



**Statutes Used by Federal Departments and Agencies in Conjunction with
Exemption 3 of the FOIA as Reported in Fiscal Year 2024 Annual FOIA Reports**

U.S. Department of Justice
Office of Information Policy

Statute	Type of Information Protected by Statute	Agency (Agencies) and No. of Times Cited	Total No. of Citations in FY 2024
5 U.S.C. § 574(j)	Dispute resolution communications	DOD (3); DOT (1); EPA (2); NARA (1)	7
*5 U.S.C. §§ 7114(b)(4), 7132	Certain labor relations training and guidance materials	DHS (1)	1
*5 U.S.C. § 407 (formerly at 5 U.S.C. app. 3 § 7(b))	Names of employees who provide information or complaints to the Inspector General	DOD (9); DOJ (1); DOT (3); FDIC (7); GSA (2); HHS (88); NASA (1); NEA (1); SEC (1); SIGAR (1); State (1); VA (8)	123
5 U.S.C. § 420(b)(2)(B)	The disclosure of the identity of any individual making a complaint of fraud, waste, or abuse to an Office of Inspector General	EPA (4)	4
5 U.S.C. § 13107 (formerly at 5 U.S.C. app § 105)	Financial disclosure reports and applications to inspect financial disclosure reports	CFA (2); DOD (2); DOJ (3); FLRB (2); FRS (1); HUD (1); NEA (1); NIGC (1); NMB (1); OGE (1); OSHRC (1); PBGC (1); USADF (1); VA (1)	19
5 U.S.C. § 13109 (formerly at 5 U.S.C. app § 107(a)(2))	Confidential financial disclosure report pertaining to certain government employees	CFPB (3); DHS (2); DOC (8); DOD (187); DOJ (3); EPA (2); FMC (1); GSA (1); HHS (2); MSPB (1); NASA (1); NTSB (1); PC (1); PCLOB (1); SIGAR (1); SEC(1); SSA (1); Treasury (3); USAGM (1)	221
6 U.S.C. § 121(d)	Intelligence sources and methods	DHS (104)	104
6 U.S.C. § 673(a)(1) (formerly at 6 U.S.C. § 133(a)(1))	Protection of voluntarily shared critical infrastructure information	DHS (1); USAID (30)	31
6 U.S.C. § 1504(d)(3)(B)	A cyber threat indicator or defensive measure shared with the Federal Government under the Cybersecurity Information Sharing Act of 2015	DHS (1); DOJ (4); ED (1)	6
*7 U.S.C. § 12(a)(1)	"[D]ata and information that would separately disclose the business transactions or market positions of any person and trade secrets or names of customers," as well as certain other information concerning, or obtained in, the course of the Commission's investigation under the Commodity Exchange Act	CFTC (2); DOC (2)	4
7 U.S.C. § 26(h)(2)(A)	"[A]ny information, including information provided by a whistleblower to the Commission, which could reasonably be expected to reveal the identity of a whistleblower, . . . unless and until required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the Commission or any entity described in subparagraph (C)"	CFTC (3)	3
*7 U.S.C. § 136i-1(b)	"[D]ata, including the location from which the data was derived, that would directly or indirectly reveal the identity of individual producers [of certain pesticides]"	EPA (18)	18
*7 U.S.C. § 1502(c)(1)	Certain information furnished by a producer under the Federal Crop Insurance Act	USDA (3)	3



