter is the final response to your February 4, 2009, Freedom of Information Act (FOIA) #09-48 request to the National Institute of Standards and Technology (NIST) in which you requested a copy of "Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, The Final Report on the Collapse of the World Trade Center Building 7."

Enclosed you will find a disc that contains 8,910 files (approximately 73% of all responsive records) that can be released and are responsive to your request for Case B input and output from the ANSYS analysis. The files on the disc contain input files of a version of the 16-story ANSYS model of the World Trade Center (WTC) 7 structure, which does not include the connection models and was analyzed with service gravity loads, and Case B input temperature files.

We are, however, withholding 3,370 files (approximately 27% of all responsive records). The NIST Director determined that the release of these data might jeopardize public safety. This withheld data include remaining input and all results files of the ANSYS 16-story Case B collapse initiation model, break element source code, ANSYS script files for the break elements, custom executable ANSYS file, and all spreadsheets and other supporting calculations used to develop floor connection failure modes and capacities. In order to work with the ANSYS files, a copy of the licensed software is required.

These records are currently exempt from disclosure under section (b)(3) of the FOIA, 5 U.S.C. § 552 (b)(3). Exemption (b)(3) permits an agency to withhold records in an agency's possession which are records that are "specifically exempted from disclosure by statute (other than 5 U.S.C. 552(b)), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld."

CONTROL # 09-48		WRITER: D. Yorder	
SURNAME	DATE	SURNAME	DATE
M. Lieberman	1-6-10		
S. Sunder	1-6-10		

see attached email

The statute underlying the (b)(3) exemption in this case is the National Construction Safety Team (NCST) Act, 15 U.S.C. § 7301 et seq. Section 12 of the NCST Act (15 U.S.C. § 7311) provides that it applies to the activities of NIST in response to the attacks of September 11, 2001. Section 7(d) of the NCST Act (15 U.S.C. § 7306(d)), exempts from disclosure, information received by NIST in the course of investigations regarding building failures if the Director finds that the disclosure of the information might jeopardize public safety. On July 9, 2009, the Director of NIST determined that release of the withheld information might jeopardize public safety. Therefore, these records are being withheld.

Sincerely,

Original Signed By
Catherine S. Fletcher

Catherine S. Fletcher
Freedom of Information Act Officer

SHIPPING ORDER

FOR FURTHER INFORMATION, CALL NAME: Darla Yonder E-MAIL (for tracking number): darla.yonder@nist.gov ALTERNATE E-MAIL: foia@nist.gov		TELEPHONE NUMBER x4064	DATE 1/6/10		
ORGANIZATION (xx-xx-xxxx-xx-xx-xx-xx) 01-17-0171-00-00-00-00	PROJECT-TASK (xxxxxxx-xxx) 1710951-000		REQUISITION NUMBER 10-171-1000		
SHIP FROM NIST/U.S. DEPARTMENT OF COMMERCE 100 BUREAU DRIVE GAITHERSBURG, MD 20899-1710	SHIP TO ☐ Business ☒ Residence NAME OF COMPANY: Mr. Geoffrey Ritchey ATTN: STREET ADDRESS: (b)(6) ADDRESS: (b)(6) (b)(6) (b)(6) CITY: (b)(6) STATE: (b)(6) ZIP CODE: (b)(6) COUNTRY: USA TELEPHONE NUMBER: PURCHASE ORDER # OR RMA #:				
DESCRIPTION (Include NIST property and manufacturer's serial number when pertinent; itemize all separate parts or attachments) (If necessary, continue in Remarks)					
HAZARDOUS MATERIAL ☐ YES ☒ NO If yes attach a MSD (Material Safety Data Sheet); QUANTITY: (mL, L, g, kg)					
NOTE: International Shipments Duties, Tax, Customs, Other Fees CHARGE to ☒ N.I.S.T. ☐ RECEIVER ☐ THIRD PARTY					
CALIBRATION CHARGES: \$ COUNTRY OF MANUFACTURE:					
ESTIMATED VALUE 0		AS AN AGENCY OF THE FEDERAL GOVERNMENT, NIST IS SELF-INSURED			
SUGGESTED METHOD OF SHIPMENT Certified Mail		REQUIRED DELIVERY DATE ASAP	TRANSPORTATION CHARGES ☐ PREPAID ☐ COLLECT ☐ THIRD PARTY Collect or 3 rd Party ACCOUNT #:		
PURPOSE (e.g., return of test materials, loan, repairs, etc.) Final response for FOIA Request # 09-48			AUTHORIZED (SIGNATURE, NAME AND TITLE) Darla Yonder /for/ Catherine S. Fletcher, Chief, M&O, NIST		
NUMBER OF PIECES	GROSS WEIGHT	ESTIMATED SHIPPING COSTS	BILL OF LADING NUMBER	SHIPPED VIA	DATE

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City, State, ZIP+4	
PS Form 3800, June 2002	See Reverse for Instructions

NG; ONE COPY - REQUESTER.

Daniel Stotter

From: "Geoffrey Ritchey" [REDACTED] (b)(6)
To: "Daniel Stotter" [REDACTED]
Sent: Friday, July 10, 2009 4:05 PM
Subject: Fwd: Regarding : NIST FOIA Request (#09-48)

Initial FOIA request and response.

----- Forwarded message -----

From: <foia@nist.gov>
Date: Fri, Feb 6, 2009 at 9:26 AM
Subject: Regarding : NIST FOIA Request (#09-48)
To: Geoffrey Ritchey [REDACTED] (b)(6)

Dear Mr. Ritchey,

This email acknowledges receipt of your February 4, 2009, Freedom of Information Act (FOIA) request to the National Institute of Standards and Technology (NIST) in which you requested copies of ?Case B input and output from the ANSYS analysis as described on page 35 of NCSTAR 1A, "The Final Report on the Collapse of World Trade Center Building 7.?"

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Sincerely,
Darla Yonder
Management Analyst
/for/
Catherine S. Fletcher
Freedom of Information Act Officer

Quoting "Geoffrey Ritchey" [REDACTED] (b)(6)

> National Institute of Standards and Technology
> Catherine S. Fletcher, FOIA & Privacy Act Officer
> 100 Bureau Drive, STOP 1710
> Gaithersburg, MD 20899-1710

7/10/2009

>
>
> Freedom of Information Act Request
>
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>
> Case B input and output from the ANSYS analysis as described on page 35 of
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> 7.
>
>
> Disclosure of the requested information to me is not in my commercial
> interest.
>
> Thank you for your consideration of this request.
>
> Sincerely,
>
> Geoffrey Walter Ritchey
>

Yonder, Darla

From: McAllister, Therese P.
Sent: Thursday, December 03, 2009 6:03 PM
To: Fletcher, Catherine; Yonder, Darla
Cc: Grosshandler, William; Nelson, Shanille D.
Subject: Response on query about analysis files

Catherine and Darla,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)(5)

Terri

Therese McAllister, PhD PE
National Institute of Standards and Technology
Building and Fire Research Laboratory
100 Bureau Dr.
Gaithersburg, MD 20899-8611
(301)975-6078

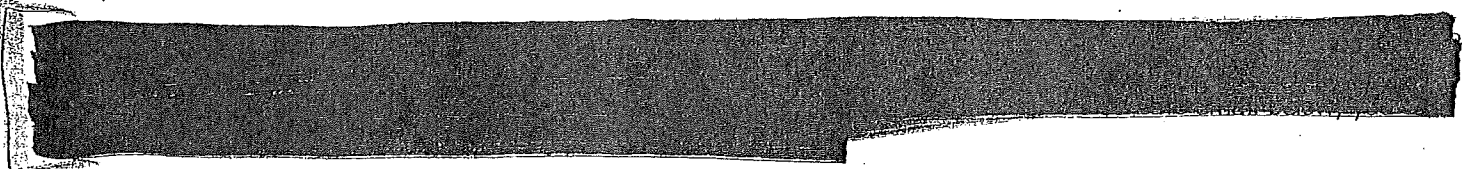
Yonder, Darla

From: Fletcher, Catherine
Sent: Tuesday, December 08, 2009 9:10 AM
To: Yonder, Darla
Subject: FW: Quick & Ritchey -- Release

