

From: (b)(6); (b)(7)(C)
Sent: 16 Jul 2019 14:19:11 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: Policies

Good Morning (b)(6);

(b)(5)

Best,

(b)(6);

Mobile: 202-870-(b)(6)

From: (b)(6); (b)(7)(C)
Sent: Monday, July 15, 2019 7:27 PM
To: (b)(6); (b)(7)(C)
Subject: FW: Policies

Hi (b)(6);

I'm very confused about these email I wasn't involved in any of the telephone conferences, but they seem to be addressing issues that (b)(6); (b)(7)(C) and others (not even on the email list) and I am already working on, i.e., social media issues involving ERO. I don't want to duplicate efforts.

Or are the conferences you've participated in about something else altogether? Thanks.

(b)(6); (b)(7)(C), JD, CIPP/G

Privacy Analyst
Office of Information Governance and Privacy
US Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Mobile: 202-897-(b)(6);
Main: 202-732-(b)(6);

Questions? Please visit our website at (b)(7)(E)

From: (b)(6); (b)(7)(C)
Sent: Monday, July 15, 2019 3:15 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C);
(b)(6); (b)(7)(C)
Subject: RE: Policies

(b)(6); —CLEAR was not mentioned by name on the phone call this morning, so I do not know for sure. NCATC is currently working on identifying the Privacy POC for the contract as well tracking down the Statement of Work (SOW).

(b)(6); (b)(7)(C) —thank you again for talking to (b)(6); and I this morning. We both found it very helpful. CIU is interested in discussing NCATC's operations with respect to reviewing publicly available information on targets' social media as well.

Is everyone available tomorrow (Tuesday) at 10:30am for a conference call? I'll send an Outlook invite with call in information once a date and time is agreed upon.

(b)(6); (b)(7)(C)
Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: (202) 732-(b)(6);
Cell: (202) 578-(b)(6);
(b)(6); (b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

From: (b)(6); (b)(7)(C)
Sent: Monday, July 15, 2019 2:58 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Policies

Hi (b)(6);

Is the service you are referring to CLEAR? Thanks for the follow up.

Best,

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

Mobile: 202-870 (b)(6);

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

Sent: Monday, July 15, 2019 2:51 PM

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

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

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

Subject: RE: Policies

Hi. Good afternoon!

Yes, the CIU is aware of the NCATC utilization of these types of services – generally, not specifically. I would be very interested in participating in a conference call! We have tossed around the idea of making a trip to the NCATC, but funding always seems to be an issue, so a call would be ideal!

I will be at the NTC in Sterling all day on Wednesday of this week, but any other day – at any time – would work for me.

Thank you!!

(b)(6);
202-732-(b)(6) (desk)

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

Sent: Monday, July 15, 2019 2:44 PM

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

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

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

Subject: RE: Policies

Good afternoon,

This morning (b)(6); and I reached out to the National Criminal Analysis and Targeting Center (NCATC) and spoke to (b)(6); (b)(7)(C) (Director) and (b)(6); (Deputy Director) and learned that their office utilizes similar services to view publicly available information on social media platforms through a contract with Thomas Reuters.

Is the CIU aware that NCATC is already engaged in similar efforts? If not, are you amenable to participating in a conference call this week to discuss the similarities and differences in their operations and what you envision FIO's would do with Silo's services?

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

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement

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

Cell: (202) 578 (b)(7)(C)

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

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

Sent: Thursday, July 11, 2019 4:08 PM

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

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

Subject: RE: Policies

That sounds great!

Since (b)(6) might not have been on the line today, maybe it would be helpful to outline how we would like to use SILO.

I can certainly engage other CIU staff to better explain, but as a big-picture description:

The Combined Intelligence Unit (CIU) at HQ is comprised of both ERO and HSI employees working in conjunction to share valuable intelligence from ERO's detained population. The CIU utilizes trained Field Intelligence Officers (FIO) located at detention facilities across the nation. These FIOs are Deportation Officers (1801) who graduate from a two-week advanced training course at FLETC entitled Enforcement and Removal Intelligence Collection (ERIC). The course curriculum is taught by members of the intelligence community, OPLA, ERO, HSI, and other federal law enforcement entities and covers:

- Law Review
- Introduction to Intelligence
- Foreign Threat Awareness
- Terrorism
- TOC / Gangs
- Open-Source Intelligence
- HSI Reports Officer Program
- Intro to HUMINT Tradecraft
- ERO Collection Management
- DROLeads
- KSTEP Protocols

Interviewing Techniques
Practical Exercises

The ERIC course trains the FIO to return to their office with the ability to identify, prepare to interview, and interview ICE detainees in consensual settings to gather raw intelligence. The intelligence gathered is documented by the FIO in the DROLead which is submitted to the Combined Intelligence Unit (CIU) to be analyzed for potential intelligence value. According to ERO's Priority Intelligence Requirements (PIR), topics that are of potential intelligence value from the detained population include:

