



Homeland  
Security

June 1, 2020

SENT BY ELECTRONIC MAIL TO: [hhandeyside@aclu.org](mailto:hhandeyside@aclu.org)

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

**Re: 3:19-cv-00290**  
**American Civil Liberties Union vs. DHS**  
**2019-IALI-00003 Release 3**

Dear Attorney Handeyside,

This amended letter is a response to the above litigation regarding your electronic Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS). This request was subsequently referred to the Office of Intelligence and Analysis (I&A) on January 8, 2020.

***DHS I&A's Production***

Consistent with the production schedule agreed to by the ACLU and DHS, I&A has prioritized review of the records most likely to be responsive to your request. Accordingly, I&A processed 500 pages that were found to be potentially responsive to your request. After review of these records, 300 pages should be referred to other DHS offices and components and 140 pages were duplicates and 55 were non-responsive. I&A will release 5 pages withheld in part and released in part, and 22 of the pages identified in I&A's second release that have completed coordination consistent with FOIA-related Executive Order 12,600.

Redactions have been made to protect information exempted as follows:

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

Exemption 3 protects “information specifically exempted from disclosure by [another] statute.” *See* 5 U.S.C. § 552 (b)(3). In this instance 50 U.S.C. § 3024(i) and 6 U.S.C. § 121(d)(9) exempts information regarding intelligence sources and methods from unauthorized disclosure.

Exemption 5 enables an agency to withhold “inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.” *See* 5 U.S.C. § 552(b)(5). Exemption 5 therefore incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, attorney-client, and commercial information privileges. I&A is withholding this information that if released, would reveal the deliberative processes of the Agency.

Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

Exemption 7(E) protects all law enforcement information that “would disclose techniques and procedures for law enforcement investigation or prosecution, or would disclose guidelines for law enforcement investigations or prosecution if such disclosure could reasonably be expected to risk circumvention of the law.” *See* 5 U.S.C. § 552(b)(7)(E).

If you have any questions regarding this case, please contact Trial Attorney Elizabeth Tulis, United States Department of Justice, Federal Programs Branch by email at [Elizabeth.Tulis@usdoj.gov](mailto:Elizabeth.Tulis@usdoj.gov). Please be sure to reference civil action no. 19-cv-00290 in any correspondence regarding this case.

Sincerely,  
*K. Small*

K. Small  
Assistant FOIA Officer

(b) (6)

**From:** (b) (3)  
**Sent:** Monday, January 27, 2020 1:24 PM  
**To:** (b) (6)  
**Cc:** (b) (3)  
**Subject:** Re: [External] RE: (b) (3) Trial Introduction

Good afternoon (b)

Hope all is well. With the Trial set to end today, the 27<sup>th</sup>, I'd like to set a time for us to have a Trial wrap up call. Agenda for the call will be as follows:

- Grade how (b) (3) measured against Success Criteria defined by your team.
- Gather additional analyst's feedback
- Address any challenges users faced during the trial
- Discuss next steps

I expect this to last no longer than 15 minutes. Is there a time this week that works best for you?

Best,

(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

**From:** (b) (6) (b) (6)  
**Date:** Thursday, January 23, 2020 at 1:35 PM  
**To:** (b) (3)  
**Subject:** RE: [External] RE: (b) (3) Trial Introduction

Hi (b)

I have asked my collectors who finished up their shifts on Wednesday to write up some notes. Our second shift will finish up on Saturday so I will have some feedback for you.

(b) (6)

Branch Chief  
Open Source Collection Operations | S1 Book Team  
Current and Emerging Threats Center  
Dept. of Homeland Security

(b) (6) (desk)  
(b) (6) (mobile)  
(b) (secure)  
(b) (6)  
(b) (6)

---

From: (b) (3)  
Sent: Tuesday, January 21, 2020 2:14 PM  
To: (b) (6) >  
Subject: Re: [External] RE: (b) (3) Trial Introduction

Good afternoon (b)

I hope all is well. I wanted to check in with you and see how your collectors are doing with the tool. If there is any feedback, questions, or further assistance needed please let me know.

I would also like to offer that someone from our team could come out to your site this week and walk them through best practices, I think this would be beneficial as well.

Hope to talk soon, thank you!