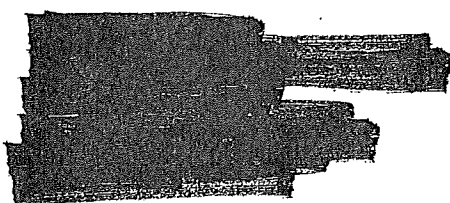
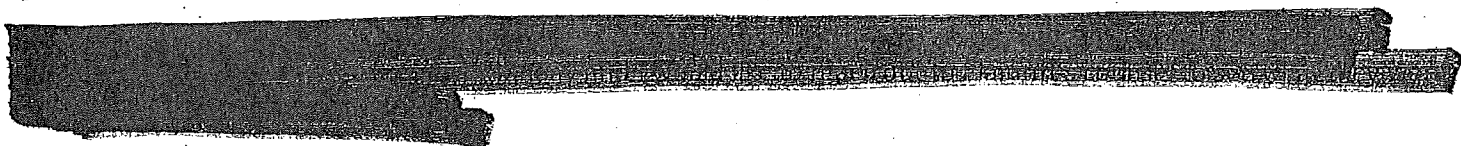
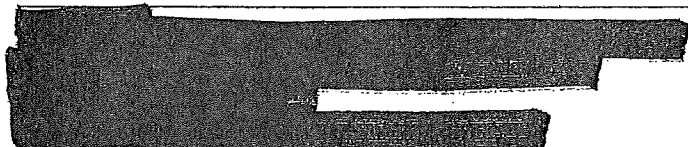
From: Orr, Malcolm [mailto:MOrr@doc.gov]
Sent: Monday, December 07, 2009 10:56 AM
To: Fletcher, Catherine
Cc: Packard, Elise; Robinson, Lisa
Subject: RE: Quick & Ritchey -- Release

Hi Catherine,

(b)(5)



(b)(5)



Yonder, Darla

From: Yonder, Darla
Sent: Tuesday, December 08, 2009 4:01 PM
To: McAllister, Therese P.
Cc: Grosshandler, William; Nelson, Shanille D.; Fletcher, Catherine; Kinney, Rachel
Subject: RE: Response on query about analysis files
Attachments: 09-11 DRAFT FINAL RESPONSE - Quick FOIA Letter b.docx; 09-48 DRAFT FINAL RESPONSE - Ritchey FOIA Letter b.docx

Terri,

Based on the information you provided, please look at the 2 attached DRAFT letters and fill in the percentage amounts for each of the responses. Please call with any questions.

Thank you in advance for your assistance,
Darla

From: McAllister, Therese P.
Sent: Thursday, December 03, 2009 6:03 PM
To: Fletcher, Catherine; Yonder, Darla
Cc: Grosshandler, William; Nelson, Shanille D.
Subject: Response on query about analysis files

Catherine and Darla,

[REDACTED]

[REDACTED]

[REDACTED] (b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Terri

Therese McAllister, PhD PE
National Institute of Standards and Technology
Building and Fire Research Laboratory
100 Bureau Dr.
Gaithersburg, MD 20899-8611
(301)975-6078

Yonder, Darla

From: Yonder, Darla
Sent: Thursday, December 10, 2009 8:05 AM
To: Fletcher, Catherine
Cc: Kinney, Rachel
Subject: FW: Draft Letters for NIST Model related lawsuits
Attachments: 09-48 DRAFT FINAL RESPONSE - Ritchey FOIA Letter b-3.docx; 09-11 DRAFT FINAL RESPONSE - Quick FOIA Letter b-3.docx

Catherine,

(b)(5)

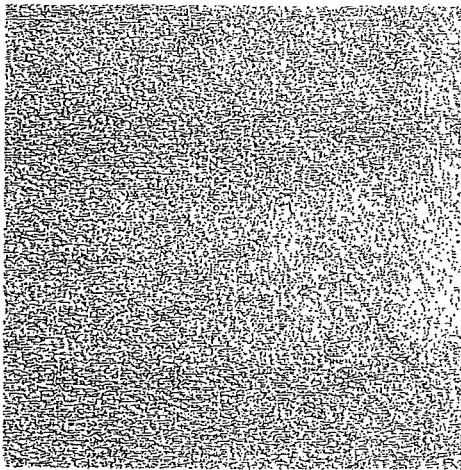
Darla

From: Orr, Malcolm [mailto:MOrr@doc.gov]
Sent: Thursday, December 10, 2009 7:41 AM
To: Yonder, Darla
Cc: Fletcher, Catherine; Means, Judith
Subject: FW: Draft Letters for NIST Model related lawsuits

(b)(5)

Hi Darla,

From: Yonder, Darla [darla.yonder@nist.gov]
Sent: Wednesday, December 09, 2009 4:14 PM
To: Orr, Malcolm
Cc: Fletcher, Catherine; Kinney, Rachel
Subject: Draft Letters for NIST Model related lawsuits



Malcolm,

Attached are the DRAFT final response letters for the 2 model related lawsuits. Once you are OK with the content, I will need to clear them with Melissa and Shyam (BFRL) for final clearance.

Who should we provide the "cleared" final response to? The AUSA or the requester? FYI - I do not have a mailing address for Mr. Ritchey (#09-48).

Please let either Catherine or I know if you are OK with the attached responses.

Thank you in advance,
Darla

~~*~*~*~*~*~*~*

Darla Yonder
Management Analyst
M&O Division
301-975-4064 - Phone
301-926-8091 - Fax

Yonder, Darla

From: Fletcher, Catherine
Sent: Thursday, December 10, 2009 9:53 AM
To: Orr, Malcolm; Yonder, Darla
Cc: Means, Judith
Subject: RE: Draft Letters for NIST Model related lawsuits

I left both you and Judith voicemail messages.

Talked to the scientist and she said that they will not add up the way they are written.

Can we be more vague and say the remaining records will be withheld.....

Please advise.

Thank you.

From: Orr, Malcolm [mailto:MOrr@doc.gov]
Sent: Thursday, December 10, 2009 7:41 AM
To: Yonder, Darla
Cc: Fletcher, Catherine; Means, Judith
Subject: FW: Draft Letters for NIST Model related lawsuits

Hi Darla,

(b)(5)

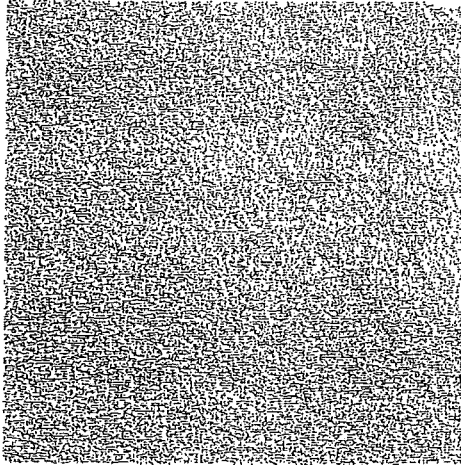
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Yonder, Darla [darla.yonder@nist.gov]
Sent: Wednesday, December 09, 2009 4:14 PM
To: Orr, Malcolm
Cc: Fletcher, Catherine; Kinney, Rachel
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Thank you in advance,
Darla

~~*~*~*~*~*~*~*

*Darla Yonder
Management Analyst
M&O Division
301-975-4064 - Phone
301-926-8091 - Fax*

Yonder, Darla

From: Fletcher, Catherine
Sent: Thursday, December 17, 2009 10:58 AM
To: Orr, Malcolm
Cc: Yonder, Darla; Kinney, Rachel
Subject: FW: AUSA Letters

From: McAllister, Therese P.
Sent: Thursday, December 17, 2009 10:57 AM
To: Fletcher, Catherine
Subject: RE: AUSA Letters

The original file format is electronic in nature. The formatting details are:

FOIA 9-11

ANSYS Gravity Model – The *.apdl input files are in ASCII (*American Standard Code for Information Interchange*) format. These are referred to as script files and are read as input by ANSYS.

ANSYS Thermal data– The *.int input files are in ASCII format. These are read as input by ANSYS.

LS-DYNA model – The *.gz files are specially formatted for LS-DYNA. These are read as input files by LS-DYNA.

FOIA 9-48

ANSYS Gravity Model – The *.apdl input files are in ASCII (*American Standard Code for Information Interchange*) format. These are referred to as script files and are read as input by ANSYS.

ANSYS Thermal data– The *.int input files are in ASCII format. These are read as input by ANSYS.

From: Fletcher, Catherine
Sent: Thursday, December 17, 2009 10:37 AM
To: McAllister, Therese P.
Subject: RE: AUSA Letters

Any particular kind? They want as much information as possible.

From: McAllister, Therese P.
Sent: Thursday, December 17, 2009 10:36 AM
To: Fletcher, Catherine
Subject: RE: AUSA Letters

The original format for the data on the CD is 'electronic files'.

Terri

From: Fletcher, Catherine
Sent: Thursday, December 17, 2009 10:23 AM
To: McAllister, Therese P.
Cc: Yonder, Darla; Kinney, Rachel
Subject: FW: AUSA Letters

Will you please describe the original "format."

Thank you.

From: Yonder, Darla
Sent: Thursday, December 17, 2009 10:14 AM
To: Orr, Malcolm
Cc: Fletcher, Catherine; Kinney, Rachel
Subject: RE: AUSA Letters

Malcolm,
One CD will be provided. I will need to check with BFRL to see if they can describe the original "format" and get back to you with an answer.
Darla

From: Orr, Malcolm [mailto:MOrr@doc.gov]
Sent: Thursday, December 17, 2009 10:02 AM
To: Yonder, Darla
Subject: RE: AUSA Letters

Thanks Darla,

(b)(5)

Malcolm Orr
General Law Division
U.S. Department of Commerce
Phone: (202) 482-2138
Fax: (202) 482-2552
morrr@doc.gov

The information in this message may be privileged, and is intended only for the recipient(s) shown. If you are not an intended recipient, delete this message immediately and notify the sender.

