



U.S. Department of Justice

United States Marshals Service

Office of General Counsel

Washington, DC 20530-1000

September 27, 2010

Mr. Christopher Soghoian
P.O. Box 2266
Washington, DC 20013

RE: Freedom of Information/Privacy Act (FOI/PA) Request No. 2010USMS15804

Dear Mr. Soghoian:

Reference is made to your request to the United States Marshals Service (USMS) for a copy of any policies pertaining to monitoring/surveillance operations (to obtain information).

The USMS has determined that two policy directives under **15.1 Technical Operations Group - "Special Services and the Nature of Technical Operations" and "USMS Monitoring Operations and Communications Categories"** are responsive to your request. These policies are obsolete; nevertheless, the USMS has determined to make a discretionary release to you, except for internal information referenced therein, which is exempt from disclosure pursuant to exemptions 2 and 7(E) of the Freedom of Information Act, 5 U.S.C. 552(b). Please find a copy of these two policies enclosed, consisting of 25 pages of documents.

Exemption 2 permits an agency to withhold matter related solely to internal personnel rules and practices. The material withheld under this provision meets the test of "predominant internality," set forth in Crooker v. BATF, 670 F.2d 1051 (D.C. Cir. 1981). Certain information withheld under this provision pertains to security (measures), the disclosure of which could impair the effectiveness of such measures and/or allow persons to circumvent investigative procedures and evade detection and apprehension efforts; and thereby risk circumvention of the law. Exemption 7(E) permits an agency to withhold records or information compiled for law enforcement purposes, to the extent that disclosure could reasonably be expected to disclose techniques or procedures for law enforcement investigations or prosecutions, if such disclosure could reasonably be expected to risk circumvention of the law. As such, disclosure would significantly impede effective operation of law enforcement efforts.

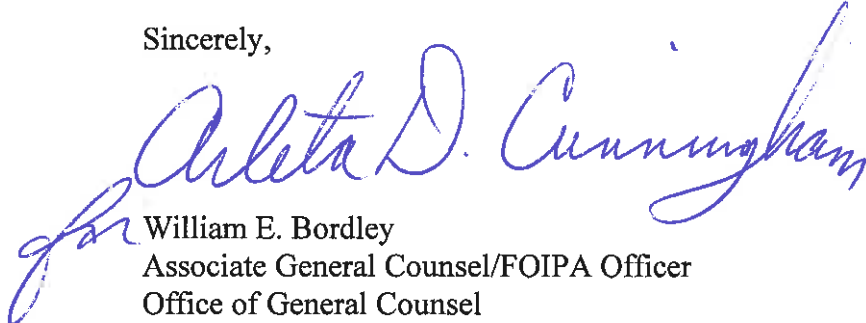
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If you are dissatisfied with my action on this request, you may appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001. Your appeal must be received within 60 days of the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information/ Privacy Act Appeal." In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia.

Sincerely,


for William E. Bordley
Associate General Counsel/FOIPA Officer
Office of General Counsel

Enclosures