Best,  
(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

From: (b) (6)  
Date: Tuesday, January 14, 2020 at 5:39 PM  
To: (b) (3)  
Cc: (b) (3)  
Subject: RE: [External] RE: (b) (3) Trial Introduction

Thank you for the background information.

I do think webex would be helpful for our collectors. We have the majority of our collectors on site on (b) (3) Any time after 1300 would be best. Let me know what you need from me.

(b) (6)  
Branch Chief  
Open Source Collection Operations | S1 Book Team  
Current and Emerging Threats Center

Dept. of Homeland Security

(b) (6) (desk)

(b) (6) (mobile)

(b) (6) (secure)

(b) (6)

(b) (6)

---

From: (b) (3)

Sent: Tuesday, January 14, 2020 5:11 PM

To: (b) (6)

Cc: (b) (3)

Subject: Re: [External] RE: (b) (3) Trial Introduction

Hi (b) (6)

Branden will send you the notification we sent out in December regarding (b) (3). But I also want to provide some insight.

The short version is that we believe (b) (3) held an unfavorable view of (b) (3) business relationship with various DHS customers. In early December, they terminated our access, for convenience, to the (b) (3) (b) (3), despite signing a contract with us several months prior. At almost the same time, and without notice, they severed our access (b) (3). We paid scrupulous attention to abiding by (b) (3), expending significant resources to implement technical controls in the platform. And while we were told by (b) (3) themselves that we had an industry leading compliance program, we cannot, at the end of the day, account for their bias against our customer relationships.

From our perspective, we are unwilling to compromise support to our customers' missions for a single data source. We are open to reacquiring (b) (3), consistent with legal considerations and our corporate ethos, but, at this time, there is no (b) (3) in the platform. In the meantime, (b) (3) continues to bring on new and relevant data sources to serve our clients' use cases. Some of these recently added include (b) (3)

Lastly, I'd like to recommend that (b) (3) conduct a deskside or webex this week with your trial users to walk them through Data Stream and Filter creation. This is one of the more complicated parts of the tool, but also one of its most powerful functions. I don't want the short duration of the trial or abbreviated training curriculum to short change this capability. From some of the e-mail traffic I've seen, I sense there may be some confusion surrounding this capability.

Thanks very much—please call me if you'd like to discuss further.

V/R,

(b) (6)  
(3)

(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

**From:** (b) (3)  
**Date:** Tuesday, January 14, 2020 at 4:28 PM  
**To:** (b) (6) >  
**Cc:** (b) (3), (b) (6)  
**Subject:** Re: [External] RE: (b) (3) Trial Introduction

Hello (b) (3)

Thank you for the questions. Please standby after this email, I am going to send you the notification we sent out in December regarding our relationship with (b) (3). I have also cc'd my manager (b) (3) for any follow on questions regarding (b) (3).

As for the log in credentials for your trial accounts, I think I see where the confusion lies. I shared a filter with your team from our demo account which is called Homeland\_demo; as that is an account we typically create filters from and it houses a lot of great content. It is by no means supposed to be a reference to your organization. This would be the only reference to Homeland in your accounts. However, if you would like, I will immediately un-share that filter and it will vanish from your team's filters. I can then recreate it on my personal account, bpardue, and share it again so you don't miss out on the content in that filter. Let me know if that is a suitable course of action.

Also, each user's login is nonattributable, in this case (b) (3) and is no way tied to your agency.

I hope that clears up the confusion, please feel free to give me a call if there are more questions. I would also recommend we schedule a WebEx call with your collectors or I can come by in person to walk your team through the platform and answer any follow on questions.

Best,  
(b) (3), (b) (6)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

**From:** (b) (6)  
**Date:** Tuesday, January 14, 2020 at 2:20 PM  
**To:** (b) (3)  
**Subject:** FW: [External] RE: (b) (3) Trial Introduction

Hi (b) (3)

A quick question on the below re: (b) (3) Would we be able to use our (b) (3) ?

Also one of our collectors noticed that the log in credentials tie them to DHS. Is this just for the trial or will the log ins always tied back to our agency? I just ask as we'd like to use (b) (3)

Thanks!

