



U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535-0001

ATTACHMENT B: FOIA Processing Comparison Chart

FBI FOIA Exemption Application Comparison

The routine application of FOIA exemptions to FBI files compared to the limited application of these FOIA exemptions as a discretionary release of DOJ/FBI information for this transparency project.

Exemption	Routine FBI FOIA Application	Epstein Transparency Application	Comparison
(b)(1)	Information properly classified by an FBI official pursuant to E.O. 13526.	Information properly classified by an FBI official pursuant to E.O. 13526.	Consistent application.
(b)(2)	Information related solely to the internal personnel rules and practices of an agency.	N/A	Exemption waived in full.
(b)(3)	Information exempt from disclosure by another federal statute.	Information exempt from disclosure by another federal statute.	Consistent application.
(b)(4)	Trade secrets and commercial or financial information.	N/A	Exemption waived in full.
(b)(5)	Attorney work product privilege, attorney-client privilege, deliberative process privilege.	N/A	Exemption waived in full.
(b)(6) / (b)(7)(C)	Records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy.	Limited to victim identities, federal law enforcement identities, third party personally identifiable information, and names and/or identifying information of non-DOJ federal government personnel.	Considerably limits scope of protected third party names, including non-LE DOJ personnel.
(b)(7)(A)	Records or information compiled for law enforcement purposes that could reasonably be expected to interfere with enforcement proceedings if disclosed.	N/A	Exemption waived in full.
(b)(7)(D)	Identity of confidential sources and information furnished by confidential sources.	Identity of confidential sources and information furnished by confidential sources.	Consistent application.
(b)(7)(E)	Techniques, procedures, and guidelines for law enforcement investigations or prosecutions, which risk the circumvention of the law.	N/A	Exemption waived in full.
(b)(7)(F)	Could reasonably be expected to endanger the life or physical safety of any individual	Limited to building instructions for, and descriptions of, explosive materials. Eliminates stacking (b)(7)(F) with (b)(7)(D).	Modified application.
(b)(8)	Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.	N/A	Exemption waived in full.
(b)(9)	Geological and geophysical information and data, including maps, concerning wells.	N/A	Exemption waived in full.
OGA Information	Referral/consults of non-FBI information equities to other DOJ components and executive branch Departments/agencies.	Referral/consults of non-DOJ information equities to other executive branch Departments/agencies.	Modified application.

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