

## **FOIA EXEMPTIONS**

**Exemption (b) 1:** Classified national defense and foreign relations information.

**Exemption (b) 2:** Internal agency personnel rules and practices.

**Exemption (b) 3:** Information that is prohibited from disclosure by another federal law.

**Exemption (b) 4:** Trade secrets and commercial or financial information obtained from a person that is privileged or confidential.

**Exemption (b) 5:** Inter-agency or intra-agency memoranda or letters that are protected by legal privileges, that include but are not limited to:

1. Attorney-Work Product Privilege
2. Attorney-Client Privilege
3. Deliberative Process Privilege
4. Presidential Communications Privilege

**Exemption (b) 6:** Personnel, medical, financial, and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

**Exemption (b) 7:** Certain types of information compiled for law enforcement purposes. Law enforcement information is exempt if it:

1. 7(A). Could reasonably be expected to interfere with enforcement proceedings.
2. 7(B). Would deprive a person of a right to a fair trial or an impartial adjudication.
3. 7(C). Could reasonably be expected to constitute an unwarranted invasion of personal privacy.

4. 7(D). Could reasonably be expected to disclose the identity of a confidential source .
5. 7(E). Would disclose techniques and procedures for law enforcement investigations or prosecutions.
6. 7(F). Could reasonably be expected to endanger the life or physical safety of any individual.

**Exemption (b) 8:** Records that are contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions.

**Exemption (b) 9:** Geological and geophysical information and data, including maps, concerning wells.

### **FOIA EXCLUSIONS**

Congress has provided special protection in the FOIA for three narrow categories of law enforcement and national security records. The provisions protecting those records are known as “exclusions.”

**(c) (1) Exclusion:** Subject of a criminal investigation or proceeding is unaware of the existence of records concerning the pending investigation or proceeding and disclosure of such records would interfere with the investigation or proceeding.

**(c) (2) Exclusion:** Informant records maintained by a criminal law enforcement agency and the individual's status as an informant is not known.

**(c) (3) Exclusion:** Existence of FBI foreign intelligence, counterintelligence or international terrorism records are classified fact.