

EXHIBIT O

From: ice-foia@dhs.gov
To: [Mary Pat Dwyer](#)
Subject: ICE FOIA Request 2022-ICFO-02964
Date: Thursday, January 13, 2022 3:59:42 PM

January 13, 2022

Mary Pat Dwyer
Brennan Center for Justice at NYU School of Law
1140 Connecticut Ave. NW
Suite 1150
Washington, DC 20036

RE: ICE FOIA Case Number 2022-ICFO-02964

Dear Ms. Dwyer:

This acknowledges receipt of your December 07, 2021, Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), for In general, "social media monitoring" is a term describing the use of social media platforms like Facebook, Twitter, Snapchat, and Instagram to gather information for purposes including, but not limited to, identifying potential threats, reviewing breaking news, collecting individuals' information, conducting criminal investigations and intelligence, and gauging public sentiment. Publicly available records indicate DHS engages vendors to support its social media monitoring efforts. For example, an article in the Intercept revealed that ICE had two contracts for ShadowDragon products. On the federal procurement website [usaspending.gov](https://www.usaspending.gov), the Brennan Center located three ICE contracts to purchase ShadowDragon products, specifically OI Monitor and SocialNet. Another company, Voyager Labs, markets its materials as useful for issue areas in which DHS operates – including matters in its exclusive authority, like border security. In addition, DHS officials have stated publicly that the Department is seeking third-party vendors to enhance its social media monitoring efforts in the wake of the January 6, 2021 insurrection. While those vendors have not been definitively identified, DHS has had at least preliminary conversations with Logically, Inc. Thus, despite widespread public interest in social media monitoring by law enforcement and security officers, and some sparse publicly available information about vendors with whom the Department has contracted or may be contracting, the public lacks sufficient insight into the current capabilities and limitations of DHS's social media monitoring operations, including its use of third-party providers. Accordingly, we seek information and documents about the nature of social media monitoring services provided or marketed by Voyager Analytics, Logically, Inc., or ShadowDragon, or any of their affiliates or subsidiaries (collectively referred to below as "Voyager Analytics, Logically, Inc., or ShadowDragon"), to DHS. (Date Range for Record Search: From 01/01/2016 To 12/07/2021). Your request was received in this office on December 07, 2021.

PLEASE NOTE: Requesters seeking responsive records from the U.S. Immigration and Customs Enforcement (ICE) are encouraged to create a DHS FOIA Public Access Link (PAL) account at: <https://foiarequest.dhs.gov>. Creating a PAL account will allow you to directly submit your FOIA request to ICE and track the status of your request. In PAL, you can view your prior PAL submissions, sent correspondences, and responsive records. Although PAL is preferred, ICE FOIA will continue to accept FOIA requests via email at ICE-FOIA@ice.dhs.gov or via regular mail at U.S. Immigration and Customs Enforcement, Freedom of Information Act Office, 500 12th St. SW, STOP 5009, Washington, DC 20536-5009.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, ICE processes FOIA requests according to their order of receipt. Although ICE's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10- day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, ICE will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to educational requesters. As an educational requester, you will be charged 10 cents per page for

duplication; the first 100 pages are free. We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

We have queried the appropriate program offices within ICE for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **2022-ICFO-02964**. Please refer to this identifier in any future correspondence. To check the status of an ICE FOIA/PA request, please visit <http://www.dhs.gov/foia-status>. Please note that to check the status of a request, you must enter the 2022-ICFO-02964 tracking number. If you need any further assistance or would like to discuss any aspect of your request, please contact the FOIA office. You may send an e-mail to ice-foia@ice.dhs.gov, call toll free (866) 633-1182, or you may contact our FOIA Public Liaison, Marcus Francis, in the same manner. Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Regards,

ICE FOIA Office
Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009
Telephone: 1-866-633-1182
Visit our FOIA website at www.ice.gov/foia