

From: Loiacono, Adam V
Sent: 5 Jan 2020 04:00:06 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C) Loiacono, Adam V
Subject: RE: Preliminary Draft
Attachments: AdID Legal Opinion_CBP 1.2.20 draft_ICE 1.2.20FINAL (AVL).docx

(b)(6);
(b)(7)(C)

My comments and edits are included in the attached. There are a few comments I need HSILD to address first thing on Monday. That way I can get this to Mike Davis by early afternoon and we can get this to CBP Tuesday afternoon. I think the document can be significantly trimmed to remove a lot of repetition, but that can be addressed when we get closer to a final document. Also, (b)(6); (b)(7)(C) indicated that GILD was reviewing the Privacy Act section. Have they done so? I would like to be able to represent that to Mike when I elevate.

Thanks,

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6); (b)(7)(C)
Iphone: 202-500-(b)(6); (b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Friday, January 3, 2020 1:04 PM
To: Loiacono, Adam V (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

Thanks Adam. We appreciate it and will be on the lookout.

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
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U.S. Department of Homeland Security

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From: Loiacono, Adam V <(b)(6); (b)(7)(C)>

Date: Friday, Jan 03, 2020, 12:45 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Preliminary Draft

(b)(6); (b)(7)(C)

I am hoping to get this to you all by OOB Monday, with a quick turnaround to address my comments by mid-day, so I can get this to Mike by early afternoon on Monday. Just FYI.

Adam V. Loiacono

Deputy Principal Legal Advisor for Enforcement and Litigation

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U.S. Immigration and Customs Enforcement

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From: Loiacono, Adam V

Sent: Friday, January 3, 2020 10:19 AM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Preliminary Draft

Will do that later today.

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
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Desk: 202-732-[b](6);
Iphone: 202-500-[b](6);
[b](6); (b)(7)(C)

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From: [b](6); (b)(7)(C)
Date: Friday, Jan 03, 2020, 10:18 AM
To: Loiacono, Adam V [b](6); (b)(7)(C)
Cc: [b](6); (b)(7)(C) [b](6); (b)(7)(C) Loiacono, Adam V
Subject: RE: Preliminary Draft

Adam,

Spoke to [b](6); [b](6) Confirmed early January was their understanding as well. He agrees a Tuesday deadline is reasonable, thinks we send should send a quick email to let Ian know.

[b](6); (b)(7)(C)
Chief
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From: Loiacono, Adam V (b)(6); (b)(7)(C)
Date: Friday, Jan 03, 2020, 10:08 AM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C) Loiacono, Adam V
(b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

(b)(6);
(b)(7)(C)

I spent a little time on this and already had a lot of edits. It is going to take me time to get through this. It is going to the Deputy GC.

Can you just reach out the (b)(6) by phone and ask if he has any concerns about getting this back COB Tuesday. And confirm whether he thinks we need to let Ian know. If he thinks we need to, I will send a short note. I doubt he will mind.

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732 (b)(6);
Iphone: 202-500-(b)(6);
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Date: Friday, Jan 03, 2020, 10:05 AM
To: (b)(6); (b)(7)(C) Loiacono, Adam V (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

Adam,

I know there were a number of email chains, but the last deadline OPLA received that I'm aware of was "early January."

To your question yesterday, yes, I believe Tuesday would qualify. I read it last night, and while I believe OGC's are well addressed, 27 pages is 27 pages.

(b)(6); (b)(7)(C)

Chief

Homeland Security Investigations Law Division

Office of the Principal Legal Advisor

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U.S. Department of Homeland Security

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From: (b)(6); (b)(7)(C)

Date: Friday, Jan 03, 2020, 9:45 AM

To: Loiacono, Adam V (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: FW: Preliminary Draft

Good morning Adam,

Please see below. In the email, below, (b)(6); states there might have been an agreement to respond to OGC by COB today.

I know OPLA needs until Tuesday (1/7/2020). Would you like HSILD to reach out to OGC or would you like to reach out to Ian / OGC?

Thanks,

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Acting Deputy Chief

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(b)(6); (b)(7)(C)

Attorney, Enforcement and Operations
Office of Chief Counsel
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of the Freedom of Information and Privacy Act

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From: (b)(6); (b)(7)(C)
Sent: 3 Jan 2020 14:52:18 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft
Attachments: FW: Data Project and Legal Opinion

I was not privy to a decision re: 1/3. I could not find any emails related to it. Early January was my understanding, based on the email attached forwarded from you/Adam. I think Adam needs to tell us what he and Bennett discussed with (b)(6). The email from Bennett on 12/13 at 1:41PM says "early January".

(b)(6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732 (b)(6); (b)(7)(C) (office)
202-494 (b)(6); (b)(7)(C) (mobile)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Friday, January 3, 2020 9:48 AM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

Were we privy to that? Or were we driving towards "early January?" I know there were a lot of email chains, but I didn't think (b)(6) gave a firm deadline.

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor

U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-[redacted] – desk
(305) 970-[redacted] – cell
[redacted]
[redacted]

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From: [redacted] (b)(6); (b)(7)(C)
Date: Friday, Jan 03, 2020, 9:45 AM
To: Loiacono, Adam V [redacted] (b)(6); (b)(7)(C)
Cc: [redacted] (b)(6); (b)(7)(C)
<[redacted] (b)(6); (b)(7)(C)
Subject: FW: Preliminary Draft

Good morning Adam,

Please see below. In the email, below, [redacted] (b)(6); states there might have been an agreement to respond to OGC by COB today.

I know OPLA needs until Tuesday (1/7/2020). Would you like HSILD to reach out to OGC or would you like to reach out to [redacted] (b)(6); OGC?

Thanks,

[redacted]
(b)(6);
(b)(7)(C)

[redacted]
(b)(6); (b)(7)(C)
Acting Deputy Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(202) 732-[redacted] (b)(6); (b)(7)(C) (office)
(202) 308-[redacted] (b)(6); (b)(7)(C) (cell)
[redacted]
[redacted]

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From: (b)(6); (b)(7)(C)

Sent: Friday, January 3, 2020 9:13 AM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Preliminary Draft

(b)(6) – Thanks for the update. Will you all reach back to Ian on the timing? In the back and forth that Adam and Bennett had with Ian a couple weeks ago, I think the initial plan was to hopefully provide something by COB today. If you weren't planning on reaching out to OGC, just let us know so we can figure out how best to handle.

Tom

From: (b)(6); (b)(7)(C)

Sent: Thursday, January 2, 2020 5:35 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Preliminary Draft

(b)(6); (b)(7)(C)

I've elevated this to my leadership for review. The version attached is what I sent up (I removed your internal comments to me and resolved some of the things you noted). Adam did let us know that he is going to need until Tuesday to review and coordinate with other OPLA leadership. So, to the extent that gives your leadership a little more time to review as well, I just wanted to provide you with that update. Please let me know if you have any questions.

Best,

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division

Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
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(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Thursday, January 2, 2020 1:37 PM
To: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

Sounds good, thanks (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Thursday, January 2, 2020 1:35 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

Sounds like a plan. I'm about halfway through, and appreciate all of the work you both put into this. I think it's looking good. I'm accepting a few track changes where I agree with the deletions you've made in my language so it looks a little cleaner. I'll send this up to my leadership this afternoon.

(b)(6); (b)(7)(C)
Associate Legal Advisor
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U.S. Immigration and Customs Enforcement
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202-494 (b)(6); (b)(7)(C) (mobile)
(b)(6); (b)(7)(C)

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(b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: 13 Dec 2019 20:58:55 +0000
To: (b)(6); (b)(7)(C)
Subject: FW: Data Project and Legal Opinion
Attachments: Commercial Geolocation Data Legal Opinion (DRAFT v3 - OGC 12.11.19) (clean).docx, Commercial Geolocation Data Legal Opinion (DRAFT v3 - OGC 12.11.19) (markup).docx

Argh. Spoke to Adam. I did not realize he mentioned you'd be kicking this off...

I suppose use the last one you received from Ian?

(b)(6); (b)(7)(C)
Chief
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U.S. Department of Homeland Security
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From: Loiacono, Adam V <(b)(6); (b)(7)(C)>
Sent: Friday, December 13, 2019 3:51 PM
To: (b)(6); (b)(7)(C)
Subject: FW: Data Project and Legal Opinion

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Iphone: 202-500-(b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Friday, December 13, 2019 3:38 PM

To: Loiacono, Adam V (b)(6); (b)(7)(C)

Cc: Loiacono, Adam V (b)(6); (b)(7)(C)

Subject: Re: Data Project and Legal Opinion

Much appreciated.

(b)(6); (b)(7)(C)

CBP Associate Chief Counsel (Enforcement and Operations)

T. (202) 344-(b)(6); C. (202) 412-(b)(6); (b)(6); (b)(7)(C)

** Attorney Work Product / Attorney-Client Privileged **

From: Loiacono, Adam V (b)(6); (b)(7)(C)

Sent: Friday, December 13, 2019 2:28:41 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)

Subject: RE: Data Project and Legal Opinion

Dropping OGC HQ.

(b)(6);
(b)(7)(C)

I have asked (b)(6); from my team to start a separate chain with the OPLA and CBP OCC folks to divide and conquer. I asked her to include you and me.