(b) (6)  
Branch Chief  
Open Source Collection Operations | S1 Book Team  
Current and Emerging Threats Center  
Dept. of Homeland Security

(h) (6) (desk)  
(h) (6) (mobile)  
(h) (secure)  
(b) (6)  
(b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, January 14, 2020 12:02 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** FW: [External] RE: (b) (3) Trial Introduction

(b) (6) please read the Note at the bottom of the email from (b) (3)

(b) (6)

---

**From:** (b) (3)  
**Sent:** Tuesday, January 14, 2020 11:47 AM  
**To:** (b) (6)  
**Subject:** Re: [External] RE: (b) (3) Trial Introduction

Hello (b) (6)

Nice to meet you!

I think you are describing the (b) (3) capability in the platform. This is intended for a quick search across our data sources to gain knowledge and insight on a particular subject matter quickly. (b) (3)

The "Collect" tab is where I think you will find what you are looking for. If you click on (b) (3) you will see the filters that I have shared with you.

These filters are persistent searches and contain keywords such as (b) (3) keywords you would be interested in. Please click on the filter results in the (b) (3) filter which say "Unread" and look through the documents. These are pulled from all our (b) (3) data sources to include (b) (3)

On the left hand panel you will see the “document types” option, this will list all of the sources the documents are coming from that meet the keywords criteria.

You can also search by (b) (3) in the “Search Terms” box on the left hand panel as well. This will allow you to only see documents that mention that keyword.

Note: we do not have access to private pages on (b) (3). We also no longer have (b) (3) due to privacy issues and terms and conditions that (b) (3). However, we do have access to over (b) (3) that extremist users are migrating to.

I hope this helps. If you need me to walk you through more of the tool or set up a training time let me know!

Best,

(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

From: "(b) (6)" >  
Date: Tuesday, January 14, 2020 at 11:24 AM  
To: (b) (3)  
Subject: [External] RE: (b) (3) Trial Introduction

Hi (b) (3)

I am (b) (6) from DHS/I&A, during my trial on (b) (3)  
I searched for specific word/term for example (b) (3)  
The results came back from (b) (3) to our searches.

Thank you

(b) (6)  
Open Source Collection Officer  
Current & Emerging Threats Center (CETC)  
Office of Intelligence and Analysis (I&A)  
U.S. Department of Homeland Security (DHS)  
Office: (b) (6)  
Open Source Desk: (b) (6)  
Open Source Desk: (b) (6)



From: (b) (3)

Sent: Thursday, January 9, 2020 2:55 PM

To: (b) (6)

Subject: (b) (3) Trial Introduction

Good Afternoon,

I would like to introduce myself, my name is (b) (3), (b) (6) and I will be here to assist you during your (b) (3) Trial. For any questions on use case development, best practices with the tool, or help in navigating the platform please reach out to me! I am currently working on (b) (3), (b) (6) These will be ready to view when you log in to your accounts.

Note: The trial for your organization officially begins on 13, January 2020. It is important to have your training completed by then so as not to waste trial days. You should already have your training credentials issued to you for Collection Review (b) (3)

Please let me know if you have any questions. Thanks!

Best,  
(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

----- CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. -----

(b) (6)

---

**From:** (b) (6)  
**Sent:** Wednesday, January 15, 2020 6:36 AM  
**To:** (b) (6)  
**Subject:** RE: [External] RE: (b) (3) Trial Introduction

Good morning (b)

Our credintals still show in (b) (3) trial – See screenshot below-

User ID: (b) (3), (b) (6)

Full Name

[Redacted]

E-Mail Address

(b) (6)

Save Changes

Resend Validation Email

## Update Password

New Password

[Redacted]

Confirm Password

[Redacted]

Update Password

## Preferences

Landing Page Options

Home Page

Session Timeout

30 minutes

Enable Chat

No

Yes

(b) (6)

Open Source Collection Operations Officer  
Current & Emerging Threats Center (CETC)  
DHS Office of Intelligence and Analysis

Office: (b) (6)

Open Source Desk: (b) (6)

Open Source Desk: (b) (6)



---

**From:** (b) (6)  
**Sent:** Tuesday, January 14, 2020 6:43 PM  
**To:** (b) (6)  
**Subject:** Fwd: [External] RE: (b) (3) Trial Introduction

Please excuse brevity and typos as this email was sent from my iPhone

(b) (6), Branch Chief  
Current and Emerging Threats Center

(b) (6)  
(b) (6) - desk  
(b) (6) cell

---

**From:** (b) (6)  
**Sent:** Tuesday, January 14, 2020 5:43:22 PM  
**To:** (b) (6) >  
**Subject:** Re: [External] RE: (b) (3) Trial Introduction

I can't view their message, can you re-forward please :)

---

**From:** (b) (6)  
**Sent:** Tuesday, January 14, 2020 5:35:10 PM  
**To:** (b) (6) >  
**Subject:** FW: [External] RE: (b) (3) Trial Introduction

Here is what they said about the log ins.

