

#### IV. EXEMPTION 3 STATUTES

| Statute             | Type of Information Withheld   | Case Citation   | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|---------------------|--|---|----------------------|--|---|
| 5 U.S.C. app. § 107 | Financial disclosure information pertaining to certain government employees  | <i>Meyerhoff v. EPA</i> , 958 F.2d 1498, 1500-02 (9th Cir. 1992); <i>Concepcion v. FBI</i> , 606 F. Supp. 2d 14, 33 (D.D.C. 2009).  | BOP                  | 1  | 23  |
|                     |  |   | EOUSA                | 22   |   |
| 8 U.S.C. § 1202(f)  | Certain records pertaining to the issuance or refusal of visas to enter the United States  | <i>Medina-Hincapie v. Dep't of State</i> , 700 F.2d 737, 741-42 (D.C. Cir. 1983); <i>DeLaurentiis v. Haig</i> , 686 F.2d 192, 194 (3d Cir. 1982); <i>Assadi v. Dep't of State</i> , No. 12-1111, 2014 WL 4704840, at *6 (S.D.N.Y. Sept. 19, 2014); <i>Beltranena v. U.S. Dep't of State</i> , 821 F. Supp. 2d 167, 177-78 (D.D.C. 2011); <i>Badalamenti v. U.S. Dep't of State</i> , 899 F. Supp. 542, 547 (D. Kan. 1995); <i>Jan-Xin Zang v. FBI</i> , 756 F. Supp. 705, 711-12 (W.D.N.Y. 1991); <i>Smith v. DOJ</i> , No. 81-CV-813, 1983 U.S. Dist. LEXIS 10878, at *13-14 (N.D.N.Y. Dec. 13, 1983). | DEA                  | 1  | 1   |
| 10 U.S.C. § 130     | Certain "technical data with military or space application in the possession of, or under the control of, the Department of Defense" | <i>Newport Aeronautical Sales v. Dep't of the Air Force</i> , 660 F. Supp. 2d 60, 65 (D.D.C. 2009); <i>Chenkin v. Dep't of the Army</i> , No. 93-494, 1994 U.S. Dist. LEXIS 20907 at *8 (E.D. Pa. Jan. 14, 1994), <i>aff'd</i> , 61 F.3d 894 (3d Cir. 1995) (unpublished table decision).   | FBI                  | 1  | 1   |

| Statute             | Type of Information Withheld  | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|---------------------|---|--|----------------------|--|---|
| 10 U.S.C. § 130c    | Certain "sensitive information of foreign governments" and certain international organizations  | <i>Nat'l Inst. of Military Justice v. DOD</i> , 404 F. Supp. 2d 325, 335-37 (D.D.C. 2005), <i>aff'd on other grounds</i> , 512 F.3d 677 (D.C. Cir. 2008), cert. denied, 129 S. Ct. 775 (U.S. 2008); <i>ACLU v. DOD</i> , 389 F. Supp. 2d 547, 554 (S.D.N.Y. 2005); <i>Gerstein v. DOD</i> , No. 03-5193, slip op. at 8 (N.D. Ca. Dec. 21, 2004). | FBI                  | 4  | 4   |
| 10 U.S.C. § 424     | Organization or any function of, and certain information pertaining to, employees of the Defense Intelligence Agency, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency | <i>Physicians for Human Rights v. DOD</i> , No. RDB-08-273, 2011 WL 1495942, at *7 (D.D.C. Apr. 19, 2011); <i>Miller v. DOJ</i> , 562 F. Supp. 2d 82, 112 (D.D.C. 2008); <i>Wickwire Gavin, P.C. v. Def. Intelligence Agency</i> , 330 F. Supp. 2d 592, 602 (E.D. Va. 2004).   | FBI                  | 2  | 2   |
| 10 U.S.C. § 1102    | Medical quality assurance records   | <i>Goodrich v. Dep't of the Air Force</i> , 404 F. Supp. 2d 48, 50-51 (D.D.C. 2005); <i>Dayton Newspapers, Inc. v. Dep't of the Air Force</i> , 107 F. Supp. 2d 912, 917 (S.D. Ohio 1999).   | FBI                  | 1  | 1   |
| 10 U.S.C. § 2305(g) | Certain contractor proposals  | <i>Roman v. NSA</i> , Nos. 09-2947, 09-4281, 09-3344, 09-2504, 09-5633, 2012 WL 569747, at *7 (E.D.N.Y. Feb. 22, 2012); <i>Margolin v. NASA</i> , No. 09-CV-00421-LRH-VPC, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011).   | FBI                  | 3  | 3   |