Thanks,

Adam V. Loiacono

Deputy Principal Legal Advisor for Enforcement and Litigation

Office of the Principal Legal Advisor

U.S. Immigration and Customs Enforcement

Desk: 202-732-(b)(6);

Iphone: 202-500-(b)(6);

(b)(6); (b)(7)(C)

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202-282-[^{(b)(6)}_{(b)(7)(C)}](Office)
202-819-[_(C)](Cell)

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Page 2811

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(b)(5) ; WIF Draft

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Page 2812

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of the Freedom of Information and Privacy Act

Page 2813

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Page 2814

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Page 2817

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Page 2819

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Page 2820

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Page 2821

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Page 2822

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of the Freedom of Information and Privacy Act

Page 2823

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Page 2824

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Page 2825

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Page 2826

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Page 2827

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(b)(5) ; WIF Draft

of the Freedom of Information and Privacy Act

Page 2828

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(b)(5) ; WIF Draft

of the Freedom of Information and Privacy Act

Page 2829

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(b)(5) ; WIF Draft

of the Freedom of Information and Privacy Act

Page 2830

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(b)(5) ; WIF Draft

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Page 2831

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(b)(5) ; WIF Draft

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Page 2832

Withheld pursuant to exemption

(b)(5) ; WIF Draft

of the Freedom of Information and Privacy Act

Page 2833

Withheld pursuant to exemption

(b)(5) ; WIF Draft

of the Freedom of Information and Privacy Act

Page 2834

Withheld pursuant to exemption

(b)(5) ; WIF Draft

of the Freedom of Information and Privacy Act

From: (b)(6); (b)(7)(C)
Sent: 6 Jan 2020 14:54:40 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft
Attachments: AdID Legal Opinion_CBP 1.2.20 draft_ICE 1.2.20FINAL (AVL)(HSILD).docx

One additional update based on my conversation with GILD in the attached (b)(5)
(b)(5) Apologies for the multiple versions.

(b)(6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6) (office)
202-494-(b)(7)(C) (mobile)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Monday, January 6, 2020 9:21 AM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

Good Morning (b)(6);
(b)(7)(C)

I've tried to resolve (b)(6) comments in the attached. I've also added in the feedback that I've received from GILD ((b)(6); (b)(7)(C)).

(b)(5)

Thanks,

(b)(6)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6); (office)
202-494-(b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

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From: Loiacono, Adam V (b)(6); (b)(7)(C)
Sent: Saturday, January 4, 2020 11:00 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C) Loiacono, Adam V
(b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

(b)(6);
(b)(7)(C)

My comments and edits are included in the attached. There are a few comments I need HSILD to address first thing on Monday. That way I can get this to Mike Davis by early afternoon and we can get this to CBP Tuesday afternoon. I think the document can be significantly trimmed to remove a lot of repetition, but that can be addressed when we get closer to a final document. Also, (b)(6); (b)(7)(C) indicated that GILD was reviewing the Privacy Act section. Have they done so? I would like to be able to represent that to Mike when I elevate.

Thanks,

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Iphone: 202-500-(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Friday, January 3, 2020 1:04 PM

To: Loiacono, Adam V (b)(6); (b)(7)(C)

<(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Preliminary Draft

Thanks Adam. We appreciate it and will be on the lookout.

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
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From: Loiacono, Adam V (b)(6); (b)(7)(C)

Date: Friday, Jan 03, 2020, 12:45 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Preliminary Draft

(b)(6);
(b)(7)(C)

I am hoping to get this to you all by OOB Monday, with a quick turnaround to address my comments by mid-day, so I can get this to (b)(6) by early afternoon on Monday. Just FYI.

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732 (b)(6);
Iphone: 202-500 (b)(6);
(b)(6); (b)(7)(C)

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From: Loiacono, Adam V
Sent: Friday, January 3, 2020 10:19 AM
To: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)>
Cc: (b)(6); (b)(7)(C)
Subject: RE: Preliminary Draft

Will do that later today.

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732 (b)(6);
Iphone: 202-500 (b)(6);
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Date: Friday, Jan 03, 2020, 10:18 AM
To: Loiacono, Adam V (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C) Loiacono, Adam V
<(b)(6); (b)(7)(C)>
Subject: RE: Preliminary Draft

Adam,

Spoke to (b)(6); (b)(7)(C) Confirmed early January was their understanding as well. He agrees a Tuesday deadline is reasonable, thinks we send should send a quick email to let (b)(6) know.

(b)(6); (b)(7)(C)

Chief

Homeland Security Investigations Law Division

Office of the Principal Legal Advisor

U.S. Immigration and Customs Enforcement

U.S. Department of Homeland Security

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From: Loiacono, Adam V (b)(6); (b)(7)(C)

Date: Friday, Jan 03, 2020, 10:08 AM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Loiacono, Adam V

<(b)(6); (b)(7)(C)>

Subject: RE: Preliminary Draft

(b)(6);
(b)(7)(C)

I spent a little time on this and already had a lot of edits. It is going to take me time to get through this. It is going to the Deputy GC.

Can you just reach out the (b)(6); (b)(7)(C) by phone and ask if he has any concerns about getting this back COB Tuesday. And confirm whether he thinks we need to let (b)(6) know. If he thinks we need to, I will send a short note. I doubt he will mind.

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6); (b)(7)(C)
Iphone: 202-500-(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Date: Friday, Jan 03, 2020, 10:05 AM

To: (b)(6); (b)(7)(C) Loiacono, Adam V. (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Preliminary Draft

Adam,

I know there were a number of email chains, but the last deadline OPLA received that I'm aware of was "early January."

To your question yesterday, yes, I believe Tuesday would qualify. I read it last night, and while I believe OGC's are well addressed, 27 pages is 27 pages.

(b)(6); (b)(7)(C)

Chief

Homeland Security Investigations Law Division

Office of the Principal Legal Advisor

U.S. Immigration and Customs Enforcement

U.S. Department of Homeland Security

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(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Date: Friday, Jan 03, 2020, 9:45 AM

To: Loiacono, Adam V (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

¶(b)(6); (b)(7)(C)

Subject: FW: Preliminary Draft

Good morning (b)(6);
(b)(7)(C)

Please see below. In the email, below, (b)(6) states there might have been an agreement to respond to OGC by COB today.

I know OPLA needs until Tuesday (1/7/2020). Would you like HSILD to reach out to OGC or would you like to reach out to (b)(6) OGC?

Thanks,

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Acting Deputy Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(202) 732-(b)(6); (office)
(202) 308-(b)(7)(C); (cell)
Marc.M.Harrold@ice.dhs.gov

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From: (b)(6); (b)(7)(C)

Sent: Friday, January 3, 2020 9:13 AM

To: (b)(6); (b)(7)(C)

Ccr

Subject: RE: Preliminary Draft

– Thanks for the update. Will you all reach back to Ian on the timing? In the back and forth that [REDACTED] and [REDACTED] had with [REDACTED] a couple weeks ago, I think the initial plan was to hopefully provide

From: (b)(6); (b)(7)(C)
Sent: 28 Feb 2020 21:27:34 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Great thanks (b)(6);

From: (b)(6); (b)(7)(C)
Sent: Friday, February 28, 2020 4:10 PM
To: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

See attached. (b)(5)

(b)(5)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6) – desk
(305) 970-(b)(7)(C) – cell
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Friday, February 28, 2020 4:05 PM
To: (b)(6); (b)(7)(C)
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); can you just advise if this looks good to you.... Everyone else is good. Thanks

From: (b)(6); (b)(7)(C)
Sent: Friday, February 28, 2020 1:44 PM
To: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thanks all for your responses... Please see attached consolidated response and let me know if anyone has any issues with them.

Thanks, (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Friday, February 28, 2020 9:45 AM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); (b)(7)(C)

(b)(5)

(b)(6); if you need more on this, let me know. Like I said, it is a long paper and it's not finished, but I think this hits the major points as to what we have been asked.

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
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(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Friday, February 28, 2020 8:38 AM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); (b)(7)(C)

Trying to figure out where best to have someone weigh in on these questions. (b)(6); I think OPLA needs to weigh in on questions 1 and 4, but I think maybe C3 or Intel might be best positioned to answer 2 and 3. Please advise what you all think. I am providing the general OPLA response that was provided on a previous Carpenter related question recently.

(b)(5)

Thanks, (b)(6)

(b)(6); (b)(7)(C)

Chief of Staff
Homeland Security Investigations
Office: (202) 732 (b)(6);
Mobile: (571) 319 (b)(6);

From: (b)(6); (b)(7)(C)

Sent: Thursday, February 27, 2020 5:11 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Good Afternoon,

SAC Minority had the following tack on questions to this topic- could you please provide a response by COB tomorrow if possible? (Copied and pasted below from the actual inquiry – and I believe that OLC is “office of legal counsel” in her writing...)

Hope: Following up on this. I have a few questions about the intersection of this technology with the recent holding in Carpenter v US.

