



FAQ Number: 1770

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Question: Can Chemical-terrorism Vulnerability Information (CVI) be released under the Freedom of Information Act (FOIA)?

Answer: No. Notwithstanding the Freedom of Information Act or FOIA (5 U.S.C. 552), the Privacy Act (5 U.S.C. 552a), and other laws, in accordance with the Homeland Security Act as amended by the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, [Public Law 113-254](#), and 6 C.F.R. § 27.400(g), records containing CVI are not available for public inspection or copying, and the Department does not release such records to persons without a need to know.

Further, as provided in 6 C.F.R. § 27.405, no law, regulation, or administrative action of a State or political subdivision thereof shall have any effect if such law or regulation conflicts with the Chemical Facility Anti-Terrorism Standards (CFATS). Requests for CVI under State or local FOIA or open records laws should be referred to the DHS National Protection and Programs Directorate (NPPD) Information Management and Disclosure Office, NPPD.FOIA@hq.dhs.gov.

If a record contains both information that may not be disclosed under Public Law 113-254 and information that may be disclosed, the latter information may be provided in response to a FOIA request, provided that the record is not otherwise exempt from disclosure under FOIA and that it is practical to redact the protected CVI from the requested record.

Note: Please refer to the “Safeguarding Information Designated as Chemical-terrorism Vulnerability Information (CVI) Handbook” for more information. The Handbook is available at <https://www.dhs.gov/publication/safeguarding-information-cvi-manual>.