

**From:** (b)(6); (b)(7)(C) (LEG)  
**To:** (b)(6); (b)(7)(C) (LIA)  
**Subject:** Fwd: Protocol Article  
**Date:** Friday, March 27, 2020 4:47:12 PM

---

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

(b)(5), (b)(6), (b)(7)(C)

Thanks,

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

From: (b)(6); (b)(7)(C) (LEG)  
Sent: Monday, March 23, 2020 1:24 PM  
To: (b)(6); (b)(7)(C) (LEG)  
Subject: Fwd: Protocol Article

(b)(5); (b)(6); (b)(7)(C)

Thank you,

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

Sent from my iPhone

Begin forwarded message:

From: (b) (6)  
Date: March 23, 2020 at 12:41:46 PM EDT  
To: (b)(6); (b)(7)(C); (LIA) (b)(6); (b)(7)(C); Per USSS  
Cc: (b)(6); (b)(7)(C) (LEG) (b)(6); (b)(7)(C)  
Subject: RE: Protocol Article

Hi (b)(6); (b)(7)(C); Per  
USSS

(b) (5), (b) (6)

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

Sent: Monday, March 23, 2020 12:10 PM

To: (b) (6)

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

Subject: RE: Protocol Article

(b) (6)

(b)(5)

Thanks,

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

(b)(6); (b)(7)(C); (b)(5)

From: (b)(6); (b)(7)(C) (LIA) <(b)(6); (b)(7)(C)>mailto:(b)(6); (b)(7)(C)

Sent: Tuesday, March 17, 2020 3:30 PM

To: (b) (6)

Cc:

(b) (6)

Subject: RE: Protocol Article

Lindsay,

(b)(5)

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

USSS Privacy Officer

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

From: (b) (6)

Sent: Tuesday, March 17, 2020 3:23 PM

To: (b)(6); (b)(7)(C); (LIA) <(b)(6); (b)(7)(C), Per USSS <mailto:(b)(6); (b)(7)(C), Per USSS

Cc: (b) (6)

(b) (6)

Subject: RE: Protocol Article

Hi (b)(6); (b)(7)(C), Per USSS

(b) (5), (b) (6)

From: (b)(6); (b)(7)(C) (LIA) <(b)(6); (b)(7)(C)>mailto:(b)(6); (b)(7)(C)

Sent: Tuesday, March 17, 2020 3:22 PM

To: (b) (6)

Cc:

(b) (6)

Subject: RE: Protocol Article

Lindsay,

(b)(7)(E)

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

USSS Privacy Officer

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

From: (b) (5), (b) (6)

Sent: Monday, March 9, 2020 2:44 PM

To: (b)(6); (b)(7)(C); (LIA) (b)(6); (b)(7)(C); Per USSS <mailto:(b)(6); (b)(7)(C); Per USSS>  
Cc: (b) (5), (b) (6)  
(b) (5), (b) (6)

Subject: Protocol Article

Hi (b)(6); (b)(7)(C); Per USSS

(b) (5), (b) (6)

<https://www.protocol.com/government-buying-location-data>

Through apps, not warrants, 'Locate X' allows federal law enforcement to track phones

Federal agencies have big contracts with Virginia-based Babel Street. Depending on where you've traveled, your movements may be in the company's data.

Charles Levinson <<https://www.protocol.com/u/charleslevinson>>

March 5, 2020

U.S. law enforcement agencies signed millions of dollars worth of contracts with a Virginia company after it rolled out a powerful tool that uses data from popular mobile apps to track the movement of people's cell phones, according to federal contracting records and six people familiar with the software.

The product, called Locate X and sold by Babel Street <<https://www.babelstreet.com/>>, allows investigators to draw a digital fence around an address or area, pinpoint mobile devices that were within that area, and see where else those devices have traveled, going back months, the sources told Protocol.

They said the tool tracks the location of devices anonymously, using data that popular cell phone apps collect to enable features like mapping or targeted ads, or simply to sell it on to data brokers.

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Babel Street has kept Locate X a secret, not mentioning it in public-facing marketing materials and stipulating in federal contracts that even the existence of the data is "confidential information." Locate X must be "used for internal research purposes only," according to terms of

use <[https://www.gsaadvantage.gov/ref\\_text/47QTCA18D0081/0V3LLR.3QTYM6\\_47QTCA18D0081\\_EISGSA2TERMS.PDF](https://www.gsaadvantage.gov/ref_text/47QTCA18D0081/0V3LLR.3QTYM6_47QTCA18D0081_EISGSA2TERMS.PDF)> distributed to agencies, and law enforcement authorities are forbidden from using the technology as evidence — or mentioning it at all — in legal proceedings.