1. *Is there an OLC opinion about HSI's use of this technology in the interior of the USA for criminal investigations? If so, may it be shared with us.*
2. *Does ICE contend that there are material differences between the technology in Carpenter and the technology used by HSI?*
3. *With respect to HSI's use of this technology in the interior (Nashville, in particular), and not along the border, is HSI obtaining a warrant?*
4. *If not, does an exception to the warrant requirement apply, or an exception to Carpenter apply, and if so, can ICE articulate either exception so that we can fully explain it to those raising Fourth Amendment concerns here.*
5. *If there is an OLC opinion, items 2-3-4 could be disregarded likely, as they are probably covered there.*

Kindly,

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 732-(b)(6)-(office) | (202) 329-(b)(6) (mobile)

From: (b)(6); (b)(7)(C) ►

Sent: Monday, February 10, 2020 1:42 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thanks (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C) ►

Sent: Monday, February 10, 2020 1:40 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Yes, prior to Babel Street we had a one year contract with Venntel.

(b)(6); (b)(7)(C)

Deputy Assistant Director
Office of Intelligence & Criminal Analysis
Homeland Security Investigations

202-732-(b)(6); desk
202-276-(b)(7)(C) cell

nunc coepi



From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:38 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thank you, just to make sure I understand – for the year prior to Sept 30, 2019 - there was a previous contract direct to Venntel but it was not for “Babel Street” purpose? Just want o make sure I understand that piece.

Kindly,

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 329-(b)(6)

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:24 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); et al,

1. When did HSI Intel initially obtain the Babel Street Locate X licenses?

Sep 30, 2019. For the one year prior to this, BTW, we had a direct contract with Venntel (vendor).

2. And were they sole-source or via an open RFP?

They were open competition.

(b)(6); (b)(7)(C)

Deputy Assistant Director

Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732-(b)(6) | desk
202-276-(b)(7)(C) | cell

nunc coepi



From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 1:07 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Sorry actually copying DAD (b)(6);

From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 12:31 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Copying in Intel DAD (b)(6); (b)(6); can you advise on the two additional questions?

From: (b)(6); (b)(7)(C)
Date: Monday, Feb 10, 2020, 12:26 PM
To: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)>
Cc: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thank you- Just had two quick follow on questions:

1. When did HIS Intel initially obtain the Babel Street Locate X licenses?
2. And were they sole-source or via an open RFP?

Thank you.

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 11:38 AM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Context up front: Babel Street's geolocation feature is called "Locate X". Locate X derives its geolocation feature from Venntel. Consequently, the information we are providing on Babel Street below would therefore include Venntel as part of the whole.

1. How many Babel Street licenses/users do we have?

(b)(5)

2. Where are our users? HQ, field, etc. If field, which locations?

(b)(5)

3. Describe our primary uses of Babel Street.

(b)(5)

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(b)(5)

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(b)(5)

6. Additional information.

(b)(5)

From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 9:55 AM

To: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)>
Cc: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Ok- Any background info will be helpful – And just to double check – this would be only an HSI question (right?) – Just want to make sure I shouldn't ask ERO as well...

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 329-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 9:23 AM
To: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)>
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We have purchased some of the Venntel licenses, but are using it for HSI criminal investigations not immigration enforcement. Let me know if you need more details, I am having intel run down the purchase history etc.

Thanks, (b)(6);

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Sent: Friday, February 7, 2020 4:00 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)>
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

Good Afternoon HSI –

I am curious if “Geo Location” data points being used for “immigration and border enforcement” would fall under HSI purview, or ERO purview – or both..

Can you assist in any info?

Kindly,

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 329 (b)(6)

From: (b)(6); (b)(7)(C)

Sent: Friday, February 7, 2020 1:54 PM

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Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

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Cc:

Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

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From: Sent: Friday, February 7, 2020 9:16 AM

To:

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were y'all notified of this reported expenditure?



(b)(6); (b)(7)(C)

2/7/20, 7:42 AM

NEW: Remember the massive trove of commercially available cell phone location data [LNY@nytimes] revealed in December? [LR] (b)(6); (b)(7)(C) and I found that the Department of Homeland Security bought the data in 2017 and has used it for immigration and border

enforcement. wsj.com/articles/feder...

From: (b)(6); (b)(7)(C)
Sent: 28 Feb 2020 21:10:10 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter
Attachments: HSI Response - Carpenter ((b)(6); 2.28.20).docx

See attached. (b)(5)

(b)(5)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6) – desk
(305) 970-(b)(7) – cell

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Friday, February 28, 2020 4:05 PM
To: (b)(6); (b)(7)(C)
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); can you just advise if this looks good to you.... Everyone else is good. Thanks

From: (b)(6); (b)(7)(C)
Sent: Friday, February 28, 2020 1:44 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thanks all for your responses... Please see attached consolidated response and let me know if anyone has any issues with them.

Thanks, (b)(6);
(b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Friday, February 28, 2020 9:45 AM

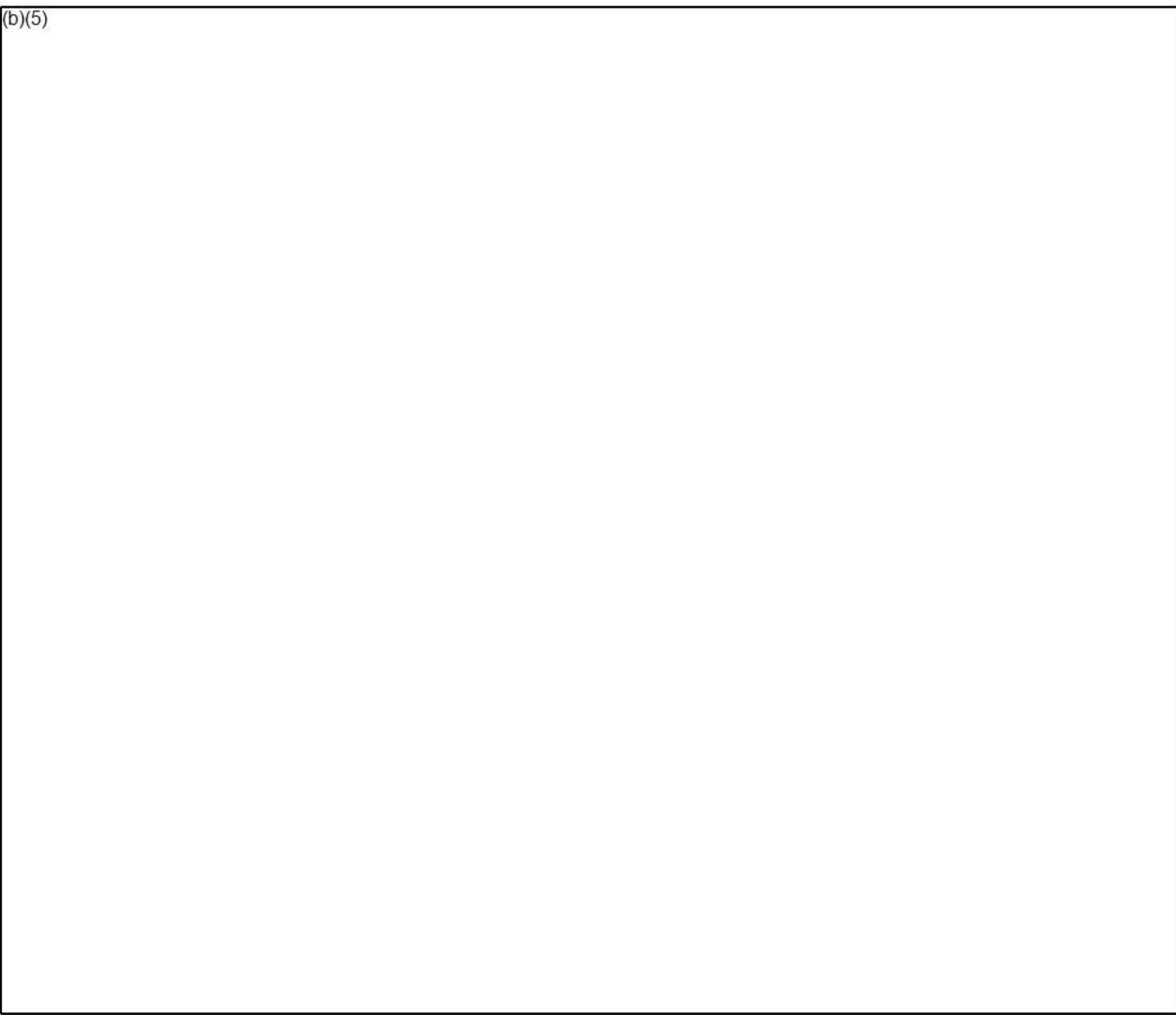
To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6);

(b)(5)



(b)(6); if you need more on this, let me know. Like I said, it is a long paper and it's not finished, but I think this hits the major points as to what we have been asked.

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-[b](6); - desk
(305) 970-[b](7)(C) - cell

[b](6); [b](7)(C)

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From: [b](6); [b](7)(C)
Sent: Friday, February 28, 2020 8:38 AM
To: [b](6); [b](7)(C)
[b](6); [b](7)(C)
Subject: FW: Tweet by [b](6); [b](7)(C) on Twitter

[b](6); [b](7)(C)

Trying to figure out where best to have someone weigh in on these questions. [b](6); I think OPLA needs to weigh in on questions 1 and 4, but I think maybe C3 or Intel might be best positioned to answer 2 and 3. Please advise what you all think. I am providing the general OPLA response that was provided on a previous Carpenter related question recently.

