



DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF OPERATIONS, SECURITY, AND PREPAREDNESS
WASHINGTON DC 20420

November 27, 2012

Mr. Scott A. Hodes
P.O. Box 42002
Washington, DC 20015

Dear Mr. Hodes:

This is in response to your October 18, 2012, FOIA request for records maintained by the Office of Security and Law Enforcement (OS&LE) and Law Enforcement Training Center (LETC).

Enclosed are documents responsive to your request. They consist of two position descriptions; one for the Special Agent, Criminal Investigator, Inspector and the other for Instructor. Please note that Position Description #24093A is that of the full performance level and covers the Criminal Investigator position, also referred to as Inspector or Special Agent. Position Description #80509A is the full performance level and covers the Training Instructors. Both position descriptions have been updated during FY 12. Portions of the Criminal Investigator position description are withheld under FOIA Exemptions 7(E) and 7(F) (5 U.S.C. Sec. 552(b)(7)(E) and (7)(F)). Exemption 7(E) affords protection to law enforcement information that would disclose techniques and procedures or guidelines for law enforcement investigations or prosecutions, the disclosure of which could reasonably be expected to risk circumvention of the law. Exemption (7)(F) affords protection of law enforcement information that could reasonably be expected to endanger the life or physical safety of any individual.

Enclosed are two US Marshals deputation application forms, USM Form 3A, and two cover memoranda. The two submissions illustrate a new special deputation application and a renewal application. All personally identifiable information has been withheld pursuant to Exemptions 6 and 7(F) (5 U.S.C. Sec. 552(b)(6) and 7(F)) the disclosure of which would reasonably constitute an invasion of personal privacy, and which affords protection of the identity of law enforcement personnel, respectively. Additional cover memoranda and application forms are withheld in accordance with FOIA Exemption 7(E) (5 U.S.C. Sec. 552 (b)(7)(E)) which affords protection of law enforcement information that could reasonably be expected to risk circumvention of the law; in this case the number of agents actively armed and deputized during the period of FY12.

There were no responsive records found applying to regulatory guidance, directives, or handbooks enacted after September 30, 2011 pertaining to the

listed subject areas. However, one internal memorandum was found that pertains to OS&LE and Department issued weapons. This memorandum is withheld in its entirety as not being reasonably segregable and in accordance with FOIA Exemptions 7E and 7F (5 U.S.C. Sec. 552 (b)(7)(E) and (7)(F)), information that would disclose techniques and procedures for law enforcement investigations or prosecutions and which could reasonably be expected to endanger the life or physical safety of any individual, respectively.

A memorandum pertaining to the requirements and procedures of annual health and psychological assessments is provided except for portions withheld under FOIA Exemptions 6 and 7(E) (5 U.S.C. 552 (b)(6) and (7)(E)) which afford protection for personnel and medical files and similar files as this documents pertains to agents' procedures in obtaining the health assessments; and protection of law enforcement information that would disclose the techniques and procedures in so far as the release ties in to agents' annual health and psychological examinations process and fitness for duty procedures.

Organization charts that were located for FY 12 are enclosed. These charts are modified on an ongoing basis. Information has been redacted under FOIA Exemptions 6 and 7(E) (5 U.S.C. 552 b(6) and (7)(E)). The names of personnel are withheld for privacy purposes, and the details of the positions are withheld under 7(E) which affords protection of law enforcement information that could reasonably be expected to risk circumvention of law enforcement processes; in this case the number of agents on hand at any given time and varying assignments within different divisions.

A spreadsheet is provided as illustrative of what is used for internal training tracking purposes. The information is withheld in its entirety under FOIA Exemptions 6, (7)(E) and (7)(F)). Exemption 6 affords protection of personal information the disclosure of which would reasonably constitute an invasion of personal privacy. Exemption (7)(E) affords protection of law enforcement information that could reasonably be expected to risk circumvention of the law; in this case, the number of special deputized personnel, with up-to-date qualifications and other training who are on hand and active at any given time. Exemption 7(F) affords protection of the identity of law enforcement personnel.

Two blank training plans are provided as illustrative of forms used solely for internal purposes. The information is withheld in its entirety under FOIA Exemptions 6, (7)(E) and (7)(F)) in accordance with same justifications as cited in the preceding paragraph for the same exemptions.

There are no records found concerning oversight of OS&LE (Police Services and LETC). Internal oversight is conducted through personnel and program performance standards; and monitored and overseen through successive levels of management. The LETC was accredited by the Federal Law Enforcement

Training Accreditation (FLETA) Board in November 2011. Thus, every three years the LETC undergoes a rigorous inspection process to maintain its certification.

Accomplishment and clearance of medical and psychological assessments are monitored on an ongoing basis and annotated for internal tracking purposes on the spreadsheets and plans. Documents for medical clearances are not maintained in the organization's files.

If you wish to appeal this determination, please send the appeal to the Office of General Counsel within sixty (60) calendar days of the date of this letter to Office of General Counsel (OGC/024), 810 Vermont Avenue, N.W., Washington, DC, 20420, or to OGC's FOIA appeal email address listed on VA's FOIA home page.

Sincerely



Tanya Al-Khateeb
Office of Security & Law Enforcement
FOIA Officer

Enclosures:

Position Descriptions

USMS Forms 3A & Cover Memos

Internal Memorandum January 2012

Organization Charts

Internal Training Tracker Spreadsheet

Internal Training Plans Forms