



**U.S. Department of Justice**

United States Marshals Service

*Office of General Counsel*

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*Washington, DC 20530-1000*

**SEP 22 2009**

Dr. Michael I. Niman  
Buffalo State University of New York  
Communication Dept./Bishop 210  
1300 Elmwood Avenue  
Buffalo, NY 14222-1095

**Re: Freedom of Information/Privacy Act Request No. 2009USMS13879**  
**Subject: Rainbow Family**

Dear Dr. Niman:

The U.S. Marshals Service is responding to your above-captioned request for records pertaining to the Rainbow Family. Pursuant to your request, the Marshals Service conducted a search of its files and located 177 responsive documents.

Twenty-eight documents are being released to you with deletions. Identifying information pertaining to law enforcement personnel and third-party individuals has been deleted pursuant to exemption 7(C) of the Freedom of Information Act, 5 U.S.C. Section 552(b). Other portions of these documents have been deleted pursuant to exemptions 2 and 7(E) of the Freedom of Information Act.

Additionally, 149 documents have been withheld in their entirety pursuant to exemption 7(C). These documents are records on third-party individuals contained in the following two system of records: Prisoner Processing and Population Management/Prisoner Tracking System (PPM/PTS) and the Warrant Information Network (WIN). Absent a written authorized release from the individual whom the records concern, the Marshals Service cannot release these records as a discretionary release of this information would be in violation of the Privacy Act, 5 U.S.C. § 552a.

Exemption 2 allows an agency to withhold matter related solely to internal personnel rules and practices. The material withheld under this provision meets the test "predominant internality" set forth in Crooker v. BATF, 670 F.2d 1051 (D.D. Cir.1981). Exemption 7 allows an agency to withhold records or information compiled for law enforcement purposes, to the

extent that the disclosure of such records or information (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, and (E) would disclose guidelines or techniques or procedures for law enforcement investigations or prosecutions, the disclosure of which could reasonably be expected to risk circumvention of the law.

If you are dissatisfied with my action on your request, you may appeal this partial denial by writing to the Director, Office of Information Policy, United States Department of Justice, 1425 New York Avenue NW, Suite 11050, Washington, DC 20530-0001, 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,

*S. Baude*

*for*

WILLIAM E. BORDLEY  
Associate General Counsel/FOIPA Officer  
Office of General Counsel

Enclosures