



U.S. Department of Justice
Drug Enforcement Administration
FOIA and Privacy Act Section
8701 Morrissette Drive
Springfield, Virginia 22152

January 4, 2021

Case Number: 21-00112-F

Subject: Any records for any DEA employees' approval for travel to any country outside the CONUS approved by the Chief of Mission for that Country (3/3/2020 to 7/4/2020)

William Fernandes
MuckRock News
DEPT MR 105294
411 A Highland Avenue
Somerville, Massachusetts 02144-2516
105294-04408070@requests.muckrock.com

Dear Mr. Fernandes:

This letter responds to your Freedom of Information Act/Privacy Act (FOIA/PA) request dated December 1, 2020, addressed to the Drug Enforcement Administration (DEA), Freedom of Information and Privacy Act Section, seeking access to information regarding the above subject. Your request was opened and assigned the above case number. Please include this case number when communicating with this office.

Your request as written does not meet the requirements of the FOIA, 5 U.S.C. § 552 (a)(3)(A), since it does not reasonably describe records. The Department of Justice rules, contained at 28 C.F.R. § 16.3, provide that "you must describe the records in enough detail to enable department personnel to locate them with a reasonable amount of effort" and when possible, your request should include specific information about each record sought such as the date, title or name, author and subject matter of the record. These specifics are important to determine the extent and scope of the search, and to determine the records that are responsive. DEA can make certain presumptions to overcome some of the deficiencies in your request, but not all of them.

To retrieve the information that you may be seeking requires more specificity. Under the FOIA, an agency is not required to conduct research. DEA maintains several types of records and records systems (i.e., regulatory, personnel, investigative, etc.). For example, in your letter, you are requesting "any records for any DEA employees' approval for travel to any country outside the CONUs approved by the Chief of Mission for that Country, which is usually the ambassador or ambassador's designee," yet you have not specified a particular DEA office that you wish searched; or the type of record that would be responsive to your request.

Be advised that there are approximately 22 DEA Field Divisions, over 250 domestic offices, and more than 150 Headquarters activities. Since your description did not limit the search to a specific office or area, a vast majority of DEA offices would be tasked to conduct a search of their respective offices for any responsive records pertaining to the subject of your request. As such, your request is overly broad and burdensome.

DEA is a component of the Department of Justice whose primary responsibility is the enforcement of Federal criminal laws related to the illicit trafficking in controlled substances and chemicals, including the Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. § 801 et seq. See 28 C.F.R. § 0.100. DEA maintains several types of records that include criminal and administrative investigatory records, regulatory records, administrative, program records, financial records and personnel records. Under the FOIA an agency is not required to research a topic, create records or engage in a far reaching search of every record system to satisfy a FOIA request.

To this end, no further action will be initiated on this request until we are in receipt of a reasonable description of records sought. If this office does not receive your reformulated request within 30 days, DEA will assume that you do not wish to pursue this matter and your request will be administratively closed. Please e-mail your response to DEA.FOIA@usdoj.gov.

You may contact our FOIA Public Liaison at 202-307-7596 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with DEA's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you have any questions regarding this letter, you may contact our Customer Service Hotline Representative at 202-307-7596.

Sincerely,

for

Kelleigh A. Miller, Chief
Freedom of Information and Privacy Act Section
Office of Administration