[b](5)

Thanks, [b](6);

[b](6); [b](7)(C)
Chief of Staff



Homeland Security Investigations
Office: (202) 732-[b](6)
Mobile: (571) 319-[b](6)

From: [b](6); (b)(7)(C)
Sent: Thursday, February 27, 2020 5:11 PM
To: [b](6), (b)(7)(C)
[b](6); (b)(7)(C)
Cc: [b](6); (b)(7)(C)
[b](6); (b)(7)(C)
Subject: RE: Tweet by [b](6); (b)(7)(C) on Twitter

Good Afternoon,

SAC Minority had the following tack on questions to this topic- could you please provide a response by COB tomorrow if possible? (Copied and pasted below from the actual inquiry – and I believe that OLC is “office of legal counsel” in her writing...)

[b](6); *Following up on this. I have a few questions about the intersection of this technology with the recent holding in Carpenter v US.*

1. *Is there an OLC opinion about HSI’s use of this technology in the interior of the USA for criminal investigations? If so, may it be shared with us.*
2. *Does ICE contend that there are material differences between the technology in Carpenter and the technology used by HSI?*
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5. *If there is an OLC opinion, items 2-3-4 could be disregarded likely, as they are probably covered there.*

Kindly,

[b](6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

[b](6); (b)(7)(C) | (202) 732-[b](6) (office) | (202) 329-[b](6) (mobile)

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:42 PM

To: (b)(6); (b)(7)(C)

Cc:

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thanks (b)(6);

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:40 PM

To: (b)(6); (b)(7)(C)

Cc:

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Yes, prior to Babel Street we had a one year contract with Venntel.

(b)(6); (b)(7)(C)

Deputy Assistant Director

Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732 (b)(6); desk
202-276 (b)(7)(C) cell

nunc coepi



From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:38 PM

To: (b)(6); (b)(7)(C)

Cc:

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thank you, just to make sure I understand – for the year prior to Sept 30, 2019 - there was a previous contract direct to Venntel but it was not for “Babel Street” purpose? Just want o make sure I understand that piece.

Kindly,

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 329-(b)(6);

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:24 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); et al,

1. When did HSI Intel initially obtain the Babel Street Locate X licenses?

Sep 30, 2019. For the one year prior to this, BTW, we had a direct contract with Venntel (vendor).

2. And were they sole-source or via an open RFP?

They were open competition.

(b)(6); (b)(7)(C)

Deputy Assistant Director

Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732-(b)(6); desk
202-276-(b)(7)(C) cell

nunc coepi



From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 1:07 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Sorry actually copying DAD (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 12:31 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Copying in Intel DAD (b)(6); (b)(6); can you advise on the two additional questions?

From: (b)(6); (b)(7)(C)
Date: Monday, Feb 10, 2020, 12:26 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

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(b)(6); (b)(7)(C)

ICE Appropriations Liaison

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Sent: Monday, February 10, 2020 11:38 AM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) ↗
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Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Context up front: Babel Street's geolocation feature is called "Locate X". Locate X derives its geolocation feature from Venntel. Consequently, the information we are providing on Babel Street below would therefore include Venntel as part of the whole.

1. How many Babel Street licenses/users do we have?

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(b)(5)

6. Additional information.

(b)(5)

From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 9:55 AM

To: (b)(6); (b)(7)(C)

|(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Ok- Any background info will be helpful – And just to double check – this would be only an HSI question (right?) – Just want to make sure I shouldn't ask ERO as well...

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

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Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

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I am curious if “Geo Location” data points being used for “immigration and border enforcement” would fall under HSI purview, or ERO purview – or both..

Can you assist in any info?

Kindly,

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ICE Appropriations Liaison

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From: (b)(6); (b)(7)(C)

Sent: Friday, February 7, 2020 1:54 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

<(b)(6); (b)(7)(C)

Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

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(b)(5)

(b)(5)

From: (b)(6); (b)(7)(C)
Sent: 28 Feb 2020 18:44:29 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter
Attachments: HSI Response - Carpenter.docx

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To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6);

(b)(5)

(b)(5)

Matt, if you need more on this, let me know. Like I said, it is a long paper and it's not finished, but I think this hits the major points as to what we have been asked.

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6) – desk
(305) 970-(b)(7) – cell

(b)(6); (b)(7)(C)

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(b)(6); (b)(7)(C)

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(b)(6); (b)(7)(C)

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(b)(5)

(b)(5)

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(b)(6); (b)(7)(C)

Chief of Staff
Homeland Security Investigations
Office: (202) 732-(b)(6);
Mobile: (571) 319-(b)(6);

From: (b)(6); (b)(7)(C)

Sent: Thursday, February 27, 2020 5:11 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

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(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 732-(b)(6) (office) | (202) 329-(b)(6) (mobile)

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:42 PM

To: (b)(6); (b)(7)(C)

Cc:

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Thanks (b)(6);

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:40 PM

To: (b)(6); (b)(7)(C)

Cc;

◀ (b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Yes, prior to Babel Street we had a one year contract with Venntel.

(b)(6); (b)(7)(C)

Deputy Assistant Director

Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732-(b)(6); desk
202-276-(b)(7)(C) cell

nunc coepi



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Sent: Monday, February 10, 2020 1:38 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

<(b)(6); (b)(7)(C)

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ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 329 (b)(6),

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Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

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(b)(6); (b)(7)(C)

Deputy Assistant Director

Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732-(b)(6); | desk
202-276-(b)(7)(C) | cell

nunc coepi



From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:07 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Sorry actually copying DAD (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 12:31 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Copying in Intel DAD (b)(6); (b)(6); can you advise on the two additional questions?

From: (b)(6); (b)(7)(C)

Date: Monday, Feb 10, 2020, 12:26 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

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ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 329-(b)(6);

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 11:38 AM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

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(b)(5)

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Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

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Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

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I am curious if "Geo Location" data points being used for "immigration and border enforcement" would fall under HSI purview, or ERO purview – or both..

Can you assist in any info?

Kindly,

(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 329-(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Friday, February 7, 2020 1:54 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

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From: Sent: Friday, February 7, 2020 9:16 AM

To:

Subject: Tweet by (b)(6); (b)(7)(C) on Twitter

were y'all notified of this reported expenditure?



(b)(6); (b)(7)(C)

2/7/20, 7:42 AM

NEW: Remember the massive trove of commercially available cell phone location data [LRI]@nytimes^{PDH} revealed in December? [(b)(6); (b)(7)(C)] and I found that the Department of Homeland Security bought the data in 2017 and has used it for immigration and border enforcement. wsj.com/articles/feder...

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(b)(5)

4. *If not, does an exception to the warrant requirement apply, or an exception to Carpenter apply, and if so, can ICE articulate either exception so that we can fully explain it to those raising Fourth Amendment concerns here.*

(b)(5)

(b)(5)

From: (b)(6); (b)(7)(C)
Sent: 28 Feb 2020 15:12:00 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

10-4 thanks did you loop in (b)(6); (b)(7)(C) or should I reach out to him?

From: (b)(6); (b)(7)(C)
Sent: Friday, February 28, 2020 9:28 AM
To: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)>
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6);
(b)(7)(E)

C3 personnel received a briefing on the product (I believe from Venntel) but did not take any test licenses and/or make any license purchases.

Thanks,

(b)(6);

(b)(6); (b)(7)(C)
Deputy Assistant Director
U.S. Immigration and Customs Enforcement
Homeland Security Investigations
Cyber Crimes Center
Desk: 703 344-(b)(6);
Cell: 202 210-(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Friday, February 28, 2020 8:38 AM
To: (b)(6); (b)(7)(C)
<(b)(6); (b)(7)(C)>
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); (b)(7)(C)

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(b)(5)

Thanks, (b)(6);

(b)(6); (b)(7)(C)

Chief of Staff
Homeland Security Investigations
Office: (202) 732-(b)(6)
Mobile: (571) 319-(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Thursday, February 27, 2020 5:11 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
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Good Afternoon,

SAC Minority had the following tack on questions to this topic- could you please provide a response by COB tomorrow if possible? (Copied and pasted below from the actual inquiry – and I believe that OLC is “office of legal counsel” in her writing...)

Hope: Following up on this. I have a few questions about the intersection of this technology with the recent holding in Carpenter v US.

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(b)(6); (b)(7)(C)

ICE Appropriations Liaison

Department of Homeland Security

U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

(b)(6); (b)(7)(C) | (202) 732-[redacted] (office) | (202) 329-[redacted] (mobile)

From: [redacted] (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:42 PM

To: [redacted] (b)(6); (b)(7)(C)

Cc: [redacted]

<[redacted] (b)(6); (b)(7)(C)>

Subject: RE: Tweet by [redacted] (b)(6); (b)(7)(C) on Twitter

Thanks [redacted] (b)(6);
(b)(7)(C)

From: [redacted] (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:40 PM

To: [redacted] (b)(6); (b)(7)(C)

Cc: [redacted] (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

Subject: RE: Tweet by [redacted] (b)(6); (b)(7)(C) on Twitter

Yes, prior to Babel Street we had a one year contract with Vennel.

