

Rene Fielding
Acting Director
Office of Emergency Management
City of Boston
1 City Hall Square, Room 204
Boston, MA 02201

September 17, 2013

Re: Public Records Request / Urban Areas Security Initiative

Dear Ms. Fielding:

This letter constitutes a request under the Public Records Law, Mass. Gen. Laws ch. 66, §10 for documents made or received by the City of Boston and agencies of the City of Boston. The request is made on behalf of the American Civil Liberties Union Foundation of Massachusetts (“ACLUM”).

This request seeks documents related to the Urban Areas Security Initiative.

Documents Requested

Please provide copies of the following public records created from January 1, 2010 to the present unless framing dates are otherwise noted:

Surveillance technologies

1. Requests for proposals, contracts and any other records related to the procurement or attempted procurement of surveillance technology and surveillance equipment for any agency within the City of Boston and the Metro Boston UASI region.
 - a. We would like all records related to any and all surveillance equipment/technology. Some examples may include, but are not limited to: deep packet inspection or “web scraping” technology; datamining, data analysis or data analytics software; unmanned aerial vehicles or drones; internet monitoring tools; phone monitoring tools; malware or spyware software; speech analysis software or tools; text message or SMS monitoring tools; GPS tracking software or tools; computer hacking software or tools; and internet and cellphone interception technologies or tools, including but not limited to IMSI catchers.
 - b. Please include in your production any records of communication, responses to requests for proposals, or contracts with, the following companies: Area spa; ATCI; Bivio Networks; BlueCoat; Broadsoft; Comverse; Cisco Systems; Cubic; Harris; Narus; Cellebrite; Net Optics; Northop Grumman; Nuances technology; Omni Wildpackets; SAIC; Meganet; Access Data; Glimmerglass; HP; Mantech; NetQuest; SS8 Networks;

Ultrareach; Brightplanet or Bright Planet; Packet Forensics; Radisys; Sonus Networks; Pen Link; Verint; Netezza; Polaris wireless; Rainstor; Gamma Group; Hacking Team; Vupen Security; Berkley Varitronics; Cambridge Consultants; ELUSIV; ETI Group; FOX IT; Gigamon; Glimmerglass; Mantaro Network Forensics; Netronome; OnPath Technologies; Qosmos; Septier; Simena; Telesoft Technologies; Utimaco; VASTech; VSS Monitoring; Carrier IQ; Expert System; NTrepid; Scan & Target; Visual Analytics; Vigilant Video; and Kapow.

2. Records describing the procurement, technical specifications, and use of the ISIS surveillance camera system, which the Boston Police Department deployed at the Fourth of July celebrations in Boston in the summer of 2013.
3. Records describing access to or input into the National Vehicle Location Service, including contracts and communications.
4. Any contracts, requests for proposals, records of communications and other records related to the Metro Boston region's, or any agency under its jurisdiction, including the City of Boston, BPD and/or Boston Regional Intelligence Center's use, procurement or attempted procurement of facial recognition software, face and/or eye scanning technology, and/or automated identification software.
5. Communications, requests for proposals, responses to requests for proposals, contracts, budget information and other records describing the hiring of private contractors or private intelligence companies to assist with intelligence gathering, analysis and/or sharing among agencies, including social networking analysis or monitoring. Please include in your search any reference to the FBI's Domestic Communications Assistance Center and the Special Operations Division of the DEA.

UASI Budget Information for Metro Boston Region

6. Documents and reports showing how Urban Areas Security Initiative (UASI) funds were spent on intelligence/information sharing and surveillance technology procurement in the UASI Boston region during the years FY 2011, FY 2012 and FY 2013.
7. Line item budgets showing UASI Boston area income and expenditures for intelligence/information sharing and surveillance technology procurement for FY 2010, FY 2011, FY 2012 and FY 2013.
8. Budget documentation pertaining to any currently operational, leased database subscriptions purchased to date with UASI funds identifying the purchasing agency, contractor and cost.
9. All responses to MBHSR/OHS UASI funding requests from FEMA and/or DHS, showing how much money Metro Boston received for each funding area for the years 2010, 2011, 2012 and 2013.

Memoranda of Understanding / Agreement

10. Any Memoranda of Agreement and/or Understanding between the OHS and any federal agencies, including the Department of Defense, the CIA, the Department of Justice, the DHS, and the National Security Agency, and any sub-agencies. Please include in your search any MOU or MOA between any agency within the Metro Boston Homeland Security

region, including the Boston Police, and the FBI's Domestic Communications Assistance Center.

Progress Reports and Formal Plans

11. Any progress reports related to the Homeland Security Grant Program (HSGP) regarding surveillance cameras dated 2011, 2012 and 2013.
12. Any progress reports related to the HSGP dated 2011, 2012 and 2013 regarding intelligence gathering and sharing.
13. The most up to date OHS or MBHSR "formal plan" for intelligence gathering and sharing.
14. Any records describing "ICE systems integration" with BRIC and any other agency within the UASI Boston region.
15. Any records describing the planned or existing use of biometric technology within the MBHSR, including facial recognition and iris recognition software, including records containing reference to or information about the integration of facial recognition into the UASI Boston surveillance camera network at any point in the network, including at BRIC.

Because this request involves a matter of public concern and because it is made on behalf of a nonprofit organization, we ask that you waive any copying costs pursuant to 950 C.M.R. § 32.06(5). ACLUM is a nonprofit §501(c)(3) organization dedicated to the protection of civil rights and liberties for all persons in the Commonwealth of Massachusetts. As the state's affiliate of the American Civil Liberties Union, ACLUM is part of a nationwide network of advocates dedicated to defending and expanding the civil liberties of all.

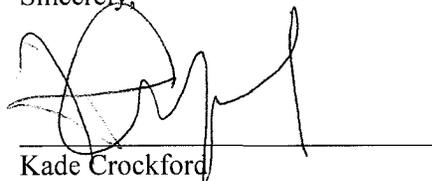
If you decide not to waive copying costs, we request that you permit us to examine, at our election, the responsive documents before deciding which portions to photocopy.

Should you determine that some portion of the documents requested are exempt from disclosure, please release any reasonably segregable portions that are not exempt. In addition, please note the applicable statutory exemption and explain why it applies to the redacted portions. As you know, a custodian of public records shall comply with a request within ten days after receipt.

Please reply to this request to by contacting Kade Crockford at kcrockford@aclum.org or 617-482-3170 x346.

Thank you for your assistance. We look forward to your response.

Sincerely,



Kade Crockford
Director
Technology for Liberty project
ACLU of Massachusetts