

IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component	Total Number of Times Relied upon by Agency
18 U.S.C. § 2510 - 20	Pen Register Information	<i>Raulerson v. Ashcroft</i> , 271 F. Supp.2d 17 (D.D.C. 2002)	OIG – 1	1
41 U.S.C. § 253b(m)	Technical proposal not incorporated into a final contract	<i>Hornbostel v. U.S. Dep't. of Interior</i> , 305 F.Supp.2d 21 (D.D.C. 2003)	OS - 2 CDC – 5 PSC - 6 AHRQ – 1 SAMHSA - 3	17
42 U.S.C. § 262a	Select Agent Information	None	OIG – 2 CDC – 5	7
42 U.S.C. § 242m(d) (Public Health Service Act § 308(d))	Identifiable information for certain research and statistical activities	None	CDC - 2	2
42 U.S.C. § 300aa-12(d)(4)(A)	Medical records presented to a Special Master in <u>National Vaccine Injury Compensation Program</u> court proceedings	Diane and Craig Arpino on behalf of Joseph Craig Arpino, Somers Point, New Jersey, HRSA - Fed. Cl. Number 040005V	HRSA - 1	1
42 U.S.C. § 11137 (b)	Adverse reports of a health practitioner's conduct	None	HRSA - 1	1
15 U.S.C. 1335a(b)(2)(A) Comprehensive Smoking Education Act of 1984	Cigarette additive information	None	CDC - 1	1

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component	Total Number of Times Relied upon by Agency
35 U.S.C. § 122	Information contained in a pending or otherwise non-issued patent application	<i>Irons and Sears v. Dann</i> , 606 F.2d 1215 (D.C. Cir. 1979); <i>Leeds v. Quigg</i> , 720 F. Supp. 193 (D.D.C. 1989)	NIH-1	1
5 U.S.C. § 574(j)	Confidential communications with agency Ombudsman	None	NIH-1	1
21 U.S.C. § 331(j)	Trade Secrets	<i>Anderson v. Department of Health & human Servs.</i> , 907 F.2d 936 (10 th Cir. 1990)	FDA - 45	45
21 U.S.C. § 350d(a)(4)	Food Registration Documents	None	FDA - 3	3