From: Yonder, Darla [mailto:darla.yonder@nist.gov]
Sent: Thursday, December 17, 2009 9:58 AM
To: Orr, Malcolm; Fletcher, Catherine
Cc: Kinney, Rachel
Subject: RE: AUSA Letters

Malcolm,
The records will be provided on a cd.

Darla

From: Orr, Malcolm [mailto:MOrr@doc.gov]
Sent: Thursday, December 17, 2009 8:27 AM
To: Fletcher, Catherine
Cc: Yonder, Darla; Kinney, Rachel
Subject: FW: AUSA Letters

Hi Catherine,

(b)(5)

Malcolm Orr
General Law Division
U.S. Department of Commerce
Phone: (202) 482-2138
Fax: (202) 482-2552
moor@doc.gov

The information in this message may be privileged, and is intended only for the recipient(s) shown. If you are not an intended recipient, delete this message immediately and notify the sender.

From: Orr, Malcolm
Sent: Tuesday, December 15, 2009 2:51 PM
To: Kinney, Rachel
Cc: Fletcher, Catherine; Yonder, Darla
Subject: RE: AUSA Letters

Thanks Rachel,

(b)(5)

Malcolm Orr
General Law Division
U.S. Department of Commerce
Phone: (202) 482-2138
Fax: (202) 482-2552
moor@doc.gov

The information in this message may be privileged, and is intended only for the recipient(s) shown. If you are not an intended recipient, delete this message immediately and notify the sender.

From: Kinney, Rachel [mailto:rachel.kinney@nist.gov]
Sent: Tuesday, December 15, 2009 9:42 AM
To: Orr, Malcolm
Cc: Fletcher, Catherine; Yonder, Darla
Subject: AUSA Letters

Malcolm-

Attached are the latest versions of the letters for the AUSA. Melissa Lieberman reviewed them and made some edits.

Please let me know if you have any questions.

Thank you,
Rachel

Rachel Kinney

Management Analyst

Management & Organization Division

National Institute of Standards and Technology

100 Bureau Drive

MS 1710

Gaithersburg, MD 20899

Phone: 301-975-8707

rachel.kinney@nist.gov

Yonder, Darla

From: Orr, Malcolm [MOrr@doc.gov]
Sent: Thursday, December 17, 2009 5:11 PM
To: Fletcher, Catherine
Cc: Yonder, Darla; Kinney, Rachel
Subject: DC Cases; Quick & Ritchey v. NIST
Attachments: ANSYS 7(d)-7-9-09.pdf; Sec. 7(d) Justification - Structural Models final.pdf

Hi Catherine,

(b)(5)

Malcolm Orr
General Law Division
U.S. Department of Commerce
Phone: (202) 482-2138
Fax: (202) 482-2552
moor@doc.gov

The information in this message may be privileged, and is intended only for the recipient(s) shown. If you are not an intended recipient, delete this message immediately and notify the sender.

(b)(5)

From: Daniel Stotter [mailto:dstotter@qwestoffice.net]
Sent: Thursday, December 17, 2009 3:46 PM
To: Hudak, Brian (USADC)

Cc: Daniel Stotter

Subject: Re: Quick & Ritchey v. NIST

Dear Mr. Hudak:

As a follow-up to our telephone call today regarding the above referenced matters, both of my clients (Mr. Quick and Mr. Ritchey) have each previously requested to the NIST and hereby expressly authorize that all of the responsive materials to their FOIA requests be sent via certified mail to the following address:

Justin Keogh

[REDACTED]

(b)(6) Send letter? copy of CD
←

Please also send a copy of the agency's cover letters and exemption pages for this release to my office at the address listed below.

Thank you in advance for your assistance in this matter.

Sincerely,

Daniel J. Stotter
Irving & Stotter LLP
408 SW Monroe, ste. L163
Corvallis, OR 97333
(541) 738-2601
dstotter@qwestoffice.net

----- Original Message -----

From: Hudak, Brian (USADC)
To: dstotter@qwestoffice.net
Sent: Friday, December 11, 2009 10:32 AM
Subject: Quick & Ritchey v. NIST

Daniel – I hope you are well. I have been assigned to represent the government in the Quick and Ritchey cases. I have discussed these cases with Agency counsel to ascertain the status of the underlying FOIA requests. From my understanding the Agency is preparing its decision and a significant release of documents in electronic form and hopes to have them to you in the next week or so. As soon as I get confirmation that the responses are headed your way, I will let you know so that you and your clients can know more precisely when to expect them.

Given that the Agency is making a significant release in response to your client's FOIA request, I think it makes sense to move to extend the Agency's time to respond to the complaint by 30 days to see after your receipt and review if the upcoming release resolves your client's concerns and/or distill what issues your clients continue to have with the Agency's response in an effort to further address them or refine the issues for presentation to the Court. Consequently, the Agency is going to be moving for such an extension of time. I wanted to reach-out to you to learn your thoughts on this extension and to see if you had any questions or concerns with this approach. Please just let me know.

I look forward to working with you on this case.

Best regards,

Brian Hudak

Assistant United States Attorney

555 Fourth St., NW

Washington, DC 20530

(202) 514-7143

Yonder, Darla

From: Orr, Malcolm [MOrr@doc.gov]
Sent: Tuesday, December 22, 2009 10:12 AM
To: Fletcher, Catherine
Cc: Yonder, Darla; Kinney, Rachel
Subject: RE: DC Cases; Quick & Ritchey v. NIST

Hi Catherine,

(b)(5)

[REDACTED]

Malcolm Orr
General Law Division
U.S. Department of Commerce
Phone: (202) 482-2138
Fax: (202) 482-2552
moor@doc.gov

The information in this message may be privileged, and is intended only for the recipient(s) shown. If you are not an intended recipient, delete this message immediately and notify the sender.

From: Fletcher, Catherine [mailto:catherine.fletcher@nist.gov]
Sent: Tuesday, December 22, 2009 9:57 AM
To: Orr, Malcolm
Cc: Yonder, Darla; Kinney, Rachel
Subject: RE: DC Cases; Quick & Ritchey v. NIST

Does Justin need the CD or just a copy of the letters?

From: Orr, Malcolm [mailto:MOrr@doc.gov]
Sent: Thursday, December 17, 2009 5:11 PM
To: Fletcher, Catherine
Cc: Yonder, Darla; Kinney, Rachel
Subject: DC Cases; Quick & Ritchey v. NIST

Hi Catherine,

(b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Malcolm Orr
General Law Division
U.S. Department of Commerce
Phone: (202) 482-2138
Fax: (202) 482-2552
morr@doc.gov

-----The information in this message may be privileged, and is intended only for the recipient(s) shown. If you are not an intended recipient, delete this message immediately and notify the sender.

(b)(5)

From: Daniel Stotter [mailto:dstotter@qwestoffice.net]
Sent: Thursday, December 17, 2009 3:46 PM
To: Hudak, Brian (USADC)
Cc: Daniel Stotter
Subject: Re: Quick & Ritchey v. NIST

Dear Mr. Hudak:

As a follow-up to our telephone call today regarding the above referenced matters, both of my clients (Mr. Quick and Mr. Ritchey) have each previously requested to the NIST and hereby expressly authorize that all of the responsive materials to their FOIA requests be sent via certified mail to the following address:

Justin Keogh

(b)(6)

Please also send a copy of the agency's cover letters and exemption pages for this release to my office at the address listed below.

Thank you in advance for your assistance in this matter.

Sincerely,

Daniel J. Stotter
Irving & Stotter LLP
408 SW Monroe, ste. L163
Corvallis, OR 97333
(541) 738-2601
dstotter@qwestoffice.net

| ----- Original Message -----

From: Hudak, Brian (USADDC)

To: dstotter@qwestoffice.net

Sent: Friday, December 11, 2009 10:32 AM

Subject: Quick & Ritchey v. NIST

Daniel -- I hope you are well. I have been assigned to represent the government in the Quick and Ritchey cases. I have discussed these cases with Agency counsel to ascertain the status of the underlying FOIA requests. From my understanding the Agency is preparing its decision and a significant release of documents in electronic form and hopes to have them to you in the next week or so. As soon as I get confirmation that the responses are headed your way, I will let you know so that you and your clients can know more precisely when to expect them.

Given that the Agency is making a significant release in response to your client's FOIA request, I think it makes sense to move to extend the Agency's time to respond to the complaint by 30 days to see after your receipt and review if the upcoming release resolves your client's concerns and/or distill what issues your clients continue to have with the Agency's response in an effort to further address them or refine the issues for presentation to the Court. Consequently, the Agency is going to be moving for such an extension of time. I wanted to reach-out to you to learn your thoughts on this extension and to see if you had any questions or concerns with this approach. Please just let me know.

I look forward to working with you on this case.