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7 U.S.C. § 1636(b)	Information acquired through the Livestock Mandatory Reporting requirement	USDA (1)	1
*7 U.S.C. § 2276(a)(2)	"[I]nformation furnished under a provision of law referred to in subsection (d) of this section . . . unless such information has been transformed into a statistical or aggregate form that does not allow the identification of the person who supplied particular information"	USDA (77)	77
7 U.S.C. § 8401(h)(1)(c)	Registration and transfer documentation for listed biological agents and toxins, and information derived therefrom	HHS (3)	3
*7 U.S.C. § 8791(b)(2)	"[I]nformation provided by an agricultural producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself, in order to participate in programs of the Department" and certain "geospatial information . . . maintained by the Secretary about agricultural land or operations"	DHS (1); USDA (227)	228
*8 U.S.C. § 1202(f)	Certain records pertaining to the issuance or refusal of visas to enter the United States	DHS (41,566); NARA (1); State (6,024)	47,591
8 U.S.C. § 1367(a)(2)	Information that relates to an alien who is the beneficiary of certain applications for relief under the Immigration and Nationality Act	DHS (113); EEOC (189)	302
10 U.S.C. § 128	Unclassified special nuclear weapons information	DOD (8)	8
*10 U.S.C. § 130(a)	Certain "technical data with military or space application in the possession of, or under the control of, the Department of Defense"	DOD (201); DOJ (5); NARA (2)	208
*10 U.S.C. § 130b	Personally identifiable information pertaining to "any member of the armed forces assigned to an overseas unit, a sensitive unit, or a routinely deployable unit" and "any employee of the Department of Defense or of the Coast Guard whose duty station is with any such unit"	DHS (1); DOC (1); DOD (1,454); DOJ (2); NARA (1); State (1); VA (1)	1,461
*10 U.S.C. § 130c	Certain "sensitive information of foreign governments" and certain international organizations	DOD (34); DOJ (2); State (2)	38
10 U.S.C. § 130d	Confidential information shared with State and local personnel	DOD (9)	9
10 U.S.C. § 130e	DOD Critical Infrastructure Security information	DOD (57); DOT (28)	85
*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	DOD (317); DOJ (4); NARA (2); State (4); Treasury (1)	328
10 U.S.C. § 455	Maps, charts, and geodetic data	DOD (8); NARA (1)	9
10 U.S.C. § 613a(a)	Proceedings from selection and Special Selection Boards for Active Duty Officers and Warrant Officers	DOD (3)	3
*10 U.S.C. § 1102(f)	Medical quality assurance records created by or for the Department of Defense as part of a medical quality assurance program	DOD (19); DOJ (1)	20
10 USC § 2640(h)	Safety-related information voluntarily provided by an air carrier	DOD (10)	10
*10 U.S.C. § 3309 (formerly at 2305(g))	Certain contractor proposals	CSOSA (2); DHS (2); DOC (2); DOD (108); DOI (8); DOJ (5); NASA (3)	130
10 U.S.C. § 4021 (formerly at 10 U.S.C. § 2371(i))	Research projects: transactions other than contracts and grants	DOD (8)	8



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10 U.S.C. § 14104(a)	Proceedings from selection and special selection boards for reserve officers	DOD (1)	1
12 U.S.C. § 248(s)(6)	Information concerning the borrowers and counterparties participating in emergency credit facilities, discount window lending programs, and open market operations authorized or conducted by the Board of Governors of the Federal Reserve System or a Federal reserve bank	FRS (6)	6
12 U.S.C. § 2803(j)(2)(B)(i)	Certain information about home mortgage loans and applications	CFPB (1)	1
12 U.S.C. § 3109(c)(2)	Confidential information received by a federal banking agency from a foreign regulatory or supervisory authority	FDIC (2)	2
*13 U.S.C. §§ 8(b), 9(a)	Certain census data	DOC (52); DOJ (4)	56
*13 U.S.C. § 301(g)	Certain shippers' export declarations or successor documents	DOJ (3)	3
*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	DOJ (8); FTC (12)	20
*15 U.S.C. § 46(f)	"[A]ny trade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential"	FTC (44)	44
*15 U.S.C. § 57b-2(f)	Certain investigative materials received by the FTC and "provided pursuant to any compulsory process under this subchapter or which is provided voluntarily in place of such compulsory process"	DOD (4); FTC (103)	107
15 U.S.C. § 77f(e)(2)	Certain information contained in or filed with a securities registration statement	SEC (1)	1
15 U.S.C. § 78m(h)(7)	Information and documents included in or filed with an application or registration statement, or annual reports filed, by issuers of security registered pursuant to 15 U.S.C. § 78l	SEC (1)	1
15 U.S.C. § 78u-6	Information that could identify a whistleblower	SEC (10)	10
15 U.S.C. § 78x(d)	Foreign securities authorities	SEC (11)	11
15 U.S.C. § 80a-30(c)	Information regarding investment company examination	SEC (1)	1
15 U.S.C. § 80b-4	Reports by investment adviser	SEC (2)	2
15 U.S.C. § 278k(j)(1)	Certain business information about participants or clients of a manufacturing extension center	DOC (1)	1
15 U.S.C. § 638(k)(4)	Information contained within a Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) program evaluation databases	DOE (6); USDA (2)	8
*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	DOJ (3)	3
*15 U.S.C. §§ 2055(a)(2), 2055(b)(1), 2055(b)(5)	Certain information reported to, or otherwise obtained by the Consumer Product Safety Commission which either contains or relates to a trade secret or is "subject to section 552(b)(4) of Title 5"	CPSC (137)	137
15 U.S.C. § 2074(c)	Information that identifies persons or those treating injured persons, absent consent	CPSC (6)	6
*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	DOC (2); HHS (1)	3
15 U.S.C. § 4652(a)(6)(G)	Information provided by covered entities for the fabrication, assembly, testing, advanced packaging, production, or research and development of semiconductors, materials used to	DOC (11)	11