- National Security Threats (PIR 1)
- Transnational Organized Crime and Criminal Street Gangs (PIR 2)
- Human Trafficking and Smuggling (PIR 3)
- Operations and Force Protection (PIR 4)

Because detained populations are so vast, prior to an interview, cursory ICE database, open-source database, and (potentially) social media checks are deemed important to aid in determining individuals' activities that might have intelligence value. After an interview is conducted, it is helpful to be able to utilize these same systems to check the truthfulness of the information provided during the interview – which also goes to the value of the intelligence provided.

As we understand it, 1801s are not able to interact with individuals on social media but can look at publicly available information (information the person has allowed to be viewed without interaction). In order to view said information, it is necessary to establish program accounts. We have no intention of the FIOs establishing back-stopped UC accounts, etc. Our plan is to roll out training and the licenses together so they understand the capabilities and the limitations.

I am very interested in knowing the next steps or what other information might be helpful to keep the ball rolling.

Thank you!

(b)(6);
202-732-(b)(6) (desk)

From: (b)(6); (b)(7)(C)
Sent: Thursday, July 11, 2019 2:17 PM
To: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: Policies

Hi (b)(6);

Thanks so much for this and thank you for coming on the call today, it was really helpful. These documents are overarching policy documents as to how to institute a privacy sensitive social media monitoring program, instead of operational documents. If ERO does have the authorities to collect this type of information we will have to work up Rules of Business in line with these documents and have the FIOs trained on them prior to implementation. We will also have to conduct a privacy threshold analysis

to determine what further compliance requirements we might have for the program as a whole. I'm Ccing Anne, our ERO privacy lead on this, as she will be assisting you through most of this process.

Once we figure out what authorities allow ERO to collect social media we can move from there. Thanks everybody for your help!

Best,

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

Mobile: 202-870-(b)(6);

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

Sent: Thursday, July 11, 2019 1:48 PM

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

Subject: Policies

Hello again.

As discussed, attached are the referenced documents regarding guidance for on-line behavior.

Prior to issuance of a (b)(7)(E) each Field Intelligence Officer (FIO) will be provided these documents and reminded of appropriate use and limitations for their actions in the system.

If you see that something is missing, please let me know. We are open to implementing necessary steps to work within the guidelines to provide this valuable tool to our FIOs.

Thank you for the interaction!

(b)(6);

Combined Intelligence Unit (CIU)
Special Operations Division (SOD)
Immigration & Customs Enforcement
Headquarters, Office of Intelligence
500 12th Street SW, Washington, DC 20536
Office: (202) 732-(b)(6);
Cell: (970) 403-(b)(6);

~~Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.~~

From: (b)(6); (b)(7)(C)
Sent: 11 Jul 2019 12:53:13 +0000
To: (b)(6);
Cc: ICE-OPLA-EROLD; (b)(6); (b)(7)(C)
Subject: RE: ERO use of social media and IP masking tools

Thanks so much (b)(6);

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

Best,
(b)(6);

Mobile: 202-870-(b)(6);

From: (b)(6);
Sent: Thursday, July 11, 2019 8:50 AM
To: (b)(6); (b)(7)(C)
Cc: ICE-OPLA-EROLD <(b)(6); (b)(7)(C)>
(b)(6); (b)(7)(C)

Subject: FW: ERO use of social media and IP masking tools

Good morning, (b)(6);

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

(b)(6);

(b)(6); Associate Legal Advisor
Detention and Removal Law Section
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
Phone: (202) 732-(b)(6)
iPhone: (202) 650-(b)(6)
E-mail: (b)(6); (b)(7)(C)

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***
This communication and any attachments may contain confidential and/or sensitive attorney/client privileged

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

From: (b)(6); (b)(7)(C)
Sent: Thursday, July 11, 2019 7:48 AM
To: ICE-OPLA-EROLD <(b)(6); (b)(7)(C)>
Cc: (b)(6); (b)(7)(C)
Subject: ERO use of social media and IP masking tools

Good Morning,

(b)(5)

Best,

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

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

Privacy Analyst, J.D., CIPP/US/G
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Mobile: 202-870-(b)(6);
Main: 202-732-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: 18 Jul 2019 13:33:43 +0000
To: (b)(6); (b)(7)(C)
Subject: RE: ERO IP Masking Tool for Social Media Review

I have calls from 10-12, but I should be free around noon if that works for you.