[redacted] (b)(6); (b)(7)(C)

Deputy Assistant Director

Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732-[redacted] (b)(6); (b)(7)(C) desk
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nunc coepi



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From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:24 PM

To: (b)(6); (b)(7)(C)

<(b)(6); (b)(7)(C)

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Sent: 28 Feb 2020 14:45:24 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6);

(b)(5)

(b)(6); (b)(7)(C) if you need more on this, let me know. Like I said, it is a long paper and it's not finished, but I think this hits the major points as to what we have been asked.

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement

U.S. Department of Homeland Security

(202) 732-[b](6) - desk

(305) 970-[b](7)(C) - cell

[b](6), (b)(7)(C)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please notify the sender if this email has been misdirected and immediately destroy all originals and copies. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of the Principal Legal Advisor, U.S. Immigration and Customs Enforcement. This document is for INTERNAL GOVERNMENT USE ONLY and may be exempt from disclosure under the Freedom of Information Act, 5 USC §§ 552(b)(5), (b)(7).

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[b](6); (b)(7)(C)

Chief of Staff

Homeland Security Investigations

Office: (202) 732-[b](6);

Mobile: (571) 319-[b](6);

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ICE Appropriations Liaison
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(b)(6); (b)(7)(C) | (202) 732-(b)(6) (office) | (202) 329-(b)(6) (mobile)

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(b)(6); (b)(7)(C)

Deputy Assistant Director
Office of Intelligence & Criminal Analysis
Homeland Security Investigations

202-732-(b)(6); | desk
202-276-(b)(7)(C) | cell

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U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer

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Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732 (b)(6); | desk
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nunc coepi



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From: (b)(6); (b)(7)(C)
Sent: 28 Feb 2020 02:36:26 +0000
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Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Hi (b)(6);

We can talk more tomorrow but OPLA received the following question from approps: "How might *Carpenter* impact Babel Street and Ventell?" Our response was as follows:

(b)(5)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6); desk
(305) 970-(b)(7)(C) cell

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Date: Thursday, Feb 27, 2020, 5:57 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6);
(b)(7)(C)

I had asked that the initial question on this from the other day be tasked to OPLA, have they provided any response on any of this decision yet?

I am copying in OPLA HSI Law Chief (b)(6); (b)(7)(C) as well. (b)(6); (b)(7)(C) are you guys tracking this Carpenter vs US decision at all?

Thanks, (b)(6).

From: (b)(6); (b)(7)(C)

Sent: Thursday, February 27, 2020 5:11 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Good Afternoon,

SAC Minority had the following tack on questions to this topic- could you please provide a response by COB tomorrow if possible? (Copied and pasted below from the actual inquiry – and I believe that OLC is “office of legal counsel” in her writing...)

1. When did HSI Intel initially obtain the Babel Street Locate X licenses?

Sep 30, 2019. For the one year prior to this, BTW, we had a direct contract with Venntel (vendor).

2. And were they sole-source or via an open RFP?

They were open competition.

(b)(6); (b)(7)(C)

Deputy Assistant Director
Office of Intelligence & Criminal Analysis
Homeland Security Investigations

202-732-(b)(6);
(b)(7)(C) desk
202-276-(b)(6);
(b)(7)(C) cell

nunc coepi



From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 1:07 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) (b)(6); (b)(7)(C) on Twitter

Sorry actually copying DAD (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 12:31 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: 20 Feb 2020 18:46:11 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(6) – We worked with the National Targeting Center/Counter Network Division's Publicly Available Information Group (PAIG) and CBP's Office of Information Technology (OIT) and in order to develop the below responses to your questions relating to the use of Venntel –

a. How many law enforcement investigations your components have used the data in support of

(b)(5)

b. How many individuals we have identified using Venntel's service (i.e., combined the geolocation data with other data sets to identify an individual)

(b)(5)

(b)(5)

c. How many individuals we have actually charged/prosecuted based on data gathered from the Venntel service

(b)(5)

d. Whether we are maintaining data from the Venntel service in any of our SORNs or other databases

(b)(5)

(b)(6); (b)(7)(C) CBP Associate Chief Counsel (Enforcement and Operations)

T. (202) 344-(b)(6) / C. (202) 412-(b)(6); (b)(7)(C)

** Attorney Work Product / Attorney-Client Privileged **

From: Loiacono, Adam V <(b)(6); (b)(7)(C)>

Sent: Wednesday, February 12, 2020 3:51 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) Loiacono, Adam V

(b)(6); (b)(7)(C) Davis, Mike P (b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

(b)(6);

My folks engaged with ICE HSI in order to develop the below responses to your questions relating to the use of Venntel and also provided a brief summary of the stingray litigation referenced in your email.

- a. How many law enforcement investigations your components have used the data in support of**

(b)(5)

- b. How many individuals we have identified using Venntel's service (*i.e.*, combined the geolocation data with other data sets to identify an individual)**

(b)(5)

- c. How many individuals we have actually charged/prosecuted based on data gathered from the Venntel service**

(b)(5)

- d. Whether we are maintaining data from the Venntel service in any of our SORNs or other databases**

(b)(5)

Stingray Lawsuit

(b)(5)

(b)(5)

Please let me know if you need any additional information.

Thanks,

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-[redacted]
Iphone: 202-500-[redacted]
(b)(6); (b)(7)(C)

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From: Loiacono, Adam V

Sent: Saturday, February 8, 2020 4:38 PM

To: [redacted]
(b)(6); (b)(7)(C)

Cc: [redacted]
(b)(6); (b)(7)(C)

[redacted] Loiacono, Adam V
(b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

Adding [redacted] from my team. We loop back late next week.

Thanks,

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-[redacted]
Iphone: 202-500-[redacted]
(b)(6); (b)(7)(C)

Commercial database that maps movements of millions of cellphones is deployed by immigration and border authorities

WASHINGTON—The Trump administration has bought access to a commercial database that maps the movements of millions of cellphones in America and is using it for immigration and border enforcement, according to people familiar with the matter and documents reviewed by The Wall Street Journal.

The location data is drawn from ordinary cellphone apps, including those for games, weather and e-commerce, for which the user has granted permission to log the phone's location.

The Department of Homeland Security has used the information to detect undocumented immigrants and others who may be entering the U.S. unlawfully, according to these people and documents.

U.S. Immigration and Customs Enforcement, a division of DHS, has used the data to help identify immigrants who were later arrested, these people said. U.S. Customs and Border Protection, another agency under DHS, uses the information to look for cellphone activity in unusual places, such as remote stretches of desert that straddle the Mexican border, the people said.

The federal government's use of such data for law enforcement purposes hasn't previously been reported.

Experts say the information amounts to one of the largest known troves of bulk data being deployed by law enforcement in the U.S.—and that the use appears to be on firm legal footing because the government buys access to it from a commercial vendor, just as a private company could, though its use hasn't been tested in court.

“This is a classic situation where creeping commercial surveillance in the private sector is now bleeding directly over into government,” said Alan Butler, general counsel of the Electronic Privacy Information Center, a think tank that pushes for stronger privacy laws.

According to federal spending contracts, a division of DHS that creates experimental products began buying location data in 2017 from Venntel Inc. of Herndon, Va., a small company that shares several executives and patents with Gravy Analytics, a major player in the mobile-advertising world.

In 2018, ICE bought \$190,000 worth of Venntel licenses. Last September, CBP bought \$1.1 million in licenses for three kinds of software, including Venntel subscriptions for location data.

The Department of Homeland Security and its components acknowledged buying access to the data, but wouldn't discuss details about how they are using it in law-enforcement operations. People familiar with some of the efforts say it is used to generate investigative leads about possible illegal border crossings and for detecting or tracking migrant groups.

CBP has said it has privacy protections and limits on how it uses the location information. The agency says that it accesses only a small amount of the location data and that the data it does use is anonymized to protect the privacy of Americans.

“While CBP is being provided access to location information, it is important to note that such information doesn’t include cellular phone tower data, is not ingested in bulk and doesn’t include the individual user’s identity,” said a CBP spokesman. Tower data from cellphone companies, which can locate a specific phone, has been singled out by the Supreme Court for extra protection.

ICE initially was given access to the data for use by its criminal investigators who track human- and drug-smuggling organizations, according to people familiar with the activity. Subsequently, the data was shared with ICE’s arm that carries out deportations, one of the people said.

“We do not discuss specific law-enforcement tactics or techniques, or discuss the existence or absence of specific law-enforcement-sensitive capabilities,” said ICE spokesman Bryan Cox. Mr. Cox said the agency “generally” doesn’t use location data for routine deportation operations.

The data was used to detect cellphones moving through what was later discovered to be a tunnel created by drug smugglers between the U.S. and Mexico that terminated in a closed Kentucky Fried Chicken outlet on the U.S. side near San Luis, Ariz., said people with knowledge of the operation.

The data tracking contributed to the 2018 arrest of the defunct restaurant’s owner, Ivan Lopez, on conspiracy charges related to the construction of the tunnel, the people said. But police records of the incident make no mention of the use of data showing cellphones crossing the border in an unusual location, attributing the case instead to a routine traffic stop.

