

FOIA EXEMPTIONS

(b)(1) – exempts from disclosure classified national security information

(b)(2) – exempts from disclosure records related solely to the internal personnel rules and practices of an agency.

(b)(3) – exempts from disclosure information prohibited from disclosure by another statute. An example of such a statute is section 12(c) of the Export Administration Act which protects information concerning export license applications.

(b)(4) – exempts from disclosure (1) trade secrets and (2) information which is (a) commercial or financial, (b) obtained from a person and (c) privileged or confidential. This exemption applies only to information submitted from outside the government. Information which has been voluntarily submitted is confidential if it constitutes information which the submitter would not customarily make available to the public. Information which has been compelled to be submitted is confidential if disclosure is likely to: 1) impair the government's ability to obtain necessary information in the future or 2) cause substantial harm to the competitive position of the person from whom the information was obtained.

(b)(5) – exempts from disclosure internal Federal government documents which are both pre-decisional and deliberative. In addition, the attorney work-product privilege and the attorney-client privilege have been incorporated into exemption (b)(5).

(b)(6) – exempts from disclosure information about individuals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, so long as that invasion is not outweighed by a public interest in disclosure.

(b)(7) – exempts from disclosure records or information compiled for law enforcement purposes (administration, civil, or criminal.)