

IV. Exemption 3 Statute

A. List of Exemption 3 statutes relied on by agency during current fiscal year.

1. Brief description of type(s) of information withheld under each statute.

5 U.S.C. App. 3	The identity of individuals who provided information concerning allegations of wrongdoing to OIG, or who were subjects of investigations.
23 U.S.C. §403 (note; §106 Highway Safety Act of 1996)	Prohibits the disclosure of personal identifiers contained in reports of crash investigations.
23 U.S.C. §409 ²	Discovery and admission as evidence of certain reports and surveys.
41 U.S.C. §253b	Contractor proposal material which was not incorporated into the contract.
49 U.S.C. §30305(c)(1)	Authorizes disclosure of personal information about problem drivers only to individuals and entities specifically authorized to receive such information under the Act.
49 U.S.C. §31143(b)	Identification of motor carrier safety complainants.
49 U.S.C. §40115	Information harmful to US position in international aviation negotiations, or harmful to any US international air carrier.
49 U.S.C §40119(b)	Aviation sensitive security information.

2. Statement of whether a court has upheld the use of each statute.

There are no instances where a court has reviewed an exemption 3 statute applied by the Department.

² This statute was incorrectly cited as an exemption 3 statute. We will correct this error.