



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

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

FEB 28 2014

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 ten pages. Please be advised that the sentence on page 3, "The National LPR Initiative Database...will maintain all data collected for two years," is not an accurate reflection of current practice.

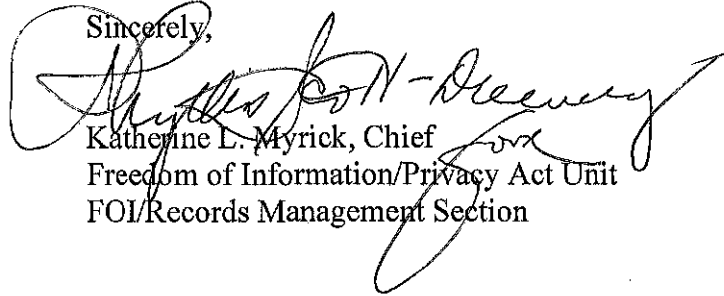
Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and/or the Privacy Act, 5 U.S.C. § 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding the deleted material, which is indicated by a mark appearing in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

Non Responsive

existing LPR system located Non Responsive in (b)(7)(E) Texas, one

Non Responsive

Non Responsive

(b)(6)

From:
Sent:
To:
Cc:

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

Wednesday, September 16, 2009 11:04 AM

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

Subject:

RE: Non Responsive

Non Responsive

Non Responsive

THE NATIONAL

LPR INITIATIVE IS A PROGRAM DESIGNED TO COMBINE EXISTING DEA AND OTHER LAW ENFORCEMENT DATABASE CAPABILITIES WITH NEW TECHNOLOGY TO IDENTIFY AND INTERDICT CONVEYANCES BEING UTILIZED TO TRANSPORT BULK CASH, DRUGS, WEAPONS, AS WELL AS OTHER ILLEGAL CONTRABAND. THE SYSTEM IS DESIGNED TO DE-CONFLICT AS WELL AS PROVIDE IMMEDIATE TACTICAL CUEING AND STRATEGIC CAPABILITIES.

THE NATIONAL LPR INITIATIVE ALLOWS DEA AND TASK FORCE OFFICERS TO QUERY AND INPUT ALERTS ON SUSPECT LICENSE PLATES VIA DEA'S [REDACTED] DATABASE. **FURTHERMORE, OTHER FEDERAL, STATE AND LOCAL LAW ENFORCEMENT AGENCIES CAN DO THE SAME**

Non Responsive

THE NATIONAL LPR INITIATIVE IS FOCUSED ON PLACING LPR DEVICES [REDACTED]

Non Responsive

(b)(7)(E)

WITH A PRIMARY GOAL OF

TARGETING MONEY AND WEAPONS BEING TRANSPORTED FROM THE INTERIOR OF THE UNITED STATES [REDACTED] WITH AN EVENTUAL DESTINATION OF VARIOUS DRUG TRAFFICKING ORGANIZATIONS [REDACTED]

THE LPR IS A CAMERA-BASED DESIGN WHICH PROVIDES THE REQUESTER WITH IMAGES THAT MAY INCLUDE VEHICLE LICENSE PLATE NUMBERS (FRONT AND/OR REAR), PHOTOS OF VISIBLE VEHICLE OCCUPANTS [REDACTED] AND A FRONT AND REAR OVERALL VIEW OF THE VEHICLE. [REDACTED]

Non Responsive

THE LPR SYSTEM

WILL SUPPORT THE INVESTIGATION AND PROSECUTION OF DRUG TRAFFICKING ORGANIZATIONS BY FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT ELEMENTS OPERATING THROUGHOUT THE UNITED STATES.

ALL LPR DEVICES [REDACTED] ARE CONNECTED TO THE DEA NATIONAL LPR INITIATIVE. [REDACTED]

(b)(7)(E), [REDACTED] **IT SHOULD BE NOTED THAT [REDACTED] IS THE SOLE REPOSITORY FOR THE LPR**

(b)(7) DATA. [REDACTED]

Non Responsive

[Redacted]

PRESENTLY THEIR ARE [Redacted] Non Responsive

[Redacted] Non Responsive

DEVICE LOCATED IN [Redacted] (b)(7)(E) ONE [Redacted] Non Responsi MULTI-CAMERA TEXAS CONNECTED TO THE DEA NATIONAL LPR SYSTEM.

[Redacted] Non Responsive

[Redacted] Non Responsive THE PRIORITY OF THE PROGRAM BEING GEARED TOWARD THE TARGETING OF CONVEYENCES TRANSPORTING MONEY, GUNS, AND OTHER ILLICIT CONTRABAND [Redacted] (b)(7)(A),(b)(7)(E) FROM THE UNITED STATES.

THE NATIONAL LPR INITIATIVE DATABASE [Redacted] Non Responsive WILL MAINTAIN ALL DATA COLLECTED FOR TWO YEARS. [Redacted] Non Responsive

[Redacted] Non Responsive

[Redacted] (b)(6),(b)(7)(C),(b)(7)(F)

**Executive Assistant, NCX
Office of the Assistant Administrator /
Chief of Intelligence
DEA Headquarters**

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

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

E-mail: (b)(6), (b)(7)(C), (b)(7)(F)

Non Responsive

(b)(6)

From:

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

Sent:

Friday, September 10, 2010 6:23 PM

To:

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

Cc:

Subject:

Non Responsive

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

Non Responsive

TX: 3

Non Responsive

Non Responsive

Non Responsive

(b)(6)

From:

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

Sent:

Thursday, November 04, 2010 3:05 PM

To:

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

Cc:

Subject:

Non Responsive

Non Responsive

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

Non Responsive

Non Responsive

(b)(7)(E)

TX

Non
Responsive

4

Non Responsive

Non Responsive

Non Responsive

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

Staff Coordinator

Financial Operations - Mexico

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

Non Responsive

Non
Responsive

(b)(7)(E)

Non Responsive

Non Responsive

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

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

Sent: Tue Jan 25 08:37:40 2011

Subject:

Non Responsive

the LPR program has been in existence for two years and

funded through the AFF program

Non Responsive

DEPARTMENT OF JUSTICE
ENFORCEMENT ADMINISTRATION
MORRISSETTE DRIVE
FIELD, VA 22152-1080

RF
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FOR PRIVATE USE, \$300

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UNITED STATES POSTAGE
U.S. OFFICIAL MAIL
PENALTY FOR
PRIVATE USE \$300
DITNEY BOWES
02 1R \$ 00.42⁰⁰
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MAILED FROM ZIP CODE 22202

MAP
TRY SEC

17

STP

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

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REGISTERED MAIL™
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[Barcode]