



**U.S. Department of Justice**  
Drug Enforcement Administration  
FOI/Records Management Section  
8701 Morrissette Drive  
Springfield, Virginia 22152

**JUN 28 2013**

Case Number: 12-00477-F  
13-00007-L

Catherine Crump  
American Civil Liberties Union Foundation  
125 Broad Street, 18th Floor  
New York, NY 10004

Re: *American Civil Liberties Union and ACLU of Massachusetts v. United States Department of Justice, et. al.*, CA No. 1:12-cv-11776

Dear Ms. Crump:

Pursuant to the above-captioned civil action, the Drug Enforcement Administration (DEA), conducted a litigation review of potentially responsive records in compliance with the Joint Status Report dated April 23, 2013. We regret that we did not produce records for the month of May; however, we have completed more than the equivalent of two month's review of records with this response. As a result of that review, enclosed please find 14 pages.

Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. 552, and/or the Privacy Act, 5 U.S.C. 552a. Please refer to the list enclosed with this letter that identifies the authority for withholding the deleted material, which is indicated by a mark appearing in the block next to the exemption. An additional enclosure with this letter explains these exemptions in more detail.

DEA's FOIA regulations are contained in the Code of Federal Regulations, Title 28, Part 16, as amended. They are published in the Federal Register and are available for inspection by members of the public.

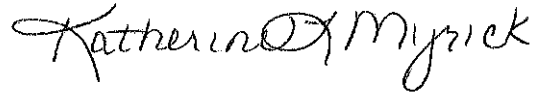
For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard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

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If you have any questions regarding your request, you may contact Assistant United States Attorney Jennifer A. Serafyn at 617-748-3188.

Sincerely,



Katherine L. Myrick, Chief  
Freedom of Information/Privacy Act Unit  
FOI/Records Management Section

Enclosures

Number of pages withheld: 3

Number of pages released: 14

APPLICABLE SECTIONS OF THE FREEDOM OF INFORMATION AND/OR PRIVACY ACT:

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

FREEDOM OF INFORMATION ACT  
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) Information which is currently and properly classified pursuant to Executive Order in the interest of the national defense or foreign policy.
- (b)(2) Materials related solely to the internal rules and practices of DEA.
- (b)(3) Information specifically exempted from disclosure by another federal statute.
- (b)(4) Privileged or confidential information obtained from a person, usually involving commercial or financial matters.
- (b)(5) Inter-agency or intra-agency documents which are subject to a privilege, such as documents the disclosure of which would have an inhibitive effect upon the development of policy and administrative direction, or which represent the work product of an attorney, or which reflect confidential communications between a client and an attorney.
- (b)(6) Materials contained in sensitive records such as personnel or medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
- (b)(7) Records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local or foreign agency or authority or any private institution which furnished information on a confidential basis; and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.

PRIVACY ACT  
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) Materials compiled in reasonable anticipation of a civil action or proceeding.
- (j)(2) Material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals.
- (k)(1) Information which is currently and properly classified pursuant to Executive Order in the interest of the national defense or foreign policy.
- (k)(2) Material compiled during civil investigations for law enforcement purposes.
- (k)(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to an express promise that his identity would be held in confidence, or pursuant to an implied promise of confidentiality if such information was furnished prior to September 27, 1975.
- (k)(6) The substance of tests used to determine individual qualifications for appointment or promotion in Federal Government Service.

(b)(6),(b)(7)(E)

Non Responsive

Non Responsive

(b)(6),(b)(7)(A),(b)(7)(C),(b)(7)(E)

(b)(6)

(b)(6)

**From:**

**Sent:**

Wednesday, March 30, 2011 12:22 PM

**To:**

(b)(6)

**Cc:**

**Subject:**

RE: LPR - Expense Projection & Deployment EQM Costs

(b)(6)

Here is the list of LPR items to purchase:

I.

(b)(7)(E)	Non Responsive
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Non Responsive

(b)(6)

Non Responsive

Thx

- The LPR strategic database and tactical alerting system are used to support cases involving the seizure of contraband materials and cash. In FY2010, there were 1031 seizures involving a license plate that was queried or generated an alert within a 30-day window of the seizure. This conservative association represents 7.5% of the total 13,673 seizures. The following table details the specific seizures that LPR supported.

(b)(6)

**THIS IS A SOURCES SOUGHT ANNOUNCEMENT AND IS FOR INFORMATION PURPOSED ONLY. The North American Industry Classification System (NAICS) code applicable to this requirement is 336999 with a size standard of 500.**

The Drug Enforcement Administration (DEA) is interested in seeking in License Plate Reader (LPR) Camera System Manufacturers. These sources should possess the experience and knowledge in deploying LPR systems at multiple locations along the Southwest border in addition to locations along the Northern border and other locations as designated based on operational requirements.