Best,

(b)(6);

Mobile: 202-870-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Thursday, July 18, 2019 9:33 AM
To: (b)(6); (b)(7)(C)
Subject: FW: ERO IP Masking Tool for Social Media Review

Hi (b)(6);

Can we chat about this email in about an hour. I'm still waiting for confirmation from NCATC on whether they're doing anything close to active monitoring ... I just sent them a reminder.

From: (b)(6); (b)(7)(C)
Sent: Wednesday, July 17, 2019 2:27 PM
To: (b)(6); (b)(7)(C)
Cc:
Subject: ERO IP Masking Tool for Social Media Review

Good afternoon (b)(6);

I see that you are out of the office today. When you are back in the office, please let us know when you are available to speak to (b)(6); and I (both with EROLD) about ERO's request to join the HSI contract with (b)(7)(C). My understanding is that (b)(6); is the HSI Privacy POC and that you would be the ERO Privacy POC for this contract. If that is not the case, please let us know ASAP.

Thank you!

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

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: (202) 732-(b)(6)
Cell: (202) 578-(b)(6)
(b)(6); (b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not for release, review, retransmission, dissemination,

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

From: (b)(6); (b)(7)(C)
Sent: 22 Jul 2019 20:38:38 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C); (b)(6);
Subject: ICE SMOUTs
Attachments: Social Media Documents, Authentic8 Security Overview.pdf

Hello (b)(6);

As discussed, attached please find an email which includes all the ICE Social Media Operational Use Templates (SMOUTs), as well as DHS Directive and Instructions on operational use of social media.

The SMOUTs were used by DHS Privacy to find out the operational purposes for which ICE needs to access social media, and to determine whether those uses are authorized under DHS policies. Most relevant to *ERO's* operational use of social media is the 'Criminal and Admin Immigration LE' SMOUT. I've identified below portions of this SMOUT that may help CIU in framing a document explaining ERO's intended use of SILO to surveille publicly-available social media sites.

(b)(5)

(b)(5)

Please let me know if you have any questions about the above. Thank you!

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

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6);

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

From: (b)(6); (b)(7)(C)
Sent: 19 Aug 2019 13:19:40 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: ICE SMOUTs
Attachments: CIU White Paper - Unattributed Browser Licenses 08022019 track changes.doc

(b)(6);

(b)(6); provided the attached draft last Friday (8/16). OPLA will now review. Not sure how long it will take, as I have other priority tasks already on the queue. I may need until next week. Do you want to take a look at the attached and let me know if you have specific concerns? Thank you.

(b)(6);

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6);

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

From: (b)(6); (b)(7)(C)
Sent: Monday, August 19, 2019 9:12 AM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ICE SMOUTs

Good Morning Everybody,

I just wanted to follow up on the ERC (b)(7)(C) procurement. Has there been any resolution? Thanks in advance.

Best,

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

Mobile: 202-870 (b)(6);

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

Sent: Friday, July 26, 2019 8:33 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

Thanks so much everybody!

Best,

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

Mobile: 202-870 (b)(6);

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

Sent: Friday, July 26, 2019 8:32 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

Hi (b)(6); Many apologies - I should have sent an update yesterday.

A draft of the white paper was finished yesterday and sent to ERO OPLA. ERO OPLA had a few suggestions before considering it final and indicated a two week lead time would be needed for an OPLA determination. I contacted the procurement folks and explained the situation, so they are aware. I'm sorry I failed to follow-up with Privacy, too.

Thanks for the concern and interest!

(b)(5)

Have a nice weekend - and thanks again!

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

Date: Friday, Jul 26, 2019, 7:54 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

Good Morning (b)(6);

I just wanted to check on the status of the white paper. I know we agreed to a deadline of today to have Privacy Office's approval for your procurement. To do that I'll need the white paper and OPLA's confirmation that the program operates within ERO's authorities and I can take it to the ICE Privacy Officer for a final determination. If there is anything I can help with, please just let me know.

Best,

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

Mobile: 202-870-(b)(6);

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

Sent: Tuesday, July 23, 2019 4:17 PM

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

Cc:

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

Subject: RE: ICE SMOUTs

(b)(6);

Please express my appreciation to the HSI Open Source Team for sharing their white paper! I've read through each of the five (5) SMOUTs, the Directive, and the Instruction. I am better understanding the documents, the requirements, and appreciate the guidance!

Thank you!

(b)(6);

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

Sent: Tuesday, July 23, 2019 8:59 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

Thanks (b)(6);

An HSI Open Source Team has cleared us to share their white paper for their use of social media. They have been monitoring social media (b)(7)(E) They are governed by the Criminal and Administrative Immigration Law Enforcement SMOUT as well.