| Statute                 | Type of Information Withheld   | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|-------------------------|--|--|----------------------|--|---|
| 13 U.S.C. §§ 8(b), 9(a) | Certain census data  | <i>Baldrige v. Shapiro</i> , 455 U.S. 345, 355 (1982).   | FBI                  | 2  | 2   |
| 15 U.S.C. § 18a(h)      | Information submitted in connection with the premerger notification provisions of the Hart-Scott-Rodino Antitrust Improvements Act of 1976   | <i>Lieberman v. FTC</i> , 771 F.2d 32 (2d Cir. 1985).  | Antitrust            | 9  | 9   |
| 15 U.S.C. § 1314(g)     | "Any documentary material, answers to written interrogatories, or transcripts of oral testimony" provided pursuant to certain civil investigative demands pertaining to antitrust investigations | <i>Motion Picture Ass'n of Am. v. DOJ</i> , No. 80 Civ. 6612, slip op. at 1 (S.D.N.Y. Oct. 6, 1981). | Antitrust            | 6  | 6   |

| Statute              | Type of Information Withheld   | Case Citation   | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|----------------------|--|---|----------------------|--|---|
| 15 U.S.C. § 3710a(c) | "[T]rade secrets or commercial or financial information that is privileged or confidential, under the meaning of section 552(b)(4) of Title 5, which is obtained in the conduct of research or as a result of activities under this chapter which pertains to cooperative research and development agreements for the purpose of technological and industrial innovation | <i>Pub. Citizen Health Research Group v. NIH</i> , 209 F. Supp. 2d 37, 43, 51 (D.D.C. 2002); <i>DeLorme Pub. Co., Inc. v. NOAA</i> , 917 F. Supp. 867, 871-72 (D. Me. 1996), <i>appeal dismissed per stipulation</i> , No. 96-1601 (1st Cir. July 8, 1996).   | FBI                  | 2  | 2   |
| 16 U.S.C. § 5937     | Information pertaining to: "endangered, threatened, rare, or commercially valuable" National Park System resources; "mineral or paleontological objects within units of the National Park System"; or "objects of cultural patrimony within units of the National Park System"   | <i>Hornbostel v. U.S. Dep't of the Interior</i> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), <i>summary affirmance granted</i> , No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004); <i>Sw. Ctr. For Biological Diversity v. USDA</i> , 170 F. Supp. 2d 931, 945 (D. Ariz. 2000), <i>aff'd</i> 314 F. 3d 1060, 1062 (9th Cir. 2002); <i>Pease v. U.S. Dep't of Interior</i> , No. 1:99CV113, slip op. at 2, 4 (D. Vt. Sept. 17, 1999). | EOUSA                | 2  | 2   |

| Statute              | Type of Information Withheld   | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|----------------------|--|--|----------------------|--|---|
| 18 U.S.C. § 701      | Establishes penalties for: manufacturing, selling, or possessing "any badge, identification card, or other insignia, of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof": and photographing, printing, making or executing "any engraving, photograph, print, or impression in the likeness of such badge, identification card, or other insignia, or any colorable imitation thereof" | <i>Jones v. IRS</i> , No. 06-CV-322, 2008 WL 1901208, at *3-4 (W.D. Mich. Apr. 25, 2008).  | DEA                  | 17   | 18  |
|                      |  |  | EOUSA                | 1  |   |
| 18 U.S.C. §§ 2510-20 | Wiretap requests and the contents of any wire, oral, or electronic communication obtained through wiretaps   | <i>Mendoza v. DEA</i> , No. 07-5006, 2007 U.S. App. LEXIS 22175 (D.C. Cir. Sept. 14, 2007) (per curiam); <i>Lam Lek Chong v. DEA</i> , 929 F.2d 729, 733 (D.C. Cir. 1991); <i>Payne v. DOJ</i> , No. 96-30840, slip op. at 5-6 (5th Cir. July 11, 1997). | Criminal             | 13   | 151   |
|                      |  |  | DEA                  | 60   |   |
|                      |  |  | EOUSA                | 3  |   |
|                      |  |  | FBI                  | 75   |   |