The San Luis police department “has always worked well with other entities,” including federal law enforcement, said Lt. Marco Santana, a spokesman, who declined to comment further. A CBP spokesman declined to comment. Lawyers for Mr. Lopez, who pleaded guilty, declined to comment.

Contracting records show the federal government is buying the location data from Venntel. Venntel, in turn, purchased the information from private marketing companies that sell the location data of millions of cellphones to advertisers, people familiar with the matter say.

Venntel’s president, Chris Gildea, said, “We are not able to comment on behalf of our customers, and any inquiries on this contract should be directed to DHS.”

The company’s website says that it “supports our national interests through technological innovation, data reliability and proven results.” It says it offers defense-intelligence and national-security services.

Digital marketing, a multibillion-dollar industry, uses such data to deliver, for example, an ad for a restaurant or store to a nearby consumer who is scrolling through Facebook on a phone.

Divisions of DHS, ICE and CBP have purchased licenses to use Venntel's software as part of analytical programs for border security and other law-enforcement efforts, federal records show. Separate government documents make oblique references to such data being used to track, among other things, tunnels along the border.

The data is pseudonymised—meaning that each cellphone is represented by an alphanumeric advertising identifier that isn't linked to the name of the cellphone's owner. Cellphone users can change their identifier in their phone's settings menu or limit the apps that have access to their location.

Though anonymized, such mobile location data can be used to identify and track individuals based on their real-world behavior, the New York Times reported in December.

Marketing data is widely used by the government to gather intelligence abroad, say people familiar with the matter. But those contracts are frequently classified, so the extent to which intelligence agencies are buying such data cannot be determined.

In 2018, the Supreme Court issued a landmark ruling in the case Carpenter v. United States saying that geographic location data drawn from cellphones in the U.S. is a specially protected class of information because it reveals so much about Americans. The court put limits on law enforcement's ability to obtain such data directly from cellphone companies without court supervision.

But the federal government has essentially found a workaround by purchasing location data used by marketing firms rather than going to court on a case-by-case basis. Because location data is available through numerous commercial ad exchanges, government lawyers have approved the programs and concluded that the Carpenter ruling doesn't apply.

"In this case, the government is a commercial purchaser like anybody else. Carpenter is not relevant," said Paul Rosenzweig, a former DHS official who is a resident senior fellow at the R Street Institute, a conservative and libertarian think tank that promotes free markets. "The government is just buying a widget."

From: (b)(6); (b)(7)(C)
Sent: 12 Feb 2020 20:02:56 +0000
To: Loiacono, Adam V
Cc: Davis, Mike P;Loiacono, Adam V
Subject: RE: Venntel and WSJ Article
Attachments: 19-CV-11311 ACLU v CBP-ICE - USG Answer.pdf, 19-CV-11311 ACLU v CBP-ICE Complaint.pdf

My apologies. Please see attached.

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
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U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6) – desk
(305) 970-(b)(7)(C) – cell

(b)(6); (b)(7)(C)

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From: Loiacono, Adam V <(b)(6); (b)(7)(C)>
Date: Wednesday, Feb 12, 2020, 2:49 PM
To: (b)(6); (b)(7)(C)
Cc: Davis, Mike P <(b)(6); (b)(7)(C)> Loiacono, Adam V
<(b)(6); (b)(7)(C)>
Subject: RE: Venntel and WSJ Article

(b)(6);

Can you send me the referenced attachments.

Thanks,

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-[b](6);
Iphone: 202-500-[b](6);
[b](6); [b](7)(C)

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From: [b](6); [b](7)(C)
Sent: Tuesday, February 11, 2020 6:13 PM
To: Loiacono, Adam V [b](6); [b](7)(C)
Cc: Davis, Mike P [b](6); [b](7)(C)
Subject: RE: Venntel and WSJ Article

Adam;

[b](5)

[b](6);
[b](7)(C)

DRAFT

Hello [b](6)

We have met with our client to answer your questions relating to both Venntel use and the stingray litigation. Please see our answers broken down individually below and let us know if you have any follow-up questions. Thanks.

a. How many law enforcement investigations your components have used the data in support of

[b](5)

b. How many individuals we have identified using Venntel's service (i.e., combined the geolocation data with other data sets to identify an individual)

(b)(5)

c. How many individuals we have actually charged/prosecuted based on data gathered from the Venntel service

(b)(5)

d. Whether we are maintaining data from the Venntel service in any of our SORNs or other databases

(b)(5)

(b)(5)

(b)(5)

DRAFT

(b)(6); (b)(7)(C)

Chief

Homeland Security Investigations Law Division

Office of the Principal Legal Advisor

U.S. Immigration and Customs Enforcement

U.S. Department of Homeland Security

(202) 732-[redacted]- desk

(305) 970-[redacted]- cell

(b)(6); (b)(7)(C)

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From: Loiacono, Adam V [redacted]

Sent: Saturday, February 8, 2020 4:37 PM

To: [redacted]

Cc: Davis, Mike P [redacted] Loiacono, Adam V

[redacted]

Subject: FW: Venntel and WSJ Article

[redacted]

Please start working up a response on Monday.

Thanks,

Adam V. Loiacono

Deputy Principal Legal Advisor for Enforcement and Litigation

Office of the Principal Legal Advisor

U.S. Immigration and Customs Enforcement

Desk: 202-732-[redacted]

Iphone: 202-500-[redacted]

From: Loiacono, Adam V
Sent: 12 Feb 2020 19:49:09 +0000
To: (b)(6); (b)(7)(C)
Cc: Davis, Mike P;Loiacono, Adam V
Subject: RE: Venntel and WSJ Article

(b)(6);

Can you send me the referenced attachments.

Thanks,

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Iphone: 202-500-(b)(6);
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Tuesday, February 11, 2020 6:13 PM
To: Loiacono, Adam V (b)(6); (b)(7)(C)
Cc: Davis, Mike P (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

As discussed at PI today, the bottom line is that most of what is being asked for isn't tracked. In our response below, we have tried to provide as much background as we can to show that the use is not as rampant as the article suggests, or that OGC may fear. Let me know if there is any further digging you'd like HSILD to do. Thanks!

(b)(6);

DRAFT

Hello (b)(6)

We have met with our client to answer your questions relating to both Venntel use and the stingray litigation. Please see our answers broken down individually below and let us know if you have any follow-up questions. Thanks.

From: (b)(6); (b)(7)(C)
Sent: 11 Feb 2020 22:53:46 +0000
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(5)

(b)(6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6); (b)(7)(C) (office)
202-494-(b)(6); (b)(7)(C) (mobile)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Date: Tuesday, Feb 11, 2020, 5:07 PM
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)

Chief

Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-[b](6); [b](7)(C) - desk
(305) 970-[b](6); [b](7)(C) - cell
(b)(6); (b)(7)(C)

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From: [b](6); (b)(7)(C)
Sent: Tuesday, February 11, 2020 4:52 PM
To: [b](6); (b)(7)(C)
Cc: [b](6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

Hi [b](6);
[b](7)(C)

(b)(5)

[b](6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-[b](6); [b](7)(C) (office)

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Tuesday, February 11, 2020 4:17 PM

To: (b)(6); (b)(7)(C)

Cc:

Subject: RE: Venntel and WSJ Article

(b)(6); (b)(7)(C)

(b)(5)

(b)(6);
(b)(7)(f)

DRAFT

Hello (b)(6)

We have met with our client to answer your questions relating to both Venntel and the stingray litigation. Please see our answers broken down individually below and let us know if you have any follow-up questions.

a. How many law enforcement investigations your components have used the data in support of

(b)(5)

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(b)(5)

d. Whether we are maintaining data from the Venntel service in any of our SORNs or other databases

(b)(5)

(b)(5)

DRAFT

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-[redacted] desk
(305) 970-[redacted] cell
[redacted]
(b)(6); (b)(7)(C)

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From: Loiacono, Adam V [redacted]
Sent: Saturday, February 8, 2020 4:37 PM
To: [redacted]
Cc: Davis, Mike P [redacted] Loiacono, Adam V
[redacted]
Subject: FW: Venntel and WSJ Article

[redacted]
(b)(6);

Please start working up a response on Monday.

Thanks,

Adam V. Loiacono
Deputy Principal Legal Advisor for Enforcement and Litigation
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: 202-732-[redacted]
Iphone: 202-500-[redacted]
[redacted]
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: 11 Feb 2020 22:07:19 +0000
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6) desk
(305) 970-(b)(7)(C) cell
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Tuesday, February 11, 2020 4:52 PM
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Venntel and WSJ Article

Hi (b)(6);

(b)(5)

(b)(5)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6) (office)
202-494-(b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Tuesday, February 11, 2020 4:17 PM

To: (b)(6); (b)(7)(C)

Cc:

Subject: RE: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

(b)(5)

(b)(6);

*****DRAFT*****

Hello (b)(6)

We have met with our client to answer your questions relating to both Venntel and the stingray litigation. Please see our answers broken down individually below and let us know if you have any follow-up questions.

a. How many law enforcement investigations your components have used the data in support of

From: (b)(6); (b)(7)(C)
Sent: 11 Feb 2020 17:34:18 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

(b)(5)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
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202-494-(b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Tuesday, February 11, 2020 7:50 AM
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement

202-732 (b)(6); (b)(7)(C) office
202-494- (b)(6); (b)(7)(C) mobile
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 5:33 PM

To: (b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)

Chief

Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security

(202) 732 (b)(6); desk
(305) 970 (b)(7)(C) cell

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 5:23 PM

To: (b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

Saved by bell! I defer to GILD!

