



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

February 28, 2020

FOIA Nos.: 2018-06-192, 2018-08-115, 2018-08-116  
OASIS No.: 1105991

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) eleventh interim 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.

In accordance with this court order, for this eleventh interim release OFAC has reviewed at least 3,000 pages of records. Of the pages reviewed for this release, OFAC determined that 28 pages were responsive to your FOIA requests. The remaining pages were non-responsive or fall within the categories of records that we have agreed not to process at this time. Of the 28 responsive pages, 11 pages are pending processing through the submitter notice process (see 31 C.F.R. §1.5); four pages are pending processing as consultations to other governmental agencies and/or within Treasury (see 31 C.F.R. §1.3(d)(1)); eight pages are being released in full; and five pages are being released in part with redactions made pursuant to FOIA exemptions (b)(5) and (b)(6).

Additionally, we are supplementing our ninth interim release with two pages (Bates 2018-08-116: 007971-007972) whose processing depended upon consultation with another governmental agency. Of those two pages, one page is being released in full and one page is being released in part with redactions made pursuant to FOIA exemptions (b)(5) and (b)(6).

FOIA exemption (b)(5) protects 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 OFAC. OFAC used exemption (b)(5) to withhold information under the deliberative

Mr. Mak  
Page 2

process privilege. OFAC determined that some discrete pieces of information, if released, would: 1) hinder open and frank discussions on matters of policy between subordinates and superiors; and/or 2) prematurely disclose proposed policies before they are actually adopted; and/or 3) engender public confusion from disclosure of reasons and rationales that were not in fact ultimately the grounds for an agency's action.

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. OFAC withheld information such as names and initials of individuals, telephone numbers, and email addresses.

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 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. Eleventh Interim Release (16 pages, including filler pages)
2. First Supplement to Ninth Interim Release (two pages)

CC: joshua.kolsky@usdoj.gov