Best,

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

Mobile: 202-870-(b)(6);

From: (b)(6);

Sent: Monday, July 22, 2019 4:39 PM

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

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

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

Subject: ICE SMOUTs

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

As discussed, attached please find an email which includes all the ICE Social Media Operational Use Templates (SMOUTs), as well as DHS Directive and Instructions on operational use of social media.

The SMOUTs were used by DHS Privacy to find out the operational purposes for which ICE needs to access social media, and to determine whether those uses are authorized under DHS policies. Most relevant to *ERO*'s operational use of social media is the 'Criminal and Admin Immigration LE' SMOUT. I've identified below portions of this SMOUT that may help CIU in framing a document explaining *ERO*'s intended use (b)(7)(E) to surveil publicly-available social media sites.

(b)(5)

(b)(5)

I believe (b)(7)(C) has audit functions, based on the attached Authentic8 overview document you kindly provided this morning.

The Privacy folks may also be interested in whether ERO will download any personally identifying info (PII) and/or sensitive PII from social media using (b)(7)(C) and if so, where the downloads will be maintained, and how they will be secured. See ICE responses to Q 5(e) – (g) on pp. 7-8.

Please let me know if you have any questions about the above. Thank you!

(b)(6):

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6):
(iPhone) 202-787-(b)(6):

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not

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

From: (b)(6); (b)(7)(C)
Sent: 10 Sep 2019 13:24:25 +0000
To: (b)(6); (b)(7)(C)
Subject: FW: ERO social media white paper

“Some time later, a Johnson City police officer named Thomas Garrison, using an undercover account, sent Farrad "a friend request on Facebook." R. 71 (Trial Tr. Vol. I at 81, 90-91) (Page ID #679, 688-89). After Farrad "accept[ed] 865*865 the friend request," *US v. Farrad*, 895 F.3d 859 (6th Cir. 2018). https://scholar.google.com/scholar_case?case=9622776040984860897&q=related:sriNfqSsxHcJ:scholar.google.com/&hl=en&as_sdt=0,9&as_ylo=2019&scioq=social+and+media+and+%22terms+of+use%22+and+%22law+enforcement%22

From: (b)(6); (b)(7)(C)
Sent: Monday, September 9, 2019 10:39 AM
To: (b)(6); (b)(7)(C)
Subject: RE: ERO social media white paper

Thanks!

Best,

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

Mobile: 202-870-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Monday, September 9, 2019 10:38 AM
To: (b)(6); (b)(7)(C)
Subject: FW: ERO social media white paper

Not sure if you've seen this:

“United States v. Robison, No. 11CR380 DWF/TNL, 2012 WL 1110086, at *1-2 (D. Minn. Mar. 16, 2012) (noting that law enforcement created fake online identity and became Facebook friends with defendant, “which permitted [the government] to view [the defendant’s] name and photo on his Facebook account”); United States v. Phillips, Criminal No. 3:06–CR–47, 2009 WL 1918931, at *7 (N.D. W. Va. July 1, 2009) (noting that the government ‘created an undercover user profile on www.myspace.com’),” available at, <https://scholarship.richmond.edu/cgi/viewcontent.cgi?article=1380&context=jolt> and <https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/22566/Jones2017.pdf?sequence=1&isAllowed=y>

https://www.ciddd.ca/documents/phasetwo/Social_Media_Surveillance_and_Law_Enforcement.pdf and <https://www.wsj.com/articles/police-online-impersonations-raise-concerns-1421895089>

From: (b)(6); (b)(7)(C)
Sent: Friday, September 6, 2019 12:22 PM
To: (b)(6); (b)(7)(C)
Subject: FW: ERO social media white paper

This is where I found the OIG report cited below, <https://www.wired.com/story/dhs-social-media-immigrants-green-card/>

(b)(6); (b)(7)(C)
Privacy Compliance Specialist, CIPP/G
Information Governance and Privacy (IGP)
U.S. Immigration & Customs Enforcement
Direct: (202) 732-(b)(6);
Main: (202) 732-(b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Friday, September 6, 2019 12:19 PM
To: (b)(6); (b)(7)(C)
Subject: FW: ERO social media white paper

You may have already seen this:

“Additionally, ICE independently began a pilot to use social media screening during the visa issuance process. However, these pilots, on which DHS plans to base future department-wide use of social media screening, lack criteria for measuring performance to ensure they meet their objectives. Although the pilots include some objectives, such as determining the effectiveness of an automated search tool and assessing data collection and dissemination procedures, it is not clear DHS is measuring and evaluating the pilots’ results to determine how well they are performing...In August 2016, ICE independently began a pilot to screen the social media activity...In our opinion, a clearly defined performance evaluation is essential to determining whether, how, and when to integrate pilot activities into overall efforts and will enable the Department to implement a more effective social media screening program”

