



**U.S. Department of Justice**

Office of Legislative Affairs

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*Office of the Assistant Attorney General*

*Washington, D.C. 20530*

September 9, 2015

The Honorable Jason Chaffetz  
Chairman  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Elijah E. Cummings  
Ranking Member  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman and Congressman Cummings:

This responds to your letter dated July 29, 2015, which requested information about the Department of Justice's (the Department) policies relating to the gathering of geolocation information in the wake of the Supreme Court's recent decisions in *United States v. Jones* and *Riley v. California*.

We appreciate your interest in these matters and would like to find a way to accommodate the Committee on Oversight and Government Reform's (the Committee) oversight information needs. The Department has substantial confidentiality interests, however, in the memoranda that you requested. These memoranda set forth the internal deliberations of Department prosecutors about the legal, investigative and strategic issues we face in light of those decisions. Our disclosure of these internal deliberative materials would chill the candid assessments and analyses that we believe are essential to sound decision-making in law enforcement matters. Disclosure also could jeopardize ongoing and future prosecutions by prematurely revealing the government's litigation strategies, which would undermine federal law enforcement efforts and pose risks to their success. In addition, disclosure of the Department's analysis of investigative techniques used in federal criminal investigations would afford targets an opportunity to preempt those tools, evade law enforcement detection, and obtain knowledge of how our agents operate.

The Honorable Jason Chaffetz  
The Honorable Elijah E. Cummings  
Page Two

To accommodate the Committee's information needs, we have scheduled a briefing with Committee staff on Thursday, September 10, 2015, at 11:00 a.m. We are prepared to discuss the Department's current practices concerning the gathering of geolocation information.

We hope this information is helpful and will confer further with Committee staff in an effort to obtain additional information about your particularized needs.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter J. Kadzik". The signature is stylized and written in a cursive-like font.

Peter J. Kadzik  
Assistant Attorney General