| Statute                   | Type of Information Withheld  | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|---------------------------|---|--|----------------------|--|---|
| 18 U.S.C. § 3123(d)       | Certain court "order[s] authorizing or approving the installation and use of a pen register or a trap and trace device"; information pertaining to "the existence of the pen register or trap and trace device or the existence of the investigation" | <i>Labow v. DOJ</i> , No. 11-1256, 2014 WL 4368954 at *8 (D.D.C. Sept. 4, 2014); <i>Stephens v. DOJ</i> , 26 F. Supp. 3d 59, 68 (D.D.C. 2014); <i>Jennings v. FBI</i> , No. 03-1651, slip op. At 11-12 (D.D.C. May 6, 2004); <i>Manna v. DOJ</i> , 815 F. Supp. 798, 812 (D.N.J. 1993), <i>aff'd on other grounds</i> , 51 F.3d 1158 (3d Cir. 1995). | EOUSA                | 4  | 51  |
|                           |   |  | FBI                  | 47   |   |
| 18 U.S.C. § 3153          | Information regarding pre-trial services  | N/A  | EOUSA                | 4  | 4   |
| 18 U.S.C. § 3509(d)       | Certain records containing identifying information pertaining to children involved in criminal proceedings  | <i>Tampico v. EOUSA</i> , No. 04-2285, slip op. at 8 (D.D.C. Apr. 29, 2005).   | EOUSA                | 2  | 10  |
|                           |   |  | FBI                  | 8  |   |
| 18 U.S.C. § 3521(b)(1)(g) | "[T]he identity or location of the person relocated or protected, or any other matter concerning the person or the program after weighing [various factors]," subject to certain exceptions.  | <i>Bonadonna v. DOJ</i> , 791 F. Supp. 2d 269, 270 (D. Mass. 2010), <i>aff'd</i> , No. 10-1595, 2011 WL 4770189 (1st Cir. Jan. 7, 2011).   | BOP                  | 11   | 20  |
|                           |   |  | Criminal             | 1  |   |
|                           |   |  | FBI                  | 1  |   |
|                           |   |  | USMS                 | 7  |   |

| Statute                 | Type of Information Withheld  | Case Citation  | Agency/Component | Number of Times Relied upon by Agency/Component | Total Number of Times Relied upon by Agency Overall |
|-------------------------|---|--|------------------|---|---|
| 18 U.S.C. § 4208(c)     | Certain records pertaining to parole determination proceedings                            | <i>DOJ v. Julian</i> , 486 U.S. 1, 9 (1988).   | EOUSA            | 3   | 4   |
|                         |   |  | FBI              | 1   |   |
| 18 U.S.C. § 5038        | Juvenile arrest records   | N/A  | FBI              | 1   | 1   |
| 22 U.S.C. § 2778(e)     | Certain information pertaining to export license applications                             | <i>Council for Livable World v. U.S. Dep't of State</i> , No. 96-1807, slip op. at 11 (D.D.C. Jan 21, 1998), amended (D.D.C. Nov. 23, 1998).   | FBI              | 2   | 2   |
| 26 U.S.C. §§ 6103, 6105 | Certain tax return information and certain tax convention information                     | <i>Church of Scientology v. IRS</i> , 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); <i>Pac. Fisheries, Inc. v. IRS</i> , 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); <i>Leonard v. U.S. Dep't of Treasury</i> , No. 10-6625, 2013 WL 4517912 at *2 (D.N.J. Aug. 26, 2013) (26 U.S.C. § 6103); <i>Tax Analysts v. IRS</i> , 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105). | ATF              | 19  | 63  |
|                         |   |  | FBI              | 15  |   |
|                         |   |  | Tax              | 29  |   |
| 28 U.S.C. § 652(d)      | [C]onfidential dispute resolution communications  | <i>Yelder v. DOD</i> , 577 F. Supp. 2d 342, 347-48 (D.D.C. 2008).  | EOUSA            | 3   | 3   |
| 31 U.S.C. § 3730        | Records pertaining to civil actions for false claims against the United States Government | N/A  | EOUSA            | 2   | 2   |

