



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

VIA Electronic Mail

November 8, 2021

Nathan Freed Wessler
American Civil Liberties Union Foundation
4401 4th Ave, Apt. C2
Brooklyn, NY 11220
nwessler@aclu.org

Request No. CRM-301674296
ACLU v. DHS, et. al, No. 20-cv-10083
(S.D.N.Y.)

Dear Mr. Wessler:

While processing your Freedom of Information Act request dated February 10, 2020, for certain records concerning Venntel Inc., Immigration and Customs Enforcement (ICE) referred twenty-one (21) pages to this Office for processing and direct response to you. The documents were received by this Office on September 23, 2021, and this referral was assigned file number CRM-301674296. Your request is currently in litigation, ACLU v. DHS, et. al, No. 20-cv-10083 (S.D.N.Y.). You should refer to this case number in any future correspondence with this Office.

After carefully reviewing the referred records, I have determined that seven (7) pages are appropriate for release in part, with certain information withheld pursuant to:

5 U.S.C. § 552(b)(5), which concerns certain inter- and intra-agency communications protected by the deliberative process privilege;

5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties; and/or

5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

Please be aware that the remaining fourteen (14) pages were duplicative of the records being provided to you. To ensure efficient processing of your request, a disclosure determination was made on only one copy of each record, which is indicated above.

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). 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.

For any further assistance and to discuss any aspect of your request, you may contact AUSA Talia Kraemer by phone at (212) 637-2822, by email at Talia.Kraemer@usdoj.gov, or by mail at 86 Chambers St., 3rd Floor, New York, NY 10007.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to an administrative appeal of this determination. If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Amanda Marchand Jones
Chief
FOIA/PA Unit

Enclosures

Cc: Talia Kraemer (Talia.Kraemer@usdoj.gov)
ICEFOIALITIGATION@ice.dhs.gov

Documents

From: (b)(6); (b)(7)(C)
Sent: 22 Aug 2019 14:29:07 +0000
To: Harper, Riane M (CRM);Becker, Keith (CRM);Flowers, Timothy (CRM);Iverson, Eric (USANCM)
Subject: RE: Venntel

Perfect, thanks. Talk you to then.

From: (b)(6); (b)(7)(C)
Sent: Thursday, August 22, 2019 10:05 AM
To: Becker, Keith (CRM) (b)(6); (b)(7)(C) Per CRM@usdoj.gov>; Giles, Margaret M <Margaret.M.Giles@ice.dhs.gov>; Flowers, Timothy (CRM) (b)(6); (b)(7)(C) Per CRM@usdoj.gov>; Iverson, Eric (USANCM) Per EOUSA (b)(6); (b)(7)(C)@usdoj.gov>
Subject: RE: Venntel

4pm today would be great. We can use the dial-in below:

(b)(6); (b)(7)(C) Per CRM
Participant passcode: (b)(6); (b)(7)(C) Per CRM

S. Riane Harper
Trial Attorney
U.S. Department of Justice, Criminal Division
Computer Crime and Intellectual Property Section
Desk: (b)(6); (b)(7)(C) Per CRM
Cell: (b)(6); (b)(7)(C) Per CRM
Email: (b)(6); (b)(7)(C) Per CRM@usdoj.gov

From: Becker, Keith (CRM)
Sent: Thursday, August 22, 2019 10:01 AM
To: (b)(6); (b)(7)(C) Harper, Riane M (CRM)
(b)(6); (b)(7)(C) Per CRM@CRM.USDOJ.GOV>; Flowers, Timothy (CRM)
(b)(6); (b)(7)(C) Per CRM@CRM.USDOJ.GOV>; Iverson, Eric (USANCM) Per EOUSA (b)(6); (b)(7)(C)@usa.doj.gov>
Subject: RE: Venntel

I could join a call at 4 today, then I'm on travel through labor day.
-Keith

From: (b)(6); (b)(7)(C)
Sent: Thursday, August 22, 2019 9:55 AM
To: Harper, Riane M (CRM) (b)(6); (b)(7)(C) Per CRM@CRM.USDOJ.GOV>; Flowers, Timothy (CRM)
(b)(6); (b)(7)(C) Per CRM@CRM.USDOJ.GOV>; Iverson, Eric (USANCM) Per EOUSA (b)(6); (b)(7)(C)@usa.doj.gov>
Cc: Becker, Keith (CRM) (b)(6); (b)(7)(C) Per CRM@CRM.USDOJ.GOV>
Subject: RE: Venntel

Hi Riane –

That would be great, thanks for making yourself available before your leave! I'm free at 4PM today, or between 9-11 tomorrow, if either of those work for you all.

