



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

April 9, 2021

FOIA Nos.: 2018-06-192, 2018-08-115, 2018-08-116
OASIS No.: 1188173

Tim Mak
National Public Radio, Inc.
1111 North Capitol St., N.E.
Washington, DC 20002

Dear Mr. Mak:

Re: *National Public Radio, Inc. et al v. United States Department of the Treasury*, Civil
Action No. 1:19-CV-0017 (JDB)

This letter accompanies the Office of Foreign Assets Control's (OFAC) preliminary production of the twenty-third interim response¹ (hereinafter "Part I") to your three Freedom of Information Act (FOIA), 5 U.S.C. § 552, requests to the Department of the Treasury as outlined below.

FOIA No.	Date of Request	Subject of Request
2018-06-192	May 14, 2018	Alexander Torshin, Oleg Deripaska
2018-08-115	August 14, 2018	Maria Butina
2018-08-116	August 14, 2018	Kalashnikov Concern, Mark Barnes, National Rifle Association

On August 22, 2019, the Court ordered Treasury to review documents at a rate of 3,000 pages per month, regardless of how many documents are identified as being responsive.

OFAC anticipates that the releases made to NPR this month, including this release, will be the last of the production of records contemplated by the Court's August 2019 order in this case.² In connection with Part I of this release, OFAC has processed 280 pages of records that are responsive to your FOIA requests. Of these 280 responsive pages, 76 pages are pending processing through the submitter notice process (see 31 C.F.R. §1.5); 15 pages are pending processing as consultations to other governmental agencies, other parts of the U.S. government, and/or within Treasury as specified in the filler pages (see 31 C.F.R. §1.3(d)(1)); 181 pages are being released in full; and eight pages are being released in part with redactions made pursuant to FOIA exemptions (b)(6) and (b)(7)(C).

¹ When OFAC prepares records for review and production, it first identifies responsive records, and applies Bates numbers to the entire set of records that are part of the monthly production. Since OFAC is providing Part I and will later supplement with the remaining pages of records for the twenty-third interim production of records (Part II), we note that some of the Bates numbers in the Part I production will not be consecutive, since there are pages of records that are still undergoing review and processing. Once OFAC produces Part II of the twenty-third interim release, due April 26, 2021, you will have the complete set of records, with all Bates numbers included.

² We note that records subject to the submitter notice process and consultations will be forthcoming, consistent with the Court's order of March 31, 2021.

Mr. Mak
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FOIA exemption (b)(6) protects from disclosure personal privacy information, the release of which would constitute a clearly unwarranted invasion of personal privacy. OFAC used a balancing test to determine that the individuals' right to personal privacy outweighs the public's right to release of the information. Treasury used exemption (b)(6) to withhold information such as the names of individuals, email addresses, and phone numbers.

OFAC withheld information, compiled for a law enforcement purpose, under FOIA exemption (b)(7)(C) to protect personal privacy information in law enforcement records, the release of which would constitute an unwarranted invasion of personal privacy. The courts have determined that there are strong privacy interests inherent in law enforcement records. OFAC withheld such information as the names of individuals, email addresses, and phone numbers.

OFAC will continue to process its records until all responsive records have been processed.

If you have any questions or would like to discuss this matter, please feel free to contact Senior Counsel Julia Heiman at (202) 616-8480.

Sincerely,

Marshall H. Fields, Jr.
Assistant Director
Information Disclosure and Records Management
Office of Sanctions Support and Operations
Office of Foreign Assets Control

Enclosure: Part I of the Twenty-third Interim Release (198 pages, including nine filler pages)

CC: joshua.kolsky@usdoj.gov, julia.heiman@usdoj.gov