



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

July 30, 2021

FOIA Nos.: 2018-06-192, 2018-08-115, 2018-08-116  
OASIS No.: 1213085

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 is the Office of Foreign Assets Control's (OFAC) twenty-fourth interim response and concerns our July 16, 2021 supplemental production of records in response 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 completed its initial production of records subject to the Court's August 2019 order in this case on April 26, 2021.<sup>1</sup>

With this release, OFAC commenced production of 2,772 pages of records that were initially withheld pending the completion of the submitter notice and/or consultation processes. On July 16, 2021, OFAC produced 917 pages of those remaining records, supplementing the third, fifth, sixth, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, eighteenth, and twenty-second interim releases. Of these 917 pages, 367 were non-responsive; 37 pages were duplicates or contained entirely duplicative content; 122 pages were released in full; 285 pages were withheld in full pursuant to exemptions (b)(3), (b)(4), (b)(5), (b)(6), and (b)(7)(C); and 106 pages were released in part with redactions made pursuant to FOIA exemptions (b)(3), (b)(4), (b)(5), (b)(6), (b)(7)(C), and (b)(7)(E).

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<sup>1</sup> We note that records initially identified as subject to the submitter notice and/or consultation processes are all that remain to be produced to the plaintiffs from the records contemplated by the August 2019 Court order.

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OFAC consulted the Department of State, Drug Enforcement Administration (DEA), U.S. Patent and Trademark Office (USPTO), and several components of Treasury, including the Financial Crimes Enforcement Network (FinCEN), on these records. Redactions attributable to other agencies and FinCEN are identified in the records.

FOIA exemption (b)(3) allows for the withholding of records or information that is prohibited from disclosure by another federal statute. OFAC withheld information pursuant to 50 U.S.C. § 3024(i)(1).

OFAC used FOIA exemption (b)(4) to protect from disclosure “trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential.” See 5 U.S.C. § 552(b)(4).

Treasury and USPTO used FOIA exemption (b)(5) to protect from disclosure “inter-agency” or “intra-agency” records and information which would not be available by law to a party other than an agency in litigation with that agency. Treasury used exemption (b)(5) to withhold information under the deliberative process and attorney-client privileges. USPTO used exemption (b)(5) to protect information under the deliberative process privilege.

Treasury, State, and DEA used FOIA exemption (b)(6) to protect from disclosure personal privacy information, the release of which would constitute a clearly unwarranted invasion of personal privacy.

FOIA exemption (b)(7) protects from disclosure records and information compiled for a law enforcement purpose, the release of which would violate one of the six subparts of the exemption.

OFAC, State, and DEA withheld information, compiled for a law enforcement purpose, under FOIA exemption (b)(7)(C) to protect personal privacy information, 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 and DEA used FOIA exemption (b)(7)(E) to protect from disclosure “records or information compiled for law enforcement purposes...[which] 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[.]” See 5 U.S.C. § 552(b)(7)(E).

OFAC plans to produce the remaining 1,855 pages of records on or by September 16, 2021, with a release of those records for which processing is complete on August 16, 2021.

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If you have any questions or would like to discuss this matter, please feel free to contact Trial Attorney Joshua Kolsky at (202) 305-7664.

Sincerely,

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

Enclosures:

1. Supplement to third interim release (39 pages, including one filler page)
2. Supplement to fifth interim release (five pages, including two filler pages)
3. Supplement to sixth interim release (16 pages)
4. Supplement to eighth interim release (three pages)
5. Supplement to ninth interim release (107 pages, including two filler pages)
6. Supplement to tenth interim release (nine pages, including two filler pages)
7. Supplement to eleventh interim release (14 pages, including one filler page)
8. Supplement to twelfth interim release (29 pages, including 13 filler pages)
9. Supplement to thirteenth interim release (17 pages, including eight filler pages)
10. Supplement to fourteenth interim release (25 pages, including eight filler pages)
11. Supplement to eighteenth interim release (33 pages, including nine filler pages)
12. Supplement to twenty-second interim release (two filler pages)

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