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Date/date range of document: 08-October-2007 – 20-August-2007

Source of document: FOIA Coordinator
US Department of Justice
National Drug Intelligence Center
319 Washington Street, 5th Floor
Johnstown, PA 15901-1622
<http://www.usdoj.gov/ndic/foia.htm>

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U.S. Department of Justice

National Drug Intelligence Center

Office of the Assistant Director

319 Washington Street, 5th Floor

(814) 532-4601

Johnstown, PA 15901-1622

Fax: (814) 532-4690

September 18, 2007

NDIC Request Number: 2-3907

Reference: Letter received by NDIC on August 20, 2007

Your Freedom of Information Act (FOIA)/Privacy Act (PA) request seeking information from the National Drug Intelligence Center (NDIC) has been processed. The rules and regulations of NDIC applicable to FOIA requests 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. The paragraphs checked below apply to your request:

- NDIC has searched its information holdings and has no agency records responsive to your request.
- NDIC will neither confirm nor deny the existence of responsive records.
- A determination has been made to deny your request pursuant to subsections of the FOIA and/or PA referenced at the end of this letter. The exemption number(s) indicated by a mark appearing in the block to the left of the subsection cited constitutes the authority for withholding the deleted material. An enclosure to this letter explains these exemptions in more detail.
- NDIC has searched its information holdings and is releasing in full the records responsive to your request.
- The processing of your request identified certain materials that will be released to you. Portions not released are being withheld pursuant to the FOIA, 5 U.S.C. 552 and/or the PA, 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.

Letter from Mr. Mrozowski dated September 18, 2007

- (X) The document reproduction and search fees have been waived or the fees did not meet the minimum billable threshold; therefore, there is no charge to you.
- () Please remit your check or money order for \$ _____ payable to the Department of Treasury. Send payment to Budget and Finance Office; National Drug Intelligence Center; 319 Washington Street, 5th Floor; Johnstown, PA 15901.
- () Certain documents in NDIC's possession were furnished by another government agency or agencies. NDIC is in the process of consulting with that agency before granting access to the documents in accordance with 28 C.F.R. 16.4 and/or 16.42. You will be notified if more material is available for release pending results from that consultation.
- () Certain documents in NDIC's possession were furnished by another government agency or agencies. The agency involved will respond directly to you in accordance with 28 C.F.R. 16.4 and/or 16.42.
- () NDIC products that are available to the public can be found at www.usdoj.gov/ndic.
- (X) If you believe our response is inadequate or if you wish to appeal any denial of your request, you may appeal within 60 days pursuant to 28 C.F.R. 16.9. The appeal should be sent to the following address, with the envelope marked "FOIA Appeal:"

Office of Information and Privacy
U.S. Department of Justice
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

If you have any questions regarding this response, please call NDIC's FOIA Coordinators, Ms. Pamela M. Nemeth at (814) 532-4572 or Ms. Wendy R. Zeglen at (814) 532-4966.

Sincerely,



David J. Mrozowski
Assistant Director
Intelligence Support Division

Enclosures (4)

**APPLICABLE SECTIONS OF THE FREEDOM OF INFORMATION AND/OR
PRIVACY ACT:**

**Freedom of Information Act
5 U.S.C. 552**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (A)
- (b) (7) (B)
- (b) (7) (C)
- (b) (7) (D)
- (b) (7) (E)
- (b) (7) (F)

**Privacy Act
5 U.S.C. 552a**

- (d) (5)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)
- (k) (6)