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	manufacture semiconductors, or semiconductor manufacturing equipment		
*15 U.S.C. § 6801	Nonpublic personal information of customers of financial institutions	DOC (1); DOJ (1)	2
15 U.S.C. § 7215(b)(5)	Certain information prepared or received by or specifically for the Public Company Accounting Oversight Board (PCAOB)	SEC (2)	2
15 U.S.C. § 7306(d)	"[A]ny information...receive[d] in the course of an investigation under this chapter if the Director finds that the disclosure of that information might jeopardize public safety"	DOC (1)	1
16 U.S.C. § 470aaa-8	Information concerning the nature and specific location of a paleontological resource	DOI (3)	3
*16 U.S.C. § 470hh	Information pertaining to the nature and location of certain archaeological resources	DHS (1); DOD (52); DOI (41); EPA (1); TVA (3); USDA (53)	151
*16 U.S.C. § 4304	"Information concerning the specific location of any significant cave . . . [that] create[s] a substantial risk of harm, theft, or destruction of such cave"	DOI (3)	3
18 U.S.C. § 824o-1(d)	Information pertaining to Critical Electric Infrastructure Security	DOE (2); FERC (15); NRC (1)	18
*18 U.S.C. § 208(d)(1)	Providing that "a copy of any determination granting an exemption under subsection (b)(1) or (b)(3) [from application of penalties for acts affecting personal financial interests determined to constitute bribery, graft, or conflicts of interest] shall be made available to the public," but exempting from this disclosure requirement "any information contained in the determination that would be exempt from disclosure under section 552 of title 5"	DOJ (2); DOL (2); EPA (1); FLRB (1); SBA (1)	7
*18 U.S.C. § 701	Likeness of 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	DHS (1); Treasury (4)	5
*18 U.S.C. § 798	Certain classified information pertaining to the communication, intelligence, and cryptographic devices of the United States or any foreign government	DOD (513); DOJ (1); PCLOB (4)	518
*18 U.S.C. §§ 2510, <i>et seq.</i>	Wiretap requests and the contents of any wire, oral, or electronic communication obtained through wiretaps	DHS (2); DOD (81); DOJ (156); NARA (5)	244
*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"	DOJ (93); GSA (1)	94
*18 U.S.C. § 3509(d)	Certain records containing identifying information pertaining to children involved in criminal proceedings	DOD (342); DOI (1); DOJ (126); USPS (1)	470
*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	DOJ (12)	12
*18 U.S.C. § 5038(a)	Records of juvenile delinquency proceedings	DOJ (19)	19
19 U.S.C. § 1333(h)	Any correspondence, private letters of reprimand, and other documents and files relating to violations or possible violations of administrative protective orders issued by the Commission in connection with investigations or other proceedings	USITC (1)	1
*19 U.S.C. § 1677f	Certain "information submitted to the administering authority or the [United States International Trade] Commission which is designated as proprietary by the person submitting the information"	DHS (2); USITC (3)	5