Several types and configurations of LPRs shall be considered including: Fixed Permanent Installations for commercial and passenger vehicles; "self-contained" portable units capable of rapid deployment (within 1 hour) with similar configuration to a fixed installation; "self-contained" mobile devices which include but are not limited to handheld wireless devices, vehicle mounted devices and covert style camera set-ups. All information/data and photos collected from LPR systems cameras shall be sent in near real time to a DEA facility in Merrifield, Virginia.

DEA is seeking companies that possess a current working knowledge and expertise with these types of the LPR systems. Only sources with experience and the ability to demonstrate the following tasks will be considered. The following tasks shall include, but are not limited to Image Capability, Data Capability, LPR System Performance, Weather Resistance and Installation/Implementation of the LPR system.

All interested parties should provide a capability statement and respond to the attached questions.

The Government will not reimburse contractors for the cost of submitting information in response to this sources sought announcement. The DEA may designate this acquisition a small business set-aside provided two or more responsible small business demonstrated capability to perform the stated requirement. Capability Statements are due on October 25, 2010, no later than 2:00 p.m., and shall include sufficient information to evaluate past performance for same or similar services.

Capability Statements may be emailed to [yokita.m.davis@usdoj.gov](mailto:yokita.m.davis@usdoj.gov). NO TELEPHONE INQUIRIES WILL BE ACCEPTED. Questions must be submitted in Writing to the Contract Specialist via email. All capability statements must reference number D-10-NS-0102 on all subject emails.



## Vendor Interview Questions

### System Form Factors

1. Describe the different major configurations can the system be provided in.
  - 1.1. Is there a variation of the system that can be used while attached to a vehicle (mobile)?
  - 1.2. Is there a variation of the system that does not operate while being moved but can be easily moved from site to site (transportable)?
    - 1.2.1. If so, is it trailer based, and is the trailer included?
  - 1.3. Is there a variation of the system that is permanently installed and non-mobile (fixed site)?
  - 1.4. Is there a variation of the system that is intended to be hidden from plain view (covert)?

*Provide answers to the following questions for each form factor system described above, or note where there are differences.*

*It is understood that there are difficulties in capturing license plates that are in poor condition, dirty or obscured. Assume that these conditions do not exist in answering the following questions.*

### System Performance Characteristics:

1. Is the plate state or province captured and reported?
2. Is the plate number captured and reported?
3. How many license plates can the system capture per minute?
4. What is the lag time required after a license plate passes the camera system to interpret the tag, collect and package the images and begin to transmit the data?
5. What is the maximum relative speed difference in mph between the camera equipment and the photographed vehicle at which the equipment will still capture photos and correctly recognize plates?
6. Accuracy of captures:
  - 6.1. List any North American plates that cannot presently be captured at all.
  - 6.2. What is the overall accuracy rate of the captured North American plate numbers?
  - 6.3. List specific North American plates for which reads do not occur more than 10% of the time the plate is presented to the detection equipment
  - 6.4. List specific North American plates for which inaccurate reads occur more than 10% of the time the plate is presented to the detection equipment
  - 6.5. List any deliberate plate read deterrent that can be employed that causes a 10% or greater increase in plate no read errors to occur. (For example, polarized plate covers, red tinted plate covers, plate sprays, etc).

- 6.6. List any deliberate plate read deterrent that can be employed that causes a 10% or greater increase in plate no read errors to occur. (For example, polarized plate covers, red tinted plate covers, plate sprays, etc).
- 6.7. Characterize common system errors and list specific errors that account for 10% or more of plate misreads. (For example, Bs and 8s are swapped, Gs and 6s are swapped, 1st letter of plate is dropped, etc.)

**Cameras and images:**

1. Can the system support plate capture cameras and occupant capture cameras?
  - 1.1. How many plate capture cameras does the system support?
  - 1.2. How many occupant capture cameras does the system support?
  - 1.3. How many scene or overview capture cameras does the system support?
2. Is image to text translation (OCR) of front and rear license plates treated independently?
3. How many license plates can be captured and read simultaneously with each plate camera?
4. What image formats are supported by the camera devices?
  - 4.1. Is the format user selectable?
  - 4.2. If so, how?
5. Does the system support compressed, glossy formats?
  - 5.1. Is the glossiness level user selectable?
  - 5.2. If so, how?
6. What is the resolution of the cameras?
  - 6.1. Is the resolution user selectable?
  - 6.2. If so, how?
7. Does the system require a specific make or model of camera?
  - 7.1. If so, explain.
8. Are the cameras in the system aimed at the license plates specifically designed for LPR use?
9. Do any of the pictures include any banner, timestamp or overlay information that cannot be disabled?
10. Are the cameras IP addressable?
11. Do cameras produce color or black and white images, and is this user selectable?
12. Do cameras have adjustable zoom, and is this remotely adjustable?
13. Describe any camera features to reduce sun glare.
14. Do all the cameras, their cables, and any other components that are exposed to weather, have weatherproof housings and connectors?