Federal records show that U.S. Customs and Border Protection purchased Locate X, and the Secret Service and U.S. Immigration and Customs Enforcement also use the location-tracking technology, according to a former Babel Street employee. Numerous other government agencies have active contracts with Reston-based Babel Street, records show, but publicly available contract information does not specify whether other agencies besides CBP bought Locate X or other products and services offered by the company.

None of the federal agencies, including CBP, would confirm whether they used the location-tracking software when contacted by Protocol. Babel Street's other products include an analytics tool it has widely marketed that sifts through streams of social media to "chart sentiment" about topics and brands.

A former government official familiar with Locate X provided an example of how it could be used, referring to the aftermath of a car bombing or kidnapping. Investigators could draw what is known as a geo-fence around the site, identify mobile devices that were in the vicinity in the days before the attack, and see where else those devices had traveled in the days, weeks or months leading up to the attack, or where they traveled afterward.

"If you see a device that a month ago was in Saudi Arabia, then you know maybe Saudis were involved," this person said. "It's a lead generator. You get a data point, and from there you use your other resources to figure out if it's valid."

A former Babel Street employee said the technology was deployed in a crackdown on credit card skimming <[https://www.secretservice.gov/data/press/releases/2018/18-NOV/CMR\\_67-18\\_U.S.\\_Secret\\_Service\\_Serves\\_up\\_Cold\\_Dish\\_of\\_Justice\\_to\\_Gas\\_Pump\\_Skimmers.pdf](https://www.secretservice.gov/data/press/releases/2018/18-NOV/CMR_67-18_U.S._Secret_Service_Serves_up_Cold_Dish_of_Justice_to_Gas_Pump_Skimmers.pdf)>, in which thieves install illegal card readers on gas station pumps, capturing customers' card data to use or sell online. The Secret Service was the lead agency in those investigations, which, according to published reports, led to arrests and the seizure of devices.

**From:** (b) (5), (b) (6)  
**To:** (b)(6); (b)(7)(C); (LEG)  
**Cc:** (b) (5), (b) (6)  
**Subject:** RE: Location Services  
**Date:** Monday, March 23, 2020 5:07:59 PM

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H (b)(6); (b)(7)(C); Per

(b) (5), (b) (6), (b) (7)(C)

This communication, along with any attachments, may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply to the sender and delete this message.

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

Sent: Monday, March 23, 2020 4:56 PM

To (b) (5), (b) (6)

Subject: Location Services

H (b) (5), (b) (6)


(b)(5)

Thanks,

**From:** (b) (6)  
**To:** (b)(6); (b)(7)(C); (LEG)  
**Subject:** RE: Location Services  
**Date:** Tuesday, March 24, 2020 1:51:01 PM

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(b) (5), (b) (6), (b) (7)(C)



From: (b)(6); (b)(7)(C) (LEG) (b)(6); (b)(7)(C)  
Sent: Tuesday, March 24, 2020 11:09 AM  
To: (b) (5), (b) (6)  
Subject: RE: Location Services

Hi (b) (6)

(b)(5)



Thanks,

(b)(6); (b)(7)(C)  
Senior Counsel  
U.S. Secret Service  
(b)(6); (b)(7)(C) (cell)

All e-mail to/from this account is subject to official review and is for official use only. Action may be taken in response to any inappropriate use of the Secret Service's e-mail system. This e-mail may contain information that is privileged, law enforcement sensitive, or subject to other disclosure limitations. Such information is loaned to you and should not be further disseminated without the permission of the Secret Service. If you have received this e-mail in error, do not keep, use, disclose, or copy it; notify the sender immediately and delete it.

**From:** (b)(6); (b)(7)(C) (LEG)  
**To:** (b)(6); (b)(7)(C) (LEG)  
**Subject:** Re: Protocol Article  
**Date:** Monday, March 23, 2020 5:04:52 PM  
**Attachments:** image001.jpg

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(b)(5); (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C) (LEG)  
Sent: Monday, March 23, 2020 1:24 PM  
To: (b)(6); (b)(7)(C) (LEG)  
Subject: Fwd: Protocol Article

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

See highlighted bit.