| Statute  | Type of Information Withheld   | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|--|--|--|----------------------|--|---|
| 31 U.S.C. § 5319   | Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports                       | <i>Ortiz v. DOJ</i> , No. 12-1674, 2014 WL 4449686, at *4 (D.D.C. Sept 9, 2014); <i>Rosenberg v. ICE</i> , 13 F. Supp. 3d 92, 114-15 (D.D.C. 2014); <i>Hulstein v. DEA</i> , No. 10-4112, 2011 U.S. Dist. LEXIS 25788, at *7-8 (N.D. Iowa Mar. 11, 2011); <i>Council on Am.-Islamic Relations, Cal. v. FBI</i> , 749 F. Supp. 2d 1104, 1117 (S.D. Cal. 2010); <i>Berger v. IRS</i> , 487 F. Supp. 2d 482, 496-97 (D.N.J. 2007), <i>aff'd on other grounds</i> , 288 F. App'x 839 (3d Cir. 2008). | DEA                  | 6  | 35  |
|  |  |  | FBI                  | 28   |   |
|  |  |  | EOUSA                | 1  |   |
| 41 U.S.C. § 253b(m)(1)<br><br>(currently at 41 U.S.C. § 4702(b)) | Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts | <i>Sinkfield v. HUD</i> , No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); <i>Margolin v. NASA</i> , No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); <i>Hornbostel v. U.S. Dep't of the Interior</i> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), <i>summary affirmance granted</i> , No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).   | BOP                  | 3  | 4   |
| JMD  | 1  |  |                      |  |   |
| 41 U.S.C. § 423(a)(1)  | Contractor bid or proposal information; source selection information   | <i>Legal &amp; Safety Employer Research, Inc. v. U.S. Dep't of Army</i> , No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 4, 2001) (dictum).  | BOP                  | 6  | 6   |

| Statute                         | Type of Information Withheld  | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|---------------------------------|---|--|----------------------|--|---|
| 42 U.S.C. § 2000g-2(b)          | Community Relations Service confidentiality information   | N/A  | CRS                  | 2  | 2   |
| 42 U.S.C. § 2162                | "Restricted Data" pertaining to atomic weapons and special nuclear material   | <i>Meeropol v. Smith</i> , No. 75-1121, slip op. at 53-55 (D.D.C. Feb. 29, 1984), <i>aff'd in relevant part &amp; remanded in part on other grounds sub nom; Meeropol v. Meese</i> , 790 F.2d 942 (D.C. Cir. 1986).  | FBI                  | 1  | 1   |
| 42 U.S.C. §§ 2286d(a), 2286g(3) | Defense Nuclear Facilities Safety Board recommendations   | <i>Nat. Res. Def. Council, Inc. v. Def. Nuclear Facilities Safety Bd.</i> , 969 F.2d 1248, 1249, 1251 (D.C. Cir. 1992).  | EOUSA                | 1  | 1   |
| 42 U.S.C. § 3789g               | Data received by the Bureau of Justice Statistics and used only for statistical or research purposes  | N/A  | OJP                  | 20   | 20  |
| 49 U.S.C. § 114(s)              | Information obtained or developed in carrying out security under the authority of the Aviation and Transportation Security Act or under chapter 449 of this title | <i>Skurow v. DHS</i> , No. 11-1296, 2012 WL 4380895 at * 9-10 (D.D.C. Sept. 26, 2012); <i>Tooley v. Bush</i> , No. 06-306, 2006 WL 3783142, at *19 (D.D.C. Dec. 21, 2006), <i>aff'd on other grounds</i> , 586 F.3d 1006 (D.C. Cir. 2009); <i>Gordon v. FBI</i> , 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004). | FBI                  | 1  | 1   |

