



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

July 21, 2022

FOIA No.: 2020-02-144  
OASIS No.: 1292512

Melanie Sloan  
American Oversight  
1030 15th Street NW, Suite B255  
Washington, DC 20005

VIA ELECTRONIC MAIL: [foia@americanoversight.org](mailto:foia@americanoversight.org)

Dear Ms. Sloan:

This is in response to your February 19, 2020, Freedom of Information Act (FOIA) request to the Department of the Treasury, seeking the following:

All records regarding Erik Prince's trip to Venezuela in or around November 2019, including all communications related to the trip, any material regarding agenda items for the trip, logistical arrangements, readouts exchanged following the trip, or documents regarding a referral for possible sanctions violations tied to the trip.

Treasury referred this matter to its Office of Foreign Assets Control (OFAC) for processing on February 25, 2020.

OFAC is experiencing a substantial backlog of FOIA requests that has adversely affected its response time.

Please be advised that OFAC has completed its search for responsive records.

With regard to investigative records, OFAC will neither confirm nor deny the existence of investigative records, pursuant to exemption (b)(7)(A) of the FOIA, unless there was an actual investigation that resulted in a designation or enforcement action, or the investigation is publicized. The mere acknowledgement of an investigation could reveal classified information and thereby cause harm to our national security posture. Until an actual designation, enforcement action or public acknowledgement of an investigation by Treasury has occurred, release of any information confirming or denying the existence of an investigation could conceivably tip off the subjects of pending investigations. The mere acknowledgement of an OFAC investigation would allow the subject of the investigation the opportunity to engage in asset flight and change their habits and routines such that an enforcement action or designation would be impossible to obtain. Conversely, if OFAC were to acknowledge that it was not investigating an individual that was actually involved in criminal activity, that information alone may embolden the individual in their continued criminal activities. OFAC has determined that foreseeable harm intersects with an interest protected by the exemptions applied.

Ms. Sloan  
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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.

Subpart (b)(7)(A) relates to information, compiled for a law enforcement purpose, the release of which release could reasonably be expected to interfere with pending or perspective enforcement proceeding.

You may appeal our final determination, in writing, within 90 days after the date of this letter to the FOIA Appeal, FOIA and Transparency; Privacy, Transparency, and Records; Department of the Treasury, 1500 Pennsylvania Ave., NW, Washington, DC 20220. The deciding official for OFAC appeals is the Director, Office of Foreign Assets Control. Please include a copy of this letter with your letter of appeal and reference FOIA number 2020-02-144 in future correspondence.

You may seek dispute resolution services from Treasury's FOIA Public Liaison by contacting Mark Bittner, Director, FOIA and Transparency at 202-622-8098 or [FOIAPL@treasury.gov](mailto:FOIAPL@treasury.gov).

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may email them at [ogis@nara.gov](mailto:ogis@nara.gov) or call 1-877-684-6448.

If you need to contact our office about this matter, you may contact us at our FOIA Requester Service Center via email at [OFACFOIAOffice@treasury.gov](mailto:OFACFOIAOffice@treasury.gov) or via telephone to (202) 622-2500, option 3 and leave a detailed message. Please reference FOIA No. 2020-02-144 in any future correspondence regarding this matter.

Sincerely,

**Marshall H.  
Fields Jr.**

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

Digitally signed by  
Marshall H. Fields Jr.  
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Enclosure: Administrative Appeal and Dispute Resolution Sheet

## ADMINISTRATIVE APPEAL AND DISPUTE RESOLUTION SHEET

### ADMINISTRATIVE APPEAL RIGHTS

You may file an appeal with the Department of the Treasury when an adverse determination related to your request has been made, under the below circumstances, see 31 C.F.R. § 1.4(h):

- The requested records have been denied in part or in whole;
- The request does not reasonably describe the records sought;
- The information requested is not a record subject to the FOIA;
- The requested record does not exist, cannot be located, has been destroyed;
- The requested record is not readily reproducible in the form or format sought by the requester;
- You have been denied a fee waiver or issue; and
- Your request for expedited processing has been denied.

Your appeal, other than an appeal of a denial for expedited processing, must be submitted in writing and to be considered timely. It must be postmarked, or in the case of electronic submissions, transmitted, within 90 calendar days after the date of the component's final response. An appeal of a denial for expedited processing must be submitted in writing within 90 days of the date of the initial determination to deny expedited processing. The appeal must be signed by you or your representative, and contain the following information:

- Your name and address;
- Date of your initial request;
- Date of the letter denying your request;
- Description of why you believe the initial determination was in error; and
- The FOIA/PA number assigned to your request.

Please mail your appeal to: FOIA Appeal  
FOIA and Transparency  
Privacy, Transparency, and Records  
Department of the Treasury  
1500 Pennsylvania Ave., N.W.  
Washington, D.C. 20220

The deciding official for OFAC appeals is the Director, Office of Foreign Assets Control.

### DISPUTE RESOLUTION SERVICES

Available through:

1. The Treasury FOIA Public Liaison by contacting Mark Bittner, Director, FOIA and Transparency at 202-622-8098 or [FOIAPL@treasury.gov](mailto:FOIAPL@treasury.gov).
2. The Office of Government Information Services (OGIS) by emailing them at [ogis@nara.gov](mailto:ogis@nara.gov) or calling them at 1-877-684-6448.