<https://www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-40-Feb17.pdf>

“...However, upon discovering the lack of performance measures in USCIS’ and ICE’s pilots for social media screening for immigration benefits, we adjusted our scope and reviewed DHS’ social media task force and DHS’ use of pilots to help create a social media screening program. Although we reviewed DHS policies relevant to social media screening, including DHS Instruction Number 110–01-001, Privacy Policy for Operational Use of Social Media, we could not evaluate specific policies and procedures for the pilots because they had not been written.” <https://www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-40-Feb17.pdf>

<https://www.nextgov.com/policy/2019/09/dhs-using-fake-social-media-profiles-investigate-immigrants/159606/>

[https://www.uscis.gov/sites/default/files/files/nativedocuments/Delegation to Conduct Certain Law Enforcement Activities.pdf](https://www.uscis.gov/sites/default/files/files/nativedocuments/Delegation%20to%20Conduct%20Certain%20Law%20Enforcement%20Activities.pdf)

From: (b)(6); (b)(7)(C)
Sent: Thursday, September 5, 2019 4:50 PM
To: (b)(6); (b)(7)(C)
Subject: FW: ERO social media white paper

You may have already seen this:

Memorandum from John Morton, "Use of Public and Non-Public Online Information for Law Enforcement Personnel" (June 28, 2012):

Undercover Communications. Law enforcement personnel communicating online with witnesses, subjects, or victims must disclose their affiliation with law enforcement when ICE guidelines would require such disclosure if the communication were taking place in person or over the telephone. Law enforcement personnel may communicate online under a non-identifying name or fictitious identity if ICE guidelines and procedures would authorize such communications in the physical world. For purposes of ICE undercover guidelines, each discrete conversation online constitutes a separate undercover activity or contact, but such a conversation may comprise more than one transmission between the law enforcement personnel and another person.

<https://insight.ice.dhs.gov/mgt/igp/Documents/pdf/law-enforcement-online-policy.pdf>

"Moreover, federal law enforcement agents communicating online with witnesses, subjects, or victims must disclose their affiliation with law enforcement when DHS guidelines would require such disclosure if the communication were taking place in person or over the telephone — they may communicate online under a non-identifying name or fictitious identity if DHS guidelines and procedures would authorize such communications in the physical world."

<https://www.dhs.gov/news/2012/02/15/written-testimony-priv-house-homeland-security-subcommittee-counterterrorism-and> <https://www.govinfo.gov/content/pkg/CHRG-112hhrg76514/html/CHRG-112hhrg76514.htm>

See, e.g., Online Investigative Principles for Federal Law Enforcement Agents (Department of Justice, 1999) and Civil Liberties and Privacy Guidance for Intelligence Community Professionals: Properly Obtaining and Using Publicly Available Information (Office of the Director of National Intelligence, 2011).

[https://www.dni.gov/files/documents/CLPO/CLPO%20Publication Publicly%20Available%20Information July%202011%20-%20Public%20Release%20Version.pdf](https://www.dni.gov/files/documents/CLPO/CLPO%20Publication%20Publicly%20Available%20Information%20July%202011%20-%20Public%20Release%20Version.pdf)

(b)(6);
Privacy Compliance Specialist, CIPP/G
Information Governance and Privacy (IGP)
U.S. Immigration & Customs Enforcement
Direct: (202) 732 (b)(6);
Main: (202) 732 (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Thursday, September 5, 2019 4:14 PM
To: (b)(6); (b)(7)(C)
Cc:
Subject: RE: ERO social media white paper

Thanks, this is really helpful!

If you want to do a quick survey of other DHS programs and social media PIAs and send the links in a consolidated email, that would be great. No specific due date, but if one of you has the bandwidth to take that on, it would really help our forthcoming document.

(b)(6); (b)(7)(C)
Acting Privacy Officer
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Mobile: 202-701-(b)(6);
Main: 202-732-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Thursday, September 5, 2019 4:01 PM
To: (b)(6); (b)(7)(C)
Subject: RE: ERO social media white paper

I don't know if you saw this, but USCIS published a PIA for their use of fictitious accounts. It may be a (b)(7)(E)

https://www.dhs.gov/sites/default/files/publications/privacy-pia-uscis-013-01-fdns-july2019_0.pdf

Best,

(b)(6);

Mobile: 202-870-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Thursday, September 5, 2019 12:24 PM
To: (b)(6); (b)(7)(C)
Subject: RE: ERO social media white paper

Hi (b)(6);

Some responses to your comments in the attached. Essentially, I'm mainly concerned with ERO's authority to create a fake profile and how we would get around the Terms of Service of certain social media providers. See my other responses to your questions regarding ERO's general mission/authority and we can confirm our question with ERO.