Best regards,

Brian Hudak

Assistant United States Attorney

555 Fourth St., NW

Washington, DC 20530

(202) 514-7143

Yonder, Darla

From: McAllister, Therese P.
Sent: Wednesday, December 30, 2009 1:46 PM
To: Yonder, Darla
Cc: Fletcher, Catherine; Kinney, Rachel
Subject: RE: HELP on Model Related Responses
Attachments: 09-11 DRAFT FINAL RESPONSE - Quick FOIA Letter b-4 Dated 12-29-09.doc; 09-48 DRAFT FINAL RESPONSE - Ritchey FOIA Letter b-4.docx

Darla,

(b)(5)

Terri

From: Yonder, Darla
Sent: Wednesday, December 30, 2009 10:30 AM
To: McAllister, Therese P.
Cc: Fletcher, Catherine; Kinney, Rachel
Subject: HELP on Model Related Responses

Terri,

(b)(5)

(b)(5)

Darla Yonder
Management Analyst
M&O Division
301-975-4064 - Phone
301-926-8091 - Fax

Yonder, Darla

From: Fletcher, Catherine
Sent: Tuesday, December 22, 2009 9:59 AM
To: McAllister, Therese P.
Cc: Yonder, Darla; Kinney, Rachel
Subject: FW: DC Cases; Quick & Ritchey v. NIST
Attachments: ~~ANSYS 7(d) 7-9-09.pdf; Sec. 7(d) Justification- Structural Models final.pdf~~

Terry,

Can you give us some verbiage about the software?

See email below from the DoC attorney.

Thank you.

Hi Catherine,

(b)(5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Malcolm Orr
General Law Division
U.S. Department of Commerce
Phone: (202) 482-2138
Fax: (202) 482-2552
morris@doc.gov

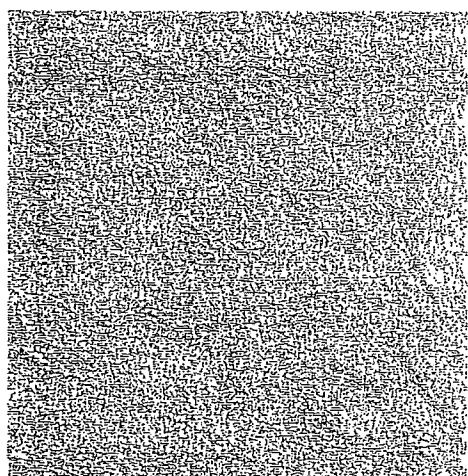
The information in this message may be privileged, and is intended only for the recipient(s) shown. If you are not an intended recipient, delete this message immediately and notify the sender.

Yonder, Darla

From: Orr, Malcolm [MOrr@doc.gov]
Sent: Wednesday, January 06, 2010 1:22 PM
To: Yonder, Darla
Cc: Kinney, Rachel; Fletcher, Catherine
Subject: RE: Final Response for NIST FOIA #09-11 Michael Quick

(b)(5)

From: Yonder, Darla [darla.yonder@nist.gov]
Sent: Wednesday, January 06, 2010 12:45 PM
To: Orr, Malcolm
Cc: Kinney, Rachel; Fletcher, Catherine
Subject: Final Response for NIST FOIA #09-11 Michael Quick



Malcolm,

Attached is a copy of the final response letter to Mr. Michael Quick, NIST FOIA Request # 09-11, that is going out in today's mail.

Per your 12-17-09 email to Catherine, a copy of the final response letter as well as a copy of the responsive documents has also been mailed to the requester's attorney Justin Keogh.

Please let me know if you have any questions.

Thank you,

Darla

~~*~*~*~*~*~*~*

*Darla Yonder
Management Analyst
M&O Division
301-975-4064 - Phone
301-926-8091 - Fax*

Record of Actions Taken

FOIA # 09-48

Type of Requester: All Other

Date	COMMENTS:
2/4/09	Received request via foia@nist
2/6/09	Reviewed request with Legal (ML) -
	
2/6/09	Logged in - copy to COS/PBA
	Ackn. Letter prepared - Emailed
	Fee Estimate Request to BFRL
2-11-09	Received Fee Est. from BFRL
	Prepared FE letter. Finalized - Signed
2/12/09	Emailed letter to requester.
2/12/09	Received follow up ^{??} regarding FE
2-13-09	Spoke with BFRL SC - secretary GC
	who can I talk with about who's
	handling this request. S.C. - Left
	voice mail message ^{for} from SC
2-13-09	Spoke with BFRL (SC) - input files
	are text & executable files
	Output files are Binary files & the
	files will be "uncompressed."
2/17/09	Received written assurance from

Requester:

(b)(5)

(1)

Record of Actions Taken

FOIA # 09-48

Type of Requester: All Others

Date	COMMENTS:
2/18/09	Actual request to BFRL
2-27-09	\$'s received from Requester. Hand
	Carried to Finance
3/16/09	Received email from requester -
	asking for status -
3/17/09	Sent email to BFRL asking for
	status. Sent email to requester
	with that info & will follow up
	once I hear back from BFRL.
3/17/09	Received email from requester - thanks
	for update
3-18-09	BFRL provided response - Responsive
	docs/records are under review
	with Legal [REDACTED]
	[REDACTED]
4-2-09	Received email from DOC Attorney
	asking for status. Spoke with FOIA
	Officer.
4/6/09	Received request for status from

requester

(b)(5)

2

Record of Actions Taken

FOIA # 09-48

Type of Requester: All Other

Date	COMMENTS:
4-9-09	Emailed requester with update
4/9/09	Emailed BFERL for status of Request
4-9-09	Spoke with DOC Attorney (M.T.) regarding
	status of this request. This may
	be related to an open appeal. Info
	provided to DOC Attorney (MT) - NO
	releases have been made to date
5/13/09	Received request from requester - Status
5-14-09	Emailed requester - Legal is still in
	process of reviewing docs.
6/12/09	FOIA officer left message for DOC
	Attorney (MT) - Is this an appeal?
6/24/09	Left message for Requester to call
	FOIA Office.
6-25-09	Sent email to Requester - Responsive
	docs still under legal review -
	however things are moving quickly -
	I'll be in touch as developments
	occur.

Record of Actions Taken

FOIA # 09-48

Type of Requester: All Other

Date	COMMENTS:
7/17/09	Received email from Requester - Asking for Status.
7/20/09	Emailed BFRL to ask about status.
8/5/09	Received email from Requester's Attorney asking for status of FOIA - Letter Received
8/5/09	Emailed BFRL asking for status - Attached copy of email received
8/7/09	FOIA Officer Left message for Mr. Stetter -
11/3/09	NIST received complaint from Requester's Attorney
11-9-09	BFRL provided Responsive Docs.
12-29-09	Forwarded Draft FR to Legal for review/approval - Legal has ??'s about some language in Draft.
12-30-09	Emailed BFRL (TM) - Response received
1/6/10	Legal cleared Draft FR - Forwarded Draft to BFRL for review/clearance
	BFRL - OK'd Draft

(4)

Record of Actions Taken

FOIA # DQ-48

Type of Requester: All other

[illegible]

5

Record of Actions Taken

FOIA # 09-11

Type of Requester: All Other

Date	COMMENTS:
11/14/08	Received request via: FOIA@NIST
11/17/08	Reviewed request with Legal (ML)
	[REDACTED]
	[REDACTED]
11/17/08	Emailed requester - asked for clarification
	Clarification ^{received} received however still very
	broad. Requester mentions model on
	NIST website.
11/18/08	Emailed requester to ask for the
	website he mentions. Requester provided
	response to my request for clarification.
11/19/08	Spoke with B FRL (S.C.) to see if
	the request was detailed enough.
	S.C. explained that the "raw data"
	is reproducible however "Special"
	software would be needed to run
	or access the model. The software
	is called LS-Dyna & runs
	approximately \$10,000. Would take

~~about~~ about an hour to search
for the data.

(b)(5)

(1)

Record of Actions Taken

FOIA # 09-11

Type of Requester: All other

Date	COMMENTS:
11/19/08	Spoke with Requester to explain that the data would be reproducible however the "special" software would be needed. Requester indicated that the "RAW" data was acceptable. Will process this as an ACTUAL to BFR.
	Copy to COS, PBA
	Ackn letter prepared - Mailed 11/19/08
11/24/08	Spoke with S.L. (BFR) / Legal (ML) / FOIA Officer. regarding request. [REDACTED]
	[REDACTED] (b)(5)
	[REDACTED]
	[REDACTED]
	[REDACTED]
11/24/08	Legal reviewed request
11/25/08	Sent email to Requester.
11/25/08	Received email from Requester - DID NOT provide the Clarification Requested.
	Reviewed with Legal (ML) - [REDACTED] (b)(5)

Record of Actions Taken

FOIA # D9-11

Type of Requester: All Other

Date	COMMENTS:
11/25/08 ^{cont.}	[REDACTED]
	[REDACTED]
	[REDACTED]
	[REDACTED]
11/26/08	SPOKE with BFRL (SC) to let him
	know - I'll get it to him early next week.
	After we hear back from DOC Legal.
12/18/08	SPOKE with Requester to inform him
	that we are working on the logistics
	of completing his request. The
	input data "may" be copied onto
	CD's - but that # could be in the
	hundreds. Also the output data
	approx. (3-terabytes) of info would
	need to be placed on hard drives - we
	are compiling a Fee Estimate on the
	possible costs. NIST will contact
	him once we have that Estimate.
12/19/08	Prepared Fee Estimate Request for BFRL