(b) (6)  
Branch Chief  
Open Source Collection Operations | S1 Book Team  
Current and Emerging Threats Center  
Dept. of Homeland Security  
(b) (6) (desk)

(b) (6) (mobile)

(b) (secure)

(b) (6)

(b) (6)

---

From: (b) (3)

Sent: Tuesday, January 14, 2020 4:29 PM

To: (b) (6)

Cc: (b) (3), (b) (6)

Subject: Re: [External] RE: (b) (3) Trial Introduction

Hello (b)

Thank you for the questions. Please standby after this email, I am going to send you the notification we sent out in December regarding our relationship with (b) (3). I have also cc'd my manager (b) (3) for any follow on questions regarding (b) (3).

As for the log in credentials for your trial accounts, I think I see where the confusion lies. I shared a filter with your team from our demo account which is called Homeland\_demo; as that is an account we typically create filters from and it houses a lot of great content. It is by no means supposed to be a reference to your organization. This would be the only reference to Homeland in your accounts. However, if you would like, I will immediately un-share that filter and it will vanish from your team's filters. I can then recreate it on my personal account, bpardue, and share it again so you don't miss out on the content in that filter. Let me know if that is a suitable course of action.

Also, each user's login is nonattributable, in this case (b) (3) and is no way tied to your agency.

I hope that clears up the confusion, please feel free to give me a call if there are more questions. I would also recommend we schedule a WebEx call with your collectors or I can come by in person to walk your team through the platform and answer any follow on questions.

Best,

(b) (3)

(b) (3)

[Redacted]

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.

**From:** "(b) (6)"

**Date:** Tuesday, January 14, 2020 at 2:20 PM

**To:** (b) (3), (b) (6)

**Subject:** FW: [External] RE: (b) (3) Trial Introduction

Hi Branden,

A quick question on the below re (b) (3) . Would we be able to use our (b) (3)

Also one of our collectors noticed that the log in credentials tie them to DHS. Is this just for the trial or will the log ins always tied back to our agency? I just ask as (b) (3)

[Redacted]

Thanks!

(b) (6)

Branch Chief

Open Source Collection Operations | S1 Book Team

Current and Emerging Threats Center

Dept. of Homeland Security

(b) (6) (desk)

(b) (6) (mobile)

(b) (6) (secure)

(b) (6)

(b) (6)

---

From (b) (6)

Sent: Tuesday, January 14, 2020 12:02 PM

To: (b) (6)

Cc: (b) (6)

Subject: FW: [External] (b) (3) Trial Introduction

(b) (6) please read the Note at the bottom of the email from (b) (3)

(b) (6)

---

From (b) (6) >

Sent: Tuesday, January 14, 2020 11:47 AM

To: (b) (6)

Subject: Re: [External] RE: (b) (3) Trial Introduction

Hello (b) (6)

Nice to meet you!

I think you are describing the (b) (3) capability in the platform. This is intended for a quick search across our data sources to gain knowledge and insight on a particular subject matter quickly. (b) (3)

(b) (6)

(b) (3) where I think you will find what you are looking for. If you click on (b) (3) you will see the filters that I have shared with you.

These filters are (b) (3) and contain keywords such as (b) (3) keywords you would be interested in. Please click on the filter results in the (b) (3) filter which say "Unread" and look through the documents. These are pulled from all our (b) (3) data sources to include (b) (3)

On the left hand panel you will see the “document types” option, this will list all of the sources the documents are coming from that meet the keywords criteria.

You can also search by (b) (3) in the “Search Terms” box on the left hand panel as well. This will allow you to only see documents that mention that keyword.

Note: we do not have access to private pages on (b) (3) We also no longer have (b) (3) due to privacy issues and terms and conditions that (b) (3) has recently set. However, we do have access to over (b) (3) that extremist users are migrating to.

I hope this helps. If you need me to walk you through more of the tool or set up a training time let me know!