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6) (office)
202-494-(b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Date: Monday, Feb 10, 2020, 5:09 PM

To: (b)(6); (b)(7)(C)

Subject: FW: Venntel and WSJ Article

Just in:

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6) – desk
(305) 970-(b)(7)(C) – cell

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 5:01 PM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

Below is the summary of the FOIA litigation that is referenced in the article. I have copied (b)(6); (b)(7)(C) to this email too, as he is the attorney handling. The FOIA lawsuit was filed on December 13, 2019, against both ICE and CBP. (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Thanks,

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Chief, Government Information Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(202) 732-(b)(6); (b)(7)(C) (Desk)
(202) 909-(b)(6); (b)(7)(C) (Mobile)

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From: (b)(6); (b)(7)(C)
Sent: 11 Feb 2020 16:11:20 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article
Attachments: WSNC Child Expl.docx

Thanks. This is what was provided as a "finished product." Intel uses product in a way that I understand as essentially putting pen to paper to a topic or subject. It is fuzzy.

(b)(5)

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
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From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 6:16 PM
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

A few questions:

(b)(5)

(b)(5)

Thank you!

(b)(6);
[redacted]

(b)(6); (b)(7)(C)

Chief, Government Information Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(202) 732-[redacted] (Desk)
(202) 909-[redacted] (Mobile)

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From: [redacted]

Sent: Monday, February 10, 2020 5:57 PM

To: [redacted]

Subject: RE: Venntel and WSJ Article

(b)(6);

(b)(5)

(b)(6); (b)(7)(C)

Chief

HOMELAND SECURITY INVESTIGATIONS

**SPECIAL AGENT IN CHARGE
WASHINGTON DC**

INTELLIGENCE DIVISION



INTELLIGENCE

CASE OVERVIEW

(b)(7)(E)



UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

ACTIVITY IDENTIFIED AT INITIAL LOCATION

(b)(7)(E)



UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

SIGNAL HITS

(b)(7)(E)

UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

2021-ICLI-00013 2924

DEVICE LOCATIONS

(b)(7)(E)

ED SECURITY
IGATIONS

ARTMENT OF
ED SECURITY

ED SECURITY

ED SECURITY

(b)(7)(E)



UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

TIME AND DATE STAMP

(b)(7)(E)

UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

2021-ICLI-00013 2927



**DC NATIONAL GUARD ANALYST
SAC DC INTELLIGENCE DIVISION**

(b)(6); (b)(7)(C)

(C) 202-384- (b)(6);
(b)(7)(C)



UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

From: (b)(6); (b)(7)(C)
Sent: 11 Feb 2020 12:50:24 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6) (office)
202-494-(b)(7)(C) (mobile)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 5:33 PM
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6) desk
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(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: 11 Feb 2020 12:11:08 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

Let me know if I can be of any further assistance (b)(6);

V/r,

(b)(6); (b)(7)(C)
Associate Legal Advisor
Government Information Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
Desk: (202) 732-(b)(6); - (Mo, Th)
Cell: (202) 688-(b)(6); - (Tu, We, Fr)
Unclass: (b)(6); (b)(7)(C)
HSDN: (b)(6); (b)(7)(C)
CLAN: (b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 5:12 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

Thanks, (b)(6);

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6); - desk
(305) 970-(b)(6); - cell

From: (b)(6); (b)(7)(C)
Sent: 10 Feb 2020 23:24:12 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

I'm 99% sure that is the case but am confirming with Intel.

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
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202-732-(b)(6); (office)
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(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Date: Monday, Feb 10, 2020, 5:33 PM
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

It is accurate to say that Intel owns ALL of the ICE licenses, correct?

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
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U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6); desk
(305) 970-(b)(7)(C) cell

(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: 10 Feb 2020 22:09:12 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

Use this version. Apologies.

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
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(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 5:08 PM
To: (b)(6); (b)(7)(C) >
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6); (b)(7)(C) (office)
202-494-(b)(6); (b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 4:29 PM

To: (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

(b)(6):

Here's a proposed draft response to Mr. (b)(6); (b)(7)(C) questions.

- a. How many law enforcement investigations your components have used the data in support of

(b)(5)

- b. how many individuals we have identified using Venntel's service (*i.e.*, combined the geolocation data with other data sets to identify an individual)

(b)(5)

- c. how many individuals we have actually charged/prosecuted based on data gathered from the Venntel service

(b)(5)

d. whether we are maintaining data from the Venntel service in any of our SORNs or other databases

(b)(5)

(b)(5)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-[redacted] (b)(6) (office)
202-494-[redacted] (b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Saturday, February 8, 2020 5:40 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: FW: Venntel and WSJ Article

(b)(6); (b)(7)(C)

Despite our best efforts to stay ahead of this...

Let's touch base first thing Monday AM and figure out our game plan. Thanks!

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
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(305) 970-(b)(7)(C) cell
(b)(6); (b)(7)(C)

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From: Loiacono, Adam V <(b)(5)>
Date: Saturday, Feb 08, 2020, 4:37 PM
To: (b)(6); (b)(7)(C)
Cc: Davis, Mike P <(b)(5)> Loiacono, Adam V <(b)(5)>
Subject: FW: Venntel and WSJ Article

(b)(6);

Please start working up a response on Monday.

Thanks,

From: (b)(6); (b)(7)(C)
Sent: 10 Feb 2020 22:08:22 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(5)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732 (b)(6); (office)
202-494 (b)(7)(C) (mobile)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Monday, February 10, 2020 4:29 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(6);
a. v. 2.1

Here's a proposed draft response to Mr. (b)(6); (b)(7)(C) questions.

- a. How many law enforcement investigations your components have used the data in support of

(b)(5)

(b)(5)

b. how many individuals we have identified using Venntel's service (*i.e.*, combined the geolocation data with other data sets to identify an individual)

(b)(5)

c. how many individuals we have actually charged/prosecuted based on data gathered from the Venntel service

(b)(5)

d. whether we are maintaining data from the Venntel service in any of our SORNs or other databases

(b)(5)

(b)(5)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-[redacted] (office)
202-494-[redacted] (mobile)

(b)(6); (b)(7)(C)

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From: [redacted] (b)(6); (b)(7)(C)

Sent: Saturday, February 8, 2020 5:40 PM

To: [redacted] (b)(6); (b)(7)(C)

Cc: [redacted]

Subject: FW: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

Despite our best efforts to stay ahead of this...

Let's touch base first thing Monday AM and figure out our game plan. Thanks!

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-[redacted] (b)(6); desk
(305) 970-[redacted] (b)(7)(C); cell

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: 10 Feb 2020 17:04:34 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article
Attachments: RE: Tweet by (b)(6); (b)(7)(C) on Twitter, WSNC Child Expl.docx

(b)(6);
(b)(7)(C)

I touched base with HSI Intel this morning about these questions. Here's what he had to say:

(b)(5)

I'll reach out to Privacy to confirm the last question – (b)(5)

(b)(5)

(b)(6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6) (office)
202-494-(b)(7)(C) (mobile)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Saturday, February 8, 2020 5:40 PM
To: (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: 10 Feb 2020 14:30:28 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Jessica L
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

1. How many Babel Street licenses/users do we have?

(b)(5)

2. Where are our users? HQ, field, etc. If field, which locations?

(b)(5)

3. Describe our primary uses of Babel Street in the context of our analytic work. (Eg, supporting investigations, etc)

(b)(5)

4. Describe the geolocation capability of Babel Street, if any.

(b)(5)

5. Describe any user feedback regarding the geolocation features of Babel Street, if any. (I think the PI team in Collections might have some impressions, perhaps the JIOC, as well as CAPD or SIP analysts.)

(b)(5)

6. Review the email chain below—based on your knowledge of the tool and after reading the areas of interest, is there any other information that needs to be included in our response.

(b)(5)

Please let me know if any additional information is needed.

Best,

(b)(6);
(b)(7)(

(b)(6); (b)(7)(C)

Program Manager

Systems, Tools, and Access Team

Homeland Security Investigations - Office of Intelligence

(202)732-(b)(6); (b)(7)(C) - Desk

(202)823-^{(b)(7)(C)} - Cell

(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 9:16 AM

To: (b)(6); (b)(7)(C)

◀ (b)(6); (b)(7)(C)

Cc: (b)(6) (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Good morning team,

Please add the same responses for Venntel as well.

Thanks!

(b)(6); (b)(7)(C)

Deputy Assistant Director

Office of Intelligence & Criminal Analysis

Homeland Security Investigations

202-732-(b)(6),
(b)(7)(C) | desk
202-276-(b)(6),
(b)(7)(C) | cell

nunc coepi



From: (b)(6); (b)(7)(C)

Sent: Monday, February 10, 2020 7:45 AM

To: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

<

Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

Importance: High

Good morning (b)(6) and (b)(6).