From: Harper, Riane M (CRM) <(b) (6), (b) (7)(C) Per CRM@usdoj.gov>
Sent: Thursday, August 22, 2019 9:51 AM
To: Flowers, Timothy (CRM) <(b) (6), (b) (7)(C) Per CRM@usdoj.gov>; (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) Iverson, Eric (USANCM) <Per EOUSA (b)(6), (b)(7)(C)@usdoj.gov>
Cc: Becker, Keith (CRM) <(b) (6), (b) (7)(C) Per CRM@usdoj.gov>
Subject: RE: Venntel

Thanks Tim!

Hi (b)(6); (b)(7)(C) Eric, and Keith. I've been working on how we best (b) (5) Per CRM for our office and would be very happy to talk about where we've ended up. I'm headed on a week of leave tomorrow afternoon but am widely available today and tomorrow mid-morning.

Best,

Riane

S. Riane Harper
Trial Attorney
U.S. Department of Justice, Criminal Division
Computer Crime and Intellectual Property Section
Desk: (b) (6), (b) (7)(C) Per CRM
Cell: (b) (6), (b) (7)(C) Per CRM
Email: (b) (6), (b) (7)(C) Per CRM@usdoj.gov

From: Flowers, Timothy (CRM)
Sent: Thursday, August 22, 2019 9:33 AM
To: (b)(6); (b)(7)(C) Iverson, Eric (USANCM) <Per EOUSA (b)(6), (b)(7)(C)@usa.doj.gov>; Harper, Riane M (CRM) <(b) (6), (b) (7)(C) Per CRM@CRM.USDOJ.GOV>
Cc: Becker, Keith (CRM) <(b) (6), (b) (7)(C) Per CRM@CRM.USDOJ.GOV>
Subject: RE: Venntel

I've included Riane Harper on this email. Please communicate with her about these issues moving forward.

From: (b)(6); (b)(7)(C)
Sent: Thursday, August 22, 2019 8:17 AM
To: Iverson, Eric (USANCM) <Per EOUSA (b)(6), (b)(7)(C)@usa.doj.gov>
Cc: Becker, Keith (CRM) <(b) (6), (b) (7)(C) Per CRM@CRM.USDOJ.GOV>; Flowers, Timothy (CRM)

(b) (6), (b) (7)(C) Per CRM [redacted] CRM.USDOJ.GOV>

Subject: RE: Venntel

Thank you, Eric.

Tim, Keith, I would love to chat with you sometime next week on this matter. Eric indicated on the phone that you have done some analysis on its application. Perhaps we could arrange a call?

From: Iverson, Eric (USANCM) Per EOUSA (b)(6), (b)(7)(C) [redacted] @usdoj.gov>

Sent: Wednesday, August 21, 2019 11:26 AM

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

Cc: Becker, Keith (CRM) (b) (6), (b) (7)(C) Per CRM [redacted] @usdoj.gov>; Flowers, Timothy (CRM)

(b) (6), (b) (7)(C) Per CRM [redacted] @usdoj.gov>

Subject: Venntel

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

Thanks for the call just now re Venntel. Keith Becker (CEOS) and Tim Flowers (CCIPS) are cc'd. Both are interested in Venntel and may have some thoughts regarding the issue we briefly discussed.

Eric L. Iverson | Assistant United States Attorney | Project Safe Childhood Coordinator

Per EOUSA (b)(6), (b)(7)(C) [redacted]

Per EOUSA (b)(6), (b)(7)(C) [redacted] @usdoj.gov

From: Becker, Keith (CRM)
Sent: 22 Aug 2019 20:06:44 +0000
To: Harper, Riane M (CRM)
Cc: (b)(6); (b)(7)(C) Flowers, Timothy (CRM); Iverson, Eric (USANCM)
Subject: Re: Venntel

I keep getting disconnected from this conference line. Anyone else having trouble?