(b)(5)

Record of Actions Taken

FOIA # 09-11

Type of Requester: All Other

Date	COMMENTS:
12/23/08	Received Fee Estimate from BFRL
	Reviewed with FOIA officer. Need to
	verify that the Fee Estimate covered
	request.
1-5-09	Spoke with BFRL (SC) - Fee Estimate
	does cover the Request - OK to proceed
1/5/09	Reviewed FE with Legal (ML) - [REDACTED] (b)(5)
	[REDACTED]
	[REDACTED]
1-6-09	FOIA officer & I spoke with BFRL (SC)
	regarding the Data/files and the
	ability to copy the info onto CD's
	Per BFRL (SC) - the voluminous amounts
	of information approximately 2-Terabytes
	would not be able to copied to DVD's
	DVD's - hold 4 ter gigabytes of info.
	2 terabytes of info is approx 1,000 gigabytes
	therefore it would require approx 500 DVD's
	Another issue is that some of the individual
	files are larger than 4 gigabytes & isn't possible to copy the larger files

(4)

Record of Actions Taken

FOIA # 09-11

Type of Requester: All Other

Date	COMMENTS:
1/6/09 cont.	Therefore the most effective way to provide the info/files to requester is by transferring files to hard drives.
1-8-09	Emailed Draft response to BFRL
	Requested review of technical description
	Received comments from BFRL
1-9-09	Prepared Final FE letter for Requester - Mailed
2-3-09	Requester asked for a 30 Day extension on Due Date \$'s are Due.
2-6-09	Request for extension of Due Date
	Granted. New date 3/9/09
2/20/09	Check Received
2/24/09	Hand Carried Check to Finance.
2/24/09	Sent BFRL request to proceed with
	Actual Due Date 3/13/09
3/17/09	Received email from requester - asking for status. Emailed BFRL (BG)
	(cc'd secretary)
3/18/09	Received info from BFRL: 00000000

Record of Actions Taken

FOIA # 09-11

Type of Requester: All Other

Date	COMMENTS:
3/18/09	[REDACTED]
	[REDACTED]
6/12/09	After meeting with BFRL regarding models. The FOIA Office provided BFRL with another copy of FOIA Request.
7/20/09	Emailed BFRL & asked about status of processing this request.
8/5/09	Sent reminder email to BFRL asking for status.
8/7/09	Received email from requester asking for status.
11/3/09	NIST received a copy of Complaint filed by Requester's attorney.
11/9/08	BFRL provided requested info.
12/29/09	Forwarded Draft FR to Legal for review/clearance.
1/6/10	Legal approved

(b)(5)

(6)

Record of Actions Taken

FOIA # 09-11

Type of Requester: All Other

[illegible]

Date: Thu, 13 Nov 2008 10:12:58 -0500 [11/13/2008 10:12:58 AM EST]

From: MQ2001 [REDACTED]

To: foia@nist.gov

Subject: Certified Copy of NIST Models used for WTC Investigation

Printed By: foia@nist.gov

I request a complete "Certified" legitimate copy of the Computer Models Used by NIST to come to the conclusions' it reached in the Investigation of the events of September 11, 2001.

Reason for Request: to match your models up to standard building codes

Please forward Invoice or data to the code of the models used.

Thank You,
Loyal American

Michael Quick, [REDACTED]

(B)(6)

RECEIVED

NOV 14 2008

MANAGEMENT & ORGANIZATION
DIVISION

FOIA Request

#09-11

Date: Mon, 17 Nov 2008 11:34:31 -0500 [11:34:31 AM EST]

From: MQ2001 [REDACTED] (b)(6)

To: foia@nist.gov

Subject: Re: Clarification Needed Regarding Your FOIA Request

Printed By: foia@nist.gov

well lets reduce the request to the model in question, released on NIST website in reference to WTC 7 demise.

M

----- Original Message ----- From: <foia@nist.gov>

To: [REDACTED] (b)(6)

Sent: Monday, November 17, 2008 10:08 AM

Subject: Clarification Needed Regarding Your FOIA Request

[Hide Quoted Text]

Dear Mr. Quick,

Regarding your e-mail request dated November 13, 2008 to the National Institute of Standards and Technology (NIST), Freedom of Information Act (FOIA) office for information. Your request was received at the Freedom of Information Act (FOIA) Control Desk on November 14, 2008.

We are unable to process your FOIA request as submitted because we are not sure what information you are seeking.

You requested a ?complete ?Certified? legitimate copy of the Computer Models Used by NIST to come to the conclusions' it reached in the Investigation of the events of September 11, 2001.?

Your request is overly broad as many different models were used to complete the WTC Reports. In order to process your request correctly, please describe as best as possible the records you are requesting.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

Date: Tue, 18 Nov 2008 14:40:06 -0500 [02:40:06 PM EST]

From: foia@nist.gov

To: MQ2001 [REDACTED] (b)(6)

Subject: Re: Clarification Needed Regarding Your FOIA Request

Printed By: foia@nist.gov

Mr. Quick,
To ensure that we understand which model you are requesting please send me the link from the NIST Website you are referring to.
Thank you,
Darla

Quoting MQ2001 [REDACTED] (b)(6)

[Hide Quoted Text]

Well lets reduce the request to the model in question, released on NIST website in reference to WTC 7 demise.

M

----- Original Message ----- From: <foia@nist.gov>

To: [REDACTED] (b)(6)

Sent: Monday, November 17, 2008 10:08 AM

Subject: Clarification Needed Regarding Your FOIA Request

Dear Mr. Quick,

Regarding your e-mail request dated November 13, 2008 to the National Institute of Standards and Technology (NIST), Freedom of Information Act (FOIA) office for information. Your request was received at the Freedom of Information Act (FOIA) Control Desk on November 14, 2008.

We are unable to process your FOIA request as submitted because we are not sure what information you are seeking.

You requested a ?complete ?Certified? legitimate copy of the Computer Models Used by NIST to come to the conclusions' it reached in the Investigation of the events of September 11, 2001.?

Your request is overly broad as many different models were used to complete the WTC Reports. In order to process your request correctly, please describe as best as possible the records you are requesting.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

Date: Tue, 18 Nov 2008 16:59:19 -0500 [11/18/2008 04:59:19 PM EST]

From: MQ2001 [REDACTED] (b)(6)

To: foia@nist.gov

Subject: Re: Clarification Needed Regarding Your FOIA Request

Printed By: foia@nist.gov

Ok, how many models do you have.. ?

I only noticed one, the one that looked like a cartoon.

not sure of the URL for the model describing the collapse... that was initiated without the use of explosives...

M

----- Original Message ----- From: <foia@nist.gov>

To: "MQ2001" [REDACTED] (b)(6)

Sent: Tuesday, November 18, 2008 2:40 PM

Subject: Re: Clarification Needed Regarding Your FOIA Request

Mr. Quick,

To ensure that we understand which model you are requesting please send me the link from the NIST Website you are referring to.

Thank you,

Darla

Quoting MQ2001 [REDACTED] (b)(6)

[Hide Quoted Text]

Well lets reduce the request to the model in question, released on NIST website in reference to WTC 7 demise.

M

----- Original Message ----- From: <foia@nist.gov>

To: [REDACTED] (b)(6)

Sent: Monday, November 17, 2008 10:08 AM

Subject: Clarification Needed Regarding Your FOIA Request

Dear Mr. Quick,

Regarding your e-mail request dated November 13, 2008 to the National Institute of Standards and Technology (NIST), Freedom of Information Act (FOIA) office for information. Your request was received at the Freedom of Information Act (FOIA) Control Desk on November 14, 2008.

We are unable to process your FOIA request as submitted because we are not sure what information you are seeking.

You requested a ?complete ?certified? legitimate copy of the Computer Models Used by NIST to come to the conclusions' it reached in the Investigation of the events of September 11, 2001.?

Your request is overly broad as many different models were used to complete the WTC Reports. In order to process your request correctly, please describe as best as possible the records you are requesting.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

Date: Tue, 18 Nov 2008 18:23:52 -0500 [11/18/2008 06:23:52 PM EST]

From: Mike <[REDACTED]> (b)(6)

To: foia@nist.gov

Subject: Re: Clarification Needed Regarding Your FOIA Request

Printed By: foia@nist.gov

RECEIVED

NOV 19 2008

MANAGEMENT & ORGANIZATION
DIVISION

Thank You, I found link to the video or the model for WTC 7
here is the URL.
http://www.nist.gov/public_affairs/releases/wtc_videos/wtc_videos.html

ok, this is what I am trying to reconcile, notice your demo's of the collapse
notice how the building falls...
notice the structure bears no resemblance to the structure of WTC 7,
the only thing these structures have in common is they are both 47 stories.
your model does not equal the actual collapse of the building documented in video
evidence.
but you know this... interesting....

