

FREEDOM OF INFORMATION ACT (5 USC 522)

EXPLANATION OF EXEMPTIONS\*\*

- (b) (1) Applies to Classified information and documents (not used by TMA ).
- (b) (2) Applies to information which pertains solely to the internal rules and practices of the Agency, this exemption has two profiles, "high and low." The "high" profile permits withholding of a document which, if released, would allow circumvention of an agency rule, policy, or statute, thereby impeding the agency in the conduct of its mission. The "low" profile permits withholding if there is no public interest in the document, and it would be an administrative burden to process the request.
- (b) (3) Applies to information specifically exempted by a statute establishing particular criteria for withholding. The language of the statute must clearly state that the information will not be disclosed.
- (b) (4) Applies to information such as trade secrets and commercial or financial information obtained from a company on a privileged or confidential basis which, if released would result in competitive harm to the company.
- (b) (5) Applies to inter- and intra-agency memoranda which are deliberative in nature; this exemption is appropriate for internal documents which are part of the decision making process, and contain subjective evaluations, opinions and recommendations; a document must be both deliberative and part of a decision making process to qualify for this exemption.
- (b) (6) Applies to information release which could reasonably be expected to constitute a clearly unwarranted invasion of the personal privacy of individuals.
- (b) (7) Applies to records or information compiled for law enforcement purposes that (A) could reasonably be expected to interfere with law enforcement proceedings; (B) would deprive a person of a right to a fair trial or impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy of others, (D) disclose the identity of a confidential source, (E) disclose investigative techniques and procedures, or (F) could reasonably be expected to endanger the life or physical safety of any individual.
- (b) (8) Applies to financial institutions (not used by TMA).
- (b) (9) Applies to geological and geophysical information concerning wells (not used by TMA).

\*\* See Chapter III of DoD Regulation 5400.7-R for further information.