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*19 U.S.C. § 2155(g)	Certain information in connection with trade negotiations that is "submitted in confidence"	DOL (1); USTR (7)	8
*20 U.S.C. § 1099c-1	Certain program review reports and institutional responses until the Department of Education issues a final program review determination	DOD (1); ED (6)	7
20 U.S.C. § 1232g	Identities of students and parents identified in data collected by representatives of the Comptroller General, the Secretary of Education, or State educational authorities in connection with the audit, evaluation, or enforcement of a Federally-supported education program	ED (2)	2
*21 U.S.C. § 331(j)	Certain information "concerning any method or process which as a trade secret is entitled to protection"	HHS (5)	5
21 U.S.C. § 350d(a)4	Food Registration Documents	HHS (6)	6
21 U.S.C. § 355	Any information or documentary material that may have been filed pursuant to a pharmaceutical agreement notification	FTC (1)	1
21 U.S.C. § 360i(b)(2)	Identity of a device user facility which makes a report that a device has or may have caused or contributed to the death of a patient of the facility	HHS (1)	1
21 U.S.C. §§ 1903-1905	All records generated or obtained in the implementation of the King Pin Act	DOJ (1)	1
21 U.S.C. § 1904(e)(3)	Information related to foreign narcotics traffickers	Treasury (1)	1
22 U.S.C. § 288a(c)	Information regarding international programs records are immune from search and disclosure	HHS (1)	1
*22 U.S.C. § 2778(e)	Certain information pertaining to export license applications	DOD (7); NASA (18); State (4)	29
*25 U.S.C. § 1675(g)	Medical quality assurance records	HHS (7)	7
*26 U.S.C. §§ 6103, 6105	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	DHS (12); DOC (1); DOD (5); DOJ (323); DOT (1); EPA (5); HHS (2); NARA (40); SSA (3); Treasury (1,518); USDA (2); VA (9)	1,921
*28 U.S.C. § 652(d)	"[C]onfidential dispute resolution communications"	CEQ (1); DOC (1); DOJ (1); DOL (1); HHS (1); SBA (1); VA (1)	7
29 U.S.C. § 1310(c)	Any information or documentary material submitted to the [agency] pursuant to . . . section [1310 of title 29 of the United States Code]	PBGC (1)	1
29 U.S.C. § 1343(f)	Any information or documentary material submitted to the [agency] pursuant to . . . section [1343 of title 29 of the United States Code]	PBGC (1)	1
31 U.S.C. § 3730(b)(2)	Records pertaining to civil actions for false claims against the United States Government	DOJ (2); GSA (4); VA (1)	7
*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	DHS (16); DOD (1); DOJ (32); FRS (1); SEC (2); Treasury (225)	277
31 U.S.C. § 5323(g)(4)	Information which could reasonably be expected to reveal the identity of a whistleblower	Treasury (3)	3
34 U.S.C. § 10231 (formerly at 42 U.S.C. § 3789g)	Data received by the Bureau of Justice Statistics and used only for statistical or research purposes	DOJ (4)	4
*35 U.S.C. § 122	Applications for patents; certain information pertaining to applications for patents	DOC (13)	13
35 U.S.C. § 205	Information relating to government invention information	VA (1)	1
35 U.S.C. § 209(f)	Plans for development or marketing of a federally owned invention	HHS (2)	2