M

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To: "MQ2001" <[REDACTED]> (b)(6)

Sent: Tuesday, November 18, 2008 2:40 PM

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Darla Yonder
Management Analyst
NIST FOIA Office

UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology

NOV 20 2008

Mr. Michael Quick

[REDACTED] (b)(6)

Dear Mr. Quick,

This letter acknowledges receipt of your November 13, 2008, Freedom of Information Act (FOIA) request to the National Institute of Standards and Technology (NIST) in which you requested "a complete 'Certified' legitimate copy of the Computer Models Used by NIST to come to the conclusions' it reached in the investigation of the events of September 11, 2001." My office contacted you to clarify your incoming request as it was very broad. Our conversation on 11/19/08 clarified that you would be interested in receiving the "raw data" of the models regarding the collapse of World Trade Center (WTC) Building 7 found at the following website: http://www.nist.gov/public_affairs/releases/wtc_videos/wtc_videos.html

Your clarified request was received at the FOIA Control Desk on November 19, 2008, and was assigned FOIA Log #09-11.

For the purpose of the FOIA, you are in the "all other requesters" category. This means that you will be charged for the search and duplication of responsive documents excluding the cost of the first 2 hours of search and the first 100 pages of duplication. Upon completion of the fee estimate, I will be in contact with you as to the amount owed to process your request.

Sincerely,

151

Catherine S. Fletcher
Freedom of Information Act Officer

CONTROL #		WRITER:	
SURNAME	DATE	SURNAME	DATE

official file copy

Date: Mon, 24 Nov 2008 12:57:47 -0500 [12:57:47 PM EST]

From: MQ2001 [REDACTED] (b)(6)

To: foia@nist.gov

Subject: Re: Clarification Needed Regarding Your FOIA Request

Printed By: foia@nist.gov

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To: <foia@nist.gov>
Sent: Tuesday, November 18, 2008 4:59 PM
Subject: Re: Clarification Needed Regarding Your FOIA Request

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Thank you,
Darla Yonder
Management Analyst

Date: Mon, 24 Nov 2008 15:55:30 -0500 [03:55:30 PM EST]

From: MQ2001 <[REDACTED]> (b)(6)

To: foia@nist.gov

Subject: Ok, no explosives were used - well check this out... care to revise.

Printed By: foia@nist.gov

Warning: This message may not be from whom it claims to be. Beware of following any links in it or of providing the sender with any personal information. The links that caused this warning have the same background color as this message.

well it didnt take me long to draw that conclusion into question.

abovetopsecret.com post:

I wonder why they didnt find the use of explosives , heck it was easy enough for me to conclude it was imploded after expert testimony, eyewitness accounts, and the video evidence .. it is rather clear it was explosives ..

video.google.com...

www.youtube.com...

www.youtube.com...

www.youtube.com...

well, now I am throughly confused... hopefully, your models will tell us the population who is lying here.
Video - Eyewitnesses or NIST...? hummmm

Date: Tue, 25 Nov 2008 07:33:58 -0500 [07:33:58 AM EST]

From: foia@nist.gov

To: MQ2001 [REDACTED] (b)(6)

Subject: Re: Clarification Needed Regarding Your FOIA Request

Printed By: foia@nist.gov

Mr. Quick,
NIST requires further clarification in order to respond to your request under the Freedom of Information Act (FOIA). During our conversation on November 21, 2008 you indicated that you were requesting the "raw" data for the computer model used in the analysis of the collapse of WTC 7. Will you please clarify whether you mean the "raw" data input into the model of the "raw" data output from the model, or both?

Please also advise us whether you are requesting this information in electronic format or hard copy.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

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Management Analyst
NIST FOIA Office

Date: Tue, 25 Nov 2008 09:41:37 -0500 [09:41:37 AM EST]
From: MQ2001 [REDACTED] (b)(6)
To: foia@nist.gov
Subject: Re: Clarification Needed Regarding Your FOIA Request
Printed By: foia@nist.gov

well - you have the catalog, how many products are in the catalog and the product called Raw Data is of the building, the model or the test data, or the tests ran, is there more to this "RAW DATA", like a title and if so, can I examine the titles of the RAW DATA's..
Do I have a choice between Big Mac or a Qtr lb'er with cheese?

<M>

----- Original Message ----- From: <foia@nist.gov>
To: "MQ2001" [REDACTED] (b)(6)
Sent: Tuesday, November 25, 2008 7:33 AM
Subject: Re: Clarification Needed Regarding Your FOIA Request

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NIST FOIA Office

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Thank you,
Darla

Darla Yonder

From: "MQ2001" [REDACTED] (b)(6)
To: <foia@nist.gov>
Sent: Thursday, November 13, 2008 11:12 AM
Subject: Certified Copy of NIST Models used for WTC Investigation

I request a complete "Certified" legitimate copy of the Computer Models Used by NIST to come to the conclusions it reached in the Investigation of the events of September 11, 2001.

Reason for Request: to match your models up to standard building codes

Please forward Invoice or data to the code of the models used.

Thank You,
Loyal American

Michael Quick, [REDACTED] (b)(6)
[REDACTED]
[REDACTED]

6/12/2009

UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology

JAN 09 2009

Mr. Michael Quick

[REDACTED]

(b)(6)

Dear Mr. Quick,

This letter is in response to your Freedom of Information Act (FOIA) request # 09-11 to National Institute of Standards and Technology (NIST) a complete 'Certified' legitimate copy of the Computer Models Used by NIST to come to the conclusions' it reached in the investigation of the events of September 11, 2001." My office contacted you to clarify your incoming request, as it was very broad. Our phone conversation on 11/19/08 clarified that you would be interested in receiving the 'raw data' of the models regarding the collapse of World Trade Center (WTC) Building 7 found at the following website.

http://www.nist.gov/public_affairs/releases/wtc_videos/wtc_videos.html

It was previously determined that you are in the "all other requesters" category, for which chargeable services include search and duplication of responsive documents excluding the cost of the first 2 hours of search and the first 100 pages of duplication. We initially estimate this cost to be \$824.98. The cost breakdown for this estimate is based on the duplication of the input and output files for the model, which is approximately two (2) terabytes of information. The most effective way of providing this voluminous amount of files would be to place them onto two (2) computer harddrives. As previously discussed, NIST would only be able to provide you with the data. The commercially available software, LS-DYNA, would be required to access the files. Upon receipt of a check or money order payable to the "United States Treasury" in the amount of \$824.98, we will begin the search and duplication of responsive documents. Since this is just an estimate, if the actual cost for search and duplication of responsive documents is less than the estimate, the overage will be refunded promptly. Likewise, if the actual cost for search and duplication of responsive documents is more than the estimate, you will be required to pay the difference. Please be advised that these charges are assessed whether or not responsive documents are located and whether or not any of these documents are exempt from disclosure under FOIA.

Please forward your check or money order to me at the following address:

NIST Freedom of Information Act Officer
Mail Stop 1710
100 Bureau Drive
Gaithersburg, MD 20899-1710

CONTROL #		WRITER:	
SURNAME	DATE	SURNAME	DATE

If we do not receive a check or money order from you within thirty calendar days of the date on this letter, we will assume that you are no longer interested in receiving the documents requested and your FOIA request will be closed.

Sincerely,

A handwritten signature in black ink, appearing to be 'CSF' or similar, written in a cursive style.

Catherine S. Fletcher
Freedom of Information Act Officer

Darla Yonder

From: <foia@nist.gov>
To: [REDACTED] (b)(6)
Sent: Monday, November 17, 2008 10:08 AM
Attach: 09-11IncomingRequest.eml
Subject: Clarification Needed Regarding Your FOIA Request

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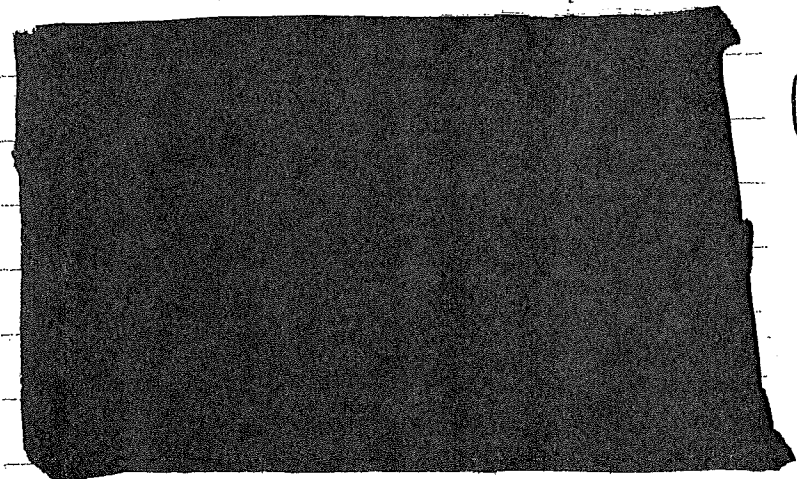
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Management Analyst
NIST FOIA Office

#09-11



(b)(5)

