



June 4, 2014

Ginger McCall
Electronic Privacy Information Center
1716 Connecticut Avenue NW, Suite 200
Washington, DC 20009

Re: **2015-STFO-051**

Dear Ms. McCall:

This is the interim response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Science and Technology Directorate (S&T) dated April 14, 2014, and received by this office on April 17, 2015. You are seeking documents related to the Violent Intent Modeling and Simulation program listed in a contract document. Specifically, you requested the following:

- 1) Workshop agenda, list of invitees, project management plan, literature reviews, workshop notes and final report ;
- 2) Workshop agenda, list of invitees, project, management plan, literature reviews;
- 3) workshop notes, and final reports for 2 workshops;
- 4) Research plan, research strategy, operational level implementation plan, report and briefing;
- 5) Research plan;
- 6) Routine reports and point papers;
- 7) Evaluation and assessment of data sources for VIMS, criteria based modeling research brief, predictive modeling research brief, group violence SME panel report, and year and report;
- 8) Preliminary assessment of known data sets, summarized list of the data sets that were likely to provide the most value to VIMS, privacy considerations pertaining to the use of data characterizing US groups and individuals;
- 9) Assessment of available data sources, documents identifying promising new variables, database improvement recommendations, best data sets to be used and new data sets to be created in subsequent phases of VIMS; and
- 10) Reports for this project.

A search for responsive records was conducted by S&T's Resilient Systems Division. The search of email, file cabinets, and archives was conducted using the key terms Violent Intent Modeling and Simulations, VIMS, RTI International, Project Management Plan, and reports. This search produced a voluminous amount of records. Currently 65 pages of responsive records have been processed for your request. Of those pages, I have determined that 57 pages of the records are releasable in their entirety, 8 pages are partially releasable, and 0 pages are withheld in their entirety pursuant to Title 5 U.S.C. § 552 (b)(4) and (b)(6).

Enclosed are 65 pages with certain information withheld as described below.

FOIA Exemption 4 protects trade secrets and commercial or financial information obtained from a person that is privileged or confidential. The courts have held that this subsection protects (a) confidential commercial information, the disclosure of which is likely to cause substantial harm to the competitive position of the person who submitted the information and (b) information that was voluntarily submitted to the government if it is the kind of information that the provider would not customarily make available to the public. I reviewed the responsive documents, the submitter's objections to release, and relevant case law, and I determined that key personnel names, telephone numbers, email addresses, and biographical data are exempt from disclosure under subsection (b)(4) of the FOIA and must be withheld in order to protect the submitter's proprietary interests.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right privacy. [*The types of documents and/or information that we have withheld may consist of birth certificates, naturalization certificates, driver license, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.*] The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 60 days of the date of this letter, to: Associate General Counsel (General Law), Mailstop 0655, U.S. Department of Homeland Security, Washington, DC 20528, following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Provisions of the FOIA [AND PRIVACY ACT] allow us to recover part of the cost of complying with your request. In a letter dated April 24, 2015, S&T denied your blanket fee waiver request and determined that you will be considered a media requestor. As a media requestor you will be charged 10-cents a page for duplication, although the first 100 pages are free. We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

In a letter dated May 11, 2015, you submitted an appeal for the denial of your fee waiver request. Your appeal is currently being processed by the United States Coast Guard (USCG) Office of the Administrative Law Judge. In this instance, S&T will continue to process your request under media status until your fee waiver appeal is adjudicated by the USCG Office of the Administrative Law Judge.

If you need to contact our office again about this matter, please refer to **2015-STFO-051**. This office can be reached at stfoia@hq.dhs.gov or (202) 254-6342.

Sincerely,



Katrina Hagan
FOIA Officer

Enclosures: Responsive Documents, 65 pages
Inventory Sheet, 1 page