



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

January 25, 2011

Governor's Office of Management & Budget  
Curt Clemons-Mosby, FOIA Officer  
603 Stratton Building  
Springfield, IL 62706

Re: Pre-authorization request – 2011 PAC 11973

Dear Mr. Clemons-Mosby:

We have received from the Governor's Office of Management and Budget a request for pre-authorization to redact information requested by [REDACTED] under the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested a copy of Personnel Action Request 027061. The Governor's Office requested pre-authorization to redact information from that document pursuant to Section 7(1)(f) (5 ILCS 140/7(1)(f)).

Section 7(1)(f) exempts from inspection and copying "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body." 5 ILCS 140/7(1)(f). The Section 7(1)(f) exemption applies to "predecisional materials used by a public body in its deliberative process." *Harwood v. McDonough*, 344 Ill. App. 3d 242, 247, 799 N.E.2d 859, 864 (1st Dist. 2003). The exemption is "intended to protect the communications process and encourage frank and open discussion among agency employees before a decision is made." *Id.* at 248, 799 N.E.2d at 864.

The request for pre-authorization to redact information from Personnel Action Request 027061 pursuant to Section 7(1)(f) is **approved**. We have reviewed an un-redacted copy of the record and concluded that the proposed redactions consist of opinions. The Governor's Office has explained that those opinions are set forth to justify the Personnel Action Request, which requires final approval. In addition, there is no indication that the redacted information was publicly cited or identified by the head of the public body. Accordingly, we conclude that the Governor's Office has sustained its burden of demonstrating that the redacted information is exempt from disclosure under Section 7(1)(f).

This letter shall serve to close this file. If you have any questions, please feel free to contact me at 312-814-6756 or [ssilverman@atg.state.il.us](mailto:ssilverman@atg.state.il.us).

Sincerely,

Cara Smith  
Public Access Counselor

By:

[REDACTED]

Steve Silverman  
Assistant Public Access Counselor

cc:

[REDACTED]