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*38 U.S.C. § 5701	"All files, records, reports, and other papers and documents pertaining to any claim under any of the laws administered by the Secretary and the names and addresses of present or former members of the Armed Forces, and their dependents, in the possession of [VA]"	VA (3,277)	3,277
*38 U.S.C. § 5705	Records created by VA as part of its medical quality assurance program; certain other information pertaining to VA's medical quality assurance program	VA (63)	63
*38 U.S.C. § 7332	Records of patients being treated for certain conditions	VA (1,187)	1,187
38 U.S.C. § 7451	Information collected in VA nurse and other health-care personnel wage surveys	VA (4)	4
39 U.S.C. § 410(c)(1)	Records relating to names and addresses of postal customers	USPS (434)	434
*39 U.S.C. § 410(c)(2)	Commercial information which would not be disclosed under good business practice	DHS (1); DOJ (1); USPS (342)	344
39 U.S.C. § 410(c)(3)	Information prepared for use in the negotiation of collective bargaining agreements under 39 U.S.C. Chapter 12 and minutes or notes kept during the negotiating sessions	USPS (6)	6
39 U.S.C. § 410(c)(5)	Reports and memoranda of consultants or independent contractors, except to the extent that they would be required to be disclosed if prepared within the Postal Service	USPS (2)	2
39 U.S.C. § 410(c)(6)	Investigatory files, whether or not considered closed, compiled for law enforcement purposes except to the extent available by law to a party other than the Postal Service	USPS (4)	4
39 U.S.C. § 412	Records containing lists of postal customers	USPS (11)	11
*41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1))	Contractor bid or proposal information; source selection information	DHS (27); DOD (41); DOE (4); DOI (10); DOJ (4); DOT (5); ED (1); EXIM (1); FRTIB (1); GSA (2); HHS (7); HUD (1); NASA (5); NRPC (20); USAID (7); USDA (3); USTDA (1); VA (16)	156
*41 U.S.C. § 4702 (formerly at 41 U.S.C. § 253b(m)(1))	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	DHS (11); DOC (28); DOD (44); DOI (24); DOL (2); DOJ (9); DOT (6); ED (7); EPA (1); FSS (2); FRTIB (1); GSA (1); HHS (44); HUD (3); NASA (10); NLRB (1); NSF (2); PBGC (1); SEC (2); Treasury (8); TVA (1); USAGM (2); USAID (7); USDA (11); USITC (2); VA (22)	252
42 U.S.C. § 241(f)	Certain biomedical information about an individual that is gathered or used during the course of biomedical research	HHS (2)	2
42 U.S.C. § 242m(d)	Identifiable information for certain research and statistical activities	HHS (14)	14
42 U.S.C. § 247d-6b(d)	Information identifying the location at which materials in the stockpile under subsection (a) of this section are stored	HHS (3)	3
42 U.S.C. § 247d-7e(e)(1)(A)	Certain information that could compromise national security and reveal significant and not otherwise publicly known vulnerabilities of existing medical or public health defenses against chemical, biological, radiological, or nuclear threats	HHS (1)	1
*42 U.S.C. § 262a(h)(1)	Certain categories of information relating to biological agents and toxins	DOD (1); HHS (11); USDA (1)	13
42 U.S.C. § 282(j)(6)	Information submitted for publication on clinicaltrials.gov that is not otherwise publicly available	HHS (104)	104



