



U.S. Department of Justice

Office of Information Policy

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Pursuant to 5 U.S.C. § 552(e)(1)(B)(ii), agencies are required each year to list all Exemption 3 statutes that they relied upon during the course of the year in their annual FOIA reports. Below is a list of the statutes that agencies reported in their Annual FOIA Reports for Fiscal Year 2008.

IV. EXEMPTION 3 STATUTES

5 U.S.C. app. § 7(b)

5 U.S.C. app. § 105

5 U.S.C. app. § 107

5 U.S.C. app. § 107(a)(2)

5 U.S.C. § 571

5 U.S.C. § 574(j)

5 U.S.C. § 2074(c)

5 U.S.C. § 7114

5 U.S.C. § 7114(b)(4)

7 U.S.C. § 12(a)

7 U.S.C. § 136

7 U.S.C. § 136h

7 U.S.C. § 136i-1(b)

7 U.S.C. § 499(b)

7 U.S.C. § 1373(c)

7 U.S.C. § 1502(c)

7 U.S.C. § 2018(c)

7 U.S.C. § 2020(e)

7 U.S.C. § 2276

7 U.S.C. § 4908

8 U.S.C. § 1202(f)

8 U.S.C. § 1304(b)

9 U.S.C. § 410(c)(2)

10 U.S.C. § 128

10 U.S.C. § 130

10 U.S.C. § 130b
10 U.S.C. § 130c
10 U.S.C. § 424
10 U.S.C. § 455
10 U.S.C. § 613a(a)
10 U.S.C. § 1102
10 U.S.C. § 1506(d)
10 U.S.C. § 1506(f)
10 U.S.C. § 2305(g)
10 U.S.C. § 2371(l)
12 U.S.C. § 3403
13 U.S.C. § 9
13 U.S.C. § 301(g)
15 U.S.C. § 18a(h)
15 U.S.C. § 46(f)
15 U.S.C. § 57b-2(b)
15 U.S.C. § 57b-2(f)
15 U.S.C. § 78q(h)(5)
15 U.S.C. § 80a-30(c)
15 U.S.C. § 80b-10(b)
15 U.S.C. § 1314(g)
15 U.S.C. § 2055(a)(2)
15 U.S.C. § 2055(b)(1)
15 U.S.C. § 2055(b)(5)
15 U.S.C. § 2055(e)(1)
15 U.S.C. § 4305(d)
16 U.S.C. § 470
16 U.S.C. § 470a
16 U.S.C. § 470hh
16 U.S.C. § 470w-3
16 U.S.C. § 1881(a)
16 U.S.C. § 4304
16 U.S.C. § 5937
18 U.S.C. § 385

18 U.S.C. § 504
18 U.S.C. § 701
18 U.S.C. § 798
18 U.S.C. § 1461
18 U.S.C. §§ 2510-2520
18 U.S.C. § 3123
18 U.S.C. § 3153
18 U.S.C. § 3509
18 U.S.C. § 3521
18 U.S.C. § 5038
19 U.S.C. § 2605
21 U.S.C. § 355
21 U.S.C. § 253b(m)
21 U.S.C. § 415(a)(4)
22 U.S.C. § 288a
22 U.S.C. § 437g(a)(12)(A)
22 U.S.C. § 2751
22 U.S.C. § 2778(e)
23 U.S.C. § 403 note
25 U.S.C. § 2103(c)
26 U.S.C. § 6103
26 U.S.C. § 6105
26 U.S.C. § 7123
26 U.S.C. § 7602(c)(3)(B)
29 U.S.C. § 1310(c)
29 U.S.C. § 1343(f)
31 U.S.C. § 3703(b)(2)
31 U.S.C. § 3729(d)
31 U.S.C. § 5218(g)(3)
31 U.S.C. § 5319
35 U.S.C. § 9
35 U.S.C. § 122
35 U.S.C. § 205
38 U.S.C. § 5701

38 U.S.C. § 5705
38 U.S.C. § 7332
39 U.S.C. § 410(c)(1)
39 U.S.C. § 410(c)(3)
39 U.S.C. § 410(c)(4)
39 U.S.C. § 410(c)(5)
39 U.S.C. § 410(c)(6)
39 U.S.C. § 412
41 U.S.C. § 253
41 U.S.C. § 253(b)
41 U.S.C. § 253b(k)(2)
41 U.S.C. § 253b(m)
41 U.S.C. § 423
42 U.S.C. § 242m(d)
42 U.S.C. § 262a
42 U.S.C. § 290dd-3
42 U.S.C. § 1996
42 U.S.C. § 2000e-5(b)
42 U.S.C. § 2000e-8
42 U.S.C. § 2000g-2(b)
42 U.S.C. § 2011 *et seq.*
42 U.S.C. § 2162(a)
42 U.S.C. § 2167
42 U.S.C. § 2168
42 U.S.C. § 2168(a)(1)(C)
42 U.S.C. § 300aa12(d)(4)(A)
42 U.S.C. § 3545
42 U.S.C. § 3601(d)
42 U.S.C. § 3789g
42 U.S.C. § 12117
45 U.S.C. § 362(d)
45 U.S.C. § 362(n)
49 U.S.C. § 114(o)

49 U.S.C. § 114(s)¹
49 U.S.C. § 1114(c)
49 U.S.C. § 1114(d)
49 U.S.C. § 1114(e)
49 U.S.C. § 1114(f)
49 U.S.C. § 1136(d)
49 C.F.R. § 1520.5(b)
49 U.S.C. § 24301 note
49 U.S.C. § 30305(c)(1)
49 U.S.C. § 31143(b)
49 U.S.C. § 40110
49 U.S.C. § 40115
49 U.S.C. § 40119
49 U.S.C. § 40123(a)
49 U.S.C. § 70103
49 U.S.C. § 70114
50 U.S.C. § 402
50 U.S.C. § 402 note
50 U.S.C. § 403
50 U.S.C. § 403-3(c)(7)
50 U.S.C. § 403g
50 U.S.C. § 403-1(l)
50 U.S.C. § 403(l)
50 U.S.C. § 421
50 U.S.C. § 432(a)
50 U.S.C. § 435
50 U.S.C. § 1701
50 U.S.C. § 2411(c)

Bioterrorism Act of 2002, § 212

Federal Rules of Criminal Procedure 6(e)

¹ One agency reported using 49 C.F.R. § 1520.5(b) as an Exemption 3 statute. When the Office of Information Policy contacted this agency for clarification, an official of that agency advised this Office that this was an error of reporting and that the agency actually relied on 49 U.S.C. § 114(s) as the basis for these Exemption 3 withholdings.

Pub. L. No. 107-347, 116 Stat. 2899

Pub. L. No. 110-161, 121 Stat. 1844

Pub. L. No. 110-234, § 1619, 122 Stat. 923