## **Camera Systems and Software:**

1. Is the software (or firmware) used to read the license plate photo image as ASCII text identical in all system deployments irrespective of location? (For example, different read software is used for a system deployed in Maine than is used in a system deployed in California.)
  - 1.1. If different software versions are deployed based on the geographic region, is this mandatory or recommended?
    - 1.1.1. If equipment is moved from one region to another, how is the software updated?
    - 1.1.2. Is there a cost associated with the update?
  - 1.2. Does any specific regionalized software have performance characteristics that are markedly different from other regionalized software variations? (For example, it takes the Indiana region read software 3 seconds more to translate a plate than any other regionalized software variant.)
  - 1.3. Does any specific regionalized software variant have a deleterious effect on the ability to read a plate from another region? (For example, when running Indiana region read software, 50% of Alaska plates are misread.)
2. Does the conversion from digital image data to a text based license plate number and state occur in the camera hardware, firmware, or in computer software?
  - 2.1. Is this accomplished through OCR (optical character recognition) or through some other means?
  - 2.2. Does the camera system provide a reason for any license plate text capture miss such as low light, obscured tag, bad angle, etc?
3. Can the captured license plate numbers be compared against a locally stored list of license plate numbers, and provide an audio/visual alert if there is a match?
4. Describe the triggering system that causes pictures to be captured and sent. Does the system trigger on the recognition of a valid license plate in its field of view, or on the presence of a vehicle through means such as buried loops, radar or ultrasonic wave reflection?
5. Can the system take overview pictures to include passenger, driver and various scene angles?
6. Is the date and time of the photo captured and reported?
  - 6.1. How is the date and time set?
  - 6.2. What steps are taken to ensure that the date and time are accurate? (e.g., is the clock synchronized via an NTP server?)
  - 6.3. Can the clocks be offset to a specific time zone?
7. GPS Coordinates
  - 7.1. Does the camera system include a GPS receiver?
  - 7.2. Does the camera system provide the GPS coordinates of the position of the device at the time the photo was taken reported?
8. Is a unique ID for each transaction generated and reported? A unique ID must be unique across photographic platforms and unique throughout time.

An ID is not unique if it repeats after a time interval or when the system is rebooted or if another of the devices generates the same ID.

9. List any user configurable items that can be set on a site basis and reported in the transaction (such as a site or lane ID)?
10. Does the system send a heartbeat or inactivity message?
  - 10.1. What is the format of this message?

#### **Illumination:**

1. Does the system have any illuminators, if not, by what means does it handle low lighting conditions?
  - 1.1. Do the illuminators auto activate when required?
  - 1.2. Do the illuminators use frequencies of light that are visible by the naked, human eye?
  - 1.3. Are all illuminators emissions safe to the human eye?
  - 1.4. Does it employ stroboscopic flashes, or any other potential driver distractions?

#### **Remote Support and Diagnostics:**

1. Does the camera system support out of band dial up access for troubleshooting in case of WAN network failure?
2. Can the camera system's individual components be remotely reset and rebooted by DEA?
3. How many computers are involved in each LPR system?
4. Can the power to the complete camera system and its individual components be recycled remotely?
5. Does the complete camera system including all cameras and computer based controllers completely auto-restart after an unexpected power outage?
6. Does the camera system provide remote notification in case of component failures, diagnostic warnings, and environmental problems?
  - 6.1. How are these messages provided (SNMP, email, other)?
  - 6.2. What types of problems can this diagnosis discover?
  - 6.3. Does the system report the diagnosis findings?
    - 6.3.1. What is the format of this message?

#### **Data Transmission:**

1. Is the system capable of transmitting all captured LPR data to a remote data center location that is not controlled by the vendor?
2. What file transfer protocols (i.e.: FTP, SCP, http) could be used to send data from the camera systems to DEA data collection servers?
3. Does data transmission require any special software at either the transmission or reception end?
4. Does the data transmission component utilize any bandwidth saving, transmission enhancing algorithms or protocols (e.g., multi-channel

