



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

Case Number: 19-00413-F

Subject: Your March 15, 2019 FOIA Request (Fourth Release)

Patrick Morrissey
c/o Thomas Lampman
State of WV Office of Attorney General
State Capitol Building 1 Rm. E-26
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305
Thomas.T.Lampman@wvago.gov

Dear Mr. Morrissey:

This letter responds to your Freedom of Information Act/Privacy Act (FOIA/PA) request dated March 15, 2019, addressed to the Drug Enforcement Administration (DEA), FOIA/PA Unit, seeking access to information regarding the above subject.

On May 03, 2019, our office made a first release of 162 pages to you, which included responsive records to Item 2 in its entirety along with a partial release of Item 3, which consisted of memoranda collected from 2010 provided to us by the Diversion Control Division, UN Reporting and Quota Section. On May 31, 2019, our office made a second release of 153 pages to you, which included responsive records pertaining to Item 1 part a through d, containing the first partial batch of emails collected from Joseph Rannazzisi's archived inbox while he was Deputy Assistant Administrator in charge of the Office of Diversion Control for years 2010 through 2014. On July 12, 2019, our office made a third release of 191 pages to you, which included documents pertaining to Item 3 of your request collected from 2011, 2012, and part of 2013 provided to us by the Diversion Control Division, UN Reporting and Quota Section.

This response constitutes DEA's fourth release to you and includes the remaining quota records from 2013, 2014, and 2015. Please be advised that no documents were found for 2016. This release fulfills Item 3 in its entirety.

In addition, in our letter dated May 31, 2019, we informed you that we would notify you if additional records were available for release pending consultation with other government agencies. Our consultation with the Department of Health and Human Services, the Food and Drug Administration, the Centers for Disease Control and Prevention, and the Office of National Drug Control Policy is now complete. The four pages are being disclosed to you in part.

On May 30, 2019, you requested to discuss the reformulation of Item 1 following the fulfillment of Item 3. As this release now concludes our processing of Item 3, please let us know how you would like to reformulate Item 1.

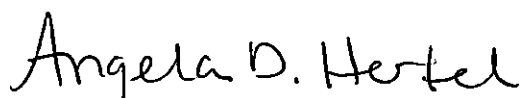
Certain materials identified during the processing of your request will be released to you. The portions withheld are exempt from disclosure pursuant to the FOIA, 5 U.S.C. § 552, and/or the PA, 5 U.S.C. § 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding 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. The agency documents you requested are enclosed with this letter.

The rules and regulations of the DEA 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.

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). 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 this letter, you may contact Caitlin Trujillo, Attorney, Office of Chief Counsel Administrative Law Section at 202-598-2730.

Sincerely,



Angela D. Hertel, Acting Chief
Freedom of Information/Privacy Act Unit
FOI/Records Management Section

Number of pages withheld: 118

Number of pages released: 131

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 checked="" type="checkbox"/> (b)(5)	<input checked="" type="checkbox"/> (b)(7)(C)
<input type="checkbox"/> (b)(2)	<input checked="" type="checkbox"/> (b)(6)	<input type="checkbox"/> (b)(7)(D)
<input type="checkbox"/> (b)(3)	<input type="checkbox"/> (b)(7)(A)	<input checked="" type="checkbox"/> (b)(7)(E)
<input checked="" type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(7)(B)	<input checked="" type="checkbox"/> (b)(7)(F)

<input type="checkbox"/> (d)(5)	<input type="checkbox"/> (k)(2)
<input type="checkbox"/> (j)(2)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (k)(1)	<input type="checkbox"/> (k)(6)

Enclosures

EXPLANATION OF EXEMPTIONS
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), if that statute- (A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue; or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld; and (B) if enacted after the date of enactment of the OPEN FOIA Act of 2009, specifically cites to this paragraph.
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar 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 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;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action 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 an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (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 a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.