(b)(6):

Acting Privacy Officer
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement

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

Mobile: 202-701-(b)(6):

Main: 202-732-(b)(6):

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

Sent: Thursday, August 29, 2019 7:50 AM

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

Subject: ERO social media white paper

Good Morning (b)(6):

Find enclosed the white paper with our major questions regarding ERO's social media use. Like we discussed last week, it doesn't actually talk about what they are trying to do operationally (the whole point of the white paper). They've stated they want it for fugitive ops, but there are some references in the white paper for detainee ops. I see the purpose, I just genuinely don't know if detainee officers have the authority to investigate outside a facility. So the things we need OPLA to answer:

1. (b)(6)
2. (b)(6)

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

Privacy Analyst, J.D., CIPP/US/G
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement

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

Mobile: 202-870-(b)(6):

Main: 202-732-(b)(6):

GOVERNMENT USE ONLY and may be exempt from disclosure under the Freedom of Information Act, 5 USC §§ 552(b)(5), (b)(7).

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

Sent: Monday, September 16, 2019 12:05 PM

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

Subject: FW: ICE SMOUTs

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

I just wanted to check back in if EROLD had any insight to the below. I'm hoping to put a bow on the approval for the procurement that'll set us on the right foot in the PTA process.

Best,

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

Mobile: 202-870-(b)(6);

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

Sent: Thursday, September 5, 2019 4:22 PM

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

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

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

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

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

Subject: RE: ICE SMOUTs

Good afternoon (b)(6);

My apologies for the delay. (b)(7)(E)

(b)(7)(E)

(b)(5)

(b)(5)

(b)(5)

Best,

(b)(6):

Mobile: 202-870-(b)(6);

Best,

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

Mobile: 202-870-(b)(6);

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

Sent: Monday, August 19, 2019 9:20 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

(b)(6);

(b)(6); provided the attached draft last Friday (8/16). OPLA will now review. Not sure how long it will take, as I have other priority tasks already on the queue. I may need until next week. Do you want to take a look at the attached and let me know if you have specific concerns? Thank you.

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

Associate Legal Advisor

Enforcement and Removal Operations Law Division

Office of the Principal Legal Advisor

U.S. Immigration and Customs Enforcement

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

(iPhone) 202-787-(b)(6);

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

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

Sent: Monday, August 19, 2019 9:12 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

Good Morning Everybody,

I just wanted to follow up on the ERO (b)(7) procurement. Has there been any resolution? Thanks in advance.

Best,

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

Mobile: 202-870-(b)(6);

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

Sent: Friday, July 26, 2019 8:33 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

Thanks so much everybody!

Best,

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

Mobile: 202-870-(b)(6);

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

Sent: Friday, July 26, 2019 8:32 AM

To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)
Subject: RE: ICE SMOUTs

Hi (b)(6): Many apologies - I should have sent an update yesterday.

A draft of the white paper was finished yesterday and sent to ERO OPLA. ERO OPLA had a few suggestions before considering it final and indicated a two week lead time would be needed for an OPLA determination. I contacted the procurement folks and explained the situation, so they are aware. I'm sorry I failed to follow-up with Privacy, too.

Thanks for the concern and interest!

(b)(5)

Have a nice weekend - and thanks again!

From: (b)(6); (b)(7)(C)
Date: Friday, Jul 26, 2019, 7:54 AM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ICE SMOUTs

Good Morning (b)(6);

I just wanted to check on the status of the white paper. I know we agreed to a deadline of today to have Privacy Office's approval for your procurement. To do that I'll need the white paper and OPLA's confirmation that the program operates within ERO's authorities and I can take it to the ICE Privacy Officer for a final determination. If there is anything I can help with, please just let me know.

Best,

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

Mobile: 202-870 (b)(6); (b)(7)(C)

From: (b)(6); (b)(7)(C)
Sent: Tuesday, July 23, 2019 4:17 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C);
(b)(6); (b)(7)(C)
Subject: RE: ICE SMOUTs

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

Please express my appreciation to the HSI Open Source Team for sharing their white paper! I've read through each of the five (5) SMOUTs, the Directive, and the Instruction.

I am better understanding the documents, the requirements, and appreciate the guidance!

Thank you!

(b)(6);

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

Sent: Tuesday, July 23, 2019 8:59 AM

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

Cc:

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

Subject: RE: ICE SMOUTs

Thanks (b)(6);

An HSI Open Source Team has cleared us to share their white paper for their use of social media. They have been monitoring social media (b)(7)(F)

(b)(7)(E) They are governed by the Criminal and Administrative Immigration Law Enforcement SMOUT as well.

Best,

(b)(6);

Mobile: 202-870-(b)(6);

From: (b)(6);

Sent: Monday, July 22, 2019 4:39 PM

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

Cc:

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

Subject: ICE SMOUTs

Hello (b)(6);

As discussed, attached please find an email which includes all the ICE Social Media Operational Use Templates (SMOUTs), as well as DHS Directive and Instructions on operational use of social media.