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42 U.S.C. § 299b-22(a)(3)	Patient safety work product information	HHS (1)	1
*42 U.S.C. § 300aa-12(d)(4)(A)	"Except as provided in subparagraph (B), information submitted to a special master or the court in a proceeding on a petition [for compensation under the National Vaccine Injury Compensation Program] . . . without the express written consent of the person who submitted the information"	DOJ (19)	19
42 U.S.C. § 300aa-25(c)	Information that may identify an individual who received a vaccine	HHS (2)	2
42 U.S.C. § 300jj-52(d)(2)	Information received by the National Coordinator in connection with a claim or suggestion of possible information blocking and that could reasonably be expected to facilitate identification of the source of the information	HHS (5)	5
42 U.S.C. § 405(r)	Death certificates and records pertaining to deaths provided to the Commissioner of Social Security under this subsection	SSA (1)	1
42 U.S.C. § 1396r-8(b)(3)(D)	Information disclosed by manufacturers or wholesalers which discloses the identity of a specific manufacturer or wholesaler, or prices charged for drugs by such manufacturer or wholesaler	HHS (4)	4
*42 U.S.C. §§ 2000e-5(b), 2000e-8(e)	Information pertaining to charges of unlawful employment practices; information obtained by the EEOC in investigating charges of unlawful employment practices	EEOC (4,332); GSA (1); USAB (1)	4,334
42 U.S.C. § 2000ff-6	Information pertaining to charges of unlawful employment discrimination practices	EEOC (1,325)	1,325
42 U.S.C. § 2000g-2b	Conciliation assistance data received by the Community Relations Service	DOJ (14)	14
*42 U.S.C. §§ 2162, 2167, 2168(a)(1)	"Restricted Data" pertaining to atomic weapons and special nuclear material and certain safeguards information for nuclear material	DOD (30); DOE (11); EPA (2); NARA (25)	68
42 U.S.C. § 3537a	Covered information during the grant selection process	HUD (1)	1
*42 U.S.C. § 3610(d)	Records pertaining to conciliation of disputes regarding allegations of unfair housing practices; information derived from housing discrimination investigations and any final investigative reports pertaining to such investigations	HUD (16)	16
42 U.S.C. § 7412(r)(7)(H)(iii)	Certain off-site consequence analysis information and any ranking of stationary sources derived from the information	EPA (2)	2
42 U.S.C. § 11137(b)(1)	National Practitioner Data Bank information	HHS (10)	10
42 U.S.C. § 12117	Americans with Disabilities Act charges, conciliation materials, required reports, and case file information	EEOC (1,325)	1,325
42 U.S.C. § 14132(b)(3)	Certain "stored DNA samples and DNA analyses"	DOJ (3)	3
44 U.S.C. § 3501 note	Data or information acquired under a pledge of confidentiality for exclusively statistical purposes	DOL (1); USDA (7)	8
*45 U.S.C. § 362(d)	Information obtained by the Railroad Retirement Board that reveals, in any manner, an employee's identity	RRB (18)	18
46 U.S.C. § 40306	Agreement information and documents filed with the FMC (other than Agreements)	FMC (3)	3
*49 U.S.C. § 114(r), (formerly at 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	DHS (19,566); DOJ (2)	19,568
*49 U.S.C. § 1114(c)	Certain "cockpit voice or video recorder recording[s] or transcript[s] of communications by and between flight crew members and ground stations pertaining to [] incident[s] investigated by the [National Transportation Safety] Board"	NTSB (7)	7
49 U.S.C. § 1114(d)(1)	Certain surface vehicle recordings and transcripts related to an accident investigated by the	NTSB (4)	4



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	Board		
49 U.S.C. § 20109	Information identifying railroad employee whistleblowers	DOT (1)	1
49 U.S.C. § 30172(f)	Information that could identify a whistleblower	DOT (3)	3
49 U.S.C. § 30305(c)	National Driver Registration information on certain individuals	DOT (4)	4
49 U.S.C. § 31143(b)	Identities of motor carrier safety complaints	DOT (496)	496
49 U.S.C. § 40110(e)	Contractor proposal not incorporated into the contract	DOT (9)	9
49 U.S.C. § 40115(a)	Information harmful to U.S. position in international aviation negotiations, or harmful to any U.S. international air carrier	DOT (5)	5
49 U.S.C. § 40119	Certain information obtained or developed in ensuring transportation security if disclosure of that information would: constitute an invasion of personal privacy, reveal a trade secret or confidential commercial or financial information, or be detrimental to transportation safety	DOT (160)	160
49 U.S.C. § 40123(a)	Aviation Safety Action Program voluntarily submitted information	DOT (42)	42
49 U.S.C. § 44114	Registration numbers and other similar identifiable data or information of private aircraft owners or operators	DOT (13)	13
49 U.S.C. § 44735	Certain report, data, or other safety information submitted to the FAA	DOT (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"	DOJ (2)	2
*50 U.S.C. § 3024(i)(1) (formerly at 50 U.S.C. § 403-1(i)(1))	Intelligence sources and methods	CIA (842); DHS (105); DOD (911); DOJ (1,744); NARA (111); ODNI (107); PCLOB (4); State (4); Treasury (1)	3,829
50 U.S.C. § 3141(a) (formerly at 50 U.S.C. § 431)	[O]perational files of the Central Intelligence Agency	DOJ (1)	1
50 U.S.C. § 3143 (formerly at 50 U.S.C. § 432a)	Operational files of the National Reconnaissance Office	DOJ (1)	1
50 U.S.C. § 3144 (formerly at 50 U.S.C. § 432b)	Operational files of the National Security Agency	DOD (1)	1
*50 U.S.C. § 3507 (formerly at 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"	CIA (843); DOD (82); DOJ (14); NARA (41); ODNI (149); State (6)	1,135
*50 U.S.C. § 3605 (formerly at 50 U.S.C. § 402 note)	Information pertaining to the functions or organization of NSA; certain information pertaining to NSA employees	DOD (780); DOJ (2); NARA (3); PCLOB (4)	789
50 U.S.C. § 4555(d) (formerly at 50 U.S.C. § 2155(d))	Information obtained under the Defense Production Act of 1950 that the President deems confidential or the person furnishing such information requests confidential treatment of the information	DOC (1)	1
50 U.S.C. § 4565(c) (formerly at 50 U.S.C. app. § 2170(c))	Information or documentary material filed with the Committee on Foreign Investment in the United States	DOD (3); Treasury (4); USTR (1)	8
*50 U.S.C. § 4820(h)(1) (formerly at 50 U.S.C. §	Information pertaining to license applications under the Export Administration Act	DOC (18); DOD (2); NASA (2)	22