On Aug 22, 2019, at 10:05 AM, Harper, Riane M (CRM)
(b) (6), (b) (7)(C) Per CRM@crm.usdoj.gov> wrote:

Duplicate Record

Duplicate Record

Duplicate Record

From: Flowers, Timothy (CRM)
Sent: 22 Aug 2019 12:46:16 +0000
To: (b)(6); (b)(7)(C) Iverson, Eric (USANCM)
Cc: Becker, Keith (CRM)
Subject: RE: Venntel

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

I'll find the appropriate CCIPS person and forward this string to them. This came to me during my duty week, and I don't handle any of the policy issues (b) (5) Per CRM. Once I've identified someone to contribute, I'll connect you all.

From: (b)(6); (b)(7)(C)
Sent: Thursday, August 22, 2019 8:17 AM
To: Iverson, Eric (USANCM) (b)(6); (b)(7)(C) Per CRM <(b)(6); (b)(7)(C)@usa.doj.gov>
Cc: Becker, Keith (CRM) (b)(6); (b)(7)(C) Per CRM <(b)(6); (b)(7)(C)@CRM.USDOJ.GOV>; Flowers, Timothy (CRM) (b)(6); (b)(7)(C) Per CRM <(b)(6); (b)(7)(C)@CRM.USDOJ.GOV>
Subject: RE: Venntel

Duplicate Record
Duplicate Record

From: (b)(6); (b)(7)(C)
Sent: 23 Aug 2019 14:33:54 +0000
To: Cook, Charles N;Iverson, Eric (USANCM)
Subject: RE: Venntel

Sounds good. How about I give you call in the afternoon Thursday, September 5? Would 1PM work?

From: Cook, Charles N <Charles.N.Cook@ice.dhs.gov>
Sent: Friday, August 23, 2019 10:25 AM
To: (b)(6); (b)(7)(C) Iverson, Eric (USANCM)
Per EOUSA (b)(6), (b)(7)(C) @usdoj.gov>
Subject: RE: Venntel

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

I would be happy to, but I wont be back in the office until Sept. 4th.

How about we set something up for the 5th or 6th?

Let me know

Nate

Charles N. Cook II
Special Agent
DHS/HSI, RAC Winston-Salem
336-631-5357



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From: (b)(6); (b)(7)(C)
Sent: Friday, August 23, 2019 9:33 AM

To: Iverson, Eric (USANCM) ^{Per EOUSA (b)(6), (b)(7)(C)} [REDACTED]@usdoj.gov>
Cc: Cook, Charles N <Charles.N.Cook@ice.dhs.gov>
Subject: RE: Venntel

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

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

Thank you! (b)(5) I'll touch base with [REDACTED] as well.

[REDACTED] would you have some time next week to chat? I am an attorney with OPLA that is working with HQ folks (b)(5)

(b)(5)

From: Iverson, Eric (USANCM) ^{Per EOUSA (b)(6), (b)(7)(C)} [REDACTED]@usdoj.gov>
Sent: Friday, August 23, 2019 9:20 AM
To: (b)(6); (b)(7)(C)
Cc: Cook, Charles N <Charles.N.Cook@ice.dhs.gov>
Subject: RE: Venntel

My impression is that all investigative analysts have access to it via HSI's Office of Intelligence (i.e. the license and portal are at the Office of Intelligence). I spoke with Robert Hopper at Office of Intelligence. You likely already know all this.

Anyway, the frontline folks I am working with are the IA in the Winston-Salem Office (she is brand new) and SA Charles "Nate" Cook (cc'd). SA Cook and I often work cases together.

From: (b)(6); (b)(7)(C)
Sent: Friday, August 23, 2019 8:08 AM
To: Iverson, Eric (USANCM) ^{Per EOUSA (b)(6), (b)(7)(C)} [REDACTED]@usa.doj.gov>
Subject: RE: Venntel

Hi Eric,

Would you mind sending me the names of the agents that you've been working with on this?

Thanks,

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

From: Iverson, Eric (USANCM) ^{Per EOUSA (b)(6), (b)(7)(C)} [REDACTED]@usdoj.gov>
Sent: Wednesday, August 21, 2019 11:26 AM
To: (b)(6); (b)(7)(C)
Cc: Becker, Keith (CRM) ^{(b)(6), (b)(7)(C) Per CRM} [REDACTED]@usdoj.gov>; Flowers, Timothy (CRM) ^{(b)(6), (b)(7)(C) Per CRM} [REDACTED]@usdoj.gov>
Subject: Venntel

Duplicate Record