The SMOUTs were used by DHS Privacy to find out the operational purposes for which ICE needs to access social media, and to determine whether those uses are authorized under DHS policies. Most relevant to *ERO's* operational use of social media is the 'Criminal and Admin Immigration LE' SMOUT. I've identified below portions of this SMOUT that may help CIU in framing a document explaining *ERO's* intended use of SILO to surveille publicly-available social media sites.

(b)(5)

I believe (b)(7)(C) has audit functions, based on the attached Authentic8 overview document you kindly provided this morning.

The Privacy folks may also be interested in whether ERO will download any personally identifying info (PII) and/or sensitive PII from social media using (b)(7)(E) and if so, where the downloads will be maintained, and how they will be secured. See ICE responses to Q 5(e) – (g) on pp. 7-8.

Please let me know if you have any questions about the above. Thank you!

(b)(6);

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6);

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

From: (b)(6); (b)(7)(C)
Sent: 21 Nov 2019 13:39:02 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ERO (b)(7)(E)

Hi (b)(6);

Yes Privacy will take the lead on putting together new training. We're currently writing an agency-wide PIA on ICE's use of social media, so the information that we learn during that process will help us create training materials. I agree that ERO should draft any RoBs/SOPs, and Privacy, Policy, and OPLA can review.

(b)(6); (b)(7)(C)
Privacy Officer
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement
Desk: 202-732-(b)(6);
Mobile: 202-701-(b)(6)
Main: 202-732-(b)(6)

From: (b)(6); (b)(7)(C)
Sent: Tuesday, November 19, 2019 4:49 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ERO (b)(7)(E)

One more thing - I am not clear who is responsible for developing the RoB, SOP, and the PALMS training course. In my 10/17/19 email to the group after our last meeting, I shared a draft training that ICE Privacy created back in 2013 and suggested that ICE Privacy review it to see whether it needs an update (to reflect changes in technology since 2013). See attached.

I was thinking that ICE Privacy would draft the PALMs training and that the 2013 draft training PPP would serve as a starting point. I defer to ICE Privacy but it seems like ICE Privacy would be more logical party for drafting the training since it is the SMEs on privacy; not ERO.

With respect to the RoB and SOP, it makes sense that ERO would draft it and ICE Privacy/ICE Policy/OPLA would review for clearance. But perhaps ICE Privacy can provide a go-by as an example to ERO? Thank you all!

(b)(6);
Associate Legal Advisor
Enforcement and Removal Operations Law Division

Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6);
(b)(6); (b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

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

Sent: Tuesday, November 19, 2019 4:29 PM

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

Cc:

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

Subject: RE: ERO (b)(7)(E)

(b)(5)

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

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6);
(b)(6); (b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not

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

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

Sent: Tuesday, November 19, 2019 4:07 PM

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

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

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

Subject: RE: ERO (b)(7)(E)

Good afternoon. Trust this finds you all doing well! Hard to believe it's already November!

I was redirected to another project for a few weeks but am back and hoping to re-engage the topic of unattributable browser licenses for ERO. To re-cap, I believe this is where we stand:

(b)(5)

Thank you for continuing this conversation!

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

Sent: Friday, October 18, 2019 8:45 AM

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

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

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

Subject: RE: ERO (b)(7)(E)

Hi (b)(6);

Thanks very much for putting this together.

One point building upon (b)(6); clarification below: your discussion points indicate there are

(b)(5)

It was nice to meet everyone in-person and I look forward to working with you all on this.

Best,

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

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

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732 (b)(6) (office)
202-839 (b)(6) (cell)

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

Sent: Thursday, October 17, 2019 5:03 PM

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

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

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

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

Subject: RE: ERO (b)(7)(E)

Thank you (b)(6); Your summary of today's meeting is very helpful.

There are just 2 points I would like to elaborate on.

(b)(5)

Thank you everyone for a very successful meeting today!

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

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6);

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

This communication and any attachments may contain confidential and/or sensitive attorney/client privileged information or attorney work product and/or law enforcement sensitive information. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient. Please notify the sender if this email has been misdirected and immediately destroy all originals and copies. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information.

Any disclosure of this communication or its attachments must be approved by the Office of the Principal Legal Advisor, U.S. Immigration and Customs Enforcement. This document is for INTERNAL GOVERNMENT USE ONLY and may be exempt from disclosure under the Freedom of Information Act, 5 USC §§ 552(b)(5), (b)(7).