| Statute  | Type of Information Withheld  | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|--|---|--|----------------------|--|---|
| 50 U.S.C. § 402 note   | Information pertaining to the functions or organization of NSA; certain information pertaining to NSA employees | <i>ACLU v. DOJ</i> , 681 F.3d 61, 72-75 (2d Cir. 2012); <i>Elec. Priv. Info. Ctr. v. NSA</i> , 678 F.3d 926, 931 (D.C. Cir. 2012); <i>Houghton v. NSA</i> , 378 F. App'x 235, 238-39 (3d Cir. 2010) (per curiam); <i>Lahr v. NTSB</i> , 569 F.3d 964, 985 (9th Cir. 2009); <i>Larson v. Dep't of State</i> , 565 F.3d 857, 868-69 (D.C. Cir. 2009); <i>Founding Church of Scientology v. NSA</i> , 610 F.2d 824, 827-28 (D.C. Cir. 1979); <i>Roman v. NSA</i> , No. 07-CV-4502, 2009 WL 303686, at *5-6 (E.D.N.Y. Feb. 9, 2009), <i>summary affirmance granted</i> , 354 F. App'x. 591 (2d Cir. 2009). | FBI                  | 2  | 5   |
|  |   |  | OLC                  | 3  |   |
| 50 U.S.C. § 403-1(i)(1)<br><br>(currently at 50 U.S.C. § 3024(i)(1)) | Intelligence sources and methods  | <i>CIA v. Sims</i> , 471 U.S. 159, 167 (1985); <i>ACLU v. DOJ</i> , 681 F.3d 61, 72-75 (2d Cir. May 21, 2012); <i>ACLU v. DOD</i> , 628 F.3d 612, 619, 626 (D.C. Cir. 2011); <i>Berman v. CIA</i> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007).  | BOP                  | 5  | 353   |
|  |   |  | Civil                | 1  |   |
|  |   |  | FBI                  | 339  |   |
|  |   |  | OCDETF               | 1  |   |
|  |   |  | OLC                  | 6  |   |
|  |   |  | OLA                  | 1  |   |

| Statute                | Type of Information Withheld   | Case Citation   | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|------------------------|--|---|----------------------|--|---|
| 50 U.S.C. § 403g       | Intelligence sources and methods; certain information pertaining to Agency employees, specifically: "the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency"  | <i>Larson v. Dep't of State</i> , 565 F.3d 857, 865 n.2 (D.C. Cir. 2009); <i>Berman v. CIA</i> , 501 F.3d 1136, 1137-38, 2250 (9th Cir. 2007); <i>Makky v. Chertoff</i> , 489 F. Supp. 2d 421, 442 (D.N.J. 2007), <i>aff'd on other grounds</i> , 541 F. 3d 205 (3d Cir. 2008). | Office of the AG     | 1  | 28  |
|                        |  |   | BOP                  | 3  |   |
|                        |  |   | Civil                | 1  |   |
|                        |  |   | Criminal             | 1  |   |
|                        |  |   | FBI                  | 21   |   |
|                        |  |   | OCDETF               | 1  |   |
| 50 U.S.C. § 431        | "[O]perational files of the Central Intelligence Agency"   | <i>CIA v. Sims</i> , 471 U.S. 159, 167, 174 n.19 (1985) (dictum); <i>Wolf v. CIA</i> , 569 F. Supp. 2d 1, 8 (D.D.C. 2008).  | EOUSA                | 2  | 2   |
| 50 U.S.C. § 1702(a)(1) | Authorizes the President to "regulate...prevent or prohibit...importation or exportation of...any property in which any foreign country or a national thereof has any interest...by any person, or with respect to any property, subject to the jurisdiction of the United States" | <i>Wis. Project or Nuclear Arms Control v. U.S. Dep't of Commerce</i> , 317 F.3d 275, 284 (D.C. Cir. 2003).   | Civil                | 2  | 4   |
|                        |  |   | EOUSA                | 2  |   |