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Statute	Type of Information Protected by Statute	Agency (Agencies) and No. of Times Cited	Total No. of Citations in FY 2024
4614(c)(1))			
51 U.S.C. § 50916 (formerly at 49 U.S.C. § 70114)	Commercial space launch activity information exempted under 5 U.S.C. § 552(b)(4) or designated as confidential by the submitter or head of the executive agency providing the information	DOT (13)	13
*52 U.S.C. § 30109(a)(12)(A) (formerly at 2 U.S.C. § 437(a)(12)(A))	Any notification or investigation made under this section of the Federal Election Campaign Act pertaining to federal campaign funds	DHS (1); FEC (1)	2
*54 U.S.C. § 100707 (formerly at 16 U.S.C. § 5937)	Information pertaining to: "endangered, threatened, rare, or commercially valuable" NPS resources; "mineral or paleontological objects within units of the National Park System"; or "objects of cultural patrimony within units of the National Park System"	DOI (11); DOJ (2); NARA (1)	14
54 U.S.C. § 307103 (formerly at 16 U.S.C. § 470w-3)	Information about the location, character, or ownership of a historic property	DOD (19)	19
*Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, §2, 91 Stat. 319	Certain records that would reveal some secret aspect pertaining to grand jury proceedings	DHS (28); DOC (1); DOD (11); DOI (1); DOJ (677); HUD (1); NARA (51); SEC (1); Treasury (8); USPS (3)	782
*Fed. R. Crim. P. 32**	Presentence reports and recommendations	DOJ (1)	1
Pub. L. No. 95-452, 92 Stat. 1101	Identities of employees that have submitted complaints and or provided information during the course of an OIG investigation	DOD (22); USPS (1)	23
*Pub. L. No. 108-447, 118 Stat. 2809, 2859-60; Pub. L. No. 110-161, 121 Stat. 1844, 1903-04; Pub. L. No. 112-55, 125 Stat. 552, 609-10	Certain firearms database information	DOJ (6)	6
Treaty Between the United States of America and the Federal Republic of Germany on Mutual Legal Assistance in Criminal Matters, U.S.-F.R.G., Oct. 14, 2003, S. TREATY DOC. NO. 108-27 (2004)	Evidence obtained by way of a treaty with a confidentiality clause	DOJ (1)	1

* An asterisk indicates that this statute has been found to qualify under Exemption 3 of the FOIA by a federal court of law.

** Please note that Fed. R. Crim. P. 32 in its current version is no longer a valid Exemption 3 statute. OIP requests that agencies do not use it to withhold presentence reports and recommendations, or cite it in its annual FOIA reports.

+ OIP has compiled this chart using information reported by agencies in their Annual FOIA Reports for Fiscal Year 2024. OIP consolidated information from those reports to provide an overall summary of the statutes used by agencies in connection with Exemption 3 of the FOIA, along with the number of times those statutes were used. In some instances, human error resulted in an agency including an outdated citation in their report; in such cases, OIP lists the agency's usage under the current citation. All agency Annual FOIA Reports are available on OIP's website under the "Reports" page. Additionally, data from all agency 2024 Annual FOIA Reports is available on FOIA.gov.