Can the STAT please put together a short response to the below query via email? Specifically, I'm looking for:

1. How many Babel Street licenses/users do we have?
2. Where are our users? HQ, field, etc. If field, which locations?
3. Describe our primary uses of Babel Street in the context of our analytic work. (Eg, supporting investigations, etc)
4. Describe the geolocation capability of Babel Street, if any.
5. Describe any user feedback regarding the geolocation features of Babel Street, if any. (I think the PI team in Collections might have some impressions, perhaps the JIOC, as well as CAPD or SIP analysts.)
6. Review the email chain below—based on your knowledge of the tool and after reading the areas of interest, is there any other information that needs to be included in our response.

CONTEXT: Answering a question from the ICE front office regarding media allegations of ICE using geolocation tools for immigration and customs enforcement purposes.

REQUIREMENT: Need by COB today please.

Thanks!

Vr

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Deputy Assistant Director
Office of Intelligence & Criminal Analysis
Homeland Security Investigations

202-732-(b)(6);
202-276-(b)(7)(C) desk
cell

nunc coepi



From: (b)(6); (b)(7)(C)

Sent: Friday, February 7, 2020 7:06 PM

To: (b)(6); (b)(7)(C)

Cc:

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

10-4 thanks (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Date: Friday, Feb 07, 2020, 6:19 PM

To: (b)(6); (b)(7)(C)

Cc:

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); (b)(7)(E)

(b)(7)(E)

We can probably provide additional details if needed early next week.

(b)(6);

Deputy Assistant Director

Intelligence

Sent with BlackBerry Work and quite possibly microphone dictated, so please pardon any transcription errors.

From: (b)(6); (b)(7)(C)

Date: Friday, Feb 07, 2020, 5:58 PM

To: (b)(6); (b)(7)(C)

Cc:

Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); (b)(7)(C) copying you both in as well in case you have insight. Thanks

From: (b)(6); (b)(7)(C)
Sent: Friday, February 7, 2020 4:54 PM
To: (b)(6); (b)(7)(C)
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6);

Can you advise on the below? Did Intel purchase Babel Street, wondering if that is what is being referred to in the article?

Thanks, (b)(6);

From: (b)(6); (b)(7)(C)
Sent: Friday, February 7, 2020 4:48 PM
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Tweet by (b)(6); (b)(7)(C) on Twitter

Hi (b)(6);
(b)(7)(C)

(b)(7)(E)

FYI Intel bought Babel Street which provides similar information that is accessed through a user interface.

Please let me know if you have any further questions.

Thank you.

(b)(6); (b)(7)(C)
Assistant Director, Operational Technology & Cyber
Homeland Security Investigations
(202) 732 (b)(6); desk
(202) 373 (b)(7)(C) cell
(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Date: Friday, Feb 07, 2020, 4:36 PM
To: (b)(6); (b)(7)(C)
Cc:
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6);

Can OTCD provide any insight into the below?

Thanks, (b)(6);
(b)(7)(c)

From: (b)(6); (b)(7)(C)
Sent: Friday, February 7, 2020 4:00 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

Good Afternoon HSI –

I am curious if “Geo Location” data points being used for “immigration and border enforcement” would fall under HSI purview, or ERO purview – or both..

Can you assist in any info?

Kindly,

(b)(6); (b)(7)(C)

ICE Appropriations Liaison
Department of Homeland Security
U.S. Immigration and Customs Enforcement | Office of the Chief Financial Officer
(b)(6); (b)(7)(C) | (202) 329-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Friday, February 7, 2020 1:54 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: FW: Tweet by (b)(6); (b)(7)(C) on Twitter

(b)(6); – here's yet another inquiry. Did we ever get a notice (back in December or at some point last year) about this activity/use of funds? This sounds different than a Title III wiretap and more like use of a stingray or other tagging/tracking device which – as noted below – has been limited by recent Supreme Court decisions. We have made Committee and leadership interest in this and we need to know more.

Thank you!

From: (b)(6); (b)(7)(C)
Sent: 9 Feb 2020 17:26:16 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

Thanks (b)(6); (b)(7)(C) We appreciate the flexibility! Enjoy the rest of the weekend.

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security

(202) 732-(b)(6); desk
(305) 970-(b)(7)(C) cell

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From: (b)(6); (b)(7)(C)
Date: Sunday, Feb 09, 2020, 11:43 AM
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Venntel and WSJ Article

Arguing with myself here, but since I'm out half of Thursday and Friday anyway, I'm making an executive decision and switching my day to Friday. I don't know why that didn't occur to me. I still have this appointment so I'll be out in the morning between 9-12. I'll be in before and after that though.

Thanks,

(b)(6);
(b)(7)(C)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732 (b)(6); (b)(7)(C) (office)
202-494 (b)(6); (b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Date: Sunday, Feb 09, 2020, 7:17 AM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

I'm AWS Monday. It is not a problem for me to switch my day to deal with this, but I have a 10 AM appointment I cannot cancel and will have to step out for that. Let me know if that's what you want me to do.

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732 (b)(6); (b)(7)(C) (office)
202-494 (b)(6); (b)(7)(C) (mobile)

(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: 9 Feb 2020 16:42:59 +0000
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Venntel and WSJ Article

Arguing with myself here, but since I'm out half of Thursday and Friday anyway, I'm making an executive decision and switching my day to Friday. I don't know why that didn't occur to me. I still have this appointment so I'll be out in the morning between 9-12. I'll be in before and after that though.

Thanks,

(b)(6);

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6) (office)
202-494-(b)(7)(C) (mobile)

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From: (b)(6); (b)(7)(C)
Date: Sunday, Feb 09, 2020, 7:17 AM
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: 20 Feb 2020 18:55:41 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Venntel and WSJ Article

Thanks. I had not seen (b)(6); email back either so appreciate the forward!

(b)(6); (b)(7)(C)
Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6)-(office)
202-494-(b)(7)-(mobile)
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Thursday, February 20, 2020 1:51 PM
To: (b)(6); (b)(7)(C)
Subject: FW: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

For your awareness.

(b)(6); (b)(7)(C)
Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6)- desk
(305) 970-(b)(7)(C)- cell
(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Thursday, February 20, 2020 1:46 PM

To: (b)(6); (b)(7)(C)

Cc:

(b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

(b)(6) – We worked with the National Targeting Center/Counter Network Division's Publicly Available Information Group (PAIG) and CBP's Office of Information Technology (OIT) and in order to develop the below responses to your questions relating to the use of Venntel –

a. How many law enforcement investigations your components have used the data in support of

(b)(5)

(b)(5)

b. How many individuals we have identified using Venntel's service (i.e., combined the geolocation data with other data sets to identify an individual)

(b)(5)

c. How many individuals we have actually charged/prosecuted based on data gathered from the Venntel service

(b)(5)

d. Whether we are maintaining data from the Venntel service in any of our SORNs or other databases

(b)(5)

(b)(6); (b)(7)(C)

CBP Associate Chief Counsel (Enforcement and Operations)

T. (202) 344-(b)(6) / C. (202) 412-(b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Wednesday, February 12, 2020 3:51 PM

To: (b)(6); (b)(7)(C)

<(b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Subject: RE: Venntel and WSJ Article

(b)(6);
(b)(7)(C)

My folks engaged with ICE HSI in order to develop the below responses to your questions relating to the use of Venntel and also provided a brief summary of the stingray litigation referenced in your email.

a. How many law enforcement investigations your components have used the data in support of

(b)(5)

b. How many individuals we have identified using Venntel's service (i.e., combined the geolocation data with other data sets to identify an individual)

(b)(5)

c. How many individuals we have actually charged/prosecuted based on data gathered from the Venntel service

(b)(5)

From: (b)(6); (b)(7)(C)
Sent: 7 Feb 2020 17:43:30 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: WSJ Article has been published

(b)(5)

(b)(6); (b)(7)(C)

Chief
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
(202) 732-(b)(6)- desk
(305) 970-(b)(7)- cell
(b)(6), (b)(7)(C)

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From: (b)(6); (b)(7)(C)
Sent: Friday, February 7, 2020 12:33 PM
To: (b)(6); (b)(7)(C)
Subject: FW: WSJ Article has been published

HSILD Management,

(b)(5)

The legal opinion related to this matter is pending with DHS OGC.

Best,

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-[redacted] (office)
202-494-[redacted] (mobile)

(b)(6); (b)(7)(C)

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From: (b)(6); (b)(7)(C)

Sent: Friday, February 7, 2020 11:11 AM

To: (b)(6); (b)(7)(C)

[redacted] (b)(6); (b)(7)(C)

Cc: (b)(6); (b)(7)(C)

Subject: FW: WSJ Article has been published

FYI – a recent article was published regarding Venntel. I'm checking with OPA now to see if they're already looped in.

(b)(6);

Privacy Officer
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement
Desk: 202-732-[redacted] (b)(6); (b)(7)(C)
Mobile: 202-701-[redacted] (b)(6); (b)(7)(C)
Main: 202-732-[redacted] (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)

Sent: Friday, February 7, 2020 10:46 AM

To: (b)(6); (b)(7)(C)

Cc:

(b)(6); (b)(7)(C)

Subject: FW: WSJ Article has been published