Best,

(b) (3)  
[Redacted signature block]

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) one of its subsidiaries.*

---

**From:** "(b) (6)"  
**Date:** Tuesday, January 14, 2020 at 11:24 AM  
**To:** (b) (3), (b) (6)  
**Subject:** [External] RE: (b) (3) Trial Introduction

Hi (b) (3)



I am (b) (6) from DHS/I&A, during my trial on (b) (3)

I searched for specific word/term for example (b) (3)

The results came back from (b) (3) to our searches.

Thank you

(b) (6)

Open Source Collection Officer

Current & Emerging Threats Center (CETC)

Office of Intelligence and Analysis (I&A)

U.S. Department of Homeland Security (DHS)

Office: (b) (6)

Open Source Desk: (b) (6)

Open Source Desk: (b) (6)

---

**From:** (b) (3)

**Sent:** Thursday, January 9, 2020 2:55 PM

**To:** (b) (6)

**Subject:** Babel Street Trial Introduction

Good Afternoon,

I would like to introduce myself, my name is Branden Pardue and I will be here to assist you during your Babel Street Trial. For any questions on use case development, best practices with the tool, or help in navigating the platform please reach out to me! I am currently working on CT and domestic terror related filters using keywords shared to me by Mia Peterson. These will be ready to view when you log in to your accounts.

Note: The trial for your organization officially begins on 13, January 2020. It is important to have your training completed by then so as not to waste trial days. You should already have your training credentials issued to you for Collection Review 101 and Locate X.

Please let me know if you have any questions. Thanks!

Best,

(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

----- CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. -----

(b) (6)

**From:** (b) (3)  
**Sent:** Tuesday, January 14, 2020 5:16 PM  
**To:** (b) (6)  
**Cc:** (b) (3)  
**Subject:** Re: [External] RE: (b) (3) Trial Introduction

(b)

Below is the (b) (3) notification we sent to our customers in December regarding our relationship with (b) (3)

(b) (3) Moves Away from (b) (3)

(b) (3) Users,

As our long-standing customers know, (b) (3) has maintained a years-long relationship with (b) (3) through which (b) (3) purchases and accesses (b) (3). Users of (b) (3) who have received (b) (3) are also very familiar with the extensive and ever-changing compliance required to continue receiving it. (b) (3) has gone to extraordinary lengths over the years in terms of time, dollars, resources, and customer support in an effort to continue to bring (b) (3) content to our eligible customers, often in the face of what we consider to be ambiguous and extremely subjective compliance requirements from the data provider. Despite these efforts, we have recently received notice from (b) (3) that they are ending our (b) (3) agreement “for convenience” and, on December 9, they additionally and abruptly terminated (b) (3). In other words, we do not believe any actions of ours violated our agreement or Twitter’s terms of service – and we have received no specific reason for (b) (3) actions other than that they are uncomfortable with some of our U.S. government customers which they had previously and explicitly approved. (b) (3) has been unresponsive to our queries. As a result, (b) (3) will no longer have a relationship with (b) (3)

It is likely clear to most that the world views of (b) (3) with respect to Publicly Available Information (PAI) are drastically different. We both agree that bad, illicit, and other nefarious content should not be published online, but we strongly disagree on whether government and other safety officials charged with protecting our country and its citizens should be able to view and act on that content. We have constantly pushed to make critical publicly available information available to our customers. (b) (3) has chosen to address this content internally and severely restrict its use by government and commercial safety and security officials. By way of example, we were told last year if a customer found a threat online against its executive, it could not use (b) (3) content to further investigate that threat (e.g., review content from the handle making the threat). Rather, that customer would have to refer the social media post to law enforcement for action (even if the post were from a fake or anonymous account). In another example, we were told that one government agency providing disaster recovery assistance would not be permitted to refer a terrorist threat found on (b) (3) to another government agency that could act upon it.

Despite these divergent views, (b) (3) decision came as a complete surprise to us given that we just renewed our contract with them in June. In that renewal (b) (3) explicitly approved several use cases for the same customers with which it is now seemingly uncomfortable. After these protracted renewal negotiations (and significant reservations then on (b) (3) part about whether to even continue offering (b) (3) in light of the substantial restrictions and the significant burdens of doing so), we renewed our (b) (3) and implemented even more robust compliance measures. In fact, our compliance team, led by our Chief Privacy Officer, has, over the past few months, reviewed thousands of proposed search terms to assess whether they comply with the intent of our approved (b) (3) use cases. All of this was done without any support from (b) (3) even though we requested feedback on numerous

occasions. As you can imagine, given the multitude of contexts in which a certain term could be used, reviewing terms in the absence of any guidance is challenging at best.