11/17/2008

Date: Tue, 3 Feb 2009 19:10:21 -0500 [02/03/2009 07:10:21 PM EST]
From: Mike [REDACTED] (b)(6)
To: foia@nist.gov
Subject: Update on FOIA Request Michael Quick
Printed By: foia@nist.gov

Update:

as of 02-03-2009, The Citizens of the United States have raised approximately \$470 -- we envision reaching the goal of \$825 prior to our FOIA Expiration. in the event we some how fail in reaching this goal can we ask for a 30 day extension ? -- please make the following changes to shipping address for the data

Michael Quick
c/o Justin Keogh AE911Truth
[REDACTED] (b)(6)

Thank You,
Michael Quick

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Management Analyst
NIST FOIA Office

X-Sieve: CMU Sieve 2.3
Date: Wed, 18 Mar 2009 07:52:57 -0400
From: foia@nist.gov
To: "Grosshandler, William L" <william.grosshandler@nist.gov>
Cc: "Nelson, Shanille D." <shanille.nelson@nist.gov>,
"Fletcher, Catherine
S" <catherine.fletcher@nist.gov>
Subject: Fwd: request update on FOIA Request: Michael Quick
User-Agent: Internet Messaging Program (IMP) 4.3.3
X-NIST-MailScanner: Found to be clean
X-NIST-MailScanner-From: foia@nist.gov
X-NIST-MailScanner-Information:

Good morning Bill,
Can you tell me what the status of FOIA Request #09-11? On February 24, 2009 I forwarded a request to your attention requesting that BFRl proceed with the actual collection of records responsive to this request.

I received the e-mail below from the requester asking for status of his FOIA. I need to follow up with him regarding the status of his FOIA. Any updates you can provide would be greatly appreciated.

Let me know if you have any questions.
Thank you for your assistance,
Darla

Return-Path: [REDACTED]

(b)(6)

Received: from postmark.nist.gov ([unix socket])
by email.nist.gov (Cyrus v2.3.9-Invoca-RPM-2.3.9-3) with LMTPA;
Tue, 17 Mar 2009 16:17:21 -0400

X-Sieve: CMU Sieve 2.3
Received: from smtp.nist.gov (rimp1.nist.gov [129.6.16.226])
by postmark.nist.gov (8.13.1/8.13.1) with ESMTP id n2HKHGde004640
for <foia@nist.gov>; Tue, 17 Mar 2009 16:17:16 -0400

Received: from spamav2.nist.gov (spamav2.nist.gov [129.6.13.239])
by smtp.nist.gov (8.13.1/8.13.1) with ESMTP id n2HKHPJF000326
for <foia@nist.gov>; Tue, 17 Mar 2009 16:17:25 -0400

Received: from bay0-omc2-s36.bay0.hotmail.com (bay0-omc2-s36.bay0.hotmail.com [65.54.246.172])
by spamav2.nist.gov (8.14.1/8.14.1) with ESMTP id n2HKHAsEO24504
for <foia@nist.gov>; Tue, 17 Mar 2009 16:17:11 -0400

Received: from hotmail.com ([64.4.39.23]) by bay0-omc2-s36.bay0.hotmail.com with Microsoft SMTPSVC (6.0.3790.3959);

Tue, 17 Mar 2009 13:17:10 -0700

Received: from mail pickup service by hotmail.com with Microsoft SMTPSVC;
Tue, 17 Mar 2009 13:17:10 -0700

Message-ID: <BAY140-DAV136567DF67E473395183FOCE980@phx.gbl>

Received: from 71.100.207.17 by BAY140-DAV13.phx.gbl with DAV;

Tue, 17 Mar 2009 20:17:07 +0000

X-Originating-IP: [71.100.207.17]

X-Originating-Email: [REDACTED]

X-Sender: [REDACTED]

From: "MQ2001" [REDACTED]

To: <foia@nist.gov>

Subject: request update on FOIA Request: Michael Quick

Date: Tue, 17 Mar 2009 16:17:07 -0400

MIME-Version: 1.0

Content-Type: multipart/alternative;

boundary="-----_NextPart_000_0009_01C9A71B.D1708E60"

X-Priority: 3

X-MSMail-Priority: Normal

X-Mailer: Microsoft Outlook Express 6.00.2900.5512

X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2900.5579

X-OriginalArrivalTime: 17 Mar 2009 20:17:10.0262 (UTC) FILETIME=[5A102160:01C9A73D]

X-Proofpoint-Virus-Version: vendor=fsecure engine=1.12.7400:2.4.4,1.2.40,4.0.166 definitions=2009-03-17_08:2009-03-13,2009-03-17,2009-03-17 signatures=0

X-PP-SpamDetails: rule=spampolicy2_notspam policy=spampolicy2 score=0 spamscore=0 ipscore=0 phishscore=0 bulkscore=0 adultscore=0 classifier=spam adjust=0 reason=mlx engine=5.0.0-0811170000 definitions=main-0903170145

X-PP-SpamScore: 0

X-NIST-MailScanner: Found to be clean

X-NIST-MailScanner-From: michaelquick2001@hotmail.com

X-NIST-MailScanner-Information:

can I get a update on my request - for the models and data files.

Michael Quick

[REDACTED] (b)(6)

Date: Tue, 17 Mar 2009 16:17:07 -0400 [03/17/2009 04:17:07 PM EDT]

From: MQ2001 [REDACTED] (b)(6)

To: foia@nist.gov

Subject: request update on FOIA Request: Michael Quick

Printed By: foia@nist.gov

can I get a update on my request - for the models and data files.

Michael quick
[REDACTED]

(b)(6)

Date: Fri, 13 Feb 2009 14:49:23 -0500 [02:49:23 PM EST]

From: MQ2001 [REDACTED] (b)(6)

To: foia@nist.gov

Subject: RE: FOIA Request: Michael Quick

Printed By: foia@nist.gov

Status Update: 2 - 13 -2009

The Citizens of the United States of America have accomplished the goal of 825.00 \$US with a healthy surplus, which will be decided on at a later date, I personally requested the funds go to firemen and police victims fund for 911.

A check made out to the U.S. Treasury will be issued from A&E911truth. will be arriving shortly.

Thank You,
Michael Quick

Date: Fri, 06 Feb 2009 11:48:08 -0500 [11:48:08 AM EST]
From: foia@nist.gov
To: Mike [REDACTED] (b)(6)
Subject: Regarding NIST FOIA Request #09-11
Printed By: foia@nist.gov

Mr. Quick,
Your request for an extension of the due date for receipt of payment to process your FOIA request has been granted. The new due date will be March 9, 2009.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

Quoting Mike [REDACTED] (b)(6)

[Hide Quoted Text]

Update:
as of 02-03-2009, The Citizens of the United States have raised approximately \$470 -- we envision reaching the goal of \$825 prior to our FOIA Expiration. in the event we some how fail in reaching this goal can we ask for a 30 day extension ? -- please make the following changes to shipping address for the Data

Michael Quick
c/o Justin Keogh AE911Truth

Thank You,
Michael Quick

----- Original Message ----- From: <foia@nist.gov>
To: "MQ2001" [REDACTED] (b)(6)
Sent: Tuesday, November 25, 2008 7:33 AM
Subject: Re: Clarification Needed Regarding Your FOIA Request

Mr. Quick,
NIST requires further clarification in order to respond to your request under the Freedom of Information Act (FOIA). During our conversation on November 21, 2008 you indicated that you were requesting the "raw" data for the Computer Model used in the analysis of the collapse of WTC 7. Will you please clarify whether you mean the "raw" data input into the model of the "raw" data output from the model, or both?

Please also advise us whether you are requesting this information in electronic format or hard copy.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

Quoting MQ2001 [REDACTED] (b)(6)

received your letter regarding the estimate and the cost of servicing my request. Hum, well if its more than a haundred - we will have to pass the hat among the citizens. and then there is the question of the data. it appears, your press release of Nov. 20th raised more questions and concerns than the usual rooted in firm science. I just know metal building dont just commit suicide like WTC7 did. can you elaborate...

<M>

----- Original Message ----- From: "MQ2001" [REDACTED] (b)(6)
To: <foia@nist.gov>
Sent: Tuesday, November 18, 2008 4:59 PM

Subject: Re: Clarification Needed Regarding Your FOIA Request

Ok, how many models do you have.. ?
I only noticed one, the one that looked like a cartoon.
not sure of the URL for the model describing the collapse... that was initiated
without the use of explosives...

M

----- Original Message ----- From: <foia@nist.gov>
To: "MQ2001" [REDACTED] (b)(6)
Sent: Tuesday, November 18, 2008 2:40 PM
Subject: Re: Clarification Needed Regarding Your FOIA Request

Mr. Quick,
To ensure that we understand which model you are requesting please
send me the link from the NIST Website you are referring to.
Thank you,
Darla

Quoting MQ2001 [REDACTED]: (b)(6)

Well lets reduce the request to the model in question, released on NIST website in
reference to WTC 7 demise.

