



U.S. Department of Justice
Drug Enforcement Administration
FOI/Records Management Section
8701 Morrissette Drive
Springfield, Virginia 22152

JUL 31 2013

Case Number: 12-00477-F
13-00007-L

Catherine Crump
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Re: *American Civil Liberties Union and ACLU of Massachusetts v. United States Department of Justice, et. al.*, CA No. 1:12-cv-11776

Pursuant to the above-captioned civil action, the Drug Enforcement Administration (DEA), conducted a litigation review of potentially responsive records in compliance with the Joint Status Report dated April 23, 2013. As a result of that review, enclosed please find ten pages.

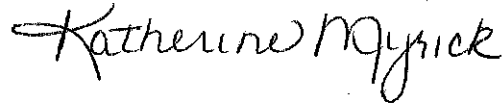
Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and/or the Privacy Act, 5 U.S.C. § 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding the deleted material, which is indicated by a mark appearing in the block next to the exemption. An additional enclosure with this letter explains these exemptions in more detail. The documents are being forwarded to you with this letter.

DEA's FOIA regulations are contained in the Code of Federal Regulations, Title 28, Part 16, as amended. They are published in the Federal Register and are available for inspection by members of the public.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions regarding this letter, you may contact Assistant United States Attorney Jennifer A. Serafyn at 617-748-3188 or Jennifer.Serafyn@usdoj.gov.

Sincerely,



Katherine L. Myrick, Chief
Freedom of Information/Privacy Act Unit
FOI/Records Management Section

Enclosures

Number of pages withheld: 0

Number of pages released: 10

APPLICABLE SECTIONS OF THE FREEDOM OF INFORMATION AND/OR PRIVACY ACT:

Freedom of Information Act 5 U.S.C. 552			Privacy Act 5 U.S.C. 552a	
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(5)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (d)(5)	<input type="checkbox"/> (k)(2)
<input type="checkbox"/> (b)(2)	<input checked="" type="checkbox"/> (b)(6)	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (j)(2)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(3)	<input type="checkbox"/> (b)(7)(A)	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(1)	<input type="checkbox"/> (k)(6)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(7)(B)	<input checked="" type="checkbox"/> (b)(7)(F)		

FREEDOM OF INFORMATION ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) Information which is currently and properly classified pursuant to Executive Order in the interest of the national defense or foreign policy.
 - (b)(2) Materials related solely to the internal rules and practices of DEA.
 - (b)(3) Information specifically exempted from disclosure by another federal statute.
 - (b)(4) Privileged or confidential information obtained from a person, usually involving commercial or financial matters.
 - (b)(5) Inter-agency or intra-agency documents which are subject to a privilege, such as documents the disclosure of which would have an inhibitive effect upon the development of policy and administrative direction, or which represent the work product of an attorney, or which reflect confidential communications between a client and an attorney.
 - (b)(6) Materials contained in sensitive records such as personnel or medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
-
- (b)(7) Records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local or foreign agency or authority or any private institution which furnished information on a confidential basis; and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.

PRIVACY ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) Materials compiled in reasonable anticipation of a civil action or proceeding.
- (j)(2) Material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals.
- (k)(1) Information which is currently and properly classified pursuant to Executive Order in the interest of the national defense or foreign policy.
- (k)(2) Material compiled during civil investigations for law enforcement purposes.
- (k)(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to an express promise that his identity would be held in confidence, or pursuant to an implied promise of confidentiality if such information was furnished prior to September 27, 1975.
- (k)(6) The substance of tests used to determine individual qualifications for appointment or promotion in Federal Government Service.

Non Responsive

From: (b)(6),(b)(7)(C)
Sent: Tuesday, June 07, 2011 1:08 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C),(b)(7)(F)
Subject: RE: Non Responsive
Hi (b)(6),(b)(7)(C)

(b)(7)(E)

Non Responsive

(b)(6),(b)(7)(C)

Non Responsive

Non Responsive

----- Original Message -----

From: (b)(6),(b)(7)(C),(b)(7)(F)

To: (b)(6),(b)(7)(C)

Sent: Tue Jun 01 17:04:42 2010

Subject: RE:

(b)(6),(b)(7)
(C)

Non Responsive

- Information Technology:

Non Responsive

Non Responsive

Non Responsive

Non Responsive

Non Responsive

Non Responsive

in

May 2009, the program was officially opened to all of DEA and our Federal, State, and Local counterparts. The Pilot National LPR Initiative has received enormous support from all several government and law enforcement entities and multiple request have been made to connect LPR devices from state and local law enforcement. In anticipation of the Pilot National LPR Initiative being utilized by all of DEA as well as Federal, State, and Local law enforcement throughout the United States we must insure we can collect, manage, and maintain to the highest standards all data from the system as well as every other aspect of the LPR system. DEA has designed this program to assist with locating, identifying, and seizing bulk currency, guns, and other illicit contraband moving along the southwest border and throughout the United States. With that said, we want to insure we can collect and manage all the data and IT responsibilities that will come with the work to insure the program meets its goals, of which asset forfeiture is primary.