All of that said, (b) (3), as our customers know, is far more than any particular data source. Particularly at a time when the importance of many traditional social media platforms is waning, data sources will continue to come and go on a regular basis. PAI, however, encompasses far more than just traditional social media. (b) (3) exists to bring the robust access to PAI data, in the most efficient way, across languages, and in one pane of glass. We understand that customers will have questions and stand ready to assist all of our customers with their missions. At the end of day, we do not let our customers fail.

Best,

(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

From: (b) (3)

Date: Tuesday, January 14, 2020 at 5:10 PM

To: (b) (6)

Cc: (b) (3), (b) (6)

Subject: Re: [External] RE: (b) (3) Trial Introduction

Hi (b)

Branden will send you the notification we sent out in December regarding (b) (3). But I also want to provide some insight.

The short version is that we believe (b) (3) held an unfavorable view of (b) (3) business relationship with various DHS customers. In early December, they terminated our access, for convenience, to (b) (3) despite signing a contract with us several months prior. At almost the same time, and without notice, they severed our access to (b) (3). We paid scrupulous attention to abiding by (b) (3), expending significant resources to implement technical controls in the platform. And while we were told by (b) (3) themselves that we had an industry leading compliance program, we cannot, at the end of the day, account for their bias against our customer relationships.

From our perspective, we are unwilling to compromise support to our customers' missions for a single data source. We are open to reacquiring (b) (3) consistent with legal considerations and our corporate ethos, but, at this time, there is no (b) (3) in the platform. In the meantime, (b) (3) continues to bring on new and relevant data sources to serve our clients' use cases. Some of these recently added include (b) (3)

Lastly, I'd like to recommend that (b) (3), conduct a deskside or webex this week with your trial users to walk them through Data Stream and Filter creation. This is one of the more complicated parts of the tool, but also one of its most

powerful functions. I don't want the short duration of the trial or abbreviated training curriculum to short change this capability. From some of the e-mail traffic I've seen, I sense there may be some confusion surrounding this capability.

Thanks very much—please call me if you'd like to discuss further.

V/R,

(b)  
(3)

(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

**From:** (b) (3)  
**Date:** Tuesday, January 14, 2020 at 4:28 PM  
**To:** (b) (6) >  
**Cc:** (b) (3), (b) (6)  
**Subject:** Re: [External] RE: (b) (3) Trial Introduction

Hello (b)

Thank you for the questions. Please standby after this email, I am going to send you the notification we sent out in December regarding our relationship with (b) (3). I have also cc'd my manager (b) (3) for any follow on questions regarding (b) (3)

As for the log in credentials for your trial accounts, I think I see where the confusion lies. I shared a filter with your team from our demo account which is called Homeland\_demo; as that is an account we typically create filters from and it houses a lot of great content. It is by no means supposed to be a reference to your organization. This would be the only reference to Homeland in your accounts. However, if you would like, I will immediately un-share that filter and it will vanish from your team's filters. I can then recreate it on my personal account, bpardue, and share it again so you don't miss out on the content in that filter. Let me know if that is a suitable course of action.

Also, each user's login is nonattributable, in this case (b) (3) and is no way tied to your agency.

I hope that clears up the confusion, please feel free to give me a call if there are more questions. I would also recommend we schedule a WebEx call with your collectors or I can come by in person to walk your team through the platform and answer any follow on questions.

Best,  
(b) (3)

(b) (3)

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.

---

**From:** (b) (6)  
**Date:** Tuesday, January 14, 2020 at 2:20 PM  
**To:** (b) (6)  
**Subject:** FW: [External] RE: (b) (3) Trial Introduction

Hi (b) (3),

A quick question on the below re: (b) (3) Would we be able to use our (b) (3) ?

Also one of our collectors noticed that the log in credentials tie them to DHS. Is this just for the trial or will the log ins always tied back to our agency? I just ask as we'd like to use (b) (3)

Thanks!