| Statute  | Type of Information Withheld   | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|--|--|--|----------------------|--|---|
| 50 U.S.C. § 1802(a)(3)   | Authorization of electronic surveillance certified by the Attorney General | N/A  | FBI                  | 1  | 1   |
| Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319    | Certain records pertaining to grand jury proceedings                       | <i>Sussman v. USMS</i> , 494 F.3d 1106, 1113 (D.C. Cir. 2007); <i>Fund of Constitutional Gov't v. Nat'l Archives &amp; Records Serv.</i> , 656 F.2d 856, 867-68 (D.C. Cir. 1981); <i>Durham v. U.S. Atty. Gen.</i> , No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); <i>Cozen O'Connor v. U.S. Dep't of Treasury</i> , 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008). | ATF                  | 6  | 725   |
|  |  |  | BOP                  | 2  |   |
|  |  |  | Civil Rights         | 71   |   |
|  |  |  | Criminal             | 4  |   |
|  |  |  | ENRD                 | 2  |   |
|  |  |  | EOUSA                | 209  |   |
|  |  |  | FBI                  | 426  |   |
|  |  |  | NSD                  | 2  |   |
|  |  |  | OPR                  | 3  |   |
| Fed. R. Crim. P. 32, enacted by Act of July 30, 1975, Pub. L. No. 94-64, § 2, 89 Stat. 370 | Presentence reports and recommendations                                    | <i>DOJ v. Julian</i> , 486 U.S. 1, 9 (1988).   | BOP                  | 52   | 56  |
|  |  |  | EOUSA                | 4  |   |

| Statute   | Type of Information Withheld  | Case Citation  | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|---|---|--|----------------------|--|---|
| Pub. L. No. 110-161, 121 Stat. 1844, 1903-904 (Consolidated Appropriations Act, 2008)   | Firearms trace information, information required to be maintained by Federal Firearms Licensees (FFLs) pursuant to 18 U.S.C. § 923(g) | <i>City of Chicago v. U.S. Dep't of the Treasury</i> , 423 F.3d 777 (7th Cir. 2005). | Office of the AG     | 7  | 14  |
|   |   |  | Office of the DAG    | 5  |   |
|   |   |  | OLA                  | 1  |   |
|   |   |  | Public Affairs       | 1  |   |
| Pub. L. No. 111-8, 123 Stat. 524  | Information required to be maintained by Federal Firearms Licensees and information maintained in the ATF Firearms Tracing Systems    | <i>City of Chicago v. U.S. Dep't of the Treasury</i> , 423 F.3d 777 (7th Cir. 2005)  | ATF                  | 138  | 138   |
| Treaty Between the Government of the United States of America and the Government of the State of Israel on Mutual Assistance in Criminal Matters, U.S.-Isr., Jan. 26, 1998, S. TREATY DOC. NO. 105-40 1998. | Evidence obtained by way of a treaty with a confidentiality clause  | N/A  | Criminal             | 1  | 1   |

| Statute   | Type of Information Withheld                                       | Case Citation | Agency/<br>Component | Number of<br>Times<br>Relied upon<br>by Agency/<br>Component | Total Number<br>of Times<br>Relied upon<br>by Agency<br>Overall |
|---|--|---------------|----------------------|--|---|
| Treaty Between the Government of the United States of America and the Russian Federation on Mutual Assistance in Criminal Matters, U.S.-Russ., June 17, 1999, S. TREATY DOC. NO. 106-22 2000. | Evidence obtained by way of a treaty with a confidentiality clause | N/A           | Criminal             | 1  | 1   |
| Treaty Between the United States of America and the Swiss Confederation on Mutual Assistance in Criminal Matters, U.S.-Switz., May 25, 1973, 27 U.S.T. 2019.                                  | Evidence obtained by way of a treaty with a confidentiality clause | N/A           | Criminal             | 1  | 1   |
| United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Dec. 20, 1988, S. TREATY DOC. NO. 101-4 1990.  | Evidence obtained by way of a treaty with a confidentiality clause | N/A           | Criminal             | 1  | 1   |