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

Sent: Thursday, October 17, 2019 3:43 PM

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

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

Subject: ERO (b)(7)(E)

Good afternoon everyone,

Thank you very much for meeting with us to discuss ERO's (b)(7)(E) Privacy is prepared to approve the acquisition of this tool, but I would like to ensure we're on the same page regarding next steps before ERO begins operational use. Below, please find a summary of today's major points and next steps. If I've stated anything incorrectly, don't hesitate to correct me.

Major Discussion Points

(b)(5)

Next Steps

(b)(5)

I'm happy to revise these bullets as necessary. Thanks again!

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

Privacy Officer
Office of Information Governance and Privacy
U.S. Immigration and Customs Enforcement

Desk: 202-732-(b)(6);
Mobile: 202-701-(b)(6);
Main: 202-732-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: 20 Nov 2019 13:54:08 +0000
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ERO (b)(7)(E)

Thanks so much for your help (b)(6). As for Privacy, we are going to be updating our policies and SMOUTs regarding the use of fictitious accounts for passive online surveillance, and when that is complete updating our generic Privacy training on PALMS. We would like to review the ROBs and SOPs for ERO to ensure they are in line with the SMOUTs/policies.

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

Best,
(b)(6);

Mobile: 202-870-(b)(6);

From: (b)(6); (b)(7)(C)
Sent: Tuesday, November 19, 2019 5:02 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ERO (b)(7)(E)

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

(b)(5)

To the extent that the ERO BM is an interpretation/application of an ICE directive (10082.1), I believe (b)(7)(E)

(b)(7)(E)

(b)(7)(E) Thank you.

(b)(6);
Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);

(iPhone) 202-787 (b)(6);
(b)(6); (b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

From: (b)(6); (b)(7)(C)
Sent: Tuesday, November 19, 2019 4:57 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ERO (b)(7)(E)

10-4! Understood. Thank you! So what authorities would need to be granted in order to allow this type of activity? Does the memorandum need to be updated?

From: (b)(6); (b)(7)(C)
Sent: Tuesday, November 19, 2019 4:54 PM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: RE: ERO (b)(7)(E)

(b)(6);

(b)(5)

Thank you.

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

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6);

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

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

Sent: Tuesday, November 19, 2019 4:49 PM

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

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

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

Subject: RE: ERO (b)(7)(E)

Thank you for the attachment. I'll read it through carefully.

(b)(5)

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

Sent: Tuesday, November 19, 2019 4:29 PM

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

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

Subject: RE: ERO (b)(7)(E)

(b)(5)

(b)(6);

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6);
(iPhone) 202-787-(b)(6)
(b)(6); (b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

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

Sent: Tuesday, November 19, 2019 4:07 PM

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

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

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

Subject: RE: ERO (b)(7)(E)

Good afternoon. Trust this finds you all doing well! Hard to believe it's already November!

I was redirected to another project for a few weeks but am back and hoping to re-engage the topic of unattributable browser licenses for ERO. To re-cap, I believe this is where we stand:

(b)(5)

Thank you for continuing this conversation!

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

Sent: Friday, October 18, 2019 8:45 AM

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

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

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

Subject: RE: ERO (b)(7)(E)

Hi (b)(6);

Thanks very much for putting this together.

One point building upon (b)(6); clarification below: your discussion points indicate there are

(b)(5)

(b)(5)

It was nice to meet everyone in-person and I look forward to working with you all on this.

Best,

(b)(6);

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

Associate Legal Advisor
Homeland Security Investigations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
202-732-(b)(6); (office)
202-839-(b)(7)(cell)

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

Sent: Thursday, October 17, 2019 5:03 PM

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

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

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

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

Subject: RE: ERO Use of Silo

Thank you (b)(6); Your summary of today's meeting is very helpful.

There are just 2 points I would like to elaborate on.

(b)(5)

(b)(5)

Thank you everyone for a very successful meeting today!

(b)(6);

Associate Legal Advisor
Enforcement and Removal Operations Law Division
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
(Desk) 202-732-(b)(6)
(iPhone) 202-787-(b)(6)

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

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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

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

Sent: Thursday, October 17, 2019 3:43 PM

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

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

Subject: ERO (b)(7)(E)

Good afternoon everyone,

Thank you very much for meeting with us to discuss ERO (b)(7)(E) Privacy is prepared to approve the acquisition of this tool, but I would like to ensure we're on the same page regarding next steps before ERO begins operational use. Below, please find a summary of today's major points and next steps. If I've stated anything incorrectly, don't hesitate to correct me.

Major Discussion Points

(b)(5)

Next Steps

(b)(5)

I'm happy to revise these bullets as necessary. Thanks again!

(b)(6);

Privacy Officer

Office of Information Governance and Privacy

U.S. Immigration and Customs Enforcement

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

Mobile: 202-701-(b)(6);

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