(b) (6)  
Branch Chief  
Open Source Collection Operations | S1 Book Team  
Current and Emerging Threats Center  
Dept. of Homeland Security

(b) (6) (desk)  
(b) (6) (mobile)  
(b) (6) (secure)  
(b) (6)  
(b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, January 14, 2020 12:02 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** FW: [External] RE: (b) (3) Trial Introduction

(b) (6) please read the Note at the bottom of the email from (b) (3), (b) (6)

(b) (6)

---

**From:** (b) (3)  
**Sent:** Tuesday, January 14, 2020 11:47 AM  
**To:** (b) (6)  
**Subject:** Re: [External] RE: (b) (3) Trial Introduction

Hello (b) (6)

Nice to meet you!

I think you are describing the (b) (3) capability in the platform. This is intended for a quick search across our data sources to gain knowledge and insight on a particular subject matter quickly. (b) (3)

The "Collect" tab is where I think you will find what you are looking for. If you click on (b) (3) will see the filters that I have shared with you.

These filters are persistent searches and contain keywords such as (b) (3) keywords you would be interested in. Please click on the filter results in the (b) (3) " filter which say "Unread" and look through the documents. These are pulled from all our (b) (3) data sources to include (b) (3).

On the left hand panel you will see the "document types" option, this will list all of the sources the documents are coming from that meet the keywords criteria.

You can also search by (b) (3) the "Search Terms" box on the left hand panel as well. This will allow you to only see documents that mention that keyword.

Note: we do not have access to private pages on (b) (3). We also no longer have (b) (3) due to privacy issues and terms and conditions that (b) (3) However, we do have access to over (b) (3) that extremist users are migrating to.

I hope this helps. If you need me to walk you through more of the tool or set up a training time let me know!

Best,  
(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

---

From: (b) (6)  
Date: Tuesday, January 14, 2020 at 11:24 AM  
To: (b) (3)  
Subject: [External] RE: (b) (3) Trial Introduction

Hi (b) (3),

I am (b) (6) from DHS/I&A, during my trial on (b) (3)

I searched for specific word/term for example "ISIS",  
The results came back from (b) (3)  
How can we add (b) (3) and other social media platform to our searches.

Thank you

(b) (6)  
Open Source Collection Officer  
Current & Emerging Threats Center (CETC)  
Office of Intelligence and Analysis (I&A)  
U.S. Department of Homeland Security (DHS)  
Office: 2 (b) (6)  
Open Source Desk: (b) (6)  
Open Source Desk: (b) (6)

---

From: (b) (3)

Sent: Thursday, January 9, 2020 2:55 PM

To: (b) (6)

Subject: (b) (3) Trial Introduction

Good Afternoon,

I would like to introduce myself, my name is (b) (3) and I will be here to assist you during your (b) (3) Trial. For any questions on use case development, best practices with the tool, or help in navigating the platform please reach out to me! I am currently working on (b) (3), (b) (6)  
These will be ready to view when you log in to your accounts.

Note: The trial for your organization officially begins on 13, January 2020. It is important to have your training completed by then so as not to waste trial days. You should already have your training credentials issued to you for Collection Review (b) (3)

Please let me know if you have any questions. Thanks!

Best,  
(b) (3)

*The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain business proprietary material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. This information may come from (b) (3) or one of its subsidiaries.*

----- CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. -----



**From:** DHS I&A (b) (6)  
**Sent:** 27 Oct 2016 11:09:45 -0400  
**To:** I&A Exec Sec; (b) (6)  
**Subject:** RE: CBP QFR Social Media  
**Attachments:** CBP CHSpathways.doc

Sorry, I thought that version had "Revised" in it.

---

**From:** DHS I&A (b) (6) On Behalf Of I&A Exec Sec  
**Sent:** Thursday, October 27, 2016 10:57 AM  
**To:** DHS I&A (b) (6)  
DHS I&A (b) (6)  
**Subject:** RE: CBP QFR Social Media

Our response is which one? First or second? It would be helpful if the rewrite is in tracked changes so that Mary and USIA can see original plus rewrite.

Thank you,

DHS I&A (b) (6)  
Staff Officer  
Executive Secretariat  
Office of Intelligence and Analysis

DHS I&A (b) (6)

---

**From:** DHS I&A (b) (6)  
**Sent:** Thursday, October 27, 2016 10:41 AM  
**To:** I&A Exec Sec <I&AExecSec@hq.dhs.gov>; DHS I&A (b) (6) @HQ.DHS.GOV>  
**Subject:** RE: CBP QFR Social Media

Please see page 3 of attached.