**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 NDIC.
- (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.

FY 2007 FOIA/PA TRACKING

#	Track	Index #	Type	First Name	Last Name	Category	Information Requested	Date Rec	Revised Date	Comment1	Date Closed	Letter Type	Comment2	# Working Days	Appeal
1	2	107	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	10/24/06			12/01/06	No Records		26	
2	2	207	FOIA/PA	Christine Gardner	Mock	Private Citizen	Vernon T. Mock (Deceased)	11/08/06			12/07/06	No Records		19	
3	2	307	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	11/13/06			12/12/06	No Records		20	
4	2	407	FOIA	Lestat Claudius	De Orleans y Montevideo	Private Citizen	7 misc. items on Bolivian drugs & gangs	11/29/06	12/15/06	emailed - narrow the scope - 12/12/06. Extension letter mailed 1/18/07.	02/09/07	Disclosure & b1, b2, b6, b7d		37	
5	2	507	FOIA	Stefan D.	Nichols	Private Citizen	NDIC products (10)	11/29/06			12/22/06	Disclosure & b2,		17	
6	2	607	FOIA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	01/03/07			02/06/07	No Records		23	
7	2	707	FOIA	Susan A.	Seese	Private Citizen	Misc. info regarding "magic" time for NDIC employees	01/09/07	08/15/07	Extension letter mailed 2/7/07. Fee letter mailed 3/13/07.					3/30/2007
8	2	807	PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	01/11/07			02/06/07	No Records		17	
9	2	907	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	01/16/07			02/08/07	No Records		17	
10	2	1007	FOIA	Amy	Terra	Private Citizen	misc. NDIC information (8 items)	01/22/07			02/23/07	Disclosure & b6		23	
11	2	1107	FOIA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	01/22/07			02/23/07	Referral	CBP	23	3/7/2007
12	2	1207	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	01/22/07			02/23/07	No Records		23	
13	2	1307	FOIA	Jesse Stephen	King	Private Citizen	6 misc. items and the NDIC publication list	01/22/07			01/24/07	Disclosure		2	
14	2	1407	FOIA	Alex	Pineda	Private Citizen	[REDACTED]	02/05/07		letter/need PA statement 2/8/07					
15	2	1507	FOIA	Michael	Ravnitzky	Private Citizen	interagency agreement between DOJ and Library of Congress	02/20/07		Referral from DOJ	03/01/07	No Records		7	
16	2	1607	FOIA	Gerald	Posner	Private Citizen	information on Archbishop Paul Casimir Marcinkus	03/07/07			03/27/07	No Records		14	
17	2	1707	FOIA	Catherine	Nielsen	News Media	information on number of expedited FOIA requests	03/13/07			03/16/07	No Records		3	
18	2	1807	FOIA	Stefan D.	Nichols	Private Citizen	4 items on gangs	03/15/07			03/16/07	No Records		1	
19	2	1907	FOIA	Elise	Ackerman	News Media	FOIAs requested by the Electronic Privacy Information Center and/or [REDACTED]	03/19/07			03/30/07	No Records		9	
20	2	2007	FOIA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	03/20/07			04/10/07	No Records		15	
21	2	2107	FOIA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	04/02/07			04/23/07	No Records		15	
22	2	2207	FOIA/PA	Lestat Claudius	De Orleans y Montevideo	Private Citizen	NDIC products and misc. drug information (6 items)	04/09/07		Extension letter mailed 5/8/07.					
23	2	2307	FOIA	Richard E.	Pellicane	Private Citizen	[REDACTED]	04/11/07	04/17/07	letter/need PA statement 4/12/07	05/07/07	No Records		14	

FY 2007 FOIA/PA TRACKING

#	Track	Index #	Type	First Name	Last Name	Category	Information Requested	Date Rec	Revised Date	Comment1	Date Closed	Letter Type	Comment2	# Working Days	Appeal
24	2	2407	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	04/27/07	05/15/07	letter/need PA statement 5/1/07	06/26/07	No Records		29	
25	2	2507	FOIA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	05/04/07			05/31/07	No Records		18	
26	2	2607	FOIA	Stefan D.	Nichols	Private Citizen	NDIC products (18)	05/09/07			05/25/07	Disclosure & b2, b7d, b7e		12	
27	2	2707	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	05/21/07			06/26/07	No Records		25	
28	2	2807	FOIA	John J.	Momot	Private Citizen-Attorney	[REDACTED]	05/21/07			06/26/07	No Records		25	
29	2	2907	FOIA	David	Schnitzer	Private Citizen	Fred D. Thompson from 1994-2002 while U.S. Senator	06/11/07			07/02/07	No Records		14	
30	2	3007	FOIA	Rachel	Willis	Commercial	NDIC purchase card holders	06/18/07			06/19/07	Disclosure		1	
31	2	3107	FOIA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	06/26/07			08/07/07	No Records		29	
32	2	3207	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	06/26/07	07/10/07	letter/need PA statement 6/27/07	08/07/07	No Records		20	
33	2	3307	FOIA	Eric	Gutschmidt	Private Citizen	information on Iowa	07/06/07		Extension letter mailed 8/7/07.					
34	2	3407	FOIA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	07/20/07			08/20/07	No Records		21	
35	2	3507	FOIA	Faith	Connelly	Private Citizen	background check racial breakdown	07/23/07			08/21/07	No Records		21	
36	2	3607	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	07/23/07			08/20/07	No Records		20	
37	2	3707	FOIA/PA	[REDACTED]	[REDACTED]	Private Citizen	[REDACTED]	07/24/07			08/21/07	1. No Records 2. Disclosure		20	
38	2	3807	FOIA	Kate	Siska	Private Citizen-Attorney	copy of internal DOJ document from 8-10 years ago for dissemination to local police to assist biker gang investigations	07/30/07			08/08/07	No Records		7	
39	2	3907	FOIA	Michael	Ravnitzky	Private Citizen	FOIA logs FY2005 to present	08/20/07							