**Statutes Used by Federal Departments and Agencies in Conjunction with
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Acronym	Agency Name
<i>CFA</i>	Commission of Fine Arts
<i>CIA</i>	Central Intelligence Agency
<i>CFTC</i>	Commodity Futures Trading Commission
<i>CFPB</i>	Consumer Financial Protection Bureau
<i>CPSC</i>	Consumer Product Safety Commission
<i>CEQ</i>	Council on Environmental Quality
<i>CSOSA</i>	Court Services and Offender Supervision Agency
<i>USDA</i>	Dept. of Agriculture
<i>DOC</i>	Dept. of Commerce
<i>DOD</i>	Dept. of Defense
<i>ED</i>	Dept. of Education
<i>DOE</i>	Dept. of Energy
<i>HHS</i>	Dept. of Health and Human Services
<i>DHS</i>	Dept. of Homeland Security
<i>HUD</i>	Dept. of Housing and Urban Development
<i>DOJ</i>	Dept. of Justice
<i>DOL</i>	Dept. of Labor
<i>State</i>	Dept. of State
<i>DOI</i>	Dept. of the Interior
<i>Treasury</i>	Dept. of the Treasury
<i>DOT</i>	Dept. of Transportation
<i>VA</i>	Dept. of Veterans Affairs
<i>EPA</i>	Environmental Protection Agency
<i>EEOC</i>	Equal Employment Opportunity Commission
<i>EXIM</i>	Export-Import Bank of the U.S.
<i>FCC</i>	Federal Communications Commission
<i>FDIC</i>	Federal Deposit Insurance Corporation
<i>FEC</i>	Federal Election Commission
<i>FERC</i>	Federal Energy Regulatory Commission
<i>FLRB</i>	Federal Labor Relations Authority
<i>FMC</i>	Federal Maritime Commission
<i>FRS</i>	Federal Reserve System
<i>FRTIB</i>	Federal Retirement Thrift Investment Board
<i>FTC</i>	Federal Trade Commission
<i>GSA</i>	General Services Administration



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Acronym	Agency Name
<i>MSPB</i>	Merit Systems Protection Board
<i>NASA</i>	National Aeronautics and Space Administration
<i>NARA</i>	National Archives and Records Administration
<i>NEA</i>	National Endowment for the Arts
<i>NIGC</i>	National Indian Gaming Commission
<i>NLRB</i>	National Labor Relations Board
<i>NMB</i>	National Mediation Board
<i>NRPC</i>	National Railroad Passenger Corporation
<i>NSF</i>	National Science Foundation
<i>NTSB</i>	National Transportation Safety Board
<i>NRC</i>	Nuclear Regulatory Commission
<i>OSHRC</i>	Occupational Safety and Health Review Commission
<i>OGE</i>	Office of Government Ethics
<i>ODNI</i>	Office of the Director of National Intelligence
<i>SIGAR</i>	Office of the Special Inspector General for Afghanistan Reconstruction
<i>USTR</i>	Office of the United States Trade Representative
<i>PC</i>	Peace Corps
<i>PCLOB</i>	Privacy and Civil Liberties Oversight Board
<i>RRB</i>	U.S. Railroad Retirement Board
<i>SBA</i>	Small Business Administration
<i>SEC</i>	Securities and Exchange Commission
<i>SIGAR</i>	Office of the Special Inspector General for Afghanistan Reconstruction
<i>SSA</i>	Social Security Administration
<i>TVA</i>	Tennessee Valley Authority
<i>USADF</i>	United States African Development Foundation
<i>USAGM</i>	U.S. Agency for Global Media
<i>USAID</i>	U.S. Agency for International Development
<i>USITC</i>	U.S. International Trade Commission
<i>USPS</i>	U.S. Postal Service
<i>USTDA</i>	U.S. Trade and Development Agency
<i>USTR</i>	Office of the U.S. Trade Representative