Thanks,

DHS I&A (b) (6)

---

**From:** DHS I&A (b) (6) On Behalf Of I&A Exec Sec  
**Sent:** Thursday, October 27, 2016 8:16 AM  
**To:** DHS I&A (b) (6)  
**Cc:** I&A Exec Sec <I&AExecSec@hq.dhs.gov>  
**Subject:** CBP QFR Social Media

Good morning,

**DHS I&A (b) (6)** and I spoke yesterday about the QFR response provided by CBP. **DHS I&A (b) (6)** we need a rewrite to the response provided to COS before your meeting with USIA today.

Please provide as soon as possible.

Thank you,

**DHS I&A (b) (6)**

Staff Officer

Executive Secretariat

Office of Intelligence and Analysis

**DHS I&A (b) (6)**

**From:** DHS I&A (b) (6)  
**Sent:** 28 Oct 2016 08:54:32 -0400  
**To:** DHS I&A (b) (6)  
**Subject:** FW: Emailing - 2016.09.30\_ESTA Pilot 1-Pager.pdf  
**Attachments:** 2016.09.30\_ESTA Pilot 1-Pager.pdf

DHS I&A (b) (6)

Attached in reference to your first comment on the funding strategy. Let's throw in some of this language.

DHS I&A (b) (6)

---

**From:** DHS I&A (b) (6)  
**Sent:** Monday, October 03, 2016 10:55 AM  
**To:** DHS I&A (b) (6) @HQ.DHS.GOV>  
**Subject:** Emailing - 2016.09.30\_ESTA Pilot 1-Pager.pdf

Hi DHS I&A (b) (6)

One-page summary on ESTA pilot attached.

V/R,

DHS I&A (b) (6)

**From:** DHS I&A (b) (6)  
**Sent:** 23 Dec 2016 10:23:38 -0500  
**To:** DHS I&A (b) (6)  
**Cc:**  
**Subject:** SAMPLE (Part 2): Social Media Plan signed  
**Attachments:** 2122016\_115546AM\_16-0046 S1 Signed Memo to Components re Social Media Use 02.11.16.pdf, 2122016\_115206AM\_16-0046 Implementation Plan\_DHS Social Media Use\_update020816 v2 clean.docx

DHS I&A (b) (6) will send a sample of the update he drafted for S1 re Social Media. (Part 1)

Part 2 (this email attachments) will (may?) follow closely afterwards -- a memo from S1 to Component heads reinforcing the importance of continuing the work we started. That may be the document he provides to the S1-designee and his team to ensure this important work continues.

DHS I&A (b) (6)

---

**From:** DHS I&A (b) (6)  
**Sent:** Friday, February 12, 2016 12:19 PM  
**To:** DHS I&A (b) (6)  
**Cc:** I&A Exec Sec; DHS I&A (b) (6)  
**Subject:** Social Media Plan signed

Cleared, signed and distro'ed to Components!

DHS I&A (b)(6)  
Branch Chief, Executive Secretariat  
Office of Intelligence and Analysis  
Department of Homeland Security  
DHS I&A (b)(6)

**From:** DHS I&A (b) (6)  
**Sent:** 20 Oct 2016 13:23:44 -0400  
**To:** I&A Exec Sec  
**Cc:** DHS I&A (b) (6)  
**Subject:** RE: 1610-14-0079:S1 Senate Homeland Threats (17)  
**Attachments:** S1 Senate Homeland Threats (17).docx

DHS I&A (b) (6) Exec Sec,

Sorry for the delay. Question 9 response attached.

Thanks,

DHS I&A (b) (6)

---

**From:** DHS I&A (b) (6) On Behalf Of I&A Exec Sec  
**Sent:** Wednesday, October 19, 2016 4:21 PM  
**To:** DHS I&A (b) (6) @hq.dhs.gov>  
**Cc:** DHS I&A (b) (6) @HQ.DHS.GOV>; I&A Exec Sec <(b) (6)>  
**Subject:** 1610-14-0079:S1 Senate Homeland Threats (17)

DHS I&A (b) (6)

This is another task that requires your review. Please review question #9 regarding social media. Please provide your response by noon tomorrow. Thank you.

v/r

**DHS I&A (b) (6)**

Management and Program Analyst  
Office of Intelligence and Analysis  
Department of Homeland Security

DHS I&A (b) (6)