- communications, high/low priority channel processing, bi-directional communications for special processing commands, etc)?
5. Does the communications equipment provided by the vendor support the use of a Virtual Private Network (VPN)?
  6. Does vendor have ability to provide and support a network communications link from all CONUS LPR camera system locations to Internet? Can vendor procure and maintain DSL, T1, cellular modems, satellite based links as needed if requested?
  7. Would all picture image and license plate data collected by the camera system supplied to DEA be in an openly documented, non proprietary format?
    - 7.1. Provide a complete description of the data transmission format. This should include field positions, a description of each of the fields, a description of the range of values possible in each field, and a description of the data packet organizational format (e.g., one XML file with base-64 encoded images, JPG images and XML meta-data wrapped in a ZIP file, etc).
    - 7.2. Provide a complete description of the file naming format for all files included as part of the data transmission packet.
    - 7.3. What is the size of a single transaction of pictures and text files as transmitted? A transaction is defined as a single vehicle and trailer passing a camera system.
      - 7.3.1. Is this size adjustable to balance picture quality with transmission speed?
  8. What tamper proofing and security, intrusion detection and encryption features does the camera system have with regard to integrity of data transmitted?
  9. If there is a WAN network failure, will the camera system queue up data to be sent when the network becomes available?
    - 9.1. If so, how much data can be stored?
    - 9.2. Can data in the queue be prioritized?
  10. Can DEA manually command the camera system to resend data to DEA collection servers for a specific time period in case data was lost in transmission?

**Environmental requirements:**

1. What are the power consumption requirements for the system during the following conditions:
  - 1.1. Daytime lighting conditions
  - 1.2. Nighttime lighting conditions
  - 1.3. Hot weather
  - 1.4. Cold weather
2. If hard line power is not available, describe any alternative power options (generator, solar, etc) that vendor can provide and support.
3. What is the operating temperature range of the cameras?
4. What are the cooling requirements for the system?

5. Do any the camera system components require air conditioning while operating?
  - 5.1. If so, does the camera system automatically shut down and power off to prevent damage in case of an air conditioning failure?
6. Does the camera system include an uninterruptible power source (UPS) to all its devices?
7. Are there any surge suppression or lightning arrester devices supplied with the system?

**System Deployment and Operation:**

1. Does vendor have a Site Prep process for determining the suitability of a given location for an installation of equipment?
  - 1.1. Describe the process.
2. How much time is required to set up the equipment?
3. Is the equipment set up process documented?
4. How much time is required to tear down the equipment?
5. Is the equipment tear down procedure documented?
6. Provide a manifest of the items required to deploy a system.

**System Warranty and Maintenance:**

1. What operating system (if any) does the camera site computer system(s) use? Does the vendor promptly install or provide security patches that have been qualified in a test environment?
2. Is there any other licensed software integrated into the system such as database, third party optical character recognition, or any other software that is not owned by the vendor?
  - 2.1. If so, does the vendor provide maintenance support for these?
3. Would DEA have administration level access to the Operating System of any computers involved the camera system for troubleshooting, security patch installation, file system maintenance, etc, or is it expected that only vendor personnel will have access?
4. Does vendor allow DEA to add any software or scripts to any of the camera site computers?
5. Is software support (bug fixes, answers to questions) included with warranty?
6. When a state adds a new plate to its inventory, how much time passes before the plate recognition software is updated?
  - 6.1. How is the plate recognition software updated?
  - 6.2. What are the terms and conditions of updating the plate recognition software?
  - 6.3. Are there any costs or recurring fees associated with updating the plate recognition software to handle new, previously unrecognized plates?
7. What is the duration of the equipment warrantee?
  - 7.1. Does the warranty cover wear and tear due to weather?

8. After the warranty expires, does the vendor offer a paid hardware and software support plan?
9. Does vendor maintain a spare parts inventory?
10. Does vendor have a 24x7-365 phone number for support?
11. If deployed equipment malfunctions, would vendor dispatch someone to repair it?
  - 11.1. Would the repair service be included as part of the equipment purchase?
  - 11.2. Would the repair service be an extra cost item?
  - 11.3. Would repair technicians be based locally or centrally dispatched for the repair?
  - 11.4. Would repair technicians submit to a DEA background investigation?
12. What quality control practices does vendor utilize?
13. Does vendor offer a 24x7-365 remote monitoring service or network operations center to detect camera system outages?
14. Describe all recommended regular maintenance procedures.
15. Describe available system documentation (e.g., network topology diagrams, software communication diagrams, etc).

Non Responsive

In December 2008, DEA launched the National License Plate Reader (LPR) Initiative in direct response to the money laundering threat posed by the smuggling of illicit drug proceeds out of the continental United States (U.S.), which occurs primarily via the U.S.-Mexico border. The National LPR initiative is a complex camera and alerting system that is used as an investigative tool to monitor and target roadway conveyances commonly used to transport bulk cash and other contraband. The system was designed to combine existing U.S. law



enforcement database capabilities with new technology in order to effectively support the investigation and prosecution of drug trafficking organizations (DTOs) by U.S. Federal, state, and local law enforcement agencies.

Non Responsive