



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

AUG 29 2014

Case Number: 13-00007-L

Case Number: 12-00477-F

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

Dear Ms. Crump:

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 three pages. Please note that not all of the material in this release is accurate.

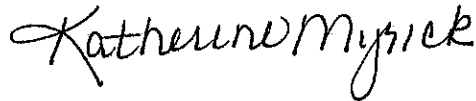
Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and/or the Privacy Act, 5 U.S.C. § 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding the deleted material, which is indicated by a mark appearing in 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 your request, 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 released: 3

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 type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (d)(5)	<input type="checkbox"/> (k)(2)
<input type="checkbox"/> (b)(2)	<input 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 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

**NATIONAL (PILOT) LICENSE PLATE READER (LPR)
INITIATIVE:**

(b)(7)(E) The National Pilot License Plate Reader (LPR) Initiative has both an enforcement and asset forfeiture component. Almost 100% of the effort and cost for the LPRs monitoring the [redacted] traffic will be directed at the identification, seizure, and forfeiture of bulk cash. (b)(7)(E) The effort and cost for LPRs monitoring the [redacted] traffic are mainly enforcement related; however, there are [redacted] efforts with LPRs that are forfeiture related. (b)(7)(E) They will identify suspect conveyances for later [redacted] interdiction; they will provide the opportunity [redacted] that result in currency seizures; they will identify other targets and assets for forfeiture; and they provide the nexus of drug activity to the associated cash for perfecting the forfeiture.

The forfeiture component will enhance the enforcement component in that it will target drug proceeds flowing back to the sources of supply, which will go into the production of

more drugs. It will also remove those conveyances that are being utilized by the Drug Trafficking Organizations (DTOs) to ship the drugs; thus, the LPR Initiative will enhance the Department of Justice's Asset Forfeiture Strategic Plan.

The purpose of the LPR Initiative is to combine existing Drug Enforcement Administration (DEA), High Intensity Drug Trafficking Area (HIDTA), Organized Crime Drug Enforcement Task Force (OCDETF), El Paso Intelligence Center (EPIC), and U.S. Customs and Border Protection (CBP) database capabilities with new technology to identify and interdict conveyances being utilized to transport bulk cash, drugs, weapons, as well as other illegal contraband.

(b)(7)(E)

[Redacted]

The LPRs will be connected and

(b)(7)(E)

all information will be sent to DEA's

facility

for

strategic and tactical cueing respectively.

Non
Responsive

[Large redacted area]

Non
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- All domestic group supervisors have the also have the ability to enter as Non Responsive well as run queries in the LPR data base.
- Cleared personnel from other federal agencies, as well as state and local agencies have the ability to enter query in the LPR data base via EPIC.

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

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