Thank you,

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

Sent from my iPhone

Begin forwarded message:

From: (b) (6)  
Date: March 23, 2020 at 12:41:46 PM EDT  
To: (b)(6); (b)(7)(C); Per USSS  
Cc: (b)(6); (b)(7)(C); Per USSS  
Subject: RE: Protocol Article

Hi (b)(6); (b)(7)(C); Per USSS

(b) (5), (b) (6)

From: (b)(6); (b)(7)(C) (LIA) (b)(6); (b)(7)(C)  
Sent: Monday, March 23, 2020 12:10 PM  
To: Vogel, Lindsay <Lindsay.Vogel@hq.dhs.gov>  
Cc: (b)(6); (b)(7)(C)  
Subject: RE: Protocol Article

Hi (b) (6)

(b)(5)

Thanks,

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

(b)(5); (b)(7)(E)

(b) (5), (b) (6)

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

Sent: Tuesday, March 17, 2020 3:30 PM

To: (b) (6)

Cc: 1

(b) (6)

Subject: RE: Protocol Article

(b) (6)

(b)(5)

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

USSS Privacy Officer

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

From: (b) (6)

Sent: Tuesday, March 17, 2020 3:23 PM

To: (b) (6)

Cc: (b) (6)

(b) (6)

Subject: RE: Protocol Article

Hi (b)(6); (b)(7)(C); Per USSS

Thanks. Are they using Locate X or the Babel social media product, or both?

Lindsay

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

Sent: Tuesday, March 17, 2020 3:22 PM

To: (b) (6)

Cc:

(b) (6)

Subject: RE: Protocol Article

(b) (6)

(b)(5); (b)(7)(E)

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

USSS Privacy Officer

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

From: (b) (6)

Sent: Monday, March 9, 2020 2:44 PM

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

Cc: (b) (6)

(b) (6)

Subject: Protocol Article

Hi (b)(6); (b)(7)(C); Per  
USSS

(b) (6)

<https://www.protocol.com/government-buying-location-data>

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March 5, 2020

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use <[https://www.gsaadvantage.gov/ref\\_text/47OTCA18D0081/0V3LLR.3OTYM6\\_47OTCA18D0081\\_EISGSA2TERMS.PDF](https://www.gsaadvantage.gov/ref_text/47OTCA18D0081/0V3LLR.3OTYM6_47OTCA18D0081_EISGSA2TERMS.PDF)> distributed to agencies, and law enforcement authorities are forbidden from using the technology as evidence — or mentioning it at all — in legal proceedings.

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A spokesperson for the Secret Service declined to comment on its work with Babel Street, saying the agency does not reveal methods used to carry out missions.



**From:** (b)(6); (b)(7)(C) (LIA)  
**To:** (b)(6); (b)(7)(C) (LEG)  
**Cc:** (b)(6); (b)(7)(C) (LIA); (b)(6); (b)(7)(C) (LIA)  
**Subject:** Re: Protocol Article  
**Date:** Friday, March 27, 2020 9:33:30 PM

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

Yes, our team will look in to the best approach for documenting this in a PTA

Thanks for the info,

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

Sent from my iPhone

Please excuse typos and abbreviations.

On Mar 27, 2020, at 4:47 PM, (b)(6); (b)(7)(C) (LEG) (b)(6); (b)(7)(C) wrote:

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

(b)(5); (b)(7)(E)

Thanks

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

---

**From:** (b)(6); (b)(7)(C) (LEG)  
**Sent:** Monday, March 23, 2020 1:24 PM  
**To:** (b)(6); (b)(7)(C) (LEG)  
**Subject:** Fwd: Protocol Article

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

See highlighted bit.

Thank you,

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

Sent from my iPhone

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**Date:** March 23, 2020 at 12:41:46 PM EDT  
**To:** (b)(6); (b)(7)(C); Per USSS  
**Cc:**  
**Subject:** RE: Protocol Article

Hi (b)(6); (b)(7)(C); Per USSS

(b) (5), (b) (6)

---

**From:** (b)(6); (b)(7)(C) (LIA) (b)(6); (b)(7)(C)  
**Sent:** Monday, March 23, 2020 12:10 PM  
**To:** (b) (6)  
**Cc:** (b)(6); (b)(7)(C)

Subject: RE: Protocol Article

Hi Lindsay,

(b)(5); (b)(7)(E)

Thanks,

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

(b) (5), (b) (6)

(b)(5)

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

USSS Privacy Officer

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

From: (b) (6)

Sent: Tuesday, March 17, 2020 3:23 PM

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

Cc: (b) (6)

(b) (6)

Subject: RE: Protocol Article

Hi (b)(6); (b)(7)(C); Per

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Lindsay

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(b) (6)

Subject: RE: Protocol Article

(b) (6)

(b)(7)(E)

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

USSS Privacy Officer

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

From: (b) (6)

Sent: Monday, March 9, 2020 2:44 PM

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

Cc: (b) (6)

(b) (6)

Subject: Protocol Article

Hi: (b)(6); (b)(7)(C);  
Per USSS

(b) (5), (b) (6)

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