Non Responsive

-----Original Message-----

From: (b)(6),(b)(7)(C)
Sent: Sunday, February 07, 2010 12:32 PM
To: (b)(6),(b)(7)(C),(b)(7)(F)
Cc:
Subject:

Hi (b)(6),(b)(7)(C),(b)(7)(F)

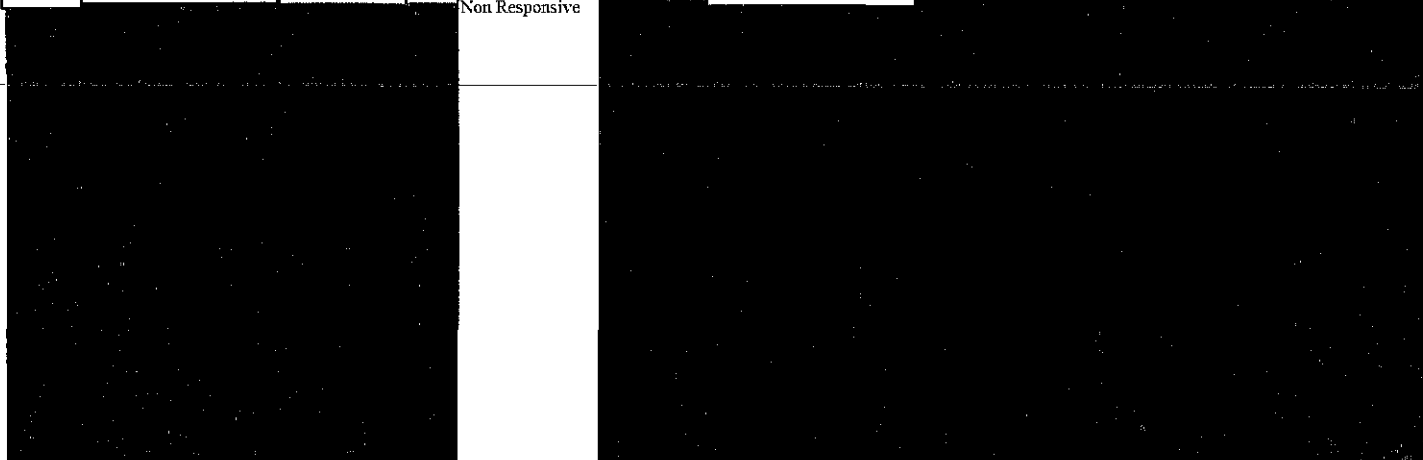
In the past (b)(6), (b)(7)(C) has asked us for what we need funding wise re the LPR program. I know the AFF mid-year is due so want to make sure you have already in place or can request through the AFF process the NS funding.

Non Responsive

License Plate Reader Information

Non Responsive	(b)(7)(E)	Non Responsive	Non Responsive	Non Responsive	TX	Non Responsive	(b)(7)(E)	Non Responsive
					TX			
					TX			
					TX			
					TX			
					TX			

Non Responsive



Non Responsive	(b)(7)(E)	Non Responsive	Non Responsive	Non Responsive	TX	Non Responsive	(b)(7)(E)	Non Responsive
					TX			
	Non Responsive		Non Responsive					

Non Responsive

From: (b)(6),(b)(7)(C)

Sent: Tuesday, June 07, 2011 1:08 PM

To: (b)(6),(b)(7)(C)

Cc: (b)(6),(b)(7)(C),(b)(7)(F)

Subject: RE: Non Responsive

Hi (b)(6),
(b)(7)(E)

(b)(7)(E)

Non Responsive

Non Responsive

Non Responsive

(b)(7)(E)

Non Responsive

Non Responsive

Non Responsive

From: (b)(6),(b)(7)(C)

Sent: Monday, May 23, 2011 4:21 PM

To: (b)(6),(b)(7)(C)

Cc: (b)(6),(b)(7)(C),(b)(7)(F)

A. Subject: Non Responsive

Non Responsive

Non Responsive

(b)(7)(E)

(b)(7)(E)

Non Responsive

Non Responsive

Non Responsive

From: (b)(6),(b)(7)(C)

Sent: Tuesday, June 07, 2011 1:08 PM

To: (b)(6),(b)(7)(C)

Cc: (b)(6),(b)(7)(C),(b)(7)(F)

Subject: RE: Non Responsive

Hi (b)(6),(b)(7)(C)

(b)(7)(E) Non Responsive

Non Responsive

Non Responsive (b)(7)(E) Non Responsive

Non Responsive

Non Responsive

Non Responsive

From: (b)(6),(b)(7)(C)

Sent: Monday, May 23, 2011 4:21 PM

To: (b)(6),(b)(7)(C)

Cc: (b)(6),(b)(7)(C),(b)(7)(F)

A.

Subject: Non Responsive

Non Responsive

Non Responsive

(b)(7)(E)

(b)(7)(E)

Non Responsive

Non Responsive

Non Responsive

From: (b)(6),(b)(7)(C),(b)(7)(F)
Sent: Monday, April 25, 2011 04:32 PM
To: (b)(6),(b)(7)(C)
Cc:
Subject: FW: AFF Operational Impacts

(b)(6),(b)(7)
(C)

Non Responsive

for the LPR Initiative.

Non Responsive

what will happen if we do not receive mid-year AFF funding

Non Responsive

Non Responsive

(b)(6),(b)(7)(C),(b)(7)(F)

Staff Coordinator
Financial Operations - Mexico

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C),(b)(7)(F)

Non Responsive