



U.S. Department of Justice

United States Marshals Service

Office of General Counsel

2604 Jefferson Davis Hwy.
Alexandria, VA 22301

August 2, 2010

John Verdi, Esq.
Electronic Privacy Information Center
Suite 200
1718 Connecticut Avenue, NW
Washington, DC 20009

RE: Freedom of Information/Privacy Act Request No. 2009USMS13697
Subject: Images

Dear Requester:

In response to your Freedom of Information Act (FOIA) request and the litigation in the U. S. District Court for the District of Columbia pertaining thereto, the Marshals Service has completed a supplemental search for records relating to the component of your request seeking "All unfiltered or unobscured images captured using Whole Body Imaging technology."

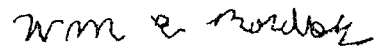
Pursuant to the parties' agreement, enclosed is a representative sample of 100 images captured by the millimeter wave technology machine employed by the USMS in the Middle District of Florida in the Orlando courthouse. The disclosed sample images are representative of approximately 35,314 images that have been stored on the Brijot Gen2 machine employed by the District. This total includes images of individuals screened, as well as "blank" images generated when the machine was inadvertently triggered and generated images that did not include individuals (a few examples of such "blank" images are included in the sample being produced today). The images were captured over a period from February 2, 2010 to July 28, 2010.

In addition to the Middle District of Florida, the USMS also tested a Millivision machine in the federal courthouse in the District of Columbia. However, that courthouse is no longer using that machine, which has been returned to Millivision; any images that may have been stored on that machine are therefore no longer under agency control. The USMS in the District of Columbia did not retain any copies of images that were produced by its machine.

Pursuant to our agreement that images produced would include "reasonable redactions," and pursuant to exemptions (b)(6) and (b)(7)(C) of the Freedom of Information Act, 5 U.S.C. § 552(b), portions of the images have been redacted. Exemption (b)(6) allows an agency to withhold records or information maintained in personnel, medical and similar files the disclosure

of which would constitute a clearly unwarranted invasion of personal privacy. Exemption (b)(7) protects records or information compiled for law enforcement purposes to the extent that the production of such records or information (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Sincerely,

A handwritten signature in black ink, appearing to read "William E. Bordley".

William E. Bordley
Associate General
Counsel/FOI/PA Officer
Office of General Counsel