M

----- Original Message ----- From: <foia@nist.gov>
To: [REDACTED] (b)(6)
Sent: Monday, November 17, 2008 10:08 AM
Subject: Clarification Needed Regarding Your FOIA Request

Dear Mr. Quick,

Regarding your e-mail request dated November 13, 2008 to the National
Institute of Standards and Technology (NIST), Freedom of Information
Act (FOIA) office for information. Your request was received at the
Freedom of Information Act (FOIA) Control Desk on November 14, 2008.

We are unable to process your FOIA request as submitted because we are
not sure what information you are seeking.

You requested a ?complete ?Certified? legitimate copy of the Computer
Models Used by NIST to come to the conclusions' it reached in the
Investigation of the events of September 11, 2001.?

Your request is overly broad as many different models were used to
complete the WTC Reports. In order to process your request correctly,
please describe as best as possible the records you are requesting.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

Date: Fri, 6 Feb 2009 20:27:47 -0500 [02/06/2009 08:27:47 PM EST]
From: Mike [REDACTED] (b)(6)
To: foia@nist.gov
Cc: "Justin Keogh" [REDACTED] (b)(6)
Subject: Re: Regarding NIST FOIA Request #09-11
Printed By: foia@nist.gov

Thank You Very Much... and this Link NIST short comings was just released - more than likely I will have more requests coming shortly. :)
<http://www.journalof911studies.com/volume/2008/TheMissingJolt7.pdf>

and again Thank You,
Michael Quick

----- Original Message ----- From: <foia@nist.gov>
To: "Mike" [REDACTED] (b)(6)
Sent: Friday, February 06, 2009 11:48 AM
Subject: Regarding NIST FOIA Request #09-11

Mr. Quick,
Your request for an extension of the due date for receipt of payment to process your FOIA request has been granted. The new due date will be March 9, 2009.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

Quoting Mike [REDACTED] (b)(6)

[Hide Quoted Text]

Update:
as of 02-03-2009, The Citizens of the United States have raised approximately \$470 -- we envision reaching the goal of \$825 prior to our FOIA Expiration. in the event we some how fail in reaching this goal can we ask for a 30 day extension ? -- please make the following changes to shipping address for the data

Michael Quick
c/o Justin Keogh AE911Truth

[REDACTED] (b)(6)

Thank You,
Michael Quick

----- Original Message ----- From: <foia@nist.gov>
To: "MQ2001" [REDACTED] (b)(6)
Sent: Tuesday, November 25, 2008 7:33 AM
Subject: Re: Clarification Needed Regarding Your FOIA Request

Mr. Quick,
NIST requires further clarification in order to respond to your request under the Freedom of Information Act (FOIA). During our conversation on November 21, 2008 you indicated that you were requesting the "raw" data for the Computer Model used in the analysis of the collapse of WTC 7. Will you please clarify whether you mean the "raw" data input into the model of the "raw" data output from the model, or both?

Please also advise us whether you are requesting this information in electronic format or hard copy.

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

(b)(6)

 $\langle M \rangle$

(b)(6)

M

st.gov>
(b)(6)
YOUR FOOT

Quoting MQ2001 [REDACTED] (b)(6)

M

foia@nist
(b)(6)
8 AM (6)

Thank you,
Darla Yonder
Management Analyst
NIST FOIA Office

SHIPPING ORDER

FOR FURTHER INFORMATION, CALL NAME: Darla Yonder E-MAIL (for tracking number): darla.yonder@nist.gov ALTERNATE E-MAIL: foia@nist.gov		TELEPHONE NUMBER x4064	DATE 1/6/10
ORGANIZATION (xx-xx-xxxx-xx-xx-xx-xx) 01-17-0171-00-00-00-00	PROJECT-TASK (xxxxxxx-xxx) 1710951-000		REQUISITION NUMBER 10-171-1000

SHIP FROM NIST/U.S. DEPARTMENT OF COMMERCE 100 BUREAU DRIVE GAITHERSBURG, MD 20899- 1710	SHIP TO ☐ Business ☒ Residence	
	NAME OF COMPANY: Mr. Michael Quick ATTN:	
	STREET ADDRESS: (b)(6)	
	ADDRESS: (b)(6)	
	CITY: (b)(6) STATE: (b)(6) ZIP CODE: (b)(6) COUNTRY: USA	
TELEPHONE NUMBER: PURCHASE ORDER # OR RMA #:		

DESCRIPTION (Include NIST property and manufacturer's serial number when pertinent; itemize all separate parts or attachments)
(If necessary, continue in Remarks)

HAZARDOUS MATERIAL ☐ YES ☒ NO If yes attach a MSD (Material Safety Data Sheet); QUANTITY: _____ (mL, L, g, kg)

NOTE: International Shipments Duties, Tax, Customs, Other Fees CHARGE to ☒ N.I.S.T. ☐ RECEIVER ☐ THIRD PARTY

CALIBRATION CHARGES: \$ _____

COUNTRY OF MANUFACTURE: _____

ESTIMATED VALUE 0	AS AN AGENCY OF THE FEDERAL GOVERNMENT, NIST IS SELF-INSURED	
SUGGESTED METHOD OF SHIPMENT Certified Mail	REQUIRED DELIVERY DATE ASAP	TRANSPORTATION CHARGES ☐ PREPAID ☐ COLLECT ☐ THIRD PARTY Collect or 3 rd Party ACCOUNT #: _____
	PURPOSE (e.g., return of test materials, loan, repairs, etc.) Final Response for FOIA #09-11	
		AUTHORIZED (SIGNATURE, NAME AND TITLE) <i>Darla Yonder</i> (for) Catherine S. Fletcher, Chief, M&O, NIST

NUMBER OF PIECES	GROSS WEIGHT	ESTIMATED SHIPPING COSTS	BILL OF LADING NUMBER	SHIPPED VIA	DATE

REMARKS
CERTIFIED MAIL:
7002-2030-0007-9482-4105

RECEIVED BY



UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899-

JAN 6 2010

 COPY

Mr. Michael Quick
 (b)(6)

Dear Mr. Quick,

This letter is the final response to your November 13, 2008, Freedom of Information Act (FOIA) #09-11 request to the National Institute of Standards and Technology (NIST) in which you requested "a complete 'Certified' legitimate copy of the Computer Models used by NIST to come to the conclusions it reached in the investigation of events of September 11, 2001." On November 18, 2008 you clarified your request to include "only the model in question that was released on NIST's website in reference to World Trade Center (WTC) 7 demise."

Enclosed you will find a disc that contains 19,114 files (approximately 20% of all responsive records) that can be released and are responsive to your request for the Computer Models used by NIST. The files on the disc contain input files of a version of the 16-story ANSYS model of the WTC 7 structure that does not include the connection models and was analyzed with service gravity loads, 3 sets of ANSYS input temperature files, and input files of the 47-story LS-DYNA global collapse model of the WTC 7 structure with no connection details.

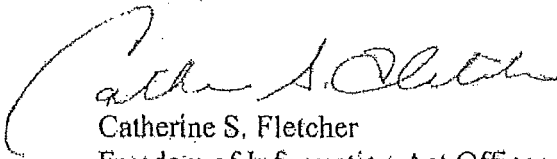
We are, however, withholding 74,777 files (approximately 80% of all responsive records). The NIST Director determined that the release of these data might jeopardize public safety. This withheld data include remaining input and all results files of the ANSYS 16-story collapse initiation model, break element source code, ANSYS script files for the break elements, custom executable ANSYS file, all input and results files of the LS-DYNA 47-story global collapse model, and all spreadsheets and other supporting calculations used to develop floor connection failure modes and capacities. In order to work with the ANSYS and LS-DYNA files, a copy of the licensed software is required.

These records are currently exempt from disclosure under section (b)(3) of the FOIA, 5 U.S.C. § 552(b)(3). Exemption (b)(3) permits an agency to withhold records in an agency's possession which are records that are "specifically exempted from disclosure by statute (other than 15 U.S.C. 552(b)), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld."

NIST

The statute underlying the (b)(3) exemption in this case is the National Construction Safety Team (NCST) Act, 15 U.S.C. § 7301 et seq. Section 12 of the NCST Act (15 U.S.C. § 7311) provides that it applies to the activities of NIST in response to the attacks of September 11, 2001. Section 7(d) of the NCST Act (15 U.S.C. § 7306(d)), exempts from disclosure, information received by NIST in the course of the investigations regarding building failures if the Director finds that the disclosure of the information might jeopardize public safety. On July 9, 2009, the Director of NIST determined that release of the withheld information might jeopardize public safety. Therefore, these records are being withheld.

Sincerely,



Catherine S. Fletcher
Freedom of Information Act Officer

Enclosure

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2 and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

(b)(6) Mr. Justin Keogh
[Redacted]
[Redacted]
[Redacted]

2. Article Number
(Transfer from service label)

7002 2030 0007 9482 4167

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-0835

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

11/11/10

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2 and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

(b)(6) Mr. Michael Quick
[Redacted]
[Redacted]
[Redacted]

2. Article Number
(Transfer from service label)

7002 2030 0007 9482 4105

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-0835

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

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☐ No

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☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes