

UNCLASSIFIED

Freedom of Information Act (FOIA) Exemptions & Privacy Act (PA) Equivalents

(Assert a FOIA exemption for every PA exemption. In some cases, only a FOIA exemption may apply.)

<u>FOIA Exemptions</u>	<u>PA Exemptions</u>
(b)(1) CLASSIFIED INFORMATION	(k)(1) CLASSIFIED INFORMATION
(b)(3) WITHHOLDINGS AUTHORIZED BY STATUTE FOR ANY REASON NRO uses 10 U.S.C. § 424 for organizational information, functions, titles, names, occupational series, grade, salary, organization or any function of the NRO; the number of persons employed by or assigned or detailed to the NRO; or the name or official title, occupational series, grade, or salary of any such person.	[NO PRIVACY ACT COROLLARY]
(b)(3) WITHHOLDINGS AUTHORIZED BY STATUTE FOR ANY REASON NRO uses 50 U.S.C. § 3024(i) for protections of sources and methods. If classified sources and methods, assert (k)(1).	(k)(6) TESTS OR EVALS, FOR FEDERAL EMPLOYMENT IF EFFECTIVENESS HURT BY DISCLOSURE
(b)(4) BUSINESS INFORMATION (Confidential business information)	[Privacy Act generally would not apply to business info.]
(b)(5) PRIVILEGED (e.g., ATTORNEY WORK PRODUCT, ATTORNEY CLIENT, OR PREDECISIONAL MATERIAL).	(d)(5) COMPILED IN ANTICIPATION OR CIVIL ACTION (e.g., ATTORNEY WORK PRODUCT)
(b)(6) PERSONAL PRIVACY Assert FOIA Exemption (b)(6) for personal privacy information of individuals other than the requester and/or subject of the request. Redact the sensitive Personally Identifiable Information (PII) as appropriate based on the type of request.	[NO PRIVACY ACT COROLLARY]
(b)(7) INVESTIGATORY RECORDS	(k)(2) Investigatory Records
(b)(7)(A) PENDING LAW ENFORCEMENT PROCEEDING	(k)(2) Investigatory Records
(b)(7)(B) INTERFERE W/FAIR TRIAL	(k)(2) Investigatory Records
(b)(7)(C) PERSONAL PRIVACY IN LAW ENFORCEMENT RECORDS	(k)(2) Investigatory Records; (j)(2) criminal records/investigations and criminal law enforcement (OIG and Security files)
(b)(7)(D) LAW ENFORCEMENT SOURCES	(k)(2) & (k)(5) INVESTIGATORY MATERIAL COMPILED TO DETERMINE SUITABILITY FOR EMPLOYMENT, TO EXTENT INFO WOULD REVEAL A CONFIDENTIAL SOURCE
(b)(7)(E) LAW ENFORCEMENT TECHNIQUES UNKNOWN TO PUBLIC	(k)(2) Investigatory Records
(b)(7)(F) JEOPARDIZE LIFE OR SAFETY	(k)(2) Investigatory Records
(b)(8) BANK INFORMATION	[Privacy Act generally would not apply.]
(b)(9) GEOLOGICAL AND GEOPHYSICAL (DATA, MAPS, WELL)	[Privacy Act generally would not apply.]

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