



Homeland Security

November 14, 2017

SENT BY ELECTRONIC MAIL TO: FOIA@epic.org

Ms. Eleni Kyriakides
EPIC Fellow
Electronic Privacy Information Center
1718 Connecticut Ave. N.W., Ste. 200
Washington, DC 20009

Re: Freedom of Information Act Request 2017-IAFO-00288

Dear Ms. Kyriakides:

This letter acknowledges receipt of your electronic Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Headquarters Privacy (PRIV), dated March 31, 2017. This request was that was subsequently transferred to the Office of Intelligence and Analysis (I&A), on June 26, 2017, requesting:

1. Research, integration, and analysis activities of DHS relating to interference with the elections for Federal office held in 2016 by or at the direction of the Russian Govt. as announced in a joint statement with ODNI on October 7, 2016 and December 29, 2016;
2. Dissemination of information regarding interference with the elections for Federal office held in 2016 by or at the direction of the Russian Govt. as announced in a joint statement with ODNI on October 7, 2016 and December 29, 2016;
3. Research into cyber compromises of emails of US persons and institutions by or at the direction of the Russian Government to interfere with the elections for Federal office held in 2016;
4. Integration, analysis and dissemination of the Joint Analysis Report detailing the tools and infrastructure used by Russian intelligence services to compromise and exploit networks and infrastructure associated with the election for Federal office held in 2016 issued by the Secretary of DHS and the Director of the FBI on December 29, 2016.
5. Any and all information prepared for and/or transmitted to the House of Representatives pursuant to House Resolution 235.

A search of I&A records for documents responsive to your request produced a total fifty-six (56) pages. Based on the review of these documents, I&A is providing the following:

50 pages are being withheld in full (WIF).

6 pages are being referred to another agency.

Freedom of Information Act, 5 U.S.C. § 552			Privacy Act, 5 U.S.C. § 552a
<input checked="" type="checkbox"/> 552(b)(1)	<input type="checkbox"/> 552(b)(5)	<input type="checkbox"/> 552(b)(7)(C)	<input type="checkbox"/> 552a(j)(2)
<input type="checkbox"/> 552(b)(2)	<input type="checkbox"/> 552(b)(6)	<input type="checkbox"/> 552(b)(7)(D)	<input type="checkbox"/> 552a(k)(2)
<input checked="" type="checkbox"/> 552(b)(3)	<input type="checkbox"/> 552(b)(7)(A)	<input checked="" type="checkbox"/> 552(b)(7)(E)	<input type="checkbox"/> 552a(k)(5)
<input type="checkbox"/> 552(b)(4)	<input type="checkbox"/> 552(b)(7)(B)	<input type="checkbox"/> 552(b)(7)(F)	<input type="checkbox"/> Other:

FOIA Exemption 1, 5 U.S.C. § 552(b)(1)

FOIA Exemption 1 provides that an agency may exempt from disclosure matters that are (A) specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive Order

FOIA Exemption 3, 5 U.S.C. § 552(b)(3)

Exemption 3 protects “information specifically exempted from disclosure by [another] statute.” *See* 5 U.S.C. § 552(b)(3). In this instance, 50 U.S.C. § 3024(i) and 6 U.S.C. § 121(d)(11) exempt(s) information regarding intelligence sources and methods from unauthorized disclosure. I&A is withholding information which would lead to the revelation of intelligence sources and methods.

FOIA Exemption 7(E), 5 U.S.C. § 552(b)(7)(E)

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution, if such disclosure could reasonably be expected to risk circumvention of the law.” *See* 5 U.S.C. § 552(b)(7)(E). DHS I&A is withholding from disclosure specific information which could reasonably be expected to risk circumvention of the law.

You have a right to appeal this response.¹ Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to:

The Privacy Office
U.S. Department of Homeland Security
Attn: FOIA Appeals
245 Murray Lane SW
STOP-0655
Washington, D.C. 20528-0655
Phone: 202-343-1743 or 866-431-0486
E-mail: foia@hq.dhs.gov

¹ For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Please follow the procedures outlined in the DHS regulations at 6 C.F.R. § 5.8. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

The Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may email that entity at ogis@nara.gov or call 877-684-6448.

Your request has been assigned reference number 2017-IAFO-00288. Please refer to this identifier in any future correspondence. You may contact this office at 202-447-3783 if you have any questions.

Sincerely